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## **THE CABINET**

**Wednesday, 22nd January, 2020 at 7.15 pm in the Conference Room, Civic Centre, Silver Street, Enfield, EN1 3XA**

### **Membership:**

Councillors: Nesil Caliskan (Leader of the Council), Ian Barnes (Deputy Leader of the Council), Rick Jewell (Cabinet Member for Children's Services), Nneka Keazor (Cabinet Member for Community Safety & Cohesion), Guney Dogan (Cabinet Member for Environment and Sustainability), Mary Maguire (Cabinet Member for Finance & Procurement), Alev Cazimoglu (Cabinet Member for Health & Social Care), George Sawa MBE (Cabinet Member for Licensing & Regulatory Services), Gina Needs (Cabinet Member for Social Housing) and Mahtab Uddin (Cabinet Member for Public Health)

### **Associate Cabinet Members**

Note: The Associate Cabinet Member posts are non-executive, with no voting rights at Cabinet. Associate Cabinet Members are accountable to Cabinet and are invited to attend Cabinet meetings.

Mustafa Cetinkaya (Associate Cabinet Member – Non Voting), Ahmet Hasan (Associate Cabinet Member – Non Voting) and Claire Stewart (Associate Cabinet Member – Non Voting)

### **NOTE: CONDUCT AT MEETINGS OF THE CABINET**

Members of the public and representatives of the press are entitled to attend meetings of the Cabinet and to remain and hear discussions on matters within Part 1 of the agenda which is the public part of the meeting. They are not however, entitled to participate in any discussions.

## AGENDA – PART 1

### 1. APOLOGIES FOR ABSENCE

### 2. DECLARATIONS OF INTEREST

Members of the Cabinet are invited to identify any disclosable pecuniary, other pecuniary or non pecuniary interests relevant to items on the agenda.

### 3. DEPUTATIONS

To note, that no requests for deputations have been received for presentation to this Cabinet meeting.

### 4. ADOPTION OF EDMONTON LEESIDE AREA ACTION PLAN (Pages 1 - 188)

A report from Sarah Cary, Executive Director Place, is attached. **(Key decision - reference number 4982)**

(Report No: 164)

### 5. PROPOSAL TO IMPLEMENT A BOROUGH-WIDE ADDITIONAL LICENSING SCHEME AND A SELECTIVE LICENSING SCHEME IN 14 WARDS (Pages 189 - 572)

A report from Sarah Cary, Executive Director Place is attached. **(Key decision - reference number 4999)**

(Report No: 165)

### 6. HOUSING AND GROWTH STRATEGY (Pages 573 - 650)

A report from Sarah Cary, Executive Director Place is attached. **(Key decision - reference number 4841)**

(Report No: 166)

### 7. HOMELESSNESS IN ENFIELD (Pages 651 - 672)

A report of Sarah Cary, Executive Director - Place is attached. **(Key decision - reference number 5049)**

(Report No: 167)

### 8. MERIDIAN WATER PRS SITE ACQUISITION (Pages 673 - 686)

A report from Sarah Cary, Executive Director – Place, is attached. (Agenda part 2 also refers) **(Key decision - reference number 4945)**

(Report No: 168)

**9. MERIDIAN WATER INFRASTRUCTURE COMPULSORY PURCHASE ORDER (CPO) (Pages 687 - 756)**

A report from Sarah Cary, Executive Director – Place is attached. (Agenda part two also refers). **(Key decision – reference number 4832)**

(Report No: 169)

**10. IWE LTD FUTURE OPERATING MODEL FROM 2020/21 (Pages 757 - 772)**

A report from Tony Theodoulou, Executive Director People, is attached. **(Key decision - reference number 5035)**

(Report No: 159)

**11. QUARTERLY CORPORATE PERFORMANCE REPORT (Pages 773 - 806)**

A report from Fay Hammond, Executive Director - Resources is attached. (Non Key)

(Report No: 171)

**12. CABINET AGENDA PLANNING - FUTURE ITEMS (Pages 807 - 812)**

Attached for information is a provisional list of items scheduled for future Cabinet meetings.

**13. MINUTES (Pages 813 - 820)**

To confirm the minutes of the previous meeting of the Cabinet held on 4 December 2020.

**14. DATE OF NEXT MEETING**

To note that the next meeting of the Cabinet is scheduled to take place on Tuesday 28 January 2020.

**15. EXCLUSION OF THE PRESS AND PUBLIC**

To consider passing a resolution under Section 100(A) of the Local Government Act 1972 excluding the press and public from the meeting for the items of business listed on part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

(Members are asked to refer to the part two agenda)

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## MUNICIPAL YEAR 2019/2020 REPORT NO. 164

### MEETING TITLE AND DATE:

#### Cabinet:

Cabinet (22.1.20)

Council (29.1.20)

### REPORT OF:

Executive Director – Place

Contact officer and telephone number:

Neeru Kareer

Email: [neeru.kareer@enfield.gov.uk](mailto:neeru.kareer@enfield.gov.uk)

<b>Agenda – Part: 1</b>	<b>Item: 4</b>
<b>Subject:</b> Adoption of Edmonton Leaside Area Action Plan	
<b>Wards:</b> Upper Edmonton, Edmonton Green, Lower Edmonton and Jubilee	
<b>Key Decision No: 4982</b>	
<b>Cabinet Member consulted:</b> Cllr Caliskan	

### 1. EXECUTIVE SUMMARY

- 1.1 Cabinet recommended approval of the Proposed Submission Edmonton Leaside Area Action Plan (ELAAP) to the 25<sup>th</sup> January 2017 meeting of Council, and to proceed with consultation and examination. This report seeks Cabinet's endorsement of the adoption of the ELAAP and recommendation to Council that it is formally adopted.
- 1.2 The ELAAP will form part of Enfield's Local Plan and will specifically deliver the spatial vision and land use strategy for the first phases of the Council's flagship regeneration area of Meridian Water. The Council submitted the ELAAP to the Secretary of State for public examination in April 2018. Inspector Anne Jordon BA (Hons) MRTPI was appointed to conduct an independent examination into the Plan. Public hearing sessions took place in October 2018.
- 1.3 The Inspector formally delivered her report into the soundness of the Plan to the Council on the 14<sup>th</sup> August 2019 and concluded the ELAAP meets the criteria of soundness set out in the National Planning Policy Framework (NPPF) and is an appropriate basis for planning and regeneration in the south east of the borough subject to the Inspector's recommended Main Modifications being incorporated into the final plan.
- 1.4 The Council is now able to adopt the Edmonton Leaside Area Action Plan to form part of Enfield's Local Plan.

## 2. RECOMMENDATIONS

- 2.1 That Cabinet notes receipt of the Planning Inspector's final report (**Annex 1**) that concludes the Edmonton Leaside Area Action Plan is 'sound' and legally compliant subject to the Main Modifications being incorporated into the final plan.
- 2.2 That Cabinet recommend to Council formal adoption of the Edmonton Leaside Area Action Plan (**Annex 2**) to form part of Enfield's Local Plan.

## 3. BACKGROUND

- 3.1 The Council's policies and guidance for spatial planning and development management is set out in a portfolio of documents that together make up Enfield's Local Plan. The approved Local Development Scheme<sup>1</sup> sets out the suite of Local Plan documents programmed to come forward between 2019/2022. Collectively these documents will provide the planning framework to deliver Council strategies and plans to support the delivery of corporate priorities such as good homes in well-connected neighbourhoods, sustain strong and healthy communities, regeneration, and creating thriving places, particularly in Enfield's regeneration areas.
- 3.2 The Edmonton Leaside Area Action Plan (ELAAP) has been a longstanding Council commitment as confirmed in the adopted Enfield Core Strategy 2010. Enfield's Core Strategy identifies the south east for strategic growth and adopts Meridian Water as a Regeneration Priority Area as well as a number of established employment estates, major infrastructure facilities and the Lee Valley Regional Park.
- 3.3 The ELAAP provides formal planning status to the Meridian Water vision as an exemplar council-led model of public sector proactive planning. The Plan includes new policies on how much and what kind of affordable and family housing will be expected, new standards for design quality, public realm and low carbon development, policies to secure education, health services and other community infrastructure - civic, cultural and leisure to support new and existing neighbourhoods.
- 3.4 The ELAAP is an area specific local plan document that responds to the challenges as well as opportunities. Once adopted, the ELAAP will form part of Enfield's Local Plan and will sit alongside the adopted Core Strategy, Development Management Document and other adopted

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<sup>1</sup> Enfield's Local Development Scheme 2019-2022

Area Action Plans. New development proposals coming forward in the area will be expected to accord with the policies and proposals contained within the ELAAP; the adopted Core Strategy; the Development Management Document and the Mayor's adopted London Plan and Upper Lee Valley Opportunity Area Planning Framework.

- 3.5 The ELAAP provides a critical planning tool for delivery; it sets out a clear vision and spatial strategy for Meridian Water for the next 10 years, and reflects a shared consensus between the Council, partners, the Mayor of London, and other agencies and investors.
- 3.6 Adopting ELAAP will provide planning status for continued investment in Meridian Water. The Plan redefines Meridian Water from what was once one of London's largest underused mostly derelict industrial brownfield and big box retail land. To now, where ELAAP formally allocates Meridian Water as one of the UK's largest regeneration opportunity.
- 3.7 The Council approved the Proposed Submission Plan at its meeting in January 2017 after which it was formally 'published' for a final stage of public consultation. The publication period of the Proposed Submission Area Action Plan ran through from 15th March to 28th April 2017. Approximately 1500 specific and general consultees were invited to make representations.
- 3.8 The Council submitted the ELAAP to the Secretary of State for public examination in April 2018. Inspector Anne Jordon BA (Hons) MRTPI was appointed to conduct an independent examination into the Plan. Public hearing sessions took place in October 2018.
- 3.9 A number of Main Modifications were highlighted through the examination hearings. The modifications proposed were in response to the Inspector's Matters, Issues and Questions (MIQs). They resulted from changes of wording reached with participants through 'Statements of (un) Common Ground and changes put forward through discussions during the examination hearing sessions. The Main Modifications were subject to a further six-week consultation period between May and June 2019.
- 3.10 The Inspector formally delivered her report into the soundness of the Plan to the Council on the 14<sup>th</sup> August 2019 and concluded the ELAAP meets the criteria of soundness set out in the National Planning Policy Framework (NPPF) and is an appropriate basis for planning and regeneration in the south east of the borough subject to the Inspector's recommended Main Modifications being incorporated into the final plan.
- 3.11 The Council is now in a position to adopt the Edmonton Leaside Area Action Plan to form part of Enfield's Local Plan.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 None considered as having an adopted and comprehensive planning framework for the area provides a basis for setting the area specific planning policies by which decisions on development will be guided. This is essential to support the Council's regeneration programme, particularly in light of on-going as well as future investment opportunities.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 These are as set out in paragraph 4.1 above.

#### **6. COMMENTS FROM OTHER DEPARTMENTS**

##### **6.1 Financial Implications**

Provision for the cost of the preparation, consultation, examination and adoption of the AAP is funded from within the Local Plan budget.

The AAP contains a variety of future options but does not in itself commit the Council to additional expenditure. Any future proposals arising from the AAP with cost implications would need to be subject to separate reports and full financial appraisal.

##### **6.2 Legal Implications**

The Planning and Compulsory Purchase Act 2004 (the Act) as amended and the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations) require local authorities to prepare the local plan, which consists of the Local Development Documents (LDDs). These documents have been submitted for independent examination in accordance with the Regulations and the Inspector's Report is the subject of this report.

In order for the ELAAP to be afforded full weight it must be adopted by full Council. The recommendations contained in this report are in accordance with the Council's powers.

##### **6.3 Property Implications**

There are no direct property implications.



## 7. KEY RISKS

An up to date statutory development plan for the south east of the borough, in particular for Meridian Water significantly reduces the risk to the Council in regard to the planning and development of the area over the next 10 years. Failure to produce up to date, robust policies through the preparation of the Area Action Plan document would result in a gap in policy for the area. This could lead to lack of strategic investment, poor quality development and/or development in inappropriate locations and would significantly harm the Council's ability to deliver wider regeneration objectives. Incorporating a number of modifications, the Council seeks to use its best endeavours to provide a sound Local Plan document.

## 8. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

- **Good homes in well-connected neighbourhoods**

ELAAP will be fundamental in achieving sustainable neighbourhoods in one of the most deprived wards in the borough. Embedding regeneration to create a lifetime of opportunities for Enfield residents.

- **Sustain strong and healthy communities**

Policies throughout the document seek to achieve equality for all, strong place-making and sustainable communities.

- **Build our local economy to create a thriving place**

ELAAP policies supports a shift to higher value employment sectors, for example creative, digital and media, and e-commerce.

## 9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 Previous draft versions of the ELAAP have been subject to an Equalities Impact Assessment (EqIA) to ensure that the AAP and consultation stages promote equal opportunities. A final EqIA (including an assessment of policies) was undertaken prior to submission and forms part of the supporting documentation to the Plan. The Main Modifications have been subject to assessment and consultation and do not require a further equalities impact assessment of the Plan to be carried out.

## 10. PERFORMANCE AND DATA IMPLICATIONS

- 10.1 The ELAAP will provide clear policies for the assessing development and regeneration opportunities within the area and will bring performance management improvements to the delivery of the Council's five year housing supply targets, including the appropriate mix of private and affordable housing. The Plan will provide certainty for investment; clarity to the planning application process; and potentially lead to less debate and time savings at the appeal stage.

## **11. PUBLIC HEALTH IMPLICATIONS**

- 11.1 The Plan includes new policies and new standards for travel, design quality, public realm and low carbon development, policies to secure education, health services and other community infrastructure - civic, cultural and leisure to support the health and well-being of new and existing neighbourhoods

### **Background Papers**

None



The Planning Inspectorate

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# **Report to the Council of the London Borough of Enfield**

**by Anne Jordan BA (Hons) MRTPI  
an Inspector appointed by the Secretary of State**

**Date: 14 August 2019**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Edmonton Leaside Area Action Plan**

The Plan was submitted for examination on 26 April 2018  
The examination hearings were held between 9th and 12<sup>th</sup> of October 2018

File Ref: PINS/Q5300/429/11

## Abbreviations used in this report

AA	Appropriate Assessment
CS	The Enfield Plan: Core Strategy 2010-2025
DCO	Development Control Order
DEN	Decentralised Energy Network
DMD	Development Management Document
DtC	Duty to Co-operate
ELAAP	Edmonton Leaside Area Action Plan
EA	Environment Agency
GLA	Greater London Authority
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
MW	Meridian Water
MWHN	Meridian Water Heat Network
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SIL	Strategic Industrial Location
SPD	Supplementary Planning Document

## Non-Technical Summary

This report concludes that the Edmonton Leaside Area Action Plan provides an appropriate basis for the planning of the London Borough of Enfield, provided that a number of main modifications [MMs] are made to it. Enfield Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

All the MMs were proposed by the Council and were subject to public consultation over a six week period. In some cases, I have amended their detailed wording and added consequential modifications where necessary. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Changes to reflect the importance of parts of the Plan area as a Strategic Industrial Location (SIL) and Locally Significant Industrial Sites (LSISs) , and to support employment uses within the plan area, including those outside Meridian Water, in line with local and national policy;
- A reduction in the numbers of dwellings proposed to ensure that the amount and type of housing is deliverable within the plan period and is consistent with the aims of the Core Strategy;
- Revisions to reflect the Council's changed approach to the "Central Spine" to provide flexibility and to reflect the needs of existing occupiers;
- Updates to ensure that there are effective policies to deal with flood risk, biodiversity and adaption to climate change;
- Clarifications to ensure that policies aimed at enhancing the quality of the built environment are effective;
- Greater emphasis on historic environment and heritage assets, to ensure consistency with national policy;
- Factual updates throughout the plan to reflect changes in the Council's preferred development partner, changes in the delivery of Edmonton Ecopark and the Meridian Water Heat Network, and changes to rail infrastructure, including the development of Meridian Water Station.

## Introduction

1. This report contains my assessment of the Edmonton Leaside Area Action Plan (ELAAP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the Duty to Co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (NPPF) (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy. The revised NPPF was published in July 2018 and updated in February 2019. It includes a transitional arrangement in paragraph 214 whereby, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Unless stated otherwise, references in this report are to the 2012 Framework.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The ELAAP submitted in April 2018, is the basis for my examination. It is the same document as was published for consultation in January 2017. The Council also submitted to the Examination a number of proposed modifications to the plan set out in [EXD-117]. As part of the Examination I have considered whether or not any of these modifications are necessary for the plan to be sound.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [**MMs**] necessary to rectify matters that make the Plan unsound or not legally compliant and thus incapable of being adopted. My report explains why the recommended **MMs**, all of which relate to matters that were discussed at the Examination hearings, are necessary. The **MMs** are referenced in bold in the report in the form **MM1**, **MM2**, **MM3** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed **MMs**. The **MM** schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the plan identified as the

proposed submission Policies Map [ELAAP-02] as set out in the Edmonton Leaside Area Action Plan.

6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map.
7. These further changes to the policies map were published for consultation alongside the **MMs** [EXD-220].
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Edmonton Leaside Area Action Plan Revised Policies Map and the further changes published alongside the MMs, incorporating any necessary amendments identified in this report.

## **Assessment of Duty to Co-operate**

9. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
10. The Council sets out its evidence in relation to the DtC in [ELAAP-04]: Regulation 22 Consultation Statement, [ELAAP-06]: Legal Compliance Checklist and [ELAAP-07]: Soundness Self-Assessment. These provide evidence detailing how it has engaged with other bodies including neighbouring local authorities in the preparation of the Plan as prescribed under Section 33A of the 2004 Act, where appropriate.
11. The Council states that consultation with relevant bodies, including neighbouring authorities, has been continuous throughout the process of preparing the Plan since its inception in 2007. These include the Greater London Authority, Transport for London, the Lee Valley Regional Park and the neighbouring authorities of Haringay and Waltham Forest.
12. There are no strategic matters within the Plan that diverge from the Core Strategy. Co-operation has resulted in mitigation measures being incorporated into policies with cross-boundary implications in relation to biodiversity and flooding. Furthermore, the Council has not received any objections to the Plan concerning the DtC.
13. In summary, I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

## **Assessment of Soundness**

### **Background**

14. Edmonton Leaside lies in the east of the London Borough of Enfield. The ELAAP sets out a framework for development in the area, which includes the Meridian Water development area to the south, alongside extensive existing employment areas. The River Lee, and its tributaries traverse the plan area,

with the Lee Valley Regional Park lying to the east. This contains Picketts Lock and the Metropolitan Green Belt.

15. The Enfield Plan: Core Strategy 2010-2025, was adopted in November 2010 ('The Core Strategy') [EBD-01]. This provides the broad strategy for the scale and distribution of development and supporting infrastructure. Of particular relevance to the ELAAP are Core Policy 37 which deals with Central Leaside and Policy 38 which deals with Meridian Water. Policy 37 recognises the industrial and employment character of Central Leaside and seeks to strengthen the role of industrial estates to support new and emerging businesses. It identifies Meridian Water as a site for a new sustainable mixed use community to provide around 5,000 homes and 1,500 jobs. It also seeks to improve connectivity through the site, both north-south and east-west. Policy 38 sets out the specific criteria for growth at Meridian Water. The Development Management Document, adopted in November 2014 provides detailed policies for dealing with planning applications.
16. The ELAAP is also intended to be read alongside The London Plan (2016). The area has undergone significant change in recent years and is recognised as being a priority area for jobs and housing within the Mayor's Upper Lee Valley Opportunity Area [NRBD-03]. Annex 2 of The London Plan identifies the ULVOA as occupying a strategic position in the London-Stansted- Cambridge Peterborough growth corridor. Annex 2 supports the potential of a Green Enterprise District, to provide employment but also recognises the importance of retaining adequate capacity for industrial needs including waste management and strategic logistics functions which are essential to retain London's global competitiveness and national advantage.
17. The London Plan also seeks to balance the provision of increased levels of housing with its wider policies of protecting the Green Belt and SIL capacity and intensifying development in accessible locations, including on small sites. I am advised that GLA officers are working with Enfield to support them in its Housing Infrastructure Fund bid for part of the Meridian Water area, in order to facilitate the delivery of housing.
18. The emerging New London Plan is, at the time of writing, still subject to Examination. The New London Plan seeks to optimise density by evaluating an area's capacity. TfL has advised that higher levels of housing require investment in public transport services, which includes train services, bus services, bus infrastructure as well as the infrastructure of Crossrail 2 to support them.
19. At the time of writing the Council are of the view that the emerging London Plan does not accurately reflect Enfield's capacity for growth and I note that Enfield's proposed new housing target in the New London Plan has yet to be confirmed. The emerging Plan is therefore a material consideration in the preparation of the ELAAP, which carries less weight than The London Plan (2016) with which the ELAAP must be in general conformity.
20. The ELAAP has been in preparation since 2008 and has previously undergone consultation as the Central Leaside AAP in 2012 and 2014. It was renamed the Edmonton Leaside Area Action Plan prior to consultation in 2017. It comprises a set of policies that relate specifically to development within the



Meridian Water development area, and a further set of area wide policies which relate to the whole ELAAP area.

## **Main Issues**

21. Taking account of all the representations, the written evidence and the discussions that took place at the Examination hearings, I have identified nine main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 - Whether the vision and objectives of the Edmonton Leaside Area Action Plan (ELAAP) are justified, effective and in accordance with national policy and the development plan.**

22. The ELAAP has an overall vision to maximise opportunities for a range of new homes, jobs and opportunities for local people. Five broad objectives are identified, with detailed aims within each. The objectives comprise: (1) Building a sustainable urban neighbourhood (2) Facilitating economic growth; (3) Connectivity; (4) Delivering sustainable regeneration; and (5) Celebrating the Lee Valley waterways and open spaces.
23. All these objectives are consistent with the core principles within the NPPF, the wider objectives of the London Plan and the emerging New London Plan and the strategic objectives of the Core Strategy. Whilst the consideration of individual development proposals will likely require balancing these sometimes competing aims, the vision and objectives as set out in the ELAAP are nonetheless justified, effective and in accordance with national policy and so are soundly based.

### **Issue 2 : Whether the ELAAP makes appropriate provision for employment land and whether policies E2, E14 and E15 in relation to employment are positively-prepared, justified, effective and consistent with national policy.**

24. Edmonton Leaside contains large areas of land designated for employment as Strategic Industrial Locations (SIL) within The London Plan (2016). As submitted for Examination the Plan proposed removal of a large proportion of land from SIL designation.
25. The function of SIL, as a resource for industrial and related capacity is strategically important to the wider London economy. Furthermore, the 2017 Draft Employment Land Review [EXD-55] identifies an under-provision of employment land in the Borough and relatively buoyant demand for it.
26. Whilst a de-designation of land as SIL would provide the opportunity to introduce higher density employment uses to Meridian Water, there is limited cogent evidence to support the view that existing SIL designations are no longer fulfilling a functional employment need for industry and that any identified need could be adequately accommodated within the other designations proposed.
27. The plan proposes new SIL designations to replace the SIL that would be lost. These comprise Deephams Sewage Works, which is needed for continued operational needs, and so will not provide additional industrial capacity over

the lifetime of the ELAAP. Two further small parcels to the north and east are also proposed, but these would not offset the loss of the existing SIL designation from industrial use in terms of size or quantity. Other potential new designations in the AAP are similarly ineffective as they are relatively small, and their configuration reduces their utility.

28. Consequently, the loss of SIL would not be in conformity with the London Plan. Modifications within **MM2** and **MM2a** which retain the existing SIL designation within the AAP area, are therefore necessary to ensure that the land continues to fulfil a strategic employment function, in line with the aims of the London Plan of both ensuring London retains a competitive economy and that appropriate weight is given to wider economic objectives when considering business and residential development proposals.
29. Consequential changes to the supporting text are also needed. These include changes to maps within the AAP, revised job numbers, references to the relocation of businesses and removal of references to supporting higher density B1 uses, including tall buildings adjacent to Banbury Reservoir. Measures to facilitate the relocation of the bus station at Harbet Road and other occupiers are also no longer necessary and so changes to remove these requirements and to recognise their use as SIL in **MM2a** and **MM15a** are also necessary.
30. The AAP seeks to diversify and intensify development in appropriately accessible locations, such as within Meridian Water. Although, as set out below, I find no justification for the residential and employment capacity assumptions set out in the ELAAP, [Meridian Water Spatial Scenario Testing - ELAAP-14], Both the London Plan and the emerging New London Plan seek to facilitate higher density employment and other uses in appropriate accessible locations. The ELAAP Industrial Floorspace Study [EXD-71] also shows that there are opportunities for some intensification of industrial capacity in the wider AAP area. The more efficient use of land is consistent with the aims of the NPPF and is also aligned with the wider aims of The London Plan. It is also in accordance with Policy 38 of the Core Strategy and would not undermine the purpose of SIL designation.
31. Accordingly, I find no inconsistency with measures and objectives in the plan which seek to increase job density in industrial areas, to make more efficient use of land and to support intensification. These also seek to improve outdated infrastructure and facilities to meet energy efficient standards and respond to the concerns of occupiers in relation to crime within existing industrial estates, all of which are broadly consistent with national policy. The changes in **MM2** and **MM15** which are aimed at achieving these aims are therefore justified. However, to assist with clarity, I have reordered the wording of policy EL2 within **MM2** to make clear that intensification should not undermine the purpose of SIL designation, as I am satisfied this would not prejudice anyone's interests.
32. As outlined above, proposals to allocate small portions of land north and east of Deephams Sewage Treatment Works as SIL would not be effective as the land parcels are not sufficiently large to meet the requirements of the designation. **MM14** and **MM14a** are necessary to delete their allocation from the AAP. The requirement in the supporting text in Chapter 6 that

development be particularly encouraged in industrial estates where the Council has significant land ownership interests is also not justified and **MM15a** is necessary to delete this part of the text.

33. The ELAAP also seeks to protect and improve the quality of employment areas in the plan area. The "Agent of Change principle", seeks to ensure that new development mitigates adverse effects on neighbouring uses. This is consistent with the aim of protecting employment uses within the AAP and the core principles of the NPPF and so changes to reflect it in the Plan in **MM2**, **MM2a** and **MM15** are appropriate. **MM2** also reflects the need for low carbon development in line with the aim of mitigating and adapting to climate change implicit in the NPPF and is also justified.
34. A substantial portion of Meridian Water's existing occupiers are made up of large scale retailers, with both Tesco and IKEA having significant land holdings within the Meridian Water site. Accordingly changes in **MM1a**, and **MM2a** aimed at recognising the contribution retail uses make to employment and economic growth in Edmonton are necessary for clarity and factual accuracy, and so effectiveness.

### **Issue 3 – Does the plan set out a positively prepared strategy for housing which is justified, effective and based on sound evidence?**

35. The Meridian Water Spatial Scenario Testing [ELAAP-14] assumes that the site has the capacity to accommodate 10,000 homes and 6,000 jobs, based on all of the land currently used as SIL being de-designated and being put to more intensive use. I have outlined above why this strategy would be unsound.
36. In addition, the existing permission at Willoughby Lane, which I am advised comprises approx. 8 hectares, would appear to be proposed for development at a significantly lower intensity than that envisaged across the remainder of the site. The scenario testing also assumes that all of the Tesco and IKEA car parks provide the potential for redevelopment. In the case of IKEA, the evidence put to me at the hearings suggests that IKEA as landowner consider their operational needs to require more car parking than envisaged in the Scenario Testing, potentially also reducing the future residential capacity of the site.
37. Furthermore, as the Scenario Testing predates any information regarding technical requirements for flood storage it cannot take account of these. It is not known whether this is likely to require additional land take within Meridian Water over and above the open space provision assumed in the capacity study, or whether this will have any implications for the utility of the open space proposed, and this adds to my reservations regarding the assumptions made within the Scenario Testing in relation to residential capacity.
38. Taken together, these factors lead me to the view that many of the assumptions in the capacity study are no longer valid and that there is therefore no sound basis for concluding that the figure of 10,000 homes and 6,000 jobs is achievable and therefore justified.
39. Consequently, **MM1** and **MM1a** are necessary to set a lower, minimum figure for housing and employment in the plan period of 5,000 new homes and 1,500 new full-time jobs, in line with the Core Strategy. The consequential

amendments also recognise that the density of development within Meridian Water should reflect both levels of connectivity and environmental impact and is in line with the aims of The London Plan.

40. The plan submitted for examination set a figure of 35% for Affordable Housing, lower than the figure in the Current London Plan, where public subsidy is involved, and lower than the 40% figure in the Core Strategy. The supporting evidence provides no compelling evidence as to why this is justified. Changes in **MM1** and **MM1a** consequently align with the requirement of 40% set out in the Core Strategy and include the aim that the Council will work towards the strategic target of 50%. The MMs are also necessary to ensure that where justified, viability requirements may indicate a lower figure may be appropriate, to allow appropriate levels of flexibility. In the absence of convincing justification for a diversion from the adopted plan, these changes are necessary to make the plan sound.
41. I note that the Core Strategy requirement itself falls short of the requirement in the emerging New London Plan. The GLA recognise that the ELAAP does not have to be in conformity with the New London Plan, but advise that the Council should work towards updating the requirement in the ELAAP, alongside a review of the Core Strategy. This is a matter for the Council to consider, but as the draft New London Plan is not at this stage adopted, a further modification is not required.
42. The Plan proposes a lower level of family housing than advocated in The London Plan or the Core Strategy, in the interests of increasing residential capacity across Meridian Water. In the absence of cogent evidence that the levels of intensification proposed can be satisfactorily achieved, there is no sound reason for providing less family housing than is identified to meet local needs.
43. Accordingly, **MM1** and **MM1a** set out that the mix of housing provided should allow for a range of housing sizes and tenure mix in line with the Core Strategy and also alters the definition of affordable housing to include London Shared Ownership and London Living Rent products in line with The London Plan. These changes are also necessary in the interests of clarity, and therefore effectiveness.

#### **Issue 4: Is the framework for movement throughout the Plan area positively prepared and soundly based?**

44. Improving connectivity is an important component of ensuring the deliverability of Meridian Water and achieving the objectives of the ELAAP as a whole. As submitted for examination, the ELAAP shows a new road link which follows a fixed route extending east-west. The Council advanced an alternative option at the hearings, now shown in **MM6** and **MM6a** to replace this with a safeguarded corridor referred to as the Central Spine. This approach responds to concerns from landowners, that a fixed route, which utilised land outside the Council's control, could be difficult to implement, and could potentially have an adverse effect on existing occupiers and so would not be effective.

45. The safeguarded corridor in figure 5.1 within **MM6** aligns with the principle set out in Core Policy 38 of the CS that a new spine be provided within the site connecting all areas of Meridian Water. I am also satisfied that in the context of the modifications in **MM1** and **MM2** the submitted highways modelling [EXD-44] is sufficient to indicate that subject to detailed design and mitigation works, the route would not lead to a severe impact on the surrounding network consistent with NPPF Para 32. The safeguarded corridor approach also allows the exact route of the Central Spine, which will be subject to a separate planning application, and will take account of the interests of existing businesses as far as possible, to be informed by the development work for the proposed Meridian Water Masterplan.
46. Taking into account the role the route will play in facilitating the redevelopment of Meridian Water and the wider ELAAP, it is important that development proposals within the identified corridor are designed to support the function of the Central Spine. It should also be used as a route for servicing and infrastructure. Whilst the road should make provision for cycle routes, these should take account of the needs of existing businesses. These measures, as set out in **MM6** are reasonable and necessary.
47. **MM6** and consequential amendments to the supporting text in **MM6a** which amend the fixed route to a safeguarded corridor are therefore necessary to ensure the plan is positively prepared. However, the safeguarded area is larger than the route of the future road, and some development within it could be of a scale or type which would not be prejudicial to its delivery and could take place prior to the preparation of a Masterplan. I have therefore amended **MM6** as set out in the appendix to reflect this, in the interests of positive planning, and am satisfied that this change would not prejudice the interests of any parties.
48. Policy EL7 outlines the scope of rail and bus improvements within Meridian Water. As submitted, the policy does not include reference to the replacement of Angel Road Station or to bus standing facilities, both of which are necessary improvements. **MM7** and **MM7a** address this and are necessary to ensure that the policy has been positively prepared.
49. Policy EL21 relates to improving the quality of the pedestrian and cycling environment. **MM21a** clarifies that modal shift will be supported in order to achieve sustainable transport. This would be consistent with the aims of the NPPF and is necessary for clarity.
50. Policy EL22 refers to proposed improvements to cycle routes in the wider ELAAP area. To reflect the need for pedestrian and cycling facilities to integrate with the existing highways network, including the North Circular, modifications **M22** and **M22a** are necessary in order for the policy to be effective. The provision of adequate cycle parking and changing facilities are complementary measures which will help achieve modal shift and the reference to this requirement in the supporting text is therefore justified. The "Mayor's Healthy Streets Approach" is a framework for planning new developments so people can walk or cycle to local shops, schools and workplaces, and have good public transport links for longer journeys. Its aims are consistent with the objectives of the ELAAP and with the NPPF and its inclusion in the plan in **MM22** assists with clarity and therefore effectiveness.

51. Policy EL23 relates to enhancing the bus network and services throughout the Plan area. Amongst other things it seeks to ensure that in planning bus routes, new development is located no further than 640m from a bus route. Improving connectivity is a main objective of the Plan. **MM23** is necessary to extend this requirement to existing development and is necessary to ensure consistency in service delivery and in the interest of effectiveness.
52. Policy EL25 relates to the design of the road network in the plan area. The plan as submitted referred to the Road Task Force (2013), an initiative which is now of some age and so is no longer current. The deletion of reference to this in the policy and supporting text **MM25** and **MM25a** is necessary to update the plan in the interests of clarity.

**Issue 5: Does the Plan set out an effective strategy for securing high quality and inclusive design, which would protect and enhance the built, natural and historic environment?**

*Leisure Facilities and Open Space*

53. Policy EL9 aims to ensure that development at Meridian Water makes sufficient provision for leisure facilities and open space within Meridian Water. Policy EL28 relates to new and existing green spaces within the wider plan area.
54. As the Plan recognises that some of the leisure needs of new residents may be met off site, in order to protect existing wildlife habitats, new development should take into account the impact which additional recreational pressure or traffic arising from development may have upon sites of ecological importance, including the Chingford Reservoirs SSSI and Lee Valley Special Protection Area/Ramsar site at Walthamstow Reservoirs Epping Forest Special Area of Conservation (SAC). **MM9** and **MM9a** are necessary to secure these changes. **MM28** seeks to ensure that the same considerations are reflected in proposals for new green infrastructure outside Meridian Water and is necessary for effectiveness. It is also necessary to ensure that access is enhanced to open spaces which are not subject to protective designations, and waterways outside Meridian Water. These changes are contained in **MM9** and **MM9a** which in the interests of effectiveness also include additional criteria against which development proposals will be assessed.
55. Policies EL9 and EL28 both encourage a range of uses for new and existing green spaces. In order to encourage the multiple use of green and open space, including use for flood storage capacity, **MM28** is necessary to make more efficient use of land and enhance biodiversity, consistent with the aims of the NPPF and also aligned with the wider aims of The London Plan. **MM9** and **MM9a**, which increase opportunities for new water spaces, is also consistent with this aim and includes the clarification that proposals for public access to Banbury Reservoir should not undermine the function of the operational reservoir for public water supply. Furthermore, as some of the land shown within Figure 6.1 as open space is not publicly accessible, **MM14a** which corrects this, is necessary for clarity and therefore effectiveness.

56. Policy EL9 seeks the provision of formal playing fields where appropriate within Meridian Water. To be effective this should be modified to ensure that this is linked to evidence of need. Alterations to improve the readability of the policy are also necessary in the interests of precision and therefore effectiveness. These are set out in **MM9**.

*Urban Grain and Building Form*

57. Policies EL10, EL11 and EL12 relate to design principles for development at Meridian Water and set out the parameters for assessing the design of new developments. In order to ensure that active frontages are an integral component of the design of ground floor frontages, **MM10** is necessary for soundness.
58. Part C of Policy EL11 deals specifically with the implications of tall buildings. However the Policy does not reflect guidance in The London Plan in relation to single aspect dwellings and BS standards for direct sunlight penetration for open space. It is also inconsistent with the definition of tall buildings in The London Plan and fails to take appropriate account of the specific impact tall building proposals may have on heritage assets and groundwater protection. The modifications proposed in **MM11** assist in providing consistent standards for considering the quality of residential environments and are therefore necessary for clarity.

*Public Realm*

59. Policy EL12 relates to the design of the public realm at Meridian Water and EL27 deals more generally with watercourses in the wider plan area. **MM27** and **MM12** comprise a number of changes aimed at creating well designed healthy communities and recognising the importance of integrating waterways within new development.
60. These changes include requiring that natural and man-made watercourse heritage is taken into account in the design of the public realm. They also encourage planning proposals to incorporate watersides within site boundaries so that improvements can be integrated into new development and where appropriate measures which protect and enhance habitats and biodiversity can be included. They also seek, where suitable, to provide residential and commercial moorings along the River Lee Navigation as part of waterside redevelopments at Meridian Water and to ensure that these are appropriately designed. These changes, along with incorporating Sport Englands "Active Design Guidance" and opportunities for games and urban play, are in line with the aim of providing active waterway corridors which contribute to good design.
61. **MM12** and **MM12a** recognise and incorporate the access requirements of the Environment Agency, to allow for maintenance and improvements, such as renaturalisation of river banks and habitat improvement. As this requirement is covered by other legislation and may be waived or reduced where access can be otherwise achieved, I consider it appropriate to set this requirement out within the supporting text rather than the policy. Together these changes are justified in the interests of effectiveness.

*Picketts Lock*

62. Picketts Lock is a Major Developed Site in the Green Belt and Policies EL19 and EL20 recognise the role Picketts Lock plays as an existing leisure destination and the potential for redevelopment of the site to meet future leisure demand in the Lee Valley. The policy outlines a range of potential uses which may come forward. However, in order for future development to conform with the NPPF, in respect of Green Belt development, the modifications proposed in **MM19**, and those in supporting text **MM19a** are necessary for clarity.
63. I take into account the concerns relating to some of the uses outlined in the policy. However, I am mindful that the site is an existing developed site within the Green Belt and that the NPPF does not preclude redevelopment of such sites, subject to considerations of openness. In this regard, the alterations proposed, although extensive, would make clear the basis on which proposals at the site would be considered. When read in conjunction with Core Strategy Policy 33 and DMD policies 25, 82 and 89, **MM19**, **M19a** and **MM20** assist with clarity and therefore effectiveness. To ensure new development is subject to a sequential test, in line with national policy, changes in this regard are also justified. Reference to "floating classrooms" in policy EL20 could conflict with the operational requirements of infrastructure providers and **MM20** is necessary to secure the removal of specific reference to this matter in the policy.

**Issue 6: Are the policies in the plan consistent with the aim of the Framework, to mitigate and adapt to the effects of climate change?**

64. Meridian Water lies within an area of flood risk classified at levels 2 and 3. The Level 2 Strategic Flood Risk Assessment is out of date as it does not take account of 2015 Environment Agency (EA) guidance in relation to climate change allowances. Up to date modelling from the Council is not yet available and so has not informed the Plan. At present the EA indicate that it is unclear what the 1 in 100 year 35% and 1 in 100 year 70% climate change scenarios will look like on site but that the level of flood risk on site is likely to increase once these have been taken into account.
65. The EA recommend that a sequential approach to site selection is undertaken across the Meridian Water site with new development being directed to areas of lowest flood risk. All development should be subject to a detailed flood risk assessment which takes account of climate change allowances. This is consistent with guidance in the NPPF and **MM8** and **MM8a** are necessary.
66. However, in the absence of an up to date flood risk assessment for Meridian Water as a whole and in advance of a Masterplan which provides an appropriate strategy for flood protection and mitigation across the site, a sequential test would not on its own be effective, as it is a site by site approach which cannot guarantee a cohesive area wide strategy for flood alleviation.
67. **MM8** and **MM8a** are required to make explicit that the phasing of development and the Masterplan will ensure flood mitigation and prevention measures are dealt with in an area-wide manner and that adequate flood risk



mitigation must be in place for all development. These modifications also make explicit the aim of reducing flood risk as an objective of the plan.

68. **MM8** and **MM8a** also updates the text in Policy EL8 and its supporting text to refer to the preparation of a flood risk assessment to inform the upcoming Masterplan and to reflect the fact that revised climate change allowances are not yet available. Changes to policy EL8 in relation to achieving green field run-off rates are required to reflect the need for flexibility. Subject to further minor changes, to make clear the role of the Environment Agency, and make explicit the need to comply with the requirements of the NPPF, these modifications are needed to make the policy clear and therefore effective. I am satisfied these changes would not prejudice the interests of any party.
69. Thames Water has confirmed that Land South of William Girling Reservoir and Land at Harbet Road may be required for operational purposes and as such, may not be available for off site flood storage. Nevertheless, the need for flood storage will be reviewed in the flood risk assessment currently being prepared and as such I see no justification for removing a reference to potential off-site flood storage in the policy. Whilst it is reasonable to include a reference to the potential for the River Lee Navigation to receive surface water drainage, this should be subject to pollution control and would be subject to discharge permitting and **MM8a** achieves this. However, I do not consider it necessary that specific reference is made in supporting text to how compensatory volume is provided.
70. The plan does not include an area wide policy for managing flood risk, although section 13.4 - Managing Flood Risk – refers to both Meridian Water and the wider ELAAP area. In order to clarify that the principles outlined in policy EL8, are also relevant to the wider plan area are consistent with the NPPF, I have amended the wording of **MM8** to reflect this.

**Issue 7: Does the plan make appropriate provision for retail uses and provide positive policies which support the vitality and viability of town centres?**

71. Policy EL3 sets out the requirement for a new town centre at Meridian Water to serve future residents and businesses. The plan as submitted refers to a cumulative threshold for the assessment of proposals, which could result in relatively minor small scale "A" Class development being subject to retail impact assessment. As a result, the policy would be difficult to administer and wouldn't take account of built out developments, so would not be effective. **MM3**, which removes the cumulative requirement and reduces the threshold is necessary in the interests of effectiveness. Policy EL3 as submitted and its supporting text also contains prescriptive requirements in relation to frontage widths and for effectiveness, **MM3** and **MM3a** are necessary to allow greater flexibility.
72. Policy EL4 relates to Ravenside Retail Park on the North Circular. The policy seeks to ensure better integration of the retail park with the wider area, and to encourage intensification of retail provision, in line with The London Plan. However, the site is poorly related to the River Lee Navigation. In order to recognise this, **MM4** provides clarification and is necessary to ensure positive

planning. Furthermore, as development at the retail park may require sequential assessment, the modification in **MM4** is also reasonable and necessary to ensure effectiveness.

73. Policy EL16 acknowledges that Angel Road Retail Park which sits on the A406 is relatively isolated with poor links to the surrounding area. The policy de-designates the site as a Retail Park to mixed employment led uses, reflecting a recent planning permission which allows for a wider range of uses on the site. In order to reflect the range of potential uses which could assist in achieving the aim of strengthening the vitality and viability of the adjoining Eley Estate and wider SIL area, **MM15** and **MM15a** are necessary in the interests of positive planning.

**Issue 8: Does the plan make appropriate provision for infrastructure to serve proposed development, including community and cultural facilities and services to meet local needs?**

74. Policy EL5 relates specifically to the provision of community facilities within Meridian Water. In this regard the plan recognises the importance that appropriate and well-integrated facilities play in the quality of life of local people. However, as submitted the policy reflects the facilities needed for higher development levels and so modifications **MM5** and **MM5a** are necessary to bring the requirement for education provision back in line with those set out within Core Strategy Policy 38.
75. Furthermore, changes in **MM5** and **MM5a** which seek to ensure that outdoor sports pitches are provided in proximity to schools where possible, or be conveniently and safely accessible, rather than within a specified 400m, provide clarification that the co-location of sports pitches and schools is preferable in the first instance, and so the change is necessary for clarity and effectiveness. Whilst I note that Sport England would prefer use of the term "playing field", the term sports pitches includes other multi-use games facilities and so is more appropriate.
76. The supporting text to Policy EL5 refers to the potential for education provision being secured by CIL in the longer term. As there is not currently provision for collecting such contributions through CIL this reference is not justified and its removal in **MM5a** is necessary for effectiveness.
77. The Plan does not make specific provision for Mental Health Services. It nonetheless aims to provide healthy communities in part by providing appropriate healthcare facilities for residents. The provisions in Policy EL5 and within Chapter 14 are comprehensive and do not differentiate between mental and physical health needs. As such, I do not consider that the Plan is unsound because mental health provision is not explicitly referred to.
78. Policy EL13 sets out how infrastructure will be delivered at Meridian Water. The existing CIL 123 list at present only includes provision for road and rail infrastructure, but its scope may widen over time, as development progresses. Policy EL13 sets out where S106 contributions will be sought, in line with national guidance in relation to pooling restrictions. Whilst the list included in Policy EL13 is already broad ranging, sports and recreation facilities, blue infrastructure and space for biodiversity habitats are potentially acceptable

forms of infrastructure which the ELAAP recognises as being important to serve development, or mitigate its impacts. Specific projects are also set out in Chapter 14 of the ELAAP and these relate to the range of projects outlined in EL13. The modifications in **MM13** are therefore necessary for clarity and effectiveness.

79. EL13 also makes reference to overage provisions, specifically in relation to affordable housing. As the ELAAP now has a single affordable housing requirement this clause is no longer necessary and its removal in **MM13** is justified.
80. A comprehensive Water Supply and Drainage Strategy for Meridian Water was recommended by Thames Water. The upcoming Masterplan, should provide scope for determining the scale and timescale of likely development and the Council have further advised that an Infrastructure Delivery Plan is being developed to inform the forthcoming Local Plan which will include details of infrastructure delivery for Meridian Water, building on the infrastructure work undertaken through the Master planning process.
81. Therefore, whilst it is reasonable that infrastructure is in place to serve development, I do not consider that the impetus to secure this should arise wholly as a result of the application process. Planning Policy Guidance is clear that planning for the necessary infrastructure should normally be addressed through the Local Plan. As such I do not consider that changes to policy EL13 are necessary for soundness.
82. Nevertheless, it is desirable that developers advise infrastructure providers of their future requirements at an early stage. It is also possible for the Council to use planning conditions to phase development where there is an identified capacity constraint. The proposed changes to supporting text in **MM13a** reflect this and are necessary in the interests of effectiveness.
83. I have considered whether a specific policy is needed in the Plan in relation to waste and waste infrastructure. The North London Waste Plan will set out a framework for waste management for the Borough and its neighbours and the Development Management Document makes provision within individual policies for waste matters. I therefore do not consider that there is an identified need for the ELAAP to provide additional guidance on this matter.

#### *Deephams Sewage Treatment Works*

84. EL14 designates Deephams Sewerage Works as SIL in line with The New London Plan, which recognises utilities as an industrial-type function. However, Thames Water have indicated that the site is needed for on-going operations, and so **MM14a** is justified in the interests of clarity. Given the nature of the use, in the interests of effectiveness, **MM18** also refers to the need for appropriate Odour Impact Assessment for development in the vicinity of the site and for appropriate avoidance or mitigation measures to be implemented if required.
85. Furthermore, the supporting text makes reference to the designation of 2 smaller parcels of land north and east of Deephams as SIL allocations. These are small in size and so of limited utility for use as Strategic Industrial Locations. **MM14** removes these sites from SIL designation in the interests of

positive planning. Changes in **MM14**, **MM14a** and **MM18** also make corrections to grammar and clarifies the intention of the policy.

*Edmonton EcoPark and the Meridian Water Heat Network*

86. Edmonton EcoPark is a waste management centre located in the north of the ELAAP area. It collects municipal and commercial waste for seven local authority areas in north London. It was subject to a Development Consent Order (DCO) in 2017 to allow for the construction of an Energy Recovery Facility to replace the existing plant. **MM17** amends the policy and supporting text to update it in light of the DCO and is necessary in the interests of clarity and effectiveness.
87. Policy EL26 relates to the Meridian Water Heat Network (MWHN), a Decentralised Energy Network (DEN) which aims to use power from the EcoPark and the Energy Recovery Facility when it is operational. Energetik, an energy company established and owned by Enfield Council, is seeking to enter an energy supply agreement with the EcoPark to supply power to the MWHN. The aims of the policy, to provide very low carbon heat to local communities, is consistent with the need to respond to climate change explicit in the NPPF.
88. As submitted, Policy EL26 requires connection with a DEN which is also a Council run company and in prohibiting competition the policy is not positively prepared. Support for sustainable energy infrastructure is already well established in Core Strategy Policy 20 and Development Management Document Policy 52 which together set out that where opportunities are available, development will be expected to contribute towards realising opportunities for DENs. The requirements of Policy EL26 are consistent with these policies and the requirement to connect to, or make provision for future connection to the network, in order to create a resilient network, is reasonable. I am satisfied that the fact that the existing DEN is Council owned is incidental in this case.
89. Nevertheless, the policy as drafted does not allow competition and so some clarification of the policy to allow for connection to other DENs, where available, is necessary for soundness.
90. Furthermore, given that the extension of the DEN to the wider area has not been confirmed, it is necessary to amend the wording of the policy to take into account considerations of viability in requiring future developers to adopt combined heat and power systems as an interim measure. The policy and supporting text also require some simplification and updating to reflect the grant of the DCO and uncertainties in the timescale for delivery of both the DEN and to be more flexible in relation to the specifications for access, easements and protection corridors required for connection pipework. These modifications are set out in **MM26** and **MM26a**.

**Issue 9: Are appropriate provisions in place to ensure the effective implementation and delivery of the plan?**

91. The Plan as submitted sets out a range of initiatives and projects. In line with the key objectives of the plan these focus on connectivity, improvements to the public realm and biodiversity improvements, as well as identifying

community infrastructure which may arise as a result of development. The addition of further projects assists in delivering these objectives and so **MM29** is justified in the interests of positive planning and effectiveness.

92. The plan as submitted does not identify phasing for the projects identified, but **MM29** explains that the Council is developing an Infrastructure Delivery Plan to accompany the forthcoming Local Plan, and that this will include details of infrastructure delivery in the ELAAP area, informed by the forthcoming Meridian Water Masterplan. As the forthcoming Masterplan will provide details of phasing throughout Meridian Water, I consider this to be a sound approach.
93. The plan includes arrangements for partnership working and for monitoring, primarily through an officer working group to monitor and drive forward the delivery of proposals. The group will manage the implementation of the ELAAP and oversee its implementation. It will also liaise with relevant delivery partners, assess the extent to which policies in the ELAAP are being implemented, and where necessary, take steps to remedy blockages in implementation. Overall, I am satisfied that this aspect of the Plan will be effective in monitoring and ensuring the delivery of the Plan.

### Other Changes

94. Throughout the AAP reference is made to existing and forthcoming SPDs. To ensure that the status of these documents as guidance is clear, changes throughout the plan are necessary for effectiveness. The individual policies have also in places been cross-referenced with the relevant policies on the Core Strategy and the DMD. A number of factual updates including changes to the names of Meridian Water Station, The Central Spine, The Meridian Water Heat Network and The River Lee Navigation have also been made to the plan. References to the selection of a master developer have been deleted where necessary as a result of the evolving nature of the Meridian Water project. Updates in relation to changes to the names of supporting documents, the changing policy context to the plan and changes to public transport proposals have also been made throughout the document. Changes to illustrations and their titles have also been made.
95. These collective changes are necessary in the interests of clarity and so effectiveness and in the interests of brevity. These are contained within the following modifications and I have not referred to them individually. **MM1, MM1a, MM2, MM2a, MM3, MM3a, MM4, MM4a, MM5, MM5a, MM6, MM6a, MM9, MM10, MM11, MM12, MM12a, MM17, MM17a, MM18, MM20, MM21, MM22, MM23, MM25, MM26, MM26a, MM27, MM28, MM29.**

### Public Sector Equality Duty

96. In undertaking the Examination I have had due regard to the equality impacts of the ELAAP in accordance with the Public Sector Equality Duty, contained in section 149 of the Equality Act 2010. This includes consideration of the Plan's provision to meet the need for accessible and adaptable housing and inclusive design.

## Assessment of Legal Compliance

97. My examination of the legal compliance of the Plan is summarised below.
98. The Area Action Plan has been prepared in accordance with the Council's Local Development Scheme.
99. Consultation on the Local Plan and the **MMs** was carried out in compliance with the Council's Statement of Community Involvement.
100. Sustainability Appraisal has been carried out and is adequate.
101. A Habitats Regulation Assessment (HRA), dated January 2017 [ELAAP-09] was carried out. This concluded that all likely significant effects on European Sites have been avoided. Subsequently, in the light of the "People over Wind, Peter Sweetman v Coillte Teoranta" judgment in the Court of Justice of the European Union (CJEU) the Council proposed modifications to the plan to take account of the cumulative effect of recreational disturbance on the Walthamstow Reservoirs SSSI and Lee Valley SPA/Ramsar Site. Natural England have confirmed that the Council's approach is justified and this mitigation has been secured through the plan as modified.
102. The Area Action Plan includes policies, in particular EL8, EL17, EL21, EL23 and EL26, designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.
103. The Area Action Plan is in general conformity with The London Plan and The Enfield Plan: Core Strategy 2010-2025.
104. The Area Action Plan complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

## Overall Conclusion and Recommendation

105. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above. However, the Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix, the Edmonton Leaside Area Action Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Anne Jordan*

**INSPECTOR**

This report is accompanied by an Appendix containing the Main Modifications.



# Edmonton Leaside

## Area Action Plan

January 2020

[www.enfield.gov.uk](http://www.enfield.gov.uk)







# Foreword



**Cllr Nesil Caliskan**  
**Leader, Enfield Council**

I am proud to endorse the adoption of the Edmonton Leaside Area Action Plan which signals another key milestone in the Council's commitment to bring investment into Enfield. In particular, the document reflects our commitment to renew some of the most deprived neighbourhoods in the east of the borough.

This planning policy framework provides a foundation for **good growth** and creating **great places** so that our residents can live in **well-connected neighbourhoods**.

While this document will be a planning tool, at its heart are the lives of residents and our ability to help people realise their potential to live happy and fulfilling lives in our borough, as well as helping us to live in a more **environmentally sustainable** way.

The adoption of the Area Action Plan also comes at a critical time for Meridian Water, as we transform one of London's largest underused and mostly derelict brownfield sites to one of the UK's largest regeneration opportunities. The Council has taken back control to deliver this 25-year project on a phase by phase basis. ELAAP will allow us to plan effectively for the future and bring about transformational change over the next ten years.

The policies in this Plan apply to both the Council and to other landowners' proposals, and at its core it is about responsible and viable place building, in an area that will benefit local people, and lift Edmonton and surrounding neighbourhoods.

We are encouraging third party landowners and investors to join the Council's vision to **address inequality, create more balanced communities, and help local people access good homes and jobs**. This Plan will make a significant contribution to realising our ambition to deliver **a lifetime of opportunities for people in Enfield**.





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# The Plan and its Context



# Part A:

## The Plan and its Context

### 1 Edmonton Leaside: Vision and Objectives

#### 1.1 Edmonton Leaside in 2032

##### A New Urban Neighbourhood

**1.1.1** Development at Meridian Water will provide thousands of high quality new homes and jobs at the heart of the Upper Lee Valley. This new neighbourhood will be an inclusive development and a well-integrated extension of Edmonton. The wider community will share in the new resources, including retail, leisure, educational, community and health facilities. There will be improved access to the waterways and parklands of the Lee Valley as well as new employment opportunities, ensuring that the positive benefits of the regeneration and investment reach beyond Meridian Water's boundaries.

##### Economic Growth

**1.1.2** There will be ongoing development in growth sectors of the economy, including the creative, digital media, ecommerce and software industries. Businesses will find a stimulating and attractive home at Meridian Water which will attract regional, national and international investors to deliver thousands of new jobs across the area. Employment training opportunities will be secured for local residents.

**1.1.3** Edmonton Leaside's improved and intensified industrial estates will be successful and thriving, supporting economic growth, innovation and enterprise. Their locational advantage within the Upper Lee Valley and the London-Stansted-Cambridge corridor will enhance the competitiveness of the borough, bringing growth and prosperity for its businesses and people.

##### Connectivity

**1.1.4** The creation of a more frequent, resilient and flexible rail service will enable significant development and regeneration within the entire Lee Valley, resulting in huge transformation at Edmonton Leaside. A new station, Meridian Water (formerly Angel Road) will operate a three to four-train-per-hour service, rising later to a six to eight-train-per-hour rail service as a result of further investment and delivery of an interim four track solution between Meridian Water and Tottenham Hale. Longer term, the expected full 4-tracking of the West Anglia Main Line between Tottenham Hale and Broxbourne, and to an even greater extent the potential of securing a Crossrail 2 route in Enfield, would provide additional capacity to support further growth and regeneration. This increased service would result in improved accessibility and attractiveness of the area as a place to live, work and visit.

**1.1.5** A new road, the Central Spine, will provide a strong, attractive and welcoming spine route through Meridian Water, allowing new access and connecting a previously fractured site. New bridges and linkages will open up this part of the borough and increase access to the Lee Valley Regional Park.

**1.1.6** Improved bus priority and enhanced services, as well as improved accessibility through new walking and cycling connections, will provide greatly enhanced connectivity with Edmonton Leaside and to the wider area, in particular supporting east-west linkages and access to Edmonton Green.

**1.1.7** Residents, employees and visitors will benefit from a network of routes for walking and cycling, connecting Edmonton Leaside to the rest of the borough and beyond. The existing cycle path, the Greenway link from Meridian Water to Edmonton Green, will be extended as a key walking and cycling route.



# EDMONTON LEESIDE IN 2032

Edmonton Leaside will be a thriving community of residents and businesses. By optimising the opportunities for growth in the Upper Lee Valley, in particular through improvements in rail infrastructure, the area will be transformed. Edmonton Leaside will have a reputation for leading the way in sustainable living, working and recreation – from a new community at Meridian Water to 21st Century energy generation, better connected integrated public transport, and strong business and economic growth supporting a greater diversity of new jobs. Edmonton Leaside will be an exemplar of how joined-up approaches to investment can maximise opportunities for a range of new homes, jobs and opportunities for local people.

## THE VISION



4 Edmonton Leaside Area Action Plan

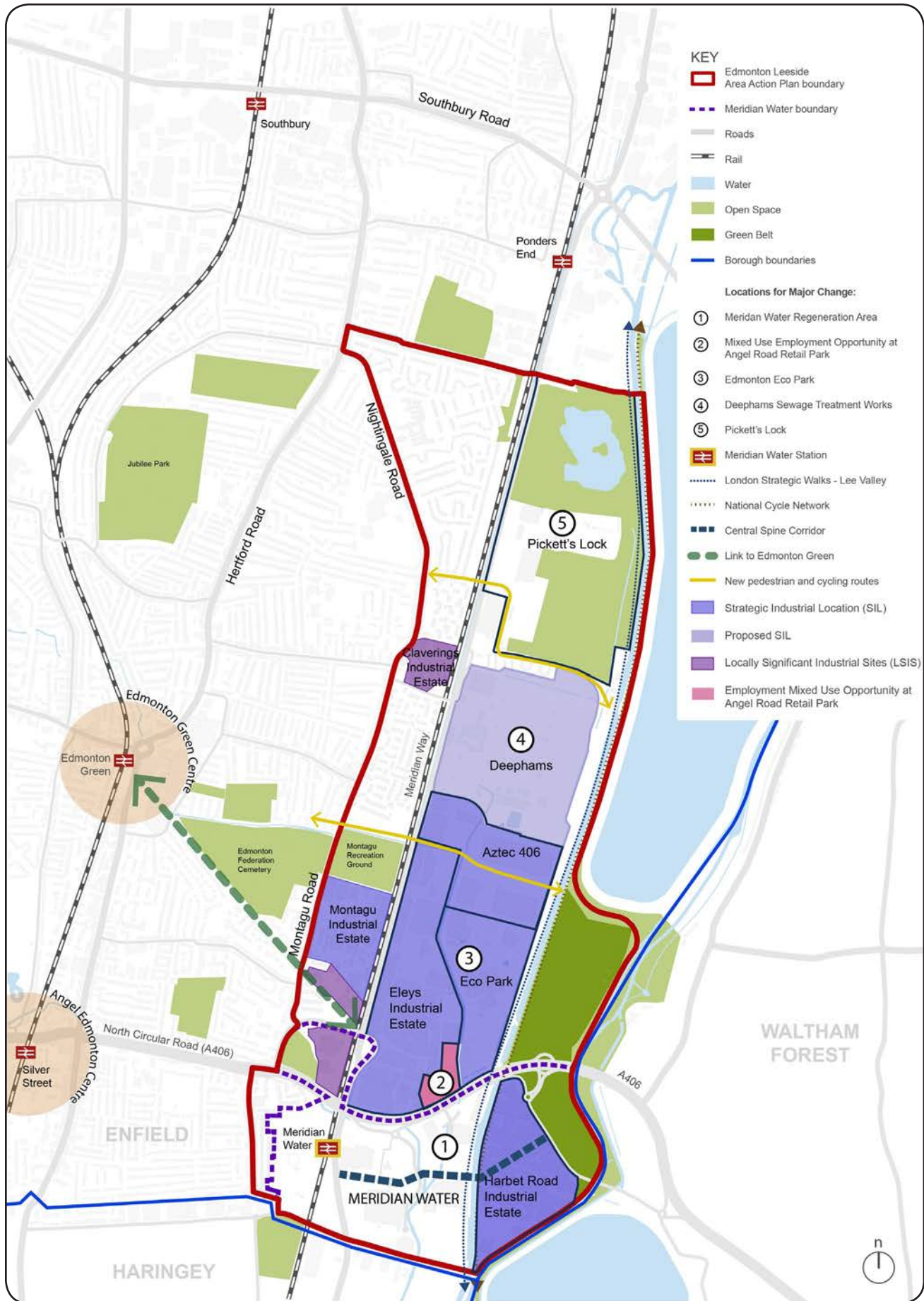


Figure 1.1: The Vision for Edmonton Leaside

## Water and Green Spaces

**1.1.8** Far better use will be made of the watercourses, waterways and green spaces which are a feature of the area. Water will be incorporated into the heart of the development at Meridian Water, with active frontages onto the waterways creating a distinctive sense of place and benefiting the community with recreational and leisure facilities. Better access to the Lee Valley Regional Park will open up opportunities in this valuable leisure resource.

**1.1.9** Picketts Lock has the potential for further development as a leisure and recreation destination that draws people in from across the borough and beyond, supported by improvements to sustainable transport infrastructure and appropriate regard and sensitivity to development constraints associated with its location in the Metropolitan Green Belt.

**1.1.10** The strategic location of Meridian Water in the Upper Lee Valley provides an opportunity to contribute to, and capitalise upon, the London Green Grid and Blue Ribbon Network.

## Sustainable Regeneration

**1.1.11** Edmonton EcoPark will be a key site for dealing with waste, while associated green industries can bring benefits including job creation and carbon savings.

**1.1.12** The successful implementation of the Meridian Water Heat Network (MWHN) will provide new homes with reliable and sustainably produced energy and heating.

**1.1.13** The upgraded Deephams Sewage Treatment Works will increase sewage treatment capacity to accommodate population growth and attain a significant reduction in water pollution and odour emissions.



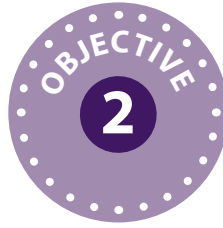
1.2 Objectives

1.2.1 To achieve the vision for Edmonton Leaside the following objectives are established:



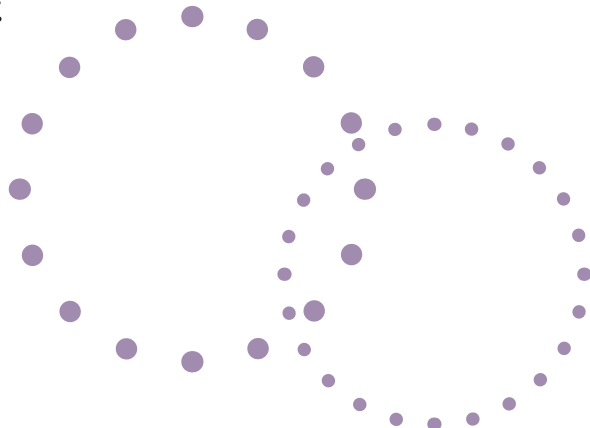
**Building a Sustainable Urban Neighbourhood**

- Deliver thousands of new homes in Meridian Water through a phased programme to help meet existing and future housing needs;
- Ensure diversity in the type, size and tenure of housing, including affordable housing to meet local needs;
- Embody the principles of good design to ensure a robust relationship between a variety of uses and activities, high quality public realm, and intuitive movement patterns;
- Enable distinctive place making by maximising the local identity and character;
- Support the delivery of new educational facilities at Meridian Water and encourage links with local businesses and residents; and
- Enhance health and wellbeing through enabling healthy lifestyles and ensure that everyone has good access to health, leisure and community facilities of a high standard within proximity to their home.



**Facilitating Economic Growth**

- Support the development and growth of new industrial sectors at Meridian Water, in particular of high job-density, high value added sectors;
- Increase the capacity, quality and density of existing employment land through improvement of existing industrial estates;
- Ensure Edmonton Leaside is attractive to regional, national and international investors in order to deliver thousands of new jobs across the area;
- Strengthen the business community by supporting a culture of enterprise, entrepreneurship, innovation and sustainable business growth;
- Deliver a new town centre at Meridian Water with an appropriate mix of uses without undermining the primary retail function of nearby district centres; and
- Ensure that employment opportunities are accessible and local residents are supported to increase their skills and qualifications to progress into work.



OBJECTIVE  
**3**

### Connectivity

- Enhance connectivity between Edmonton Leaside and the surrounding area to make it a joined up place in the borough and regional context;
- Angel Road Station has been replaced with a new, improved Meridian Water station;
- Support the planned upgrade to the West Anglia Route to a three to four trains-per-hour service, rising later to a six to eight trains-per-hour service;
- Deliver a new spine road, 'The Central Spine', connecting across Meridian Water and beyond;
- Improve accessibility through public transport provision and greater ease of vehicular movements along the existing road networks;
- Deliver new improved bus routes, frequency and quality of bus services;
- Provide well-connected, well-designed pedestrian and cycle routes that encourage people to choose active travel modes along with excellent access to public transport options;
- Improve access and utilise the blue and green networks for pedestrians and cyclists with better routes and connections to surrounding areas and within Edmonton Leaside; and
- Deliver state of the art telecommunications and IT networks.

OBJECTIVE  
**4**

### Delivering Sustainable Regeneration

- Promote low carbon living and working;
- Provide sustainable movement and transport networks;
- Support the delivery and connection to the Meridian Water Heat Network to enable sustainable growth of neighbourhoods and industry;
- Support sustainable waste management at the Edmonton EcoPark;
- Encourage cleaner air; and
- Provide the conditions for increased biodiversity.

OBJECTIVE  
**5**

### Celebrating the Lee Valley Waterways and Open Spaces

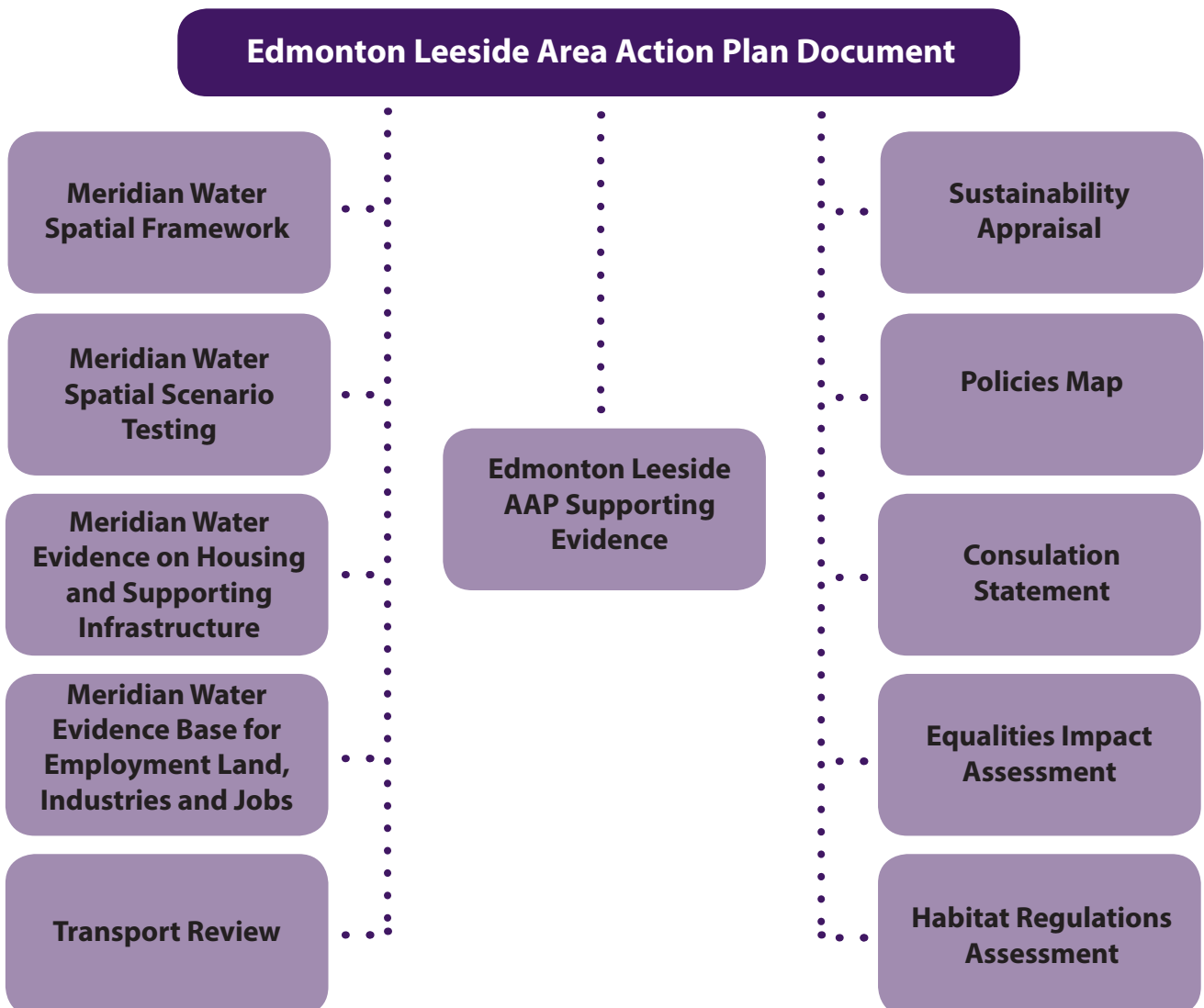
- Improve access to the Lee Valley Regional Park;
- Improve the quality and links to existing open spaces;
- Create new open spaces;
- Use the watercourses and waterways to enable distinctive place making, especially in Meridian Water;
- Create a linked network of blue and green spaces which improve green infrastructure and habitats;
- Encourage the sustainable use of the waterways; and
- Reduce flood risk.



**1.3 Accompanying Documents**

**1.3.1** The Edmonton Leaside AAP is supported by a number of accompanying and evidence base documents which test and justify the ambitions for development and the policies to unlock the potential of Meridian Water within the Edmonton Leaside area.

The documents include technical appraisals, scenario testing over ranges of development quantum, employment, supporting infrastructure, developable land and housing mix, and a Spatial Framework which demonstrates both a vision and a potential way to deliver a high quality new mixed-use neighbourhood in Meridian Water. Cross reference is made to these documents throughout this AAP. The documents are set out in the diagram below.



**1.3.2** The Meridian Water Evidence on Housing and Supporting Infrastructure report reviews the housing and infrastructure impacts of development scenarios for the Meridian Water area. It consists of a baseline assessment of current socio-economic conditions, a review of assumptions, and an assessment of development scenarios.

**1.3.3** Meridian Water Evidence Base for Employment Land, Industries and Jobs complements the work on housing and supporting infrastructure by providing an assessment of the potential demand for employment at Meridian Water and the number and type of employment opportunities which redevelopment could support.

**1.3.4** The Edmonton Leaside Socio Economic Baseline provides further information on the area, along with a property market summary, a policy summary, a document list and a road category table.

**1.3.5** The Meridian Water Spatial Scenario Testing provides an assessment of the scenarios, including of residential density and scale, supporting uses and community infrastructure, open space and amenity, employment, retail and parking.

**1.3.6** The Meridian Water Spatial Framework conveys the results of evidence-based scenario testing and the application of urban design principles. The images and diagrams explore approaches towards the realisation of Meridian Water.

**1.3.7** The Meridian Water Transport Review examines the transport implication of different development quanta and spatial scenarios.



## 2 Edmonton Leaside Introduction and Opportunities

### 2.1 Introduction

**2.1.1** This Area Action Plan (AAP) provides a framework for the future of Edmonton Leaside, one of London's most significant regeneration opportunities. Strategically located at the heart of the Mayor's Upper Lee Valley Opportunity Area and the London-Stansted corridor (see Figure 2.1) and long established as a significant employment location, some parts of the area will see transformational change, in particular at Meridian Water.

**2.1.2** Meridian Water will see the delivery of a new waterside residential neighbourhood with thousands of new homes. There are huge opportunities for growth of new and existing economic sectors, generating thousands of new, well-paid jobs. Development of retail and leisure at Meridian Water, along with supporting community infrastructure such as schools, will also support and drive the regeneration. The policies set out in this AAP document draw upon a range of evidence, including in-depth modelling work carried out for Meridian Water.

**2.1.3** Edmonton Leaside and Meridian Water will form a key part of developing the Upper Lea Valley (ULV) area, which can become one of London's most desirable places to live, work and visit, creating a vibrant new centre and focus for London and the wider region. This area of the Lee Valley should be seen as integral to the All London Green Grid and the Blue Ribbon Network as articulated by the Greater London Authority (GLA). The Blue Ribbon Network is a strategically important series of linked spaces which should contribute to the overall quality and sustainability of London by prioritising uses of the waterspace and land alongside it for water related purposes.

### Edmonton Leaside Place and Character

**2.1.4** Edmonton Leaside is located in the south eastern part of the borough in the wards of Jubilee, Lower Edmonton, Edmonton Green and Upper Edmonton, and borders the London boroughs of Haringey and Waltham Forest (see Figure 2.2). The River Lee Navigation and Lee Valley Regional Park run through the eastern part of the AAP area, while other significant features include the new Meridian Water Station, Deephams Sewage Treatment Works and Edmonton EcoPark. A raised section of the North Circular Road (A406) is a major feature running east-west through the area. Established town centres close to Edmonton Leaside include Angel Edmonton and Edmonton Green to the west in Enfield, Wood Green in Haringey and Walthamstow in Waltham Forest.

**2.1.5** The area surrounding the River Lee Navigation has a long history of managed exploitation of its waterways from the marshes and river through to river straightening, tow paths, the Navigation, flood defence measures and reservoirs. This relationship with the water has led to a rich industrial heritage evident in the form and structures of the waterways themselves as well as through archaeological artefacts.

**2.1.6** Edmonton Leaside lies within an Area of Archaeological Importance, while the Montagu Road Cemeteries Conservation Area is directly adjacent to the west of the AAP boundary.



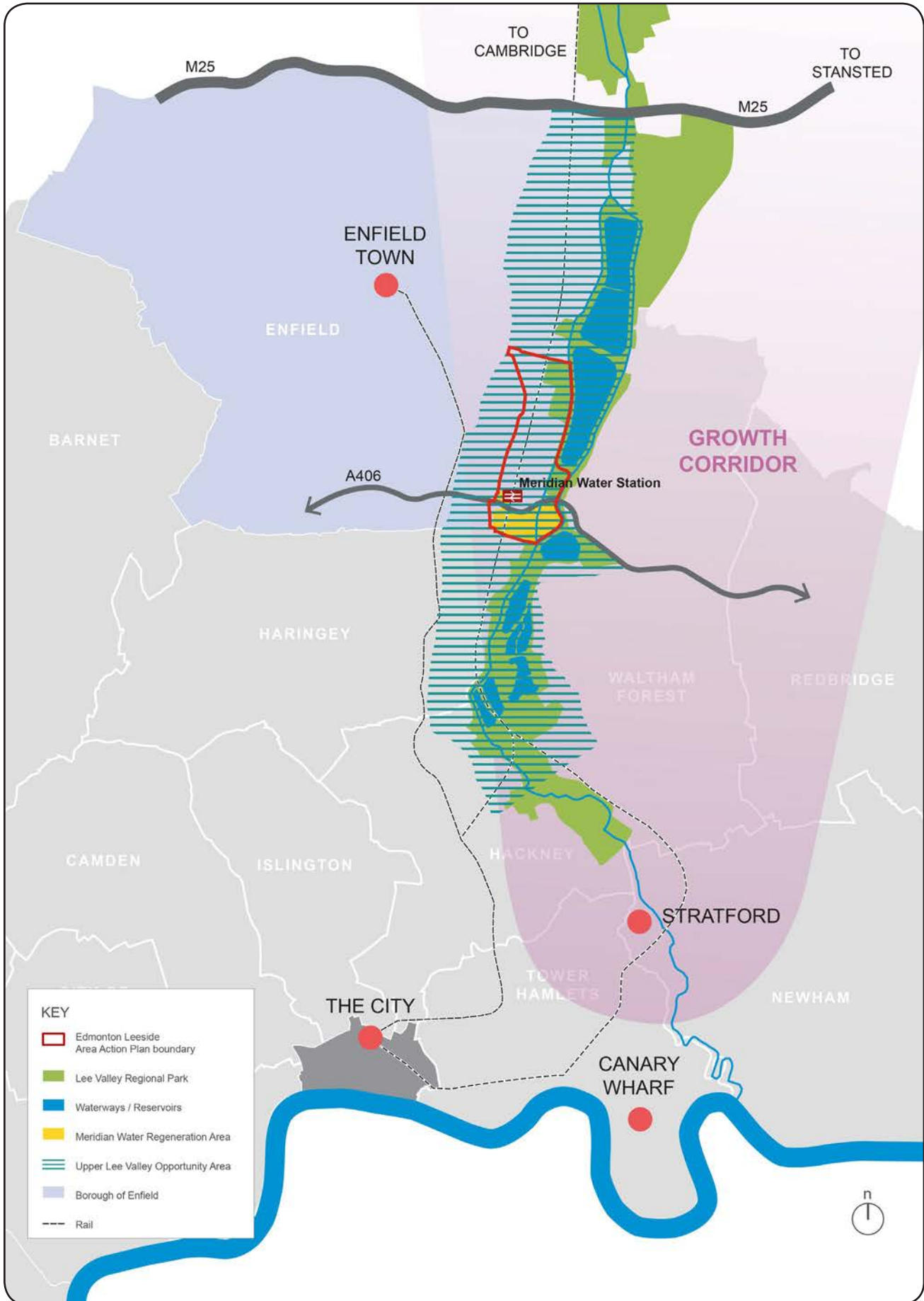


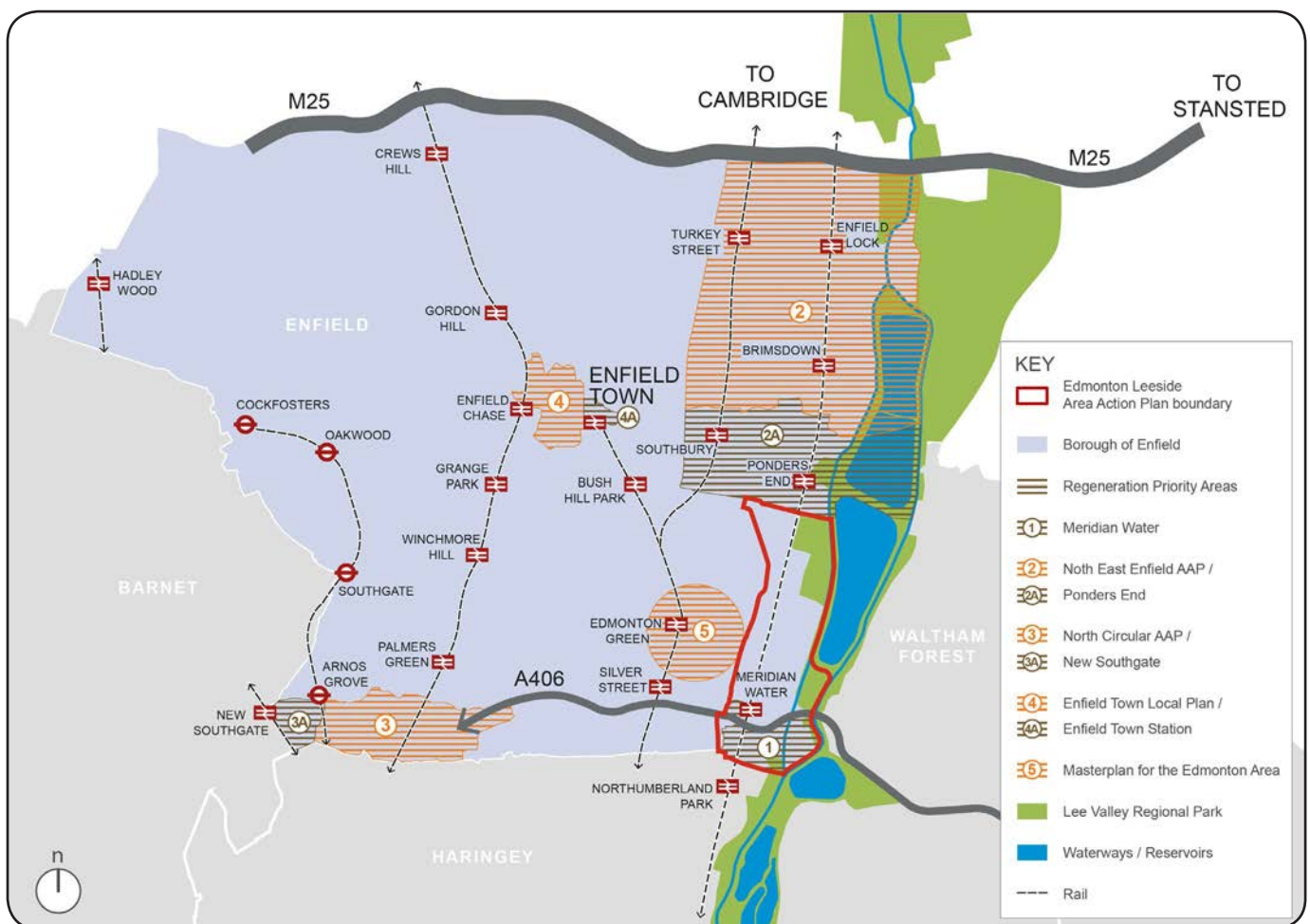
Figure 2.1: Edmonton Leaside - Upper Lee Valley and London-Stansted Corridor



**2.1.7** The Edmonton Leaside area contains a mix of land uses as illustrated in Figure 2.3. Generally, the north-west of the area is residential; to the east and south of the area is a mix of industrial uses with some 'big box retail', while to the north-east there are green spaces. Much of the land is developed, although the Lee Valley Regional Park, a key green corridor, runs along the eastern edge of the area and includes the Lee Valley Athletics Centre at Picketts Lock.

**2.1.8** As a result of the historic pattern of development, Edmonton Leaside contains a high proportion of industrial land and key infrastructure such as the Edmonton EcoPark waste facility and Deephams Sewage Treatment Works.

**2.1.9** Transport links dominate and dissect the area east-west, with the North Circular Road, and north-south, with Meridian Way and West Anglia Main Line operating from Liverpool Street to Stansted (with few stopping services). This leads to poor north-south and east-west connectivity across and through the area.



**Figure 2.2: Edmonton Leaside within Enfield**

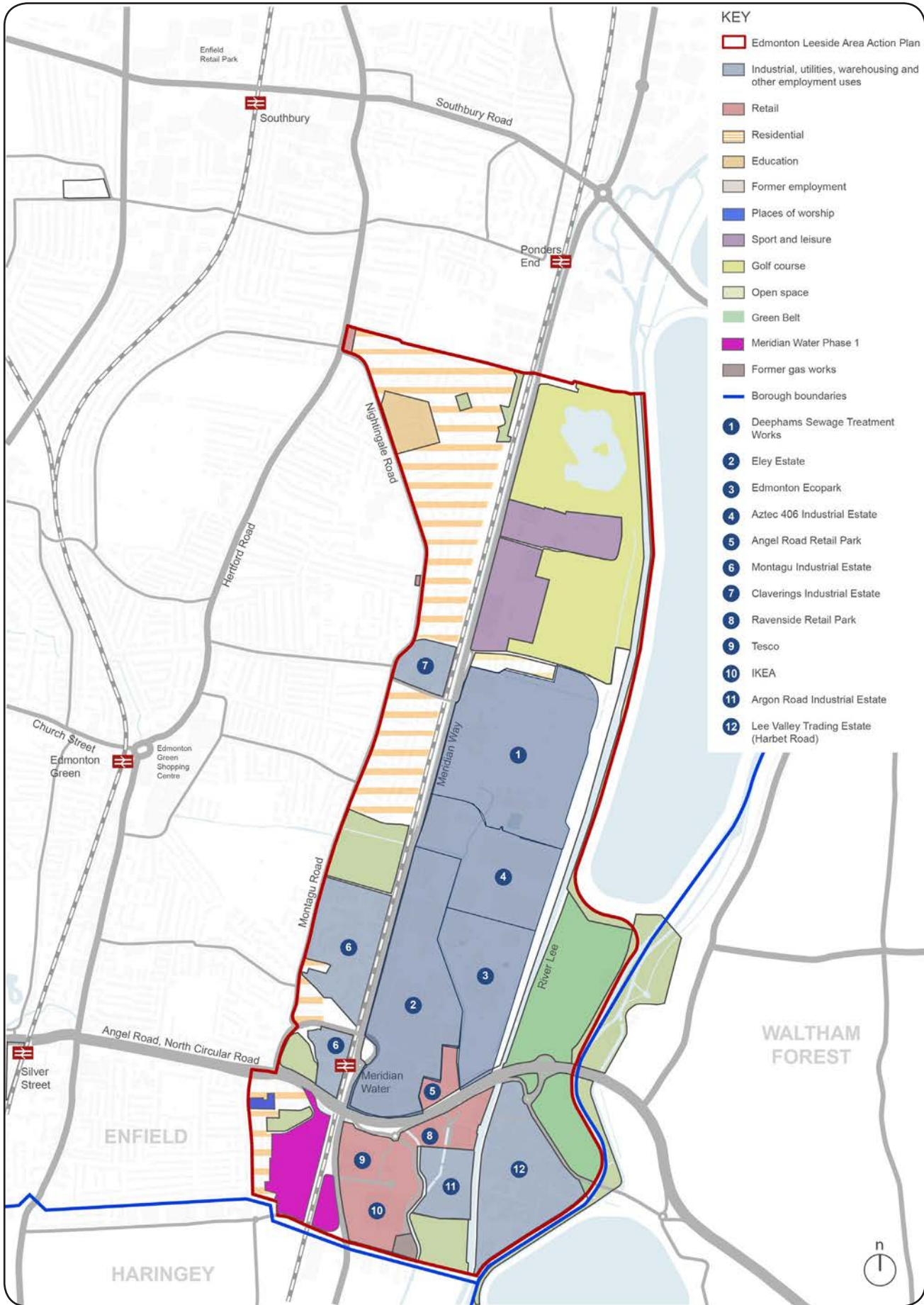


Figure 2.3: Existing Land Uses in Edmonton Leaside



### Opportunities at Edmonton Leaside

**2.1.10** Key areas for potential growth and change include:

- **Meridian Water** – an underutilised area to the south of the North Circular Road that is beginning its transformation into a new urban quarter supporting thousands of new homes with more new homes in the hinterland beyond, and thousands of new jobs, along with new schools, health centre and other community facilities;
- **Industrial Estates** – opportunities to improve the quality of the environment and facilities and allow business to thrive;
- **Picketts Lock** – where the possible opportunity exists to add to the existing high quality sports and leisure facilities, with the potential to provide an offering with a much wider reach, subject to development constraints associated with its location in the Metropolitan Green Belt;
- **Angel Road Retail Park** – opportunity to develop as a mixed employment use;
- **Edmonton EcoPark** – the redevelopment of the site to provide the next generation of waste services and expected additional community benefits through the provision of heat for a decentralised energy network; and
- **Deephams Sewage Treatment Works (STW)** – the upgrade to the STW plant will increase treatment capacity to cater for population growth within the catchment area, including at Meridian Water, while significantly improving water quality and reducing odour.

**2.1.11** There will also be strategic improvements across Edmonton Leaside, specifically in terms of:

- **Improving transport connections and movement** – required to make Edmonton Leaside much easier to move around and through, and to become a joined-up part of Enfield and the wider Upper Lee Valley corridor. Changes required include significant rail and station upgrades, better bus services, and greater improved pedestrian and cycle connections; and
- **Blue and green areas** – the River Lee Navigation, the Lee Valley Regional Park and other water and green spaces have the potential to become much more accessible and attractive while improving natural habitats and biodiversity.

## 2.2 Socio-Economic Profile

**2.2.1** This section presents a profile of the existing key socio-economic, housing, transport and employment issues in Edmonton Leaside. The AAP Supporting Evidence provides further detail as well as a summary of the area's property market.

<b>Socio-economic</b>	<p>Enfield's population of 332,705<sup>1</sup> in 2017 is projected to grow significantly by 2032, with projections including 377,951 (GLA 2017 based long-term projection) and 374,500 (ONS 2016-based)<sup>2</sup>. Currently relatively few people live within Edmonton Leaside due to the dominance of industrial and infrastructure land uses.</p> <p>The Indices of Multiple Deprivation (2010 and 2015) show, the AAP area is in the 20% most deprived areas nationally.</p> <p>A growing population and increased housing delivery in the Upper Lee Valley, including at Northumberland Park and Tottenham Hale in Haringey, will place additional pressure on Enfield's infrastructure.</p>
<b>Crime</b>	<p>Upper Edmonton and Edmonton Green wards have the highest rates of crime and anti-social behaviour in the borough.</p> <p>Crime has been identified as a key issue on some of the area's industrial estates, from petty crime and vandalism to the theft of expensive equipment and the fear of serious crime.</p>
<b>Education</b>	<p>New housing will lead to an increase in the number of school age children that will require Early Years, Primary and Secondary School provision.</p>

<sup>1</sup> ONS latest population estimate at time of writing is MYE2: Population estimates: Persons by single year of age and sex for local authorities in the UK, mid-2017

**Employment & Skills**

Unemployment levels in the Edmonton Leaside wards are higher than the borough average. Unemployment levels are up to three times higher in Edmonton Green.

Almost a third of residents hold no educational qualifications at all, with only 1 in 5 residents holding degree level qualifications or higher (Census 2011).

The industrial sector is a significant source of employment locally, with major manufacturers such as Coca Cola located in Edmonton Leaside.

Due to a combination of low qualifications and low-skilled jobs, household earnings are lower in Edmonton Leaside than the borough average.

**Health**

Life expectancy in the AAP area is below the Enfield average for both males and females.

The proportion of residents that are disabled is higher than the rest of Enfield. The area also has the highest number of disability allowance claimants in the borough.

Childhood obesity has become an increasingly significant issue within Enfield. Barriers to active travel (walking and cycling) and difficulties accessing open spaces are likely contributors to reduced activity levels.

**Community Facilities**

Residents in the plan area show the highest levels of dissatisfaction with open space in the borough. This is thought to be due to the limited range of open spaces and the generally poor levels of accessibility to them.

The Lee Valley Regional Park and existing parks and open spaces to the west have few connections or linkages with Edmonton Leaside.

There is an identified deficiency in terms of access to allotments with none located within Edmonton Leaside.

Picketts Lock is currently underutilised and suffers from low footfall as a result of its relative inaccessibility.

**Employment**

The Upper Lee Valley contains London's second largest reservoir of industrial employment land, classified as SIL (Strategic Industrial Locations) or LSIS (Locally Significant Industrial Locations). The majority of the industrial estates are well used and have limited vacancies, which suggests high demand for sites and premises.

Enfield is London's second largest waste management and recycling hub and contains Edmonton EcoPark, a sub-regional facility that is one of London's largest recycling and sustainable waste management facilities.

Green industries and advanced manufacturing are important sources of employment locally and growth sectors in London and Enfield<sup>2</sup>. Food and drink manufacturing businesses are also significant employers in Edmonton Leaside<sup>3</sup>.

**Transport & Movement: Rail**

Figure 2.4 shows existing transport permeability in Edmonton Leaside.

The Liverpool Street to Stansted railway line runs north-south through Edmonton Leaside with a new station at Meridian Water (this replaced the previous station at Angel Road in 2019). Angel Road station had few stopping services which greatly reduced rail accessibility in the area.

The railway line forms a barrier to east-west movement for pedestrians and cyclists. Barriers and inaccessibility are key causes for low rates of walking and cycling locally.

**Roads**

The A406 North Circular runs east-west through the south of Edmonton Leaside linking the area to other parts of north London. It forms a barrier to north-south movement through the site between Meridian Water and the rest of Edmonton Leaside. The A406 is already at a high level of operating capacity.

Meridian Way (the A1055) is the main north-south road through Edmonton Leaside linking the A406 and M25; however, in conjunction with the railway line it forms a significant barrier to east-west movement.

There is a need to reduce conflict between residential and commuter traffic with road freight, particularly along Nightingale Road and Montagu Road.

2 Enfield Employment Land Review (2017)

3 Enfield Employment Land Review (2017)

<b>Car Ownership</b>	Car ownership in Edmonton Leaside is lower than the average for Enfield and London. As a result, fewer people travel to work by car; however those that do own cars are more dependent on them for accessing employment opportunities than residents elsewhere in Enfield, suggesting limited other transport options.
<b>Parking</b>	The industrial estates in the area are characterised by considerable levels of ad-hoc on-street parking, further exacerbated by poor circulation, poor servicing areas, close proximity to residential areas and friction between different users on the estates. This detracts from the appearance and accessibility of the industrial estates.
<b>Pedestrian and Cycle Links</b>	<p>East-west and north-south journeys are disrupted by numerous barriers to movement, in particular the railway line, the A406, Meridian Way, the large industrial estates and the Lee Valley waterways and reservoirs.</p> <p>Meridian Water is poorly connected with its surroundings and as a result of the barriers fewer people walk or cycle to work in Edmonton Leaside than the rest of the borough or London.</p>
<b>Public Transport Accessibility</b>	<p>Accessibility to public transport in the area is generally low, with an infrequent north-south rail service and a relatively low number of bus routes. Bus linkages are particularly weak to the east of the area where there are fewer road linkages.</p> <p>Residents of Edmonton Leaside are almost twice as likely to travel to work by bus than the average resident of the borough or London.</p>
<b>Environmental</b>	Edmonton Leaside mostly has areas of Flood Zones 2 and 3 (medium to high flood risk) and some limited Flood Zone 1 land, and several watercourses including the Lee Navigation, Lee Cut, Lee flood relief channel, Salmons Brook and Pymmes Brook. New development provides an opportunity to reduce flood risk and improve green and blue infrastructure using the outcomes of the Thames River Basin Management Plan, L1&2 Strategic Flood Risk Assessments and Surface Water Management Plan. The area also comprises a large amount of former industrial and potentially contaminative uses.





Figure 2.4: Transport permeability around Edmonton Leaside



## 3 Development of the Edmonton Leaside Area Action Plan and the Planning Context

### 3.1 Plan Development

#### 3.1.1 This AAP:

- Sets out a vision for the future of the area and supporting objectives, and establishes the opportunities for change and the issues that need to be addressed to secure successful regeneration (Part A);
- Provides site-specific policies and proposals (Part B);
- Provides a policy framework for area-wide issues (Part C); and
- Sets out how the AAP will be delivered and monitored (Part D).

**3.1.2** The Council has recognised the requirement for the Edmonton Leaside AAP to reflect changing circumstances in Enfield and Meridian Water, most notably higher population growth. Modelling was therefore undertaken to provide evidence and understanding for the growth potential at Meridian Water. The modelling tested and examined a range of growth scenarios, and the results have informed this AAP document. Further details are set out in section 5.3.

**3.1.3** The Edmonton Leaside AAP has undergone an extensive process of development, with public consultation undertaken at every stage of plan-making:

- Joint Issues and Options Report (2008);
- Strategic Growth Areas Report (2009);
- Discover Central Leaside: Towards a draft Area Action Plan (2012);
- Proposed Submission Central Leaside Area Action Plan (2014);
- Proposed Submission Edmonton Leaside Area Action Plan (2017); and
- Major and Additional Modifications (2019).

**3.1.4** After focusing work on the Core Strategy (adopted 2010), the Council continued work on the AAP in 2011 by producing the 'Discover Central Leaside: Towards a draft Area Action Plan' document. This document was prepared to re-engage the community and stakeholders and update on the significant progress made within the area since a previous consultation on the Central Leaside AAP in 2008. Consultation for this document took place between 12th May and 3rd August 2012.

**3.1.5** There were also a series of consultations on the first version of a Meridian Water Masterplan in 2010 (Landowner and Stakeholder consultation); 2011 (informal consultation July to September 2011); and May to August 2012 (draft Masterplan consultation jointly with the 'Discover Central Leaside' consultation). This first Meridian Water Masterplan was adopted in July 2013. Over the life of the development the Masterplan will be subject to review.



Aerial View of Meridian Water



**3.1.6** A total of 77 separate representations from businesses, public bodies and residents were received for the 'Discover Central Leaside' consultation, and a further 36 for the 2013 Meridian Water Masterplan. These representations informed preparation of this AAP, with the representations and the Council's responses to each set out in the Consultation Statement.

**3.1.7** Consultation on the Proposed Submission Central Leaside AAP (2014) took place from 5th January to 16th March 2015. In total, 22 submissions were received, and these have informed preparation of this version of the AAP. A summary of these representations and the Council's response are provided in the Consultation Statement.

**3.1.8** This AAP therefore consolidates the results of several rounds of consultation and has evaluated many sources of evidence and data to develop the most appropriate options for growth, and, as such, is the culmination of several years of work.

**3.1.9** This AAP has also incorporated findings from a range of evidence base documents, such as the Employment Land Review (2012) and the Industrial Estates Strategy (2014).

**3.1.10** At the Local Plan Cabinet Sub Committee of 22nd November 2016 the decision was taken to change the document name from 'Central Leaside' to 'Edmonton Leaside', to better reflect the locality.

## **3.2 Working with Neighbours and Partners**

**3.2.1** In line with the requirements of the Localism Act 2011, particularly the 'duty to co-operate', the Council has worked closely with its neighbours to address strategic and cross boundary implications of the Edmonton Leaside AAP.

**3.2.2** Partner organisations have also been engaged in an ongoing and constructive basis throughout the preparation of the plan. Key groups include the London Borough (LB) Haringey, LB Waltham Forest, the Greater London Authority, the Lee Valley Regional Park Authority<sup>4</sup>, Transport for London, Network Rail, the North London Strategic Alliance and the North London Waste Authority. Other groups including the Enfield, Essex and Hertfordshire Border Liaison Group have been kept informed throughout the process.

## **3.3 Strategic Planning Context**

**3.3.1** Edmonton Leaside is strategically located within the London-Stansted-Cambridge growth corridor and within the Upper Lee Valley Opportunity Area, as designated within the London Plan. Edmonton Leaside is a priority area for regeneration, jobs and housing within the Mayor's Upper Lee Valley Opportunity Area Planning Framework (adopted July 2013).

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<sup>4</sup> The Lee Valley Regional Park Authority's (LVRPA) remit, described in the 1966 Act, embraces aspects of leisure, sport and recreation, including nature conservation and the protection and enhancement of the natural environment. The organisation is not a local authority and is not governed by local authority legislation. However, it often adopts what is considered "best practice" by local authorities. The Lee Valley Regional Park Authority 'Park Development Framework' sets out the LVRPA's proposals for management and development of the park. It has informed the preparation of this AAP and will be treated as a material consideration in the determination of any planning applications in this area.

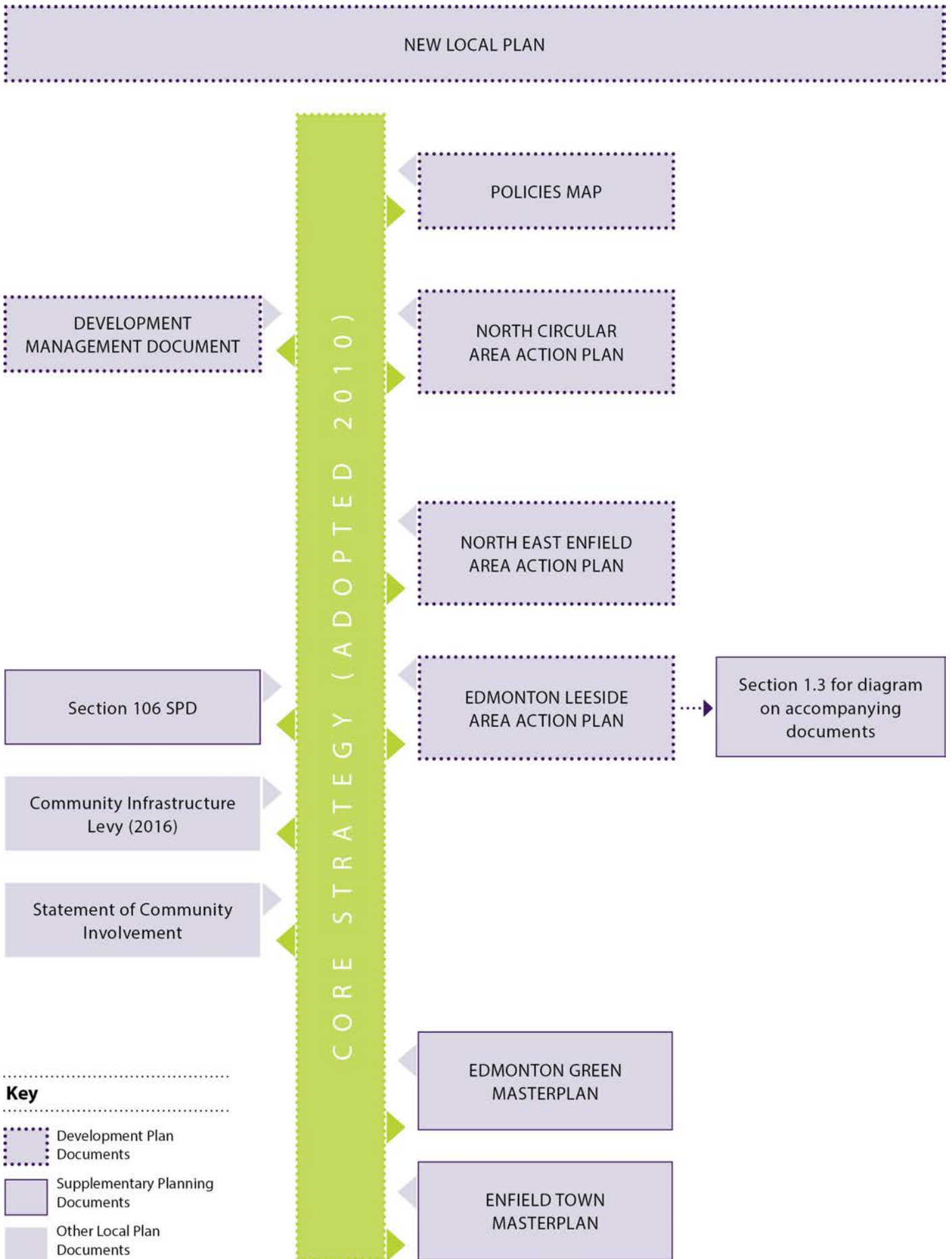


Figure 3.1: Enfield Local Plan: Relationship of Component Documents



**3.3.2** The Council is currently developing a new Local Plan which recognises the scale of change since the adoption of Enfield's Core Strategy in 2010. The borough, as across London as a whole, has experienced much higher population growth than previously envisaged. The London Plan adopted in 2011 and consolidated with alterations in 2016 already significantly increased Enfield's housing targets from 560 to 798 dwellings per annum. The Mayor's draft new London Plan (2017) again proposes substantial increases; a target which is equivalent to 1,876 dwellings per annum from 2019/20 until 2028/29. The Council is also looking further ahead at the potential of securing a Crossrail 2 route in Enfield. These drivers, along with legislative changes such as the NPPF, all support the need for preparing a new Local Plan. The evidence base for this AAP will also feed into the ongoing Local Plan work.

**3.3.3** The adopted Core Strategy identifies Edmonton Leaside as a Strategic Growth Area and Meridian Water as a Place Shaping Priority Area. Core Policy 37: Edmonton Leaside sets the overall objectives for the plan area focussing on delivering 'transformational change' including new housing and employment opportunities together with transport, community and green infrastructure to support a new sustainable community and business investment.

**3.3.4** Core Strategy policy sets the objectives for the new community at Meridian Water to deliver new energy efficient homes, new schools, a new local centre, a new health centre and other community facilities. The policy seeks to deliver high quality public realm and development of an exemplar quality with buildings that are flexible and adaptable to the environment in which they sit; the replacement of Angel Road station with the new and improved Meridian Water Station to serve the new neighbourhood and the wider area; and new development that achieves the greatest levels of energy efficiency, incorporating renewable power and using locally produced energy.

**3.3.5** The AAP articulates in greater detail how the Local Plan policies will be implemented and provides a detailed policy framework to guide new development in the area. This AAP should be read in conjunction with its accompanying documents and Enfield's other Local Plan documents. Figure 3.1 shows Edmonton Leaside AAP's relationship to the Council's other Local Plan documents. The Meridian Water Masterplan adopted 2013 remains a material consideration, albeit superseded in part by subsequent documents, including this AAP.

**3.3.6** The accompanying documents to this AAP provide evidence-based scenario testing in relation to development capacity at Meridian Water, including for land uses and capacity. Guidance on the Council's spatial expectations is provided in the Meridian Water Spatial Framework and Meridian Water Spatial Scenario Testing documents.

**3.3.7** This is the final version of the AAP. Since the Proposed Submission version of the AAP, the Council has:

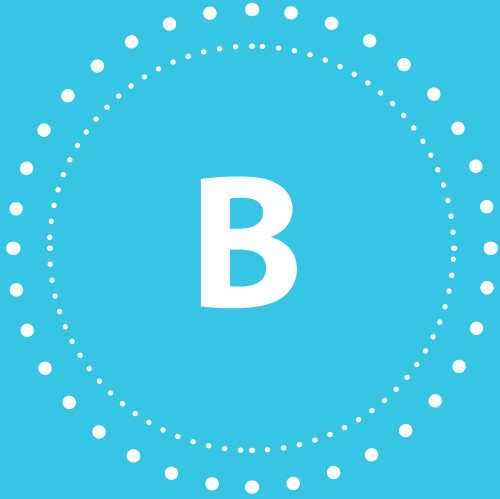
- Published the AAP for public consultation and comment;
- Given statutory notification to stakeholders;
- Prepared a schedule of comments received during the notification period and proposed minor modifications;
- Submitted the AAP to the Secretary of State;
- Taken the AAP through independent examination in public;
- Made modifications to the AAP in response to Interim recommendations;
- Undertaken a further round of consultation on all proposed modifications; and
- Prepared a schedule of all comments received.

**3.3.8** In August 2019, Enfield Council received the Inspector's Report on the Examination in Public, concluding that the AAP provides an appropriate basis for the planning of the London Borough of Enfield, subject to Modifications, thereby paving the way to the AAP's adoption. From the point of adoption, the Council will be monitoring and reviewing the implementation of the AAP over time.









# Area Specific Policies



# Part B:

## Area Specific Policies



### 4 Opportunity Areas

#### 4.1 Introduction

**4.1.1** The regeneration and redevelopment in Edmonton Leaside will transform this area of Enfield and the Upper Lee Valley. Investment in key transport infrastructure will support growth and enable the delivery of thousands of new homes and jobs. The Upper Lee Valley corridor is vital to meeting the borough's growth requirements and this AAP has an important role in supporting this growth.

**4.1.2** Key areas for change and growth at Edmonton Leaside - for which Part B of this document provides the background detail and policies - include:

- Meridian Water;
- Industrial Estates;
- Picketts Lock;
- Angel Road Retail Park;
- Edmonton EcoPark; and
- Deephams Sewage Treatment Works.

**4.1.3** There will also be strategic improvements across Edmonton Leaside, specifically in terms of:

- Improving transport connections and movement; and
- Blue and green networks.



# Meridian Water



## 5 Meridian Water

### 5.1 Introduction

**5.1.1** Meridian Water is the borough's largest residential led mixed use development and lies within the Edmonton Leaside Strategic Growth Area. It offers a huge opportunity for transformational change through its waterside setting in the heart of the Lee Valley Regional Park and potential for superb public transport accessibility. Meridian Water can become the location of choice in North London.

**5.1.2** The potential for change is such that it will enable Meridian Water to determine its own character and density, whilst securing good quality residential environments and public realm. Meridian Water will bring forward retail and leisure uses, and provide new educational, health and community facilities. The further development of new and existing economic sectors can unlock economic growth and thousands of new jobs. The scale of potential development means that opportunities for imaginative meanwhile uses should be fully utilised to activate the site and respond to the local context as appropriate.

**5.1.3** Meridian Water comprises one of the largest areas of underused and brownfield regeneration land in London, with large areas of derelict land alongside industrial accommodation of varying age and quality. It also contains a significant scale of retail, including IKEA and Tesco stores.

**5.1.4** The scale of the area offers the opportunity for multiple developments to come forward simultaneously and the potential for a critical mass of business clustering and activity.

**5.1.5** To overcome existing constraints and unlock Meridian Water's growth potential, a comprehensive master planning approach is required across the entire site, with a focus on developing high quality places.

**5.1.6** Optimising development outcomes at Meridian Water requires a flexible and innovate approach to land uses and design which supports a greater density of employment. Buildings, spaces and people must be able to interact effectively.

**5.1.7** The Council has set out an aspiration to provide around 5,000 new homes and 1,500 net new full-time jobs at Meridian Water through this AAP, as well as significant additional construction jobs during its development phase.

**5.1.8** Existing businesses will continue to be important to the area; and it is an objective of this AAP to ensure that development proposals at Meridian Water should take into consideration their operations.

**5.1.9** The transformation of Meridian Water is already underway, including land assembly and planning consent for the development of Phase 1, containing the first 725 new homes. Remedial works for proposed development sites and a new Meridian Water railway station replacing the existing Angel Road station have already been secured.



**Aerial View of Southern Part of AAP**

### **Meridian Water Context**

**5.1.10** The existing character of Meridian Water is largely defined by the area's industrial heritage. Much of the area is currently brownfield land, with economic activity consisting of the large Tesco and Ikea stores, out of town retail at Ravenside and the Harbet Road industrial estate in the eastern portion. The strategic road infrastructure in Edmonton Leaside is a key factor behind the success of the industrial and retail land uses. However, the busy roads, not least of which is the North Circular, also divide the area, reducing connectivity and making navigation difficult. Large areas of land, including two former gasholder sites, are inaccessible and also help to further divide the area. Electricity pylons and the A406 flyover are dominant visual elements within the area. The public realm is of very poor quality with little provision for pedestrians or cyclists. Along the eastern part of the site the canal provides an important north-south visual corridor.

**5.1.11** The Council's Core Strategy provides a high level vision for the future development of Edmonton Leaside, of which Meridian Water forms a part. Core Strategy policies 37 and 38 set out planning policy for the area and provide a range of objectives. These include 5,000 new homes and 1,500 new jobs, improvements to public transport provision, strengthening the role of existing industrial estates to extend their employment offer, and restoring and opening up access to the Lee Valley Regional Park and waterfront.

**5.1.12** Since the publication of the Core Strategy and the 2013 Masterplan, further evidence and proposals have come forward supporting the case for growth at Meridian Water, including:

- Much higher population growth rates and projections;
- A higher housing target in the London Plan;
- Enfield's successful bid for the area to be designated a Housing Zone; and
- The Mayor of London's Crossrail 2 Growth Commission report.

**5.1.13** A significant number of new homes are needed in Enfield over the coming years and decades in order to meet existing and future housing need. The minimum delivery target set for Enfield by the 2016 London Plan is 798 per annum, with Meridian Water playing a key role in contributing to this. The Mayor's draft new London Plan (2017) proposes a substantially increased target for Enfield which is equivalent to 1,876 dwellings per annum from 2019/20 until 2028/29.

**5.1.14** Housing Zone status supports the delivery of infrastructure projects. A funding package has been secured with key stakeholders including the GLA and Network Rail which includes funding for a third rail track and a new Meridian Water station – both of which will increase train frequency to the area and enable the potential for Crossrail 2 in later phases of development.

**5.1.15** Although the AAP planning period extends to 2032, it is accepted that the scale and complexity of development at Meridian Water will entail a number of projects extending beyond this period. Delivery, phasing and implementation are addressed in further detail in Chapter 14.

**5.1.16** The enormous potential for transformation and change is recognised in the Mayor of London's London Plan and Upper Lee Valley Opportunity Area Planning Framework (OAPF), Enfield's Core Strategy, the 2013 Meridian Water Masterplan, subsequent master planning work and this AAP. An overview of the planning policy context is set out in the table below.



## 5.2 Policy Context

## Policy context for Meridian Water

**London Plan (2016) and relevant policies in new draft London Plan (2018)**

Policy 2.7 Outer London: Economy  
 Policy 2.15 Town Centres  
 Policy 2.17 Strategic Industrial Locations  
 Policy 2.18 Green Infrastructure: The Multi-Functional Network of Green and Open Spaces.  
 Policy 3.3 Increasing Housing Supply  
 Policy 3.4 Optimising Housing Potential  
 Policy 3.5 Quality and Design of Housing Developments  
 Policy 3.6 Children and Young People's Play and Informal Recreation Facilities  
 Policy 3.8 Housing Choice  
 Policy 3.9 Mixed and Balanced Communities  
 Policy 3.11 Affordable Housing Targets  
 Policy 3.16 Protection and Enhancement of Social Infrastructure  
 Policy 3.17 Health and Social Care Facilities  
 Policy 3.18 Education Facilities  
 Policy 3.19 Sports Facilities  
 Policy 4.1 Developing London's Economy  
 Policy 4.2 Offices  
 Policy 4.4 Managing Industrial Land and Premises  
 Policy 4.7 Retail and Town Centre Development  
 Policy 4.8 Supporting a Successful and Diverse Retail Sector and Related Facilities and Services  
 Policy 4.9 Small Shops  
 Policy 4.10 New and Emerging Economic Sectors  
 Policy 4.11 Encouraging a Connected Economy  
 Policy 4.12 Improving Opportunities For All  
 Policy 5.5 Decentralised Energy Networks  
 Policy 5.6 Decentralised Energy in Development Proposals  
 Policy 5.12 Flood Risk Management  
 Policy 6.13 Parking  
 Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance (2012)



**Upper  
Lee Valley  
Opportunity  
Area  
Planning  
Framework  
(2013)**

1.2 Objectives

Objective 6 - A Lee Valley Heat Network linked to the Edmonton EcoPark (please note that the name of the network has since changed to Meridian Water Heat Network)

2.1 Employment and Industry

2.2 New Housing

2.3 Mixed-use

2.4 Retail

3.2 The Transport Vision and Challenge

3.4 Improving Rail Connectivity

4.1 Existing Built Form

4.2 Tall Buildings

4.3 Opening up the Lee Valley Regional Park

4.4 Design and Principles

4.5 Development by the Waterways

5.2 The Lee Valley Heat Network

5.3 Waste

5.4 Water Infrastructure

7.2 Guiding Principles for Meridian Water

7.3 Meridian Water Masterplan

7.4 Industrial Land

9.2 A Corridor of Opportunity

TA1 Transport Uses

TA2 New Jobs and Homes

TA3 Summary of the Transport Study Results

TA4 Strategic Landscape Projects

TA5 Flood Risk Management



**Enfield Core Strategy (2010)**

Core Policy 1 Strategic Growth Areas  
Core Policy 2 Housing Supply and Locations For New Homes  
Core Policy 3 Affordable Housing  
Core Policy 4 Housing Quality  
Core Policy 5 Housing Types  
Core Policy 7 Health and Social Care Facilities and the Wider Determinants of Health  
Core Policy 8 Education  
Core Policy 9 Supporting Community Cohesion  
Core Policy 12 Visitors and Tourism  
Core Policy 13 Promoting Economic Prosperity  
Core Policy 14 Safeguarding Strategic Industrial Locations  
Core Policy 15 Locally Significant Industrial Sites  
Core Policy 16 Taking Part in Economic Success and Improving Skills  
Core Policy 17 Town Centres  
Core Policy 19 Offices  
Core Policy 20 Sustainable Energy Use and Energy Infrastructure  
Core Policy 22 Delivering Sustainable Waste Management  
Core Policy 24 The Road Network  
Core Policy 25 Pedestrians and Cyclists  
Core Policy 26 Public Transport  
Core Policy 27 Freight  
Core Policy 28 Managing Flood Risk Through Development  
Core Policy 29 Flood Management Infrastructure  
Core Policy 30 Maintaining and Improving the Quality of the Built and Open Environment  
Core Policy 33 Green Belt and Countryside  
Core Policy 34 Parks, Playing Fields and Other Open Spaces  
Core Policy 35 Lee Valley Park and Waterways  
Core Policy 37 Central Leaside  
Core Policy 38 Meridian Water

**Development  
Management  
Document  
(2014)**

DMD 1 Affordable Housing on Sites Capable of Providing 10 units or more  
 DMD 3 Providing a Mix of Different Sized Homes  
 DMD 6 Residential Character  
 DMD 8 General Standards for New Residential Development  
 DMD 16 Provision of New Community Facilities  
 DMD 17 Protection of Community Facilities  
 DMD 18 Early Years Provision  
 DMD 19 Strategic Industrial Locations  
 DMD 20 Locally Significant Industrial Sites  
 DMD 21 Complementary and Supporting Uses within SIL and LSIS  
 DMD 23 New Employment Development  
 DMD 24 Small Businesses  
 DMD 25 Locations for New Retail, Leisure and Office Development  
 DMD 28 Large Local Centres, Small Local Centres and Local Parades  
 DMD 29 Individual Shops and Small Clusters of Shops  
 DMD 37 Achieving High Quality and Design-Led Development  
 DMD 43 Tall Buildings  
 DMD 45 Parking Standards and Layout  
 DMD 47 New Roads, Access and Servicing  
 DMD 48 Transport Assessments  
 DMD 52 Decentralised Energy Networks  
 DMD 53 Low and Zero Carbon Technology  
 DMD 59 Avoiding and Reducing Flood Risk  
 DMD 60 Assessing Flood Risk  
 DMD 61 Managing Surface Water  
 DMD 62 Flood Control and Mitigation Measures  
 DMD 63 Protection and Improvement of Watercourses and Flood Defences  
 DMD 71 Protection and Enhancement of Open Space  
 DMD 72 Open Space Provision  
 DMD 75 Waterways  
 DMD 83 Development Adjacent to the Green Belt  
 DMD 89 Previously Developed Sites in the Green Belt



**Other  
Sources**

*National Planning Policy Framework (2012 and 2019)*  
*A new Local Plan for Enfield 2018 – 2036 (2018)*  
*North London Waste Plan: Proposed Submission Plan (2019)*  
*Discover Central Leaside - Towards a draft Area Action Plan (2012)*  
*Edmonton EcoPark Planning Brief - Supplementary Planning Consultation on a New Plan for Enfield 2017-2032 (2015)*  
*Meridian Water Masterplan (2013)*  
*Housing and Economic Viability Study, BNP (2013)*  
*Enfield Mini Holland Bid Report (2013)*  
*Enfield Characterisation Study (2011)*  
*Town Centre Uses and Boundaries Review (2013)*  
*Enfield Retail Study Update (2009)*  
*Enfield Retail and Town Centre Study (2014)*  
*Enfield Open Space and Sports Assessment Update (2011)*  
*Enfield Parks and Open Spaces Strategy (2010)*  
*Park Development Framework, Lee Valley Regional Park Authority*  
*Enfield Affordable Housing Economic Viability Study (2014)*  
*Enfield Strategic Housing Market Assessment, ECOTEC (2010)*  
*London Strategic Housing Land Availability Assessment (2013)*  
*Enfield Infrastructure Delivery Plan (2014)*  
*Draft Industrial Estates Strategy (2013)*  
*Employment Land Study, Halcrow, (2006)*  
*Employment Land Study Update, Halcrow, (2009)*  
*Employment Land Review, Roger Tym & Partners (2012)*  
*Enfield Local Economic Assessment (2011)*  
*Enfield Employment and Skills strategy 2014-2017*

## 5.3 Housing

### Housing Growth

**5.3.1** Enfield is experiencing a rapid increase in population and households, driving an acute need for housing growth, similar to the London-wide context. ONS projections show the borough could grow to around 374,500 people by 2032 and the GLA long-term projections estimate an even higher population of 377,951 by 2032.

**5.3.2** The London Plan (2016) increased the borough's housing target to 798 per annum, from the 2011 plan figure of 560 units. The new draft London Plan further increases the housing requirements for London, with Enfield's housing target rising further to 1,876 dwellings per annum from 2019/20 to 2028/29.

**5.3.3** The Core Strategy set out the need to deliver significant growth at Meridian Water, with 5,000 homes in the plan period (see Core Policies 2 and 38), making this the most important location for growth in the borough.

**5.3.4** The changing circumstances since adoption of the Core Strategy, including population growth and the new London Plan with greatly increased housing targets further emphasise the need for more housing in the borough.

**5.3.5** It is recognised that additional growth in housing, jobs and supporting services at Meridian Water will lead to higher densities and building heights. To achieve this change, the transport infrastructure of the area must be transformed, with a focus on improved public transport accessibility and connectivity.

Rail improvements are crucial, including moving and upgrading the station, a more frequent service, the expected four tracking of the London-Stansted line and the potential for a Crossrail 2 route in Enfield. A more frequent and comprehensive bus service also must be achieved. A network of walking and cycling routes will enable far better access across Meridian Water, along with a transformed road network that includes a new route over the River Lee Navigation.

### Housing Policy Context

**5.3.6** Affordable housing is critical to meeting the housing needs of the borough and supporting a sustainable community at Meridian Water. The Council seeks 40% affordable housing units in new developments, applicable on sites capable of accommodating ten or more dwellings, as set out by Core Policy 3 and Development Management Document (DMD) Policy 1. The Mayor is seeking to raise the London-wide proportion of affordable housing to 50%.

**5.3.7** The DMD states that any negotiations on affordable housing provision will take into account the specific nature of the site, development viability, and the need to achieve more mixed and balanced communities, with particular priority to secure affordable family homes. New affordable homes should comprise 70% social rent and 30% intermediate, although for reasons of viability the DMD recognises that a higher proportion of intermediate housing may be sought for some sites east of the A10.

**5.3.8** Other forms of lower cost housing could contribute to housing provision at Meridian Water. These could include London Shared Ownership and London Living Rent products.





**Illustrative image of new waterside residential blocks with interactive frontages along the River Lee Navigation at Meridian Water (credit: Karakusevic Carson Architects)**

### Housing Capacity

**5.3.9** Both Enfield and London Plan policy acknowledge and make clear that high density levels will only be permitted where it is justified through site-specific planning strategies, and where there are opportunities to comprehensively consider and address specific issues such as transport and social/ community infrastructure.

**5.3.10** London Plan Policy 2.13 expects development proposals in opportunity areas to support the strategic policy direction to optimise residential and non-residential outputs and densities and to realise the scope for intensification associated with proposed improvements to public transport. This approach is also supported by London Plan Policy 3.7 which encourages higher densities for larger sites which create a neighbourhood with a distinctive character.

**5.3.11** Improving key transport infrastructure, along with the provision of significant new social and community infrastructure, will enable the delivery of thousands of new homes. London Plan Policy 3.4 expects plan preparation and planning permissions to maximise housing potential within the density ranges set out, according to local context and public transport capacity. The scale of development proposed at Meridian Water is so great that it will have the ability to create its own setting and character.

**5.3.12** The most appropriate quantum of growth at Meridian Water can therefore be seen as dependent upon key factors including design considerations and supporting infrastructure.

### Housing Mix

**5.3.13** Meridian Water will deliver new homes comprising different types, sizes and tenure options to meet a range of needs arising from a diverse population, including families, as set out by Core Policy 38.

**5.3.14** The Council seeks a mix of housing sizes as set out in Core Policy 5, with the policy also stating that density of residential development proposals should be balanced with the need to ensure the most efficient use of land whilst respecting the accessibility of transport and other infrastructure.

**5.3.15** The housing mix is a key factor driving floorspace requirements, since there is a clear relationship between a higher number of bedrooms and other habitable rooms, and the overall floorspace which a development requires. There is therefore a balance which must be achieved between the quantum of housing which can be delivered at Meridian Water and the mix of housing units.

## Evidence Modelling

**5.3.16** The changing circumstances of population growth combined with higher London Plan housing targets led the Council to undertake evidence base modelling to provide understanding and evidence for the growth potential at Meridian Water. The modelling tested and examined a range of growth scenarios of housing and jobs, and the results have informed this AAP document.

**5.3.17** A range of development quantum, housing mix, supporting infrastructure, developable land and employment creation scenarios have been assessed. The scenarios were then combined into a single adjustable spatial model able to integrate all variables. The spatial model demonstrated the implications of each permutation of development for factors such as housing and employment densities, building heights, public transport accessibility levels, and open space locations and accessibility. The detailed results of evidence base scenario testing are set out in the Meridian Water Spatial Scenario Testing and Meridian Water Evidence on Housing and Supporting Infrastructure accompanying documents.

## Balancing Development at Meridian Water

**5.3.18** The development process involves the balancing of complex and sometimes competing factors. The evidence modelling work undertaken (see the accompanying documents Meridian Water Spatial Scenario Testing and Meridian Water Evidence on Housing and Supporting Infrastructure) sets out how development could proceed under a range of scenarios.

The evidence shows how, depending on the developable land, the number and mix of dwellings, and the level of supporting services, the densities and building heights vary, while the variation on the quantum of supporting infrastructure required is established in broad terms: the more dwellings, the more land needed for uses such as open space and supporting infrastructure, including schools, retail and healthcare. As such, development proposals at Meridian Water must have full and appropriate regard to the amount of land required by supporting infrastructure.

**5.3.19** The London Plan links development capacity and density with character, public transport accessibility and connectivity.

**5.3.20** Evidence base modelling indicates that a range of densities would be appropriate across the site as a whole having regard to public transport accessibility and connectivity as well as to plot specific context for tall buildings. The siting of tall buildings will require considerable care with the design approach if the overall development is to meet amenity light standard and ensure a high quality public realm and high quality liveable neighbourhoods.

**5.3.21** In terms of urban design, the modelling demonstrates that delivering a higher quantum of development under any of the scenarios would require the incorporation of a high proportion of apartment type building typologies (see Meridian Water Spatial Scenario Testing document).

**5.3.22** A further determining factor of development capacity is environmental impact, such as on nearby habitats or designated areas of conservation or protection (see Policy EL9).

**5.3.23** Housing mix at Meridian Water should allow for a range of housing sizes, including appropriately located, high quality family housing, in line with adopted local plan policy.



## Policy EL1: Housing in Meridian Water

### Part A: Affordable Housing

Development proposals are required to demonstrate that affordable housing is maximised. All residential development proposals at Meridian Water will be expected to achieve a minimum 40% of units to be affordable housing, subject to grant availability in line with the Council's scheme wide viability evidence and adopted Core Strategy. The Council will seek to maximise affordable housing at Meridian Water over the lifetime of the project and work towards the Mayor of London's strategic target that 50% of all new homes are affordable housing.

The Council will maximise affordable housing in accordance with the preferred Local Plan tenure mix. Other forms of affordable housing products may also contribute to provision of housing at Meridian Water, including London Shared Ownership and London Living Rent products.

The Council will support appropriate and high quality 'build to rent' schemes as an element of the provision of private housing.

### Part B: Capacity for Housing Growth

The Council supports maximising the number of units delivered, as far as constraining factors and other policy requirements allow. Appropriate transport and other infrastructure, supporting services, and employment floorspace are required to support housing delivery and thereby affect development capacity.

Environmental and design requirements, as well as housing mix, are also key determining factors in the number units which can be delivered. In line with the adopted Enfield Core Strategy, ELAAP will support the delivery of around 5,000 new homes at Meridian Water.

Density levels and building heights will vary spatially across Meridian Water, depending upon specific site character, including transport capacity, access to supporting services and location. Higher density development should be situated in areas with higher levels of accessibility to public transport and/ or where it can capitalise most appropriately on features such as views and open space, while respecting wider visual and public amenity.

### Part C: Housing Mix

Development proposals at Meridian Water must deliver housing which supports a mixed and balanced community including high quality family housing.

Housing mix is a key factor in driving floorspace requirements and therefore relates to the quantum of housing which can be delivered at Meridian Water.

Development proposals are required to offer a range of housing sizes in line with adopted Local Plan policy.

Family units should be located to maximise access to facilities required by families, such as safe outdoor spaces, which might include on the ground or lower floors of buildings.

*This policy should be read in conjunction with Core Strategy policies 3, 5, 30 and 38 and DMD 6 to 8.*





View across IKEA car park

## 5.4 Economy and Employment

### Introduction and Context

**5.4.1** To meet the requirement for comprehensive regeneration and development, Meridian Water must optimise the delivery of land uses, often at high densities. The evidence discussed in section 5.3 indicates the quantum of new housing and supporting infrastructure which can be achieved at Meridian Water. This section considers the evidence on employment densities achievable and commercial sectors appropriate for Meridian Water.

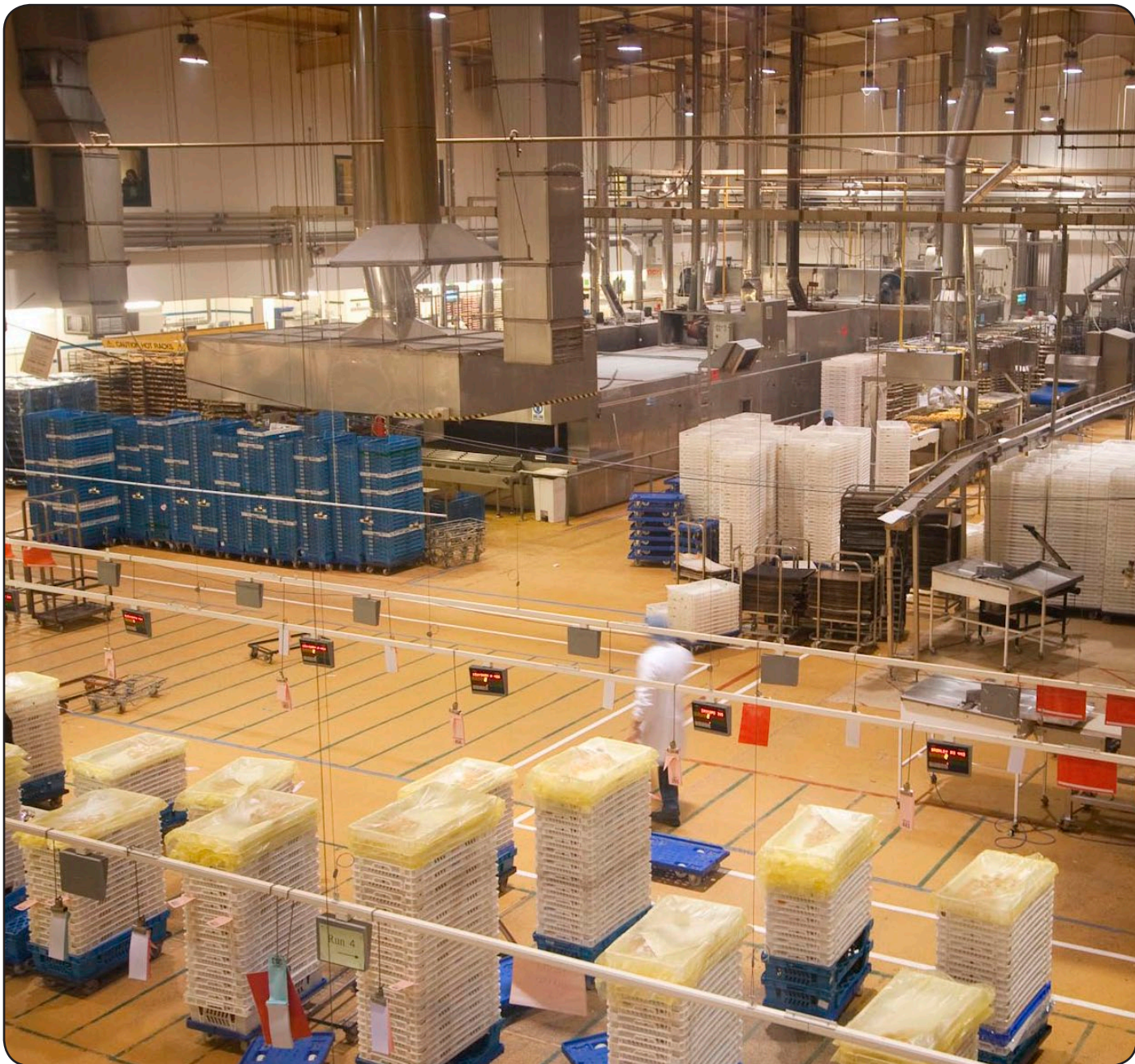
**5.4.2** The existing economy and employment at Meridian Water is dominated by industrial uses, in particular B2 and B8, to the east of the site at Harbet Road. In the Council's Industrial Estates Strategy (2014), the industrial infrastructure is described as predominantly secondary warehouse and light industrial units, with some trade counter / wholesale uses. There is also significant retail activity at Ikea, Tesco and Ravenside Retail Park, which as situated in the central areas of Meridian Water. This retail provides important employment to local communities.

### Existing Employment

**5.4.3** Current full-time equivalent employment on-site has been estimated as part of the evidence base modelling, with reference to up to date and accurate information including the Office of National Statistics' (ONS) Business Register Employment Survey (BRES) and drawing from previous analyses that relied on other methods but came to similar conclusions.

**5.4.4** This analysis showed an estimated 2,600 employees<sup>5</sup> at Meridian Water comprising 1,100 industrial jobs (mainly within the SIL), 1,100 retail jobs (mainly at Tesco and Ikea), 300 administration support, education, health and public sector jobs, and 100 office jobs. However, a large area of SIL land was cleared in 2015/16 for re-development, and as such the present number is likely to be lower, although this should be seen in the context of a temporary measure.

<sup>5</sup> Both part-time and full-time employees. The figures quoted are for Lower Super Output Area Enfield 033F and therefore go beyond the boundaries of Meridian Water, hence include some jobs on land to its west.



### Manufacturing in Upper Lee Valley can still play a productive role

#### Comprehensive Regeneration

**5.4.5** In order to achieve the transformational change required, Meridian Water must shift in its economic base away from traditional industries, to one based on higher value industry. There must be a supply of land, premises and successful places capable of attracting innovative and high value added companies, reflecting London's dynamic economic sectors. Key sectors which the area could attract include digital and media, ecommerce, creative industries, pharmaceuticals and high value engineering.

**5.4.6** The employment modelling and evidence assessment addressed the extent to which Meridian Water could capture a portion of the office based demand from companies seeking growth or relocation, as evidenced across the wider area through GLA forecasts.

**5.4.7** The evidence (see Meridian Water Evidence Base for Employment Land, Industries and Jobs document) shows that Meridian Water is well-placed to capitalise on the trends in the London market of the higher value added office and research activities (B1a/b and B1c use classes), reflecting the forecast growth in information and communication, professional services such as finance and insurance, and scientific and technical activities. This broad sector group is forecast to grow the fastest in Enfield and the surrounding area, underpinned by the wider Greater London trend towards higher value added activities. Meridian Water needs to attract high value added sectors, and this aspiration will be reflected in the new places to work and live, infrastructure, design quality and public realm. The Meridian Water location has particular strengths in terms of its large scale and potential for expansion, its current and planned transport connectivity, its planned social and community infrastructure, and its relative affordability compared with more central London location.

**5.4.8** The Meridian Water location already provides many jobs that are predominantly in the retail sector. Additionally, the uses supporting residential development will result in hundreds of new jobs being created, mainly in retail and education, but also in the health, transport and leisure sectors. The jobs in the retail sector, including the existing retail businesses in Meridian Water, will continue to make a valuable contribution toward employment and economic growth in Edmonton. The evidence base modelling assessed the likely additional expenditure arising from new Meridian Water residents, based on a conservative application of GLA and HCA data on expenditure. It estimated that, on average, a net additional expenditure of £8,473 per new resident per annum would result across Greater London, thus also resulting in indirect job creation across Enfield and further afield.

**5.4.9** Meridian Water can achieve significant employment growth. With the right approaches to land use and design, 1,500 new jobs can be achieved, in line with Enfield's adopted Core Strategy.

**5.4.10** To support a more diverse economic base with a higher density of jobs, Meridian Water must configure its land uses more efficiently. This includes encouraging and supporting employment sectors, including office, retail, leisure and cultural uses, which can operate from multi-storey buildings and alongside or co-located with other uses, such as residential, in line with Core Policy 38. The Council expects any employment development proposed at Meridian Water to be innovatively designed to provide an attractive place to work. New business opportunities for creative industries and business start-ups, and a hub for innovation and new ideas, will be encouraged and promoted. The Council will encourage building types which intensify and increase employment functions on the site and which contribute to place making. This will also encourage uses and types that help activate the public realm and provide natural surveillance.

**5.4.11** Development must enable a higher density and wider range of employment uses and a greater mix of non-employment uses. Consideration must also be given to how new uses interact with existing uses, be they residential or employment, in line with the Agent of Change principle and to the provision of new transport and access infrastructure to enable the area to integrate well with Edmonton and the wider area.



**Former Industrial Building at Meridian Water being re-purposed as Meridian Works to provide a meanwhile use**

**5.4.12** Spatial characteristics of the emerging Meridian Water area must be fully utilised in optimising the economic and employment opportunities. The Meridian Water Station environs will provide the connectivity necessary for office-based sectors. Commercial uses would also be appropriate to the south of the elevated North Circular Road, taking advantage of a location with good access which is potentially suitable for higher building types, while providing a buffer for the residential areas.

**5.4.13** Industrial land uses will continue to be accommodated on the designated and undesignated industrial land in the eastern part of Meridian Water where the manoeuvring of heavy goods vehicles (HGVs) can be through direct access to Harbet Road. Good design must be used to ensure the efficient use of land, and an appropriate relationship of new proposals with neighbouring uses. The retained industrial estates within Meridian Water are also discussed in Chapter 6 on Edmonton Leaside Employment and Industrial Estates, including in Policy EL15 on Improving Existing Industrial Estates.

**5.4.14** To ensure that Meridian Water can encourage and support businesses in high-growth sectors, a state of the art fibre optic communications network must be developed.

**5.4.15** Recognising the opportunities coming forward in Meridian Water, the Council also has an opportunity to provide new, cost efficient space for smaller business occupiers across the development area. The Council's Local Economic Assessment (2012) indicates low rates of new business start-ups and the 2012 Employment Land Review recognises that very few new small units are being developed in the borough. Most occupiers seeking small units are accommodated on the shrinking local industrial portfolio in less appropriate units. A large comprehensive development scheme, such as Meridian Water, is an opportunity to provide this type of space.

**5.4.16** The large scale and extended timeframe of development at Meridian Water, combined with the control offered by Council ownership of significant land holdings, provides an opportunity for imaginative meanwhile uses to have an important role in activating the site, including in creating new types of employment. Meanwhile uses will inhabit existing buildings and spaces, as well as temporary structures such as shipping containers.

## Policy EL2: Economy and Employment in Meridian Water

Where these are consistent with relevant designations of the employment land in question development proposals are required to demonstrate how they will support:

- Intensification of land uses and the introduction of higher density development that increases employment and job density in comparison with the baseline;
- Higher value added activities and industries that yield higher job densities;
- Opportunities for creative and cultural industries, digital and media, ecommerce, pharmaceuticals and high value engineering sectors where these are consistent with relevant designations of the employment land in question;
- High quality, low carbon and innovative design providing an attractive place to work and taking into account neighbouring uses;
- Appropriate mitigation in line with the Agent of Change principle if new development adversely impacts existing neighbouring uses;
- Transport connectivity improvements, including pedestrian and cycle links to public transport nodes and new and existing residential areas;
- A comprehensive landscape scheme which includes public realm improvements and capitalises upon the Lee Valley Regional Park and waterways;
- Active frontages, especially along the Central Spine, River Lee Navigation and around the rail station;
- Development of a state of the art fibre optic communications network; and
- A contribution to local labour initiatives and employment skills training, including Meridian Water construction jobs for the local population.

Where appropriate, the Council will explore and support meanwhile uses, in existing buildings or temporary structures, for the development of new types of employment.

### Improving Existing Industrial Estates

This policy should be read in conjunction with policy EL15, Improving Existing Industrial Estates.

*This policy should be read in conjunction with Core Strategy policies 14 and 15, DMD policies 23 and 24, and London Plan Policy 2.17.*



**Illustrative image of Station Square with retail at Meridian Water (credit: Karakusevic Carson Architects)**

## **5.5 Meridian Water Town Centre**

**5.5.1** A new town centre will be developed at Meridian Water to support the growing community. The centre will be focused on meeting local needs, ensuring convenient access, especially by foot, to goods and services needed on a day to day basis. The centre will also provide a focus for community interaction and has the potential to create a location for cultural and civic activities, and a café and dining culture.

**5.5.2** While growth at Meridian Water does require increased retail provision, the Council expects the new retail centre to complement rather than compete with the surrounding district centres of Enfield and Haringey. Edmonton Green is subject to significant regeneration efforts, including comparison floorspace delivery; and across the borough boundary south into Haringey both Tottenham and Northumberland Park will also undergo significant investment and regeneration during the plan period.

**5.5.3** The town centre uses at Meridian Water should be located along the Central Spine, River Lee Navigation and around the railway station. There is significant potential for retail (A1), restaurants and cafes (use class A3) and bars (use class A4) to create an identity for Meridian Water.

**5.5.4** The new town centre at Meridian Water is expected to grow as the new community expands and the area transforms. However, any development in Meridian Water over and above that set out in this AAP should be supported by an up to date retail study or similar document demonstrating need and would have to be developed through a phased approach that would not harm the vitality and viability of other centres.

**5.5.5** The net increase in retail floorspace at Meridian Water does not include existing retail provision at the extant stores of Tesco and Ikea, or at the Ravenside Retail Park.

**5.5.6** To encourage a vibrant and diverse local shopping environment, a variety of occupants will be encouraged across Meridian Water. Variety in the width and height of the shops will make a significant contribution to the character and the rhythm of the street.

**5.5.7** The town centre will need to provide for small and independent shops in accordance with DMD 29. As it will be a new town centre, affordable units may be required within the centre itself rather than off-site, subject to viability considerations. Affordable floorspace should be provided to help maintain and enhance the centre's social and economic offer.

### Policy EL3: Meridian Water Town Centre

There will be a new town centre at Meridian Water to provide the location for retail and other A-Class uses, designed as a hub for the community. The new town centre will provide primarily for the local needs of Meridian Water, with potential to develop a café and restaurant culture.

The town centre at Meridian Water must function as a diverse and vibrant entity, and therefore the retail and other A-use class floorspace must be provided as a range of multiple units and not as a single large unit.

Development Proposals for A-Class uses will be permitted in the following locations:

- Fronting on to the Central Spine, in particular concentrated between and including the existing Glover Drive and the crossing over the River Lee Navigation;
- Around the railway station, including the station and its immediate environs, and in adjoining public squares and highways to the west and east; and
- Fronting on to the River Lee Valley Navigation.

Waterfront locations, in particular along the River Lee Navigation, will be viewed favourably for a concentration of A3 and A4 uses, especially where the Central Spine and waterway intersect.

Development Proposals for A-Class uses which lead to provision greater than 2,500 square metres must demonstrate evidence that there would be no adverse effect on neighbouring centres and that proposals are in proportion to growth in local demand, taking account of the status of Meridian Water as a large local centre.

Subject to viability, the town centre will be expected to deliver on-site affordable floorspace provision for small and independent shops.

*This policy should be read in conjunction with Core Strategy policies 17 and 18, DMD policies 25, 28, 29, 32, and London Plan Policies 2.15 and 4.8.*



### Ravenside Retail Park and North Circular Road

#### 5.6 Ravenside Retail Park

**5.6.1** Ravenside Retail Park is located in the north of Meridian Water, south of the North Circular, and faces the dual carriageway of the busy North Circular Road.

**5.6.2** While Ravenside Retail Park plays a role in the borough's retail hierarchy and provides an out-of-town retail function, the Enfield Characterisation Study highlights the negative streetscape impacts of such types of 'big box retail'. The location has low permeability and acts as a barrier to pedestrian and cycle movement. Reconfiguring Ravenside Retail Park to improve urban design through active frontages, increased pedestrian accessibility, minimised surface car parking, and improved green landscaping, would greatly enhance the quality and appearance of the area.

**5.6.3** The London Plan is clear that out of town retail parks can have a positive contribution to retail where they complement and do not compete with town centres. Out of town retail parks offer comparison retail for bulky items, however, due to their nature and location, they are typically car dependent and require large car parks.

**5.6.4** Policy support for reconfiguring and intensifying retail provision is provided through the London Plan. Modern retail units at this location can increase employment opportunities and capitalise on the increased public transport accessibility and customer base at Meridian Water. Further policy support for Ravenside Retail Park is required to assist with public realm improvements, place making and connectivity.

#### 5.7 Community Facilities

**5.7.1** Provision of social and community infrastructure for residents, workers and visitors is vital to enable the successful regeneration of Meridian Water. Social infrastructure includes schools, nurseries, health centres, and community centres and rooms. The Council supports a multi-functional/ co-locational approach to community uses. This flexible use of facilities, for example, school sports halls and outdoor games areas, which can be used by local residents during evenings and weekends, will improve the efficiency of use in terms of land and buildings.



**Policy EL4: Ravenside Retail Park**

Development proposals at Ravenside Retail Park must demonstrate:

- Integration with the existing and planned urban grain at Meridian Water and other areas of Edmonton Leaside;
- Improvements to the public realm, including active frontages, green landscaping and interaction with the River Lee Navigation corridor;
- Improved access and movement with other parts of Meridian Water and Edmonton Leaside, in particular for pedestrians and cyclists; and
- Where applicable, that a sequential test and retail impact assessment have been applied.

*This policy should be read in conjunction with Core Strategy policies 17, 18 and 38, DMD policy 25 and London Plan Policy 2.15.*

This has the additional advantage of encouraging a sense of community, creating opportunities for social interaction, and supporting cohesion. Social and community infrastructure will support the integration of the new and existing communities. The Council will expect a community use plan to be submitted in support of planning applications for uses of this nature.

**Education**

**5.7.2** The growing population at Meridian Water will include a significant proportion of families with children, driving a need for new primary and secondary schools, and early years' facilities. These schools will be expected to serve the local population within close proximity of the new residential areas. The development of one or more all-through schools (combining early years, primary and secondary facilities on one site) is viewed favourably. The number of schools to be provided should be in line with the relevant Enfield and/or Greater London approaches to calculating child yield.

**5.7.3** The evidence modelling (Meridian Water Evidence on Housing and Supporting Infrastructure document) indicates a range of school places requirements, dependent upon the quantum and mix of residential development (see section 5.3 on housing). 5,000 new homes at a Core Strategy compliant housing mix will require at least 2 new primary schools and at least 1 new secondary school, in line with Core Policy 38, depending on the housing mix proposed. As the development progresses and grows, it is vital to monitor child yields and update the school places requirements to meet the educational need.

**5.7.4** New education provision at Meridian Water should meet need arising from the development in locations accessible to homes within that development. The Council's strong expectation and preference is for the need to be met within the Meridian Water boundary. The provision must be timed in accordance with the phasing of the delivery of these new homes and be consistent with the levels set out in the preceding paragraph. The land requirement should meet either the appropriate Department for Education guidance, or be agreed with the planning authorities, in line with the London Plan's approach of maximising the efficient use of land, promoting co-location of uses to achieve this objective.



### Example of Modern School Design

**5.7.5** Innovative design will be encouraged to make efficient use of land, including fully exploring multiple storey buildings, multiple use games areas and design options such as locating play space on the roof. The option to meet the need for outdoor sports pitches through accessible off-site provision should be explored. Outdoor sports pitches must be provided in immediate proximity to the school where possible, while any off-site provision must be conveniently and safely accessible. Areas of underused open space to the east and north east of Meridian Water may provide suitable locations for this (see Section 5.10 below). The Lee Valley Regional Park Authority will play a critical role in enabling this to be located within neighbouring parkland. Contributions to education provision may be sought in accordance with the S106 Planning Obligations SPD to support the delivery of suitable accommodation.

**5.7.6** Early year classes (0-4 years) should also be provided in locations accessible to homes within the Meridian Water boundary. The establishment of early years facilities by private providers will be supported. One or more children's centres could provide early years places and would also offer support for parents and incorporate other community facilities such as meeting rooms.

### Healthcare

**5.7.7** Enfield has significant health inequalities across the borough, with the existing population at Edmonton Leaside and the wider Edmonton area experiencing relatively lower life expectancy than the national average, and higher rates of health issues, such as obesity.

**5.7.8** Regeneration and change, in particular at Meridian Water, provides the opportunity to address broad healthy lifestyle issues. The delivery of community and social infrastructure will enable residents to live healthy and active lifestyles. This will mean, for example, encouraging the use of active and sustainable modes of transport such as walking and cycling, providing new open and play space to facilitate active and passive recreation opportunities, and ensuring access to healthy food. Existing health inequalities will also be addressed by increasing access to education and employment opportunities. Improved open spaces and green and blue networks can also encourage healthy lifestyles. Community facilities which encourage these behaviours will be supported within Meridian Water.

### Policy EL5: Community Facilities in Meridian Water

Development proposals must ensure that community facilities in Meridian Water:

- Serve the local population and cater for the needs of both the new and existing communities
- Are suitably located to be easily accessible on foot or by bicycle and with good accessibility for all levels of personal mobility and by the new and existing communities;
- Are where possible located in the town centre, or a community hub, to enable a well-connected neighbourhood;
- Support co-location and multi-functional uses so that they can accommodate a variety of different uses; and
- Support community groups or organisations to deliver and manage various community facilities.

#### Education

The growth of new residential areas requires the provision of sufficient education facilities at Meridian Water. Development proposals must be supported by adequate provision for new primary schools, secondary schools, and early years facilities at a level consistent with expected child yield and in locations accessible to the homes in that phase of development. The Council's strong expectation and preference is for the need to be met within the Meridian Water boundary. The calculation of pupil places required will be on the basis of child yield according to the quantum, tenure and mix of housing proposed.

Due to the high density of development at Meridian Water, innovative design of buildings and outdoors space may be necessary to make efficient use of land. This might include fully exploring multiple storey buildings, multiple use games areas and design options such as locating play space on the roof.

Meeting the need for outdoor sports pitches through off-site provision should be fully considered. Outdoor sports pitches must be provided in immediate proximity to the school where possible, while any off-site provision must be conveniently and safely accessible.

Within Meridian Water, schools should be located so as to be accessible for pupils whilst considering the movements and traffic flow of other land uses in the area.

During out-of-school hours, the Council will support the efficient use of educational space for community use, provision for sports and social activities and places of religious worship.

The co-location of early years facilities with other community uses (for example a library, hall, community centre or school) will also be supported.

#### Healthcare

The Council will continue to work with its partners to ensure that appropriate modern healthcare facilities are delivered in locations accessible to the housing in that phase.

The calculation of healthcare facility floorspace requirements will be on the basis of the quantum and mix of housing proposed, and consultation with the relevant primary healthcare organisations.

The primary healthcare facilities should be easily accessible for all Meridian Water residents and preferably located in the new town centre or at a community hub, or close to a transport node.

Development proposals may be expected to make a financial contribution towards provision of primary healthcare facilities.

*Policy EL5 continued...*

The potential for co-location of health services may allow local residents more flexible access to services.

*This policy should be read in conjunction with Core Strategy policies 7, 8 and 11, DMD policies 16, 17 and 18 and London Plan Policies 3.16, 3.17 and 3.18*

**5.7.9** New primary healthcare facilities will be required to ensure that all residents within Meridian Water have access to a good quality, local healthcare service.

**5.7.10** The evidence modelling (Meridian Water Evidence on Housing and Supporting Infrastructure document) indicates a range of floorspace requirements for healthcare, dependent upon the quantum and mix of residential development (see section 5.3 on housing).

**5.7.11** The Council will continue to review the requirement for healthcare services as the population at Meridian Water grows and changes, taking account of any specific health needs within the area.

## **5.8 Transport Infrastructure**

### **The Central Spine and Central Spine Corridor**

**5.8.1** The Central Spine will consist of a strategic east-west link and community focused route running through Meridian Water. It will be located within the Central Spine Corridor shown on Figure 5.1 and will connect with the surrounding areas. The Central Spine will form the core spine road around which Meridian Water can be structured and delivered, and which will unite the entire site.

**5.8.2** The concept of an east-west connection, now called the Central Spine, was introduced as a development principle in the Core Strategy (Policy 37) and further developed in the 2013 Masterplan. It has been carried forward as a key element of more recent master planning work.

**5.8.3** The Central Spine will be a vibrant and attractive east-west route serving a catchment beyond the new development in Meridian Water. It will enable social interaction through a series of community focused public spaces, squares and potentially a local shopping centre. The design will encourage sustainable transport modes by accommodating and prioritising public transport routes and generous space for cyclists and pedestrians as well as private vehicles. It will respond to climate change by integrating Sustainable Urban Drainage Systems (SuDS), water features and large trees to ameliorate climate extremes.

**5.8.4** The Central Spine is expected to link directly to Edmonton Green by connecting to the existing Greenway which lies at the south of Edmonton Federation Cemetery, between Edmonton Green and Montagu Road. It will also open up the links to valuable surrounding landscape assets such as the Lee Valley Regional Park and waterways, and the existing strategic Lee Valley walking and cycling routes.

## Policy EL6: The Central Spine and Central Spine Corridor

### Part A: Design

The Council will work with its partners and stakeholders to implement the Central Spine and maximise connectivity across Meridian Water. The route of the Central Spine will be within the Central Spine Corridor shown in Figure 5.1.

The identification of the route of the Central Spine within the Corridor shown in Figure 5.1 and its detailed design will be set out in a detailed planning application as well as in a new Masterplan Supplementary Planning Document. The route and the detailed design of the Central Spine will be developed to take account of third party land interests as far as possible.

In order to ensure the delivery of the Central Spine, permission will not be granted for development that would or could prejudice or interfere with the delivery of this critical infrastructure.

The Central Spine should comprise a spine route across Meridian Water and be navigable along its length by pedestrians and cyclists, with clear, safe and direct pedestrian and cycle provision. The Central Spine should be accessible by vehicular traffic between Glover Drive in the west and Harbet Road in the east. The Central Spine will include a crossing over the River Lee Navigation Canal.

Development proposals that include any land within the corridor shown in Figure 5.1 must have regard to the guidance in the Masterplan SPD once prepared and where relevant must:

- Support the delivery of a continuous link route across Meridian Water and beyond;
- Incorporate the Central Spine in the design;

- Actively contribute to enable the delivery of the Central Spine, through design, layout, orientation and facilitation;
- Prioritise the route as the primary route for orientation, navigation and connectivity at Meridian Water;
- Show how other routes provide connectivity to the Central Spine and enable connectivity within and beyond Meridian Water;
- Demonstrate how safe and convenient access to the station across the A1055/ Meridian Way can be improved in line with the growth proposed;
- Be led by a public realm and landscaping approach to ensure a sufficient quality of development;
- Allow for the accommodation of meanwhile uses and temporary activities;
- Prioritise pedestrian and cycle users, wherever practical and feasible; and
- Provide clear and consistent signage along the entire route, including on-street markings.

### Part B: The Central Spine as a Place for Interaction and Communities

The Central Spine will connect Meridian Water's new neighbourhoods and play a key role in linking Meridian Water to the wider area, integrating with existing residents and communities.

Development proposals that include any land within the Corridor shown in Figure 5.1 must, where relevant:

- Demonstrate how resident and employee access to supporting uses is maximised, including retail, health centres, open space and schools;
- Show how the Central Spine is utilised as a key location for community infrastructure and the clustering of A-Class uses;

*Policy EL6 continued...*

- Ensure active frontages to the Central Spine route, on both its sides and, where the River Lee Navigation is crossed, to extend the activity around the corner plots to permit natural surveillance around and under the bridge;
- Discourage the provision of car parking between the building frontage and the Central Spine, with the exception of on-street single-width parking;
- Demonstrate a safe relationship with traffic on the Central Spine; and
- Where appropriate and feasible, encourage evening use and activity, taking into account the amenity and safety of adjacent uses and residents.

**Part C: The Central Spine as an Infrastructure Corridor**

The Central Spine will form a key route for essential infrastructure, including high speed broadband, decentralised energy, gas and electricity networks and other infrastructure.

Development proposals that include any land within the Corridor shown in Figure 5.1 must, where relevant:

- Demonstrate how the Central Spine, as shown in the emerging Meridian Water masterplan, will act as the trunk route for servicing and subterranean infrastructure, including details of how the routes will positively and proactively connect to the Central Spine route and servicing on adjacent sites;
- Show how the design will minimise disruption from future maintenance and road works, wherever possible using shared channels and space set away from the main highway in order to allow maintenance and servicing to take place without disrupting the highway network; and
- Give consideration to the possibility of including the latest waste disposal systems, for both household and business waste collection.

*This policy should be read in conjunction with Core Strategy policies 37 and 38, and DMD 37.*



**Figure 5.1: The Central Spine Corridor**

### The Central Spine Corridor

**5.8.5** The identification of the route and detailed design of the Central Spine within the Corridor shown in Figure 5.1 will take place through the preparation of a detailed planning application and the forthcoming new Masterplan Supplementary Planning Document. It should reflect its dual role as a route and as a destination, supporting retail, leisure, community and cultural uses, reflecting and complementing the character of the surrounding uses and neighbourhoods.

**5.8.6** In order to ensure the delivery of the Central Spine, permission will not be granted for development that would or could prejudice or interfere with the delivery of this critical infrastructure. Meanwhile uses and temporary buildings may be located within this Corridor only if their presence does not interfere with the Central Spine's alignment. Cycle lanes will be provided along the Central Spine. Their design should take into account their interaction with the access requirements of existing established businesses. A further Central Spine connection to the station is shown across the A1055, and each stage of development must show how pedestrian and cycle flows to the station will be enabled and improved.

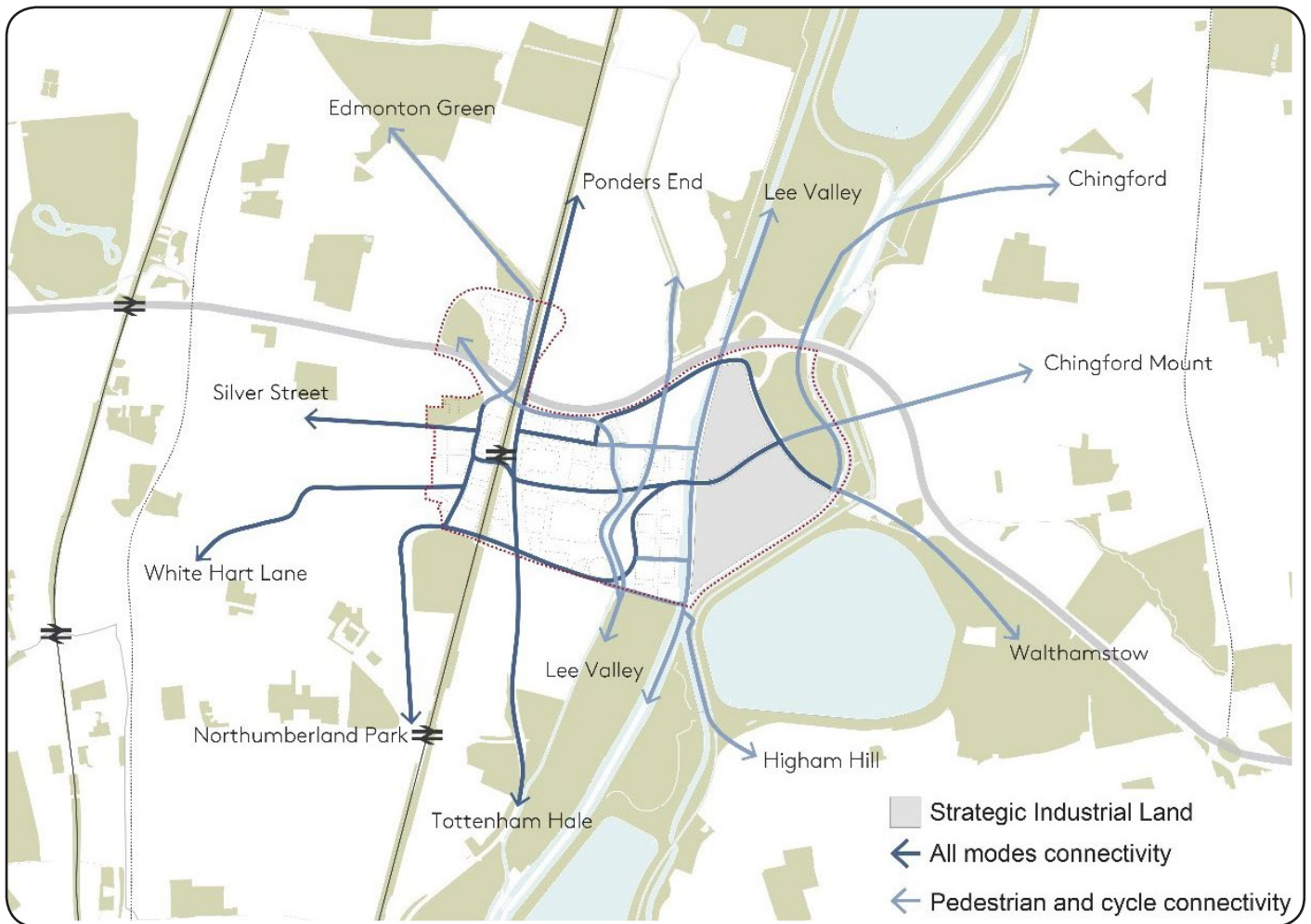
**5.8.7** Segment 1 - starts at the junction of the existing Glover Drive with Meridian Way to the west and ends just beyond eastern limit of the IKEA store before crossing the Pymmes Brook. The alignment of Glover Drive will be retained as it serves the Tesco Extra and IKEA stores. The profile of Glover Drive will be reconfigured to accommodate cycle lanes in each direction, generous pavements and landscaping.

**5.8.8** Segment 2 - begins where Section 1 ends and continues to the bridge landing on the east bank of the River Lee Navigation. New bridges are required over the branches of the Pymmes Brook and over the River Lee Navigation.

**5.8.9** Segment 3 - begins where the bridge over the Lee Navigation lands on the east bank.

**5.8.10** Segment 4 - continues eastwards and forms a junction with Harbet Road.





**Figure 5.2: Indicative Connectivity Plan (KCA); there must be good connectivity within Meridian Water and to the wider area**

### Transport Modes and Connectivity

**5.8.11** At present, although the North Circular Road provides a good level of road connectivity for Meridian Water, there is poor access to public transport and train services are infrequent. Improving access and connectivity for all modes, including buses, cycling and walking, is integral to achieving successful regeneration at Meridian Water and the integration of Edmonton Leaside as a whole. Figure 5.2 indicates how the connectivity network should provide ease of movement within Meridian Water and to the wider area. The transport network within the wider Edmonton Leaside area, including of bus routes, is covered further in Chapter 11.

### Angel Road/ Meridian Water Station

**5.8.12** The improvements at the new Meridian Water station must encourage sustainable transport through the provision of a good interchange between trains and other modes of transport. Station improvements will be complemented by a network of better routes and streets, which effectively link in all directions from the station. A more frequent and reliable rail service is necessary to support development and regeneration within the entire Upper Lee Valley.





**Illustrative image of Meridian Water Station approach from the east (credit: Karakusevic Carson Architects)**

**5.8.13** The old Angel Road station offered users a very poor quality experience due to a number of critical issues:

- The station was surrounded by a dual carriageway to the north, east and south and was adjacent to a scrap-metal yard to the west, which severely restricted the station's accessibility and isolated it from the surrounding areas of housing, industry, retail and leisure;
- The previous entrance was accessed via steep steps on the north side of Conduit Lane (the flyover to the north of the station), which then led pedestrians back under the flyover and along a long narrow pathway, which followed the train line southbound to the platforms, a route which was long and failed to provide a sense of security for users;
- The train frequencies for Angel Road did not meet the Mayor's aspiration for a minimum four train per hour suburban service in London, with no trains calling at the station between 10:00 and 15:30; and
- The station was lacking in basic facilities such as real time passenger information.

**5.8.14** Replacing the existing station with a new and improved Meridian Water station has transformed access and integrates the station with the wider area through good strategic and local connections. The changes provide a direct connection to Meridian Water, while the introduction of a bus hub will further add to the public transport connectivity in this area.

**5.8.15** The new station itself is more accessible and attractive to users, while the increased frequency of the rail service to Meridian Water, through the provision of additional track, is required to significantly increase passenger numbers.

**5.8.16** The Council and its partners the GLA, Transport for London, Network Rail, and Abellio Greater Anglia (train operator) have now completed the replacement of the Angel Road station with a high quality, safe, approachable and useable facility at the new Meridian Water station, which opened in June 2019. Network Rail and the GLA have pledged funding to enable the creation of the third tracking scheme from Stratford to Meridian Water station. The investment in the scheme, with its additional track, would allow a three to four trains-per-hour service at Meridian Water, rising later to a six to eight trains-per-hour service. The improved service would provide much better public transport accessibility, which in turn supports higher densities of housing development.



**River Lee Navigation and Bus Depot – the waterway and towpath make a significant contribution to the green and blue networks connecting Meridian Water**

### Bus Interchange

**5.8.17** A new bus interchange and associated bus standing will be provided, creating a transport hub and connecting bus services to the station. Alongside the greatly improved station accessibility, this will further enhance Meridian Water’s public transport network, enabling effective travel to and from Meridian Water with reduced dependence on the private car. The new transport infrastructure will connect Meridian Water more effectively to the wider region and key locations such as the City, Stratford, Canary Wharf, City Airport, Stansted Airport and Cambridge. For further context and policy on buses at Edmonton Leaside, see Chapter 11 and policy EL23.

### Cycling and Walking

**5.8.18** Significant investment is being made in Enfield’s cycling and walking infrastructure to encourage more people to use these sustainable and healthy modes, for example, through the Cycle Enfield scheme. The potential for the extension of the Mayor’s cycle hire scheme to this area should also be considered, with a location near to the station identified to provide the necessary infrastructure. Access to Meridian Water from the wider network and links to other key centres will be an important element of the transport offer, with the Central Spine providing a key route through the area. Also see the policies on cycling EL21 and EL22.

### Parking

**5.8.19** The use of cars in an urban area is affected by a range of factors, including the provision and extent of public transport, walkability, cycle safety and the accessibility of destinations.



### Policy EL7: Rail and Bus Improvements

The Council and its partners the GLA, Transport for London, Network Rail, and Abellio Greater Anglia (train operator) are working together to replace Angel Road station, supporting the regeneration of Meridian Water and wider area.

Changes include the following:

- Angel Road station has been replaced with a new and improved station located further south, named 'Meridian Water Station', creating an integrated transport hub with the new bus interchange on Meridian Way. This has enhanced access to the station and greatly improved the experience of public transport users, providing an immediate connection between Meridian Water, Edmonton Leaside and the wider North London region;
- Lengthening of the platforms to the south of the North Circular (A406) to create new entrances on both sides of the railway to the east and west which will connect to the Central Spine (see Policy CL6);
- Improved bus interchange and bus standing connecting Meridian Water to the wider North London region;
- Provision of real time information to improve the experience of public transport users;
- Safe, secure and Disability Discrimination Act (DDA) compliant accesses integrated with the station; and
- Disabled and staff parking provision.

*This policy should be read in conjunction with Core Strategy policy 26.*

**5.8.20** It is likely that the parking ratio will vary across the site to reflect the level of access to public transport and the opportunities for active travel. Private car parking provision will be in line with standards in the London Plan and DMD. Provision of Car Club spaces and membership will be considered and follow recommended level of provision as set out in the London Plan and DMD guidance.

**5.8.21** In broad terms, higher levels of residential and commercial development will reduce the ratio of parking spaces available. The evidence modelling (Meridian Water Spatial Scenario Testing document) shows how parking ratios at Meridian Water could vary according to the quantum of development.

**5.8.22** Parking spaces have an impact on both the public realm and the housing typologies. Delivery of parking spaces for vehicles is likely to take significant space. A majority of residential parking is expected to be through building podiums, with a smaller quantum provided on street.

### 5.9 Flood Risk Mitigation

**5.9.1** Meridian Water is crossed by two brooks, one canalised river and an overflow channel. Fluvial risk is therefore a key consideration to the development of the site, along with other forms of flooding, such as surface water, as set out in the Level 2 Strategic Flood Risk Assessment (SFRA).

**5.9.2** In conjunction with the green infrastructure, waterways must be managed to ensure Meridian Water's resilience against climate change, bringing benefit to immediate communities and the wider region.

**5.9.3** As a large area of previously developed land with extensive flood risk, redevelopment at Meridian Water represents an excellent opportunity to improve flood risk management that will benefit future users of the area and maximise development opportunities.

### Policy EL8: Managing Flood Risk in Meridian Water

The Council will continue to work in partnership with the Environment Agency, the Lee Valley Regional Park Authority, Thames Water and the Canal & River Trust to secure an integrated and sustainable approach to the management of development and flood risk through complementary flood mitigation and water management measures.

All developments must be safe from flooding and must not increase flood risk elsewhere. Development proposals must be supported by a detailed technical assessment of the flood risks and appropriate mitigation measures. All development will require a detailed site specific Flood Risk Assessment (FRA) to be submitted with each individual planning application. Adequate flood risk mitigation must be in place for all development.

The Council will apply the Sequential Test within Meridian Water at Masterplanning stage, in order to direct development to areas of low flood risk. Where this is not possible, development proposals must be shown to meet the provisions of the exception test, as set out by the NPPF. Development proposals should include an assessment of the impact of climate change using appropriate climate change allowances, to ensure that future flood risk is taken into account.

Development proposals must incorporate the principles of Water Sensitive Urban Design. Surface water discharge rates should aim to achieve greenfield runoff rates or such other rates as agreed with the Lead Local Flood Authority throughout the development and proposals should demonstrate application of the SuDS Management Train (The SuDS Manual, CIRIA) prior to discharge of surface water runoff. SuDS features should be connected and integrated with landscape as much as possible and planted to enhance biodiversity.

Development proposals must set out a clear approach to flood risk management and demonstrate a coordinated relationship with surrounding interfaces, including utilities corridors; proposed ground levels and buildings; carriageways, cycleway and footway corridors; landscape features; building drainage; as well as managing health and safety risks.

Any land identified as potential for offsite flood storage should preferably be located close to the proposed development site and preferably lie within the Edmonton Leaside area, so minimising the disruption to local flow patterns and flood mechanisms which could otherwise result due to displacement of water.

Planning obligations will be sought for any development where there is a risk of flooding and flood mitigation infrastructure is required.

*This policy should be read in conjunction with Core Strategy policies 28 and 29, DMD policies 59, 60, 61, 62 and 63, and London Plan Policy 5.12.*



**Illustrative image of soft landscaping along Pymmes Brook, contributing to mitigating flood risk and provide amenity (credit: Karakusevic Carson Architects)**

**5.9.4** The Environment Agency has updated its requirements for climate change allowances to a higher level than those used to prepare Enfield's Level 2 SFRA. Until updated, Environment Agency fluvial modelling based on the revised climate change allowances is not available. Developers must undertake fluvial modelling using the current climate change allowances and submit a Flood Risk Assessment for future proposals in a manner acceptable to the Environment Agency and Enfield Council's Lead Local Flood Authority.

**5.9.5** Development proposals should include an assessment of the impact of climate change, using current climate change scenarios, over the lifetime of the development so that future flood risk is taken into account. Developers should submit a Flood Risk Assessment in line with the requirements of the NPPF. The sequential approach should be applied within each site to locate development in areas of lowest flood risk, taking into account all sources of flood risk.

**5.9.6** Wider detailed fluvial modelling, commissioned by Enfield Council, was completed in late 2019. This will support an FRA covering the whole Meridian Water Masterplan area. Individual developments will still need to be accompanied by an FRA, but these plot-scale FRAs would be underpinned by the wider FRA undertaken for the entire Meridian Water Masterplan area.

**5.9.7** Adequate flood risk mitigation measures must be in place for any development prior to the loss of any existing flood storage associated with the development. This may include the early provision of strategic area-wide flood compensation where appropriate, or compensation may be provided on a phased basis, provided no net reduction in flood volumes occurs during or after development.

**5.9.8** Flood mitigation requirements must therefore be fully integrated at an early stage within the detailed design of streets, buildings and spaces.





**Illustrative image of the proposed towpath along the Lee Navigation, which is part of the flood alleviation strategy to unlock development and also creates a new public space (Credit: Karakusevic Carson Architects)**

**5.9.9** Whilst flood risk should be managed as much as possible within the development site and close to the associated watercourses, it is recognised that achieving sufficient developable land for the quantum of growth required at Meridian Water might require flood mitigation measures in the wider Edmonton Leaside area and beyond.

**5.9.10** Development proposals must be supported by a detailed technical assessment of the flood risks and appropriate mitigation measures. Flood management measures at Meridian Water should incorporate modifications to the existing flood risk management infrastructure or consider further measures such as raising and lowering ground levels; widening, reshaping and restoration of watercourses; and creating offsite flood storage.

## 5.10 Leisure and Open Space

**5.10.1** To the east of Meridian Water is the Lee Valley Regional Park (LVRP) and areas of designated green belt which together with the River Lee Navigation and a network of watercourses and reservoirs create a green and blue corridor within the urban area. There are areas of international, European and national ecological importance in proximity to Edmonton Leaside, including the William Girling Reservoir which is part of the Chingford Reservoirs SSSI and the Lee Valley Special Protection Area/ Ramsar site at Walthamstow Reservoirs. The character of the Lee Valley around Meridian Water is defined by its industrial, ecological and agricultural heritage. This location is at one of the narrowest points of the LVRP, but elsewhere throughout its 26 mile length, the Park is home to numerous leisure and recreational facilities.

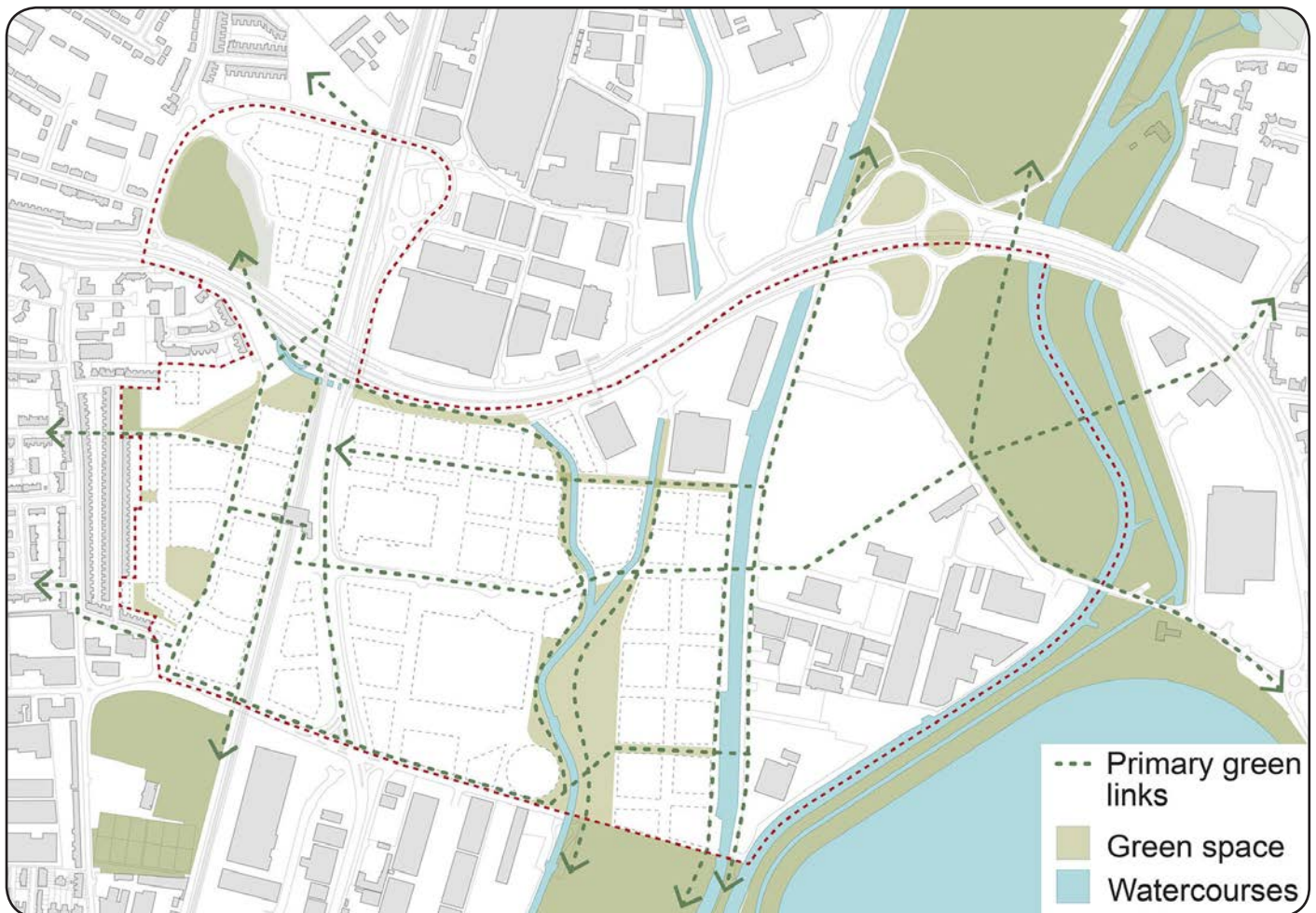
**5.10.2** At Meridian Water there are currently very limited areas of open space with poor public access to recreational spaces and waterways. Development at Meridian Water must deliver a network of open spaces that can provide visual and leisure amenity, as indicated in Figure 5.3. The regeneration must also increase access to other existing areas of ecologically undesignated open space and waterways in the wider area. Negative impacts on nearby designated sites of ecological importance must be avoided. As such development will avoid new access points to the designated sites. To avoid recreational disturbance of the sites of ecological importance, contributions to the management of the site will be required.

**5.10.3** Meridian Water also has the potential to deliver a significant offering of leisure facilities, including for example a public leisure centre, private health club, sports pitches, tennis courts, and even boating facilities for water sports.

**5.10.4** The new housing and employment development at Meridian Water must be supported by appropriate public open space and play space. Providing new open and play space within or close to the development has the potential to be overlooked and provide natural surveillance to ensure user safety. Open spaces, particularly those within and close to Meridian Water, can be focal points for community activities and events. There is also potential for open spaces to form part of a sustainable urban drainage system (SuDS) network and to provide temporary flood storage.

**5.10.5** The scale of development at Meridian Water requires that space must be used as efficiently as possible, while ensuring a sufficient quantum of open space and leisure facilities are provided to deliver a sustainable community. Meridian Water is constrained in terms of accommodating open and green spaces within the development boundary, due to limited availability of land. Whilst high quality open space and play space provision that is suitable for intensive usage must be made within Meridian Water, there must also be a great emphasis on improving access to existing nearby ecologically undesignated green open spaces and waterways, while also protecting and enhancing biodiversity and sites of ecological importance.





**Figure 5.3: Indicative Green Network Plan (KCA); a ‘green’ network of open spaces to provide visual and leisure amenity**

**5.10.6** The potential of further areas of the Lee Valley Regional Park to the north, east and south of Meridian Water to contribute to the area’s open space requirement would require new landscaping and the opening up of previously inaccessible areas, for example, the areas of open green belt land which lie east of Harbet Road, to the north and south of the North Circular Road. There is also potential to open up access to Banbury Reservoir. The Council will work with relevant key stakeholders, including the Lee Valley Regional Park Authority, Thames Water, the Environment Agency and Natural England when developing any landscaping and access proposals in these areas. Banbury Reservoir is an operational reservoir owned and operated by Thames Water for public water supply. Any proposals for public access at Banbury Reservoir will need to be agreed with Thames Water and must ensure the operational function and ongoing structural integrity of the reservoir is maintained and fully consider and mitigate potential risks to public health and safety.

**5.10.7** In the wider Edmonton Leaside area, the new open space at Angel Gardens has increased provision, while improvements at Picketts Lock have the potential to provide additional nearby recreational opportunities, having appropriate regard and sensitivity to development constraints associated with its location in the Metropolitan Green Belt and the need to preserve openness.

**5.10.8** Open spaces should seek to support a variety of uses and functions, such as sports and recreation, alongside landscaping and natural habitats which enhance the biodiversity.

### **5.11 Design Principles at Meridian Water**

**5.11.1** Meridian Water will be developed according to a common set of design principles. This section sets out design policies which should be viewed together as providing the context and parameters for development proposals. The Council’s spatial vision of a potential way to deliver a high-quality mixed-use neighbourhood is provided in the Meridian Water Spatial Framework.



### Policy EL9: Leisure Facilities and Open Space at Meridian Water

Development proposals must demonstrate:

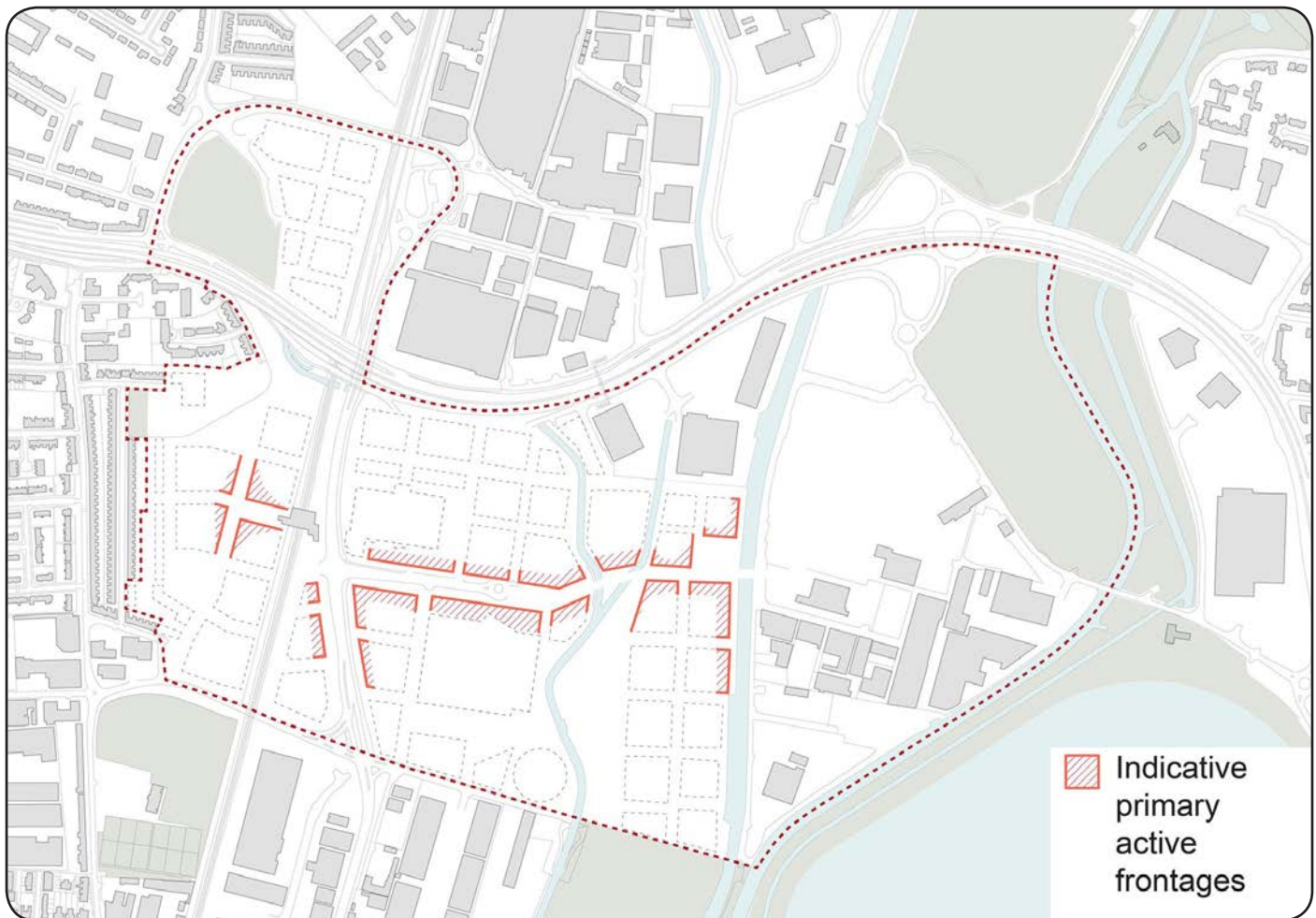
- The provision of sufficient children's play space, including formal, informal and incidental playable space in larger areas of open space; this provision should be in proportion to the quantum of residential development proposed, having regard to the relevant Enfield and London approach to calculating children's play space requirements;
- That children's play space is safe and accessible and not shared with inappropriate uses such as vehicular traffic;
- The provision of sufficient open space within Meridian Water, including parks and linear spaces which incorporate a wide variety of uses and amenities; this should be in proportion to the quantum of residential development proposed; or how provision can be met through improvements to the accessibility and quality of existing open space;
- That opportunities for new waterspaces to support leisure uses within Meridian Water have been considered where appropriate;
- How they will avoid negative impacts such as recreational disturbance on sites of ecological importance, including the Chingford Reservoirs SSSI and Lee Valley Special Protection Area/ Ramsar site at Walthamstow Reservoirs;
- How they will assess, avoid and/or mitigate negative impacts on Epping Forest SAC, Lee Valley SPA or other designated areas of conservation or protection, for example from recreational pressure or due to traffic impacts in relation to air quality; appropriate assessment and measures should be determined in consultation with the Council and Natural England;
- That potential at the open space for SUDs and flood storage has been explored, in line with policy EL8;
- That habitat is incorporated to enhance biodiversity;
- Where there is evidence of need, the provision of formal playing fields;
- That options for community agriculture, and urban farm and other food growing-opportunities have been explored; and
- Where the location is suitable, that new waterspaces and wetland habitat is incorporated, which enhances biodiversity and includes boardwalks and pontoons to provide access.

#### Banbury Reservoir

The Council will work with Thames Water and the London Borough of Waltham Forest to explore options for Banbury Reservoir, including:

- Improved pedestrian access around the reservoir, including a fitness trail around the reservoir boundary, with green links and connections to South Chingford and Higham Hill; and
- Boating and water sports activities to create a leisure destination, subject to Thames Water agreement, in line with considerations regarding operational and structural requirements and public health and safety.

*This policy should be read in conjunction with Core Strategy policies 30,33,34,35, 37 and 38 and DMD policies 71 to 83.*



**Figure 5.4: Indicative Active Frontages Plan (KCA); focused along the Central Spine, River Lee Navigation and around the Rail Station.**

**5.11.2** The transformation at Meridian Water and the demanding requirements for housing, jobs and supporting infrastructure have significant implications for urban form and grain. The scale and massing of buildings at Meridian Water is likely to exceed that of existing nearby residential neighbourhoods.

**5.11.3** Developing a sense of place is vital for the success of the area, and the urban form and grain must have regard to the unique setting of Meridian Water, maximising high quality buildings and access to amenities.

**5.11.4** Active frontages are an important element in establishing a sense of place and should be provided along the Central Spine, the River Lee Navigation and around the railway station area, as indicated in Figure 5.4. The active frontage should include the building's façade and main entrance facing onto the thoroughfare, extensive use of windows, with the uses being predominately retail, food and drink, workspace or otherwise accessible to the general public.

Car parking is not considered to contribute to an active frontage, and a building's façade should not be separated from the thoroughfare by more than a single vehicle width of parking.

**5.11.5** Tall buildings (as defined in the London Plan) will be acceptable in some instances at Meridian Water for reasons including:

- To make the most efficient use of available land;
- To provide a sense of place and character appropriate for a new urban quarter;
- To provide the density of development necessary to support improved public transport accessibility and provision; and
- To make use of the potential for views across the Lee Valley.

**Policy EL10: Urban Grain at Meridian Water**

Development proposals must respond to the need for comprehensive, integrated regeneration across the whole of Meridian Water and the surrounding area.

Development proposals are expected to:

- Maximise opportunities for intensification and making most efficient use of land;
- Develop a hierarchy-based network of streets and eliminate existing surface car parking (with the exception of on-street and blue-badge parking);
- Provide a sense of space and enclosure, particularly at key locations and routes such as the railway station, the Central Spine, and along the River Lee Navigation;
- Enable distinctive place making by utilising the waterways as a defining feature of developments and ensure active frontages facing onto the River Lee Navigation;
- Consider the innovative use of historical and industrial assets;
- Have block frontages of no more than 80 metres in length, limited by spaces and routes for public access;
- Clearly define the relationship between public and private uses;
- At ground floor level provide an attractive and active frontage to the street, road or other publicly accessible area;
- Integrate with adjoining uses both within and outside the Meridian Water development area; and
- Orientate building heights and layouts to take advantage of views along the Lee Valley.

*This policy should be read in conjunction with Core Strategy policies 30, 37 and 38 and DMD policies 37, 38, 39, 40, and 42.*

**5.11.6** Tall buildings represent only one possible model for high-density development and as such density, on its own, will not be a justification for a tall building.

**5.11.7** The rationale for tall buildings at Meridian Water is particularly strong around the new railway station where transport accessibility may support higher-density development.

**5.11.8** Building heights will vary in response to context, adjacent road widths and public transport accessibility.

**5.11.9** Lower building heights may be more appropriate in locations with lower public transport accessibility, less opportunity for views, and narrower roads, in line with a maximum road to building aspect ratio of 1:1 to 1:1.5.

**5.11.10** High quality public realm is vital to the creation of successful neighbourhoods in Meridian Water and their integration with the wider area. Good design of the public realm can support community safety, accessibility, health and wellbeing, and reduce flood risk and air pollution. The plentiful and appropriate planting of trees and other greenery is essential to developing an aesthetically pleasing and high quality urban environment which should provide habitat connectivity and enhance biodiversity.



**Illustrative image of new towpath public space on the west side of the Lee Navigation (credit: Karakusevic Carson Architects)**

**5.11.11** Meridian Water benefits from many existing features to which the public realm can respond, including the brooks, the River Lee Navigation, and the Lee Valley Regional Park. These features can contribute to a public realm network incorporating blue and green space and the key Central Spine road.

**5.11.12** Planning proposals are encouraged to include the waterside and waterways within the boundary of their sites, where relevant, to ensure that the public realm is planned, and improvements delivered, in a way that is integrated with the development.

**5.11.13** Built development near a river front should aim for a minimum 8 metre set back from the top of the river bank, in line with access requirements of the Environment Agency. This allows for maintenance and improvements, such as re-naturalisation of river banks and habitat improvement. Footpaths and landscaping may be included within the buffer zone, although a wider undisturbed green corridor area should be provided where possible. Where the full 8m cannot be achieved, appropriate Environment Agency access has to still be maintained.

**Policy EL11: Building Form at Meridian Water****Part A: Building Configuration**

Development proposals must:

- Deliver both high quality design and high density development while ensuring the viability of the major infrastructure required by the development;
- Ensure buildings conform to a height-to-width ratio appropriate for the street, achieved through design solutions such as upper storey set-backs, accent towers and breaks in blocks, as well as raised podium courtyards used to maximise aspect and access to daylight and sunlight;
- Provide for the modification and adaptation of buildings and layout, including those of existing retail operators, so that they support comprehensive regeneration;
- Set out an appropriate mix of uses, which could include commercial and other non-residential uses on ground and lower floor levels, with residential uses on higher floors;
- Have a direct, positive and productive relationship with the public realm, providing natural surveillance;
- Maximise unobstructed long views from roof terraces;
- Protect residential privacy through appropriate measures including horizontal and vertical screens, angled windows or obscured glazing, and planting schemes;
- Provide, where practical, roof gardens or green/brown roofs;
- Include green walls where practical to provide visual interest, mitigate climate change and support biodiversity; and
- For commercial units, where possible, incorporate a minimum of four metres floor to ceiling height to allow for flexibility of use;

**Part B: Access to daylight and sunlight**

Development proposals must:

- Minimise the number of single-aspect dwellings; single aspect dwellings that are north-facing, or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided;
- Ensure blocks maximise east and west facade lengths and minimise north and south façade lengths;
- Maximise access to direct sunlight for both private and shared outdoor spaces;
- Ensure the massing and orientation of residential blocks allows direct sunlight penetration into at least 50% of shared open space;
- Ensure that for perimeter block buildings the layout and massing allows direct sunlight penetration into the internal courtyard; and
- Ensure communal areas in terraced blocks receive direct sunlight.

**Part C: Tall buildings**

Justification for buildings taller than ten storeys above normal ground level must be provided by any development proposal. Development proposals for tall buildings at Meridian Water must:

- Demonstrate the appropriateness of the site for one or more tall buildings, identifying the role and contribution of tall buildings as part of an overall vision for a place, and the wider area (not limited to Meridian Water boundary), and an assessment of the chosen location, against other possible sites appropriate for tall buildings;

*Policy EL11 continued...*

- Set out the relationship to transport infrastructure, the capacity of public transport, the quality of links between transport and the site, and the feasibility of making improvements, where appropriate as part of the wider consideration of tall buildings;
- Assess the impact on, and contribution to, local communities, when determining the principles of development in relation to uses, context and design;
- Assess the impact on the setting of heritage assets, including those beyond the Meridian Water and borough boundaries;
- Where possible, be located on key routes, in particular significant places or junctions;
- Avoid locating tall buildings on adjacent corners to prevent a 'fortress like' visual impact;
- Avoid creating a 'wall' of tall buildings;
- Ensure that development adjacent to the North Circular Road provides a buffer for buildings deeper within the Meridian Water area, while providing a high-quality frontage to the road;
- Avoid overshadowing of adjacent buildings, especially towards principal rooms;
- Avoid compromising the enjoyment of open spaces, including water spaces, through overshadowing;
- Include measures to mitigate wind and microclimate issues in their surroundings;
- Ensure appropriate design measures to optimise access to daylight and sunlight;
- Where relevant, provide an attractive and active frontage to public open space; and
- Assess the impact of underlying ground conditions and presence of land contamination to determine appropriate foundation depths and building height, and measures to protect groundwater resources.

*This policy should be read in conjunction with Core Strategy policies 30, 37 and 38 and DMD policies 37, 38, 39, 40, 42, and 43.*

### Policy EL12: Public Realm at Meridian Water

The new and existing characteristics and features of Meridian Water must be optimised to create a coherent public realm across the site and into the wider surrounding area. Development proposals will seek to:

- Incorporate landscaping, including tree planting of an appropriate scale along movement corridors to enhance amenity, provide visual interest and contribute to biodiversity;
- Demonstrate how an understanding of the industrial heritage and archaeology of the area has informed the design, and seek opportunities to provide heritage interpretation, for example, through public art or display panels;
- Ensure public realm surfaces are porous and/ or enable natural drainage;
- Incorporate water features as a key element in public spaces;
- Support safe access to existing and proposed public realm, both within and adjacent to Meridian Water, in particular through the provision of pedestrian and cycle-only routes;
- Support community safety by avoiding the creation of isolated or underused spaces;
- Design streetscape elements to promote legibility and a sense of place;
- Incorporate the principles from Sport England's Active Design guidance;
- Incorporate a range of sensitive and responsive lighting across the site to contribute to the sense of place and security;
- Provide street furniture including seating, cycle stands and waste separation bins which avoids cluttering the streetscape;
- Incorporate opportunities for games and urban play;
- Incorporate public art that is well-integrated with built form and other elements of the streetscape;

- Improve visual connectivity between Meridian Water and the surrounding area, including the Lee Valley Regional Park; and
- Ensure wayfinding signage is minimised and is of consistent, clear design, exploring the potential for the use of TfL's 'Legible London' system.

### Waterways and Water Frontages

Development proposals must optimise the potential of the water network through:

- Active frontages facing towards the water, in particular along the River Lee Navigation;
- Ensuring the space between buildings and the water avoids uses allowing vehicular movement and parking and promotes uses including walking, cycling and open spaces for leisure and recreation;
- Incorporating waterways as a focal element of public space;
- Supporting leisure uses on and adjoining the water, where appropriate;
- Considering opportunities to better reveal and interpret the natural and man-made watercourse heritage;
- Where suitable, the provision of residential and commercial moorings along the River Lee Navigation, particularly where this will contribute to an active and vibrant waterway corridor;
- Enhancing the existing watercourses across the site including environmental remediation, biodiversity enhancements, and the naturalisation of banks where appropriate; and
- Maximising opportunities for flood mitigation strategies.

*This policy should be read in conjunction with Core Strategy policies 30, 37 and 38 and DMD policies 37, 38, 40, 42, 43, 55, 61, 63, 69, 75, 79, 80, and 81.*

## 5.12 Infrastructure Delivery in Meridian Water

**5.12.1** Funding for infrastructure at Meridian Water will come from a number of funding sources and will be in part secured by the collection of planning obligations through Section 106 agreements and via the Community Infrastructure Levy.

**5.12.2** Enfield's Community Infrastructure Levy (CIL) adopted in 2016 sets out a varying rate by geographic area for residential development across the borough. Due to economic viability considerations arising from high abnormal site and supporting infrastructure costs, residential development in the Meridian Water area is currently set at nil-rate during the life of the charging schedule. Elsewhere within the Edmonton Leaside area residential development has a CIL rate set at £40 per square metre. For retail proposals (all A-uses), an Enfield CIL of £60 per square metre applies borough-wide, including at Meridian Water.

**5.12.3** The CIL Charging Schedule adopted in 2016 may be reviewed during the life of the AAP and the rates may change as part of that review.

**5.12.4** In addition to the Enfield CIL, a Mayoral CIL set at £60 per square metre will be levied on all developments in the area from April 2019.

**5.12.5** The Council's Regulation 123 list identifies what type of infrastructure or projects the Council intends to fund (in whole or in part) from Community Infrastructure Levy receipts. CIL receipts collected from across the borough will be pooled and used to finance Meridian Water's Rail and Central Spine Infrastructure. The Regulation 123 list may be amended during the life of the AAP as part of a review of the CIL Charging Schedule.

**5.12.6** The Regulation 123 list shows that the Community infrastructure Levy and Section 106 obligations will fund separate items of infrastructure.

The intention of the 123 list is to provide transparency and prevent developers being charged twice, through CIL and Section 106, for the same item of infrastructure. Therefore Section 106 developer contributions cannot be negotiated for items of infrastructure identified on the regulation 123 list.

**5.12.7** Section 106 planning obligations will be sought from developers to make development proposals acceptable in planning terms, such as for addressing infrastructure needs arising from the development. The common uses of planning obligations are to secure, for example, affordable housing, education facilities or health care provisions required as a result of a new development. The Section 106 SPD sets out the circumstances in which contributions will be sought.

**5.12.8** The CIL regulations previously restricted the use of pooled S106 contributions towards items of infrastructure that may be funded via the levy. Planning Obligations could not be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if:

- Five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010; and if
- It is a type of infrastructure that is capable of being funded by the levy.

**5.12.9** In relation to infrastructure for water supply and drainage, developers are encouraged to contact the relevant water and waste water company ahead of submitting their planning application. Discussing their development proposals and intended delivery programme will assist with identifying any potential water and wastewater network reinforcement requirements. Where there is an identified capacity constraint the Council may, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of or in line with the occupation of the relevant phase of development.



### Policy EL13: Infrastructure Delivery in Meridian Water

Development within the Meridian Water boundary will be subject to financial contributions towards infrastructure requirements secured on all developments liable for CIL or Section 106 planning obligations. Key principles in determining the nature and level of the corresponding S106 planning obligation are that:

a. It relates to infrastructure project provision identified within the Edmonton Leaside AAP (excluding such infrastructure as may be listed periodically in any Regulation 123 List) particularly:

- Affordable housing;
- Flood defences and other blue infrastructure;
- Waterside public realm improvements;
- New and improved public open space and space for local biodiversity and habitats;
- Sport and recreation facilities;
- Enhancing the bus network;
- Education;
- Health;
- Employment measures; and
- Provision and operation of car clubs.

- b. It must be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development; and
- c. A maximum amount will be secured subject to viability to ensure the level of contribution does not harm the delivery of development in the area.

For each phase/ zone of development in Meridian Water the developer must agree with the Council an outline application which includes the infrastructure needs to support the level of development within the identified phase/ zone and sets out the planning obligations necessary to enable this supporting infrastructure.

No more than five obligations for a specific item of infrastructure will be pooled across the borough, except where pooling restrictions do not apply or if pooling restrictions are lifted, in accordance with the CIL regulations.

*This policy should be read in conjunction with Core Strategy policy 46 and Chapter 14 of this AAP.*

# Edmonton Leaside Employment and Industrial Estates



## 6 Edmonton Leaside Employment and Industrial Estates

### 6.1 Introduction

**6.1.1** This Chapter sets out the Council's approach to facilitating economic growth and improving the industrial estates in Edmonton Leaside, including the area within the Meridian Water red line boundary which is also set out in Chapter 5. Supporting economic and employment growth and strengthening the local labour market are key ingredients in realising the vision of Edmonton Leaside as an area that attracts investment and as a place to live and work.

**6.1.2** The first section of this chapter analyses the potential for jobs growth, the second section considers the extent of designated industrial land and the third section describes the area's industrial estates and establishes a policy framework for change, improvement and investment.

**6.1.3** Growing Enfield's business-base is a key element of the Council's approach to economic development. Enfield's Local Economic Assessment (LEA 2011) identified that Enfield has space to accommodate more businesses and grow the overall number of jobs in the borough. One of the short to medium term priorities is the need to 'improve access to local jobs in key growth sectors by unlocking training opportunities and identifying routes to employment including self-employment' (LEA paragraph 3.25).

**6.1.4** Enfield as a whole has experienced substantial changes to its economy and business base over the past 40 years, shifting away from being dominated by large businesses and employment in the manufacturing sector. There has been a change to a broader service-based economy made up predominantly of small and micro-businesses.

**6.1.5** Some of the borough's old industrial sites have been successfully redeveloped into modern business parks that accommodate a wide range of firms. Businesses are attracted by Enfield's good location through its proximity to key transport routes, and by the borough's availability of land for business development, whilst many other areas in London have far more limited space for growth.

**6.1.6** Industrial uses have been present in the Edmonton Leaside area since the 19th century, leaving a legacy of old and modern industrial buildings and spaces. The manufacturing base declined markedly following the economic recessions of recent years and competition from lower-cost developing nations. However, Edmonton Leaside has retained a distinctly industrial character, and seen growth in sectors such as food and drink manufacturing and green and low carbon industries. Despite an overall reduction in employment numbers, Enfield's manufacturing sector remains one of the largest in London, meaning industrial estates still remain a vital source of employment for local residents. For example, there are around 36 food and drink manufacturing businesses in Enfield with around half of these located in Edmonton Leaside. This sub-sector has the largest workforce in the manufacturing sector, making up one in three jobs, with businesses typically employing 20-130 people. These businesses have London, UK and international markets and include national and international brands.



### Distribution Centre, Aztec 406 Industrial Estate

**6.1.7** Edmonton Leaside will continue to be a major area for economic activity with significant scope for growth and expansion of employment opportunities. Existing businesses will benefit from the regeneration and redevelopment opportunities to intensify and redevelop existing sites for modern industries, meeting business needs for a broader range of employment activity, including high-tech manufacturing, and green and environmental industries.

**6.1.8** Business and industrial uses are defined as all those land uses within B1, B2 and B8 use classes, as well as non-B class uses including sui generis employment uses such as transport, utilities and waste. Beyond the designated industrial land, it is recognised that in addition to the B use classes, retail, leisure, education and community uses are also considered as an employment source which will contribute towards increasing net jobs across Edmonton Leaside over the life of the AAP.

## 6.2 Policy Context

Policy context for Economic Growth & Industrial Estates	
<b>London Plan (2016) and relevant policies in new draft London Plan (2018)</b>	<p>Policy 2.17 Strategic Industrial Locations</p> <p>Policy 4.1 Developing London's Economy</p> <p>Policy 4.2 Offices</p> <p>Policy 4.4 Managing Industrial Land and Premises</p> <p>Policy 4.7 Retail and Town Centre Development</p> <p>Policy 4.8 Supporting a Successful and Diverse Retail Sector and Related Facilities and Services</p> <p>Policy 4.10 New and Emerging Economic Sectors</p> <p>Policy 4.11 Encouraging a Connected Economy</p> <p>Policy 4.12 Improving Opportunities For All</p>
<b>Upper Lee Valley Opportunity Area Planning Framework (2013)</b>	<p>Policy 7.2 Guiding principles for Meridian Water</p> <p>Policy 7.3 Meridian Water Masterplan</p> <p>Policy 7.4 Industrial land</p>
<b>Enfield Core Strategy (2010)</b>	<p>Core Policy 13 Promoting Economic Prosperity</p> <p>Core Policy 14 Safeguarding Strategic Industrial Locations</p> <p>Core Policy 15 Locally Significant Industrial Sites</p> <p>Core Policy 16 Taking Part in Economic Success and Improving Skills</p> <p>Core Policy 17 Town Centres</p> <p>Core Policy 18 Delivering Shopping Provision Across Enfield</p> <p>Core Policy 19 Offices</p>
<b>Development Management Document (2014)</b>	<p>DMD 19 Strategic Industrial Location</p> <p>DMD 20 Locally Significant Industrial Sites</p> <p>DMD 21 Complementary and Supporting Services within SIL and LSIS</p> <p>DMD 23 New Employment Development</p> <p>DMD 24 Small Businesses</p>
<b>Other Sources</b>	<p><i>National Planning Policy Framework (2012 and 2019)</i></p> <p><i>A new Local Plan for Enfield 2018 – 2036 (2018)</i></p> <p><i>Meridian Water Masterplan (2013)</i></p> <p><i>Industrial Estates Strategy (2014)</i></p> <p><i>Employment Land Study, Halcrow (2006)</i></p> <p><i>Employment Land Study Update, Halcrow (2009)</i></p> <p><i>Employment Land Review, Roger Tym &amp; Partners (2012)</i></p> <p><i>Enfield Local Economic Assessment (2011)</i></p>

### 6.3 Employment in Edmonton Leaside

**6.3.1** A key objective of this AAP is supporting economic growth and a net increase in jobs in Edmonton Leaside. To achieve this, the Council needs to create the right conditions to attract investors to locate in this part of the borough. The area has the potential to deliver thousands of net additional jobs over the life of the AAP.

**6.3.2** Existing industrial estates in Edmonton Leaside will provide opportunities for established industries to grow and to develop their role further as a location of economic activity and generating jobs. The Core Strategy (Policy 13) seeks to support businesses that are successfully operating from Enfield's employment locations and to diversify the economy into new growth sectors, with Edmonton Leaside identified as a key area for significant policy intervention to achieve transformational change.

**6.3.3** There are a number of broad economic drivers that would suggest demand for industrial land and premises in Enfield is likely to remain strong. The borough is located at the heart of a major growth corridor in the most vibrant part of the UK economy, and situated on the strategic roads of the M25, A406 and A10. Along with available and relatively lower cost land, Enfield possesses key competitive advantages. The continued safeguarding and management of the designated industrial land can provide appropriate sites, premises and infrastructure to accommodate future growth.

**6.3.4** To deliver net additional jobs across Edmonton Leaside over the plan period, the area needs to achieve this shift in its economic base away from traditional industrial areas to one based on higher value industry.

**6.3.5** Past and estimated future employment trends evidenced in business feedback, known development plans, the Employment Land Review (2012) and the long term vision for the area, suggest that new jobs in Edmonton Leaside's industrial estates can be developed in B1c uses (light industry) and higher value B2 (including green industries), with expansion in sectors including food and drink, ecommerce, and cultural and creative industries.

**6.3.6** A constraining factor is that employers in growth sectors have indicated that it is difficult to attract local applicants for skilled jobs, notably construction trades, distribution and engineering jobs. As a result, businesses tend to look to recruitment agencies to fill positions.

**6.3.7** Enfield's approach to socio-economic regeneration involves working in close partnership with key stakeholders to achieve long-term benefits for its residents, particularly those experiencing severe disadvantage and deprivation.

**6.3.8** In order to accurately plan for net additional job growth in Edmonton Leaside, it is necessary to estimate the number of existing jobs across the area. The ONS, Business Register and Employment Survey (2016) indicate an estimated 6,081 jobs across Edmonton Leaside, excluding Meridian Water, in a range of categories such as manufacturing, leisure, utilities, retail and other B and non B uses.

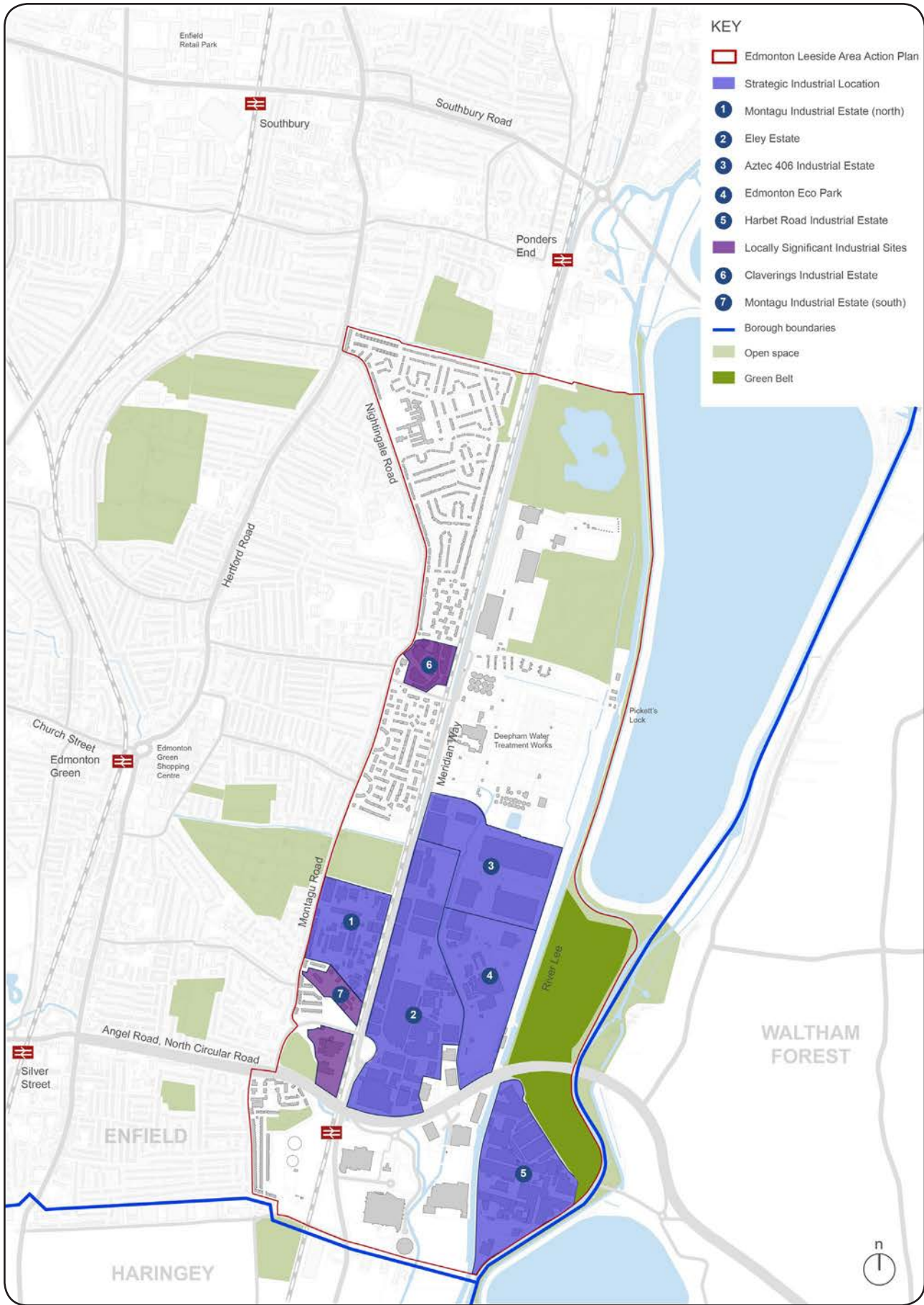


Figure 6.1: SIL and LSIS in Edmonton Leaside (current designations before this AAP)



**6.3.9** The Council strongly supports an increase in net additional jobs across Edmonton Leaside, driven by redevelopment and intensification of the area's industrial estates, including at the Council-owned Claverings and Montagu Industrial Estates. Significant further investment is proposed, potentially with joint venture partners, to upgrade both Claverings and Montagu Industrial Estates, to improve outdated infrastructure and to provide new buildings that meet modern business needs with related environmental and social benefits. Leisure and recreation uses could potentially be further developed at Picketts Lock, subject to development constraints associated with its location in the Metropolitan Green Belt.

## 6.4 SIL and LSIS

**6.4.1** Designated employment land, classified as either Strategic Industrial Location (SIL) or Locally Significant Industrial Sites (LSIS), are safeguarded through the Local Plan and London Plan. The availability of employment land, of the right type and in the right location, is important to achieving the Council's policy on economic prosperity and job growth. Most of the borough's industrial land lies in the Upper Lee Valley.

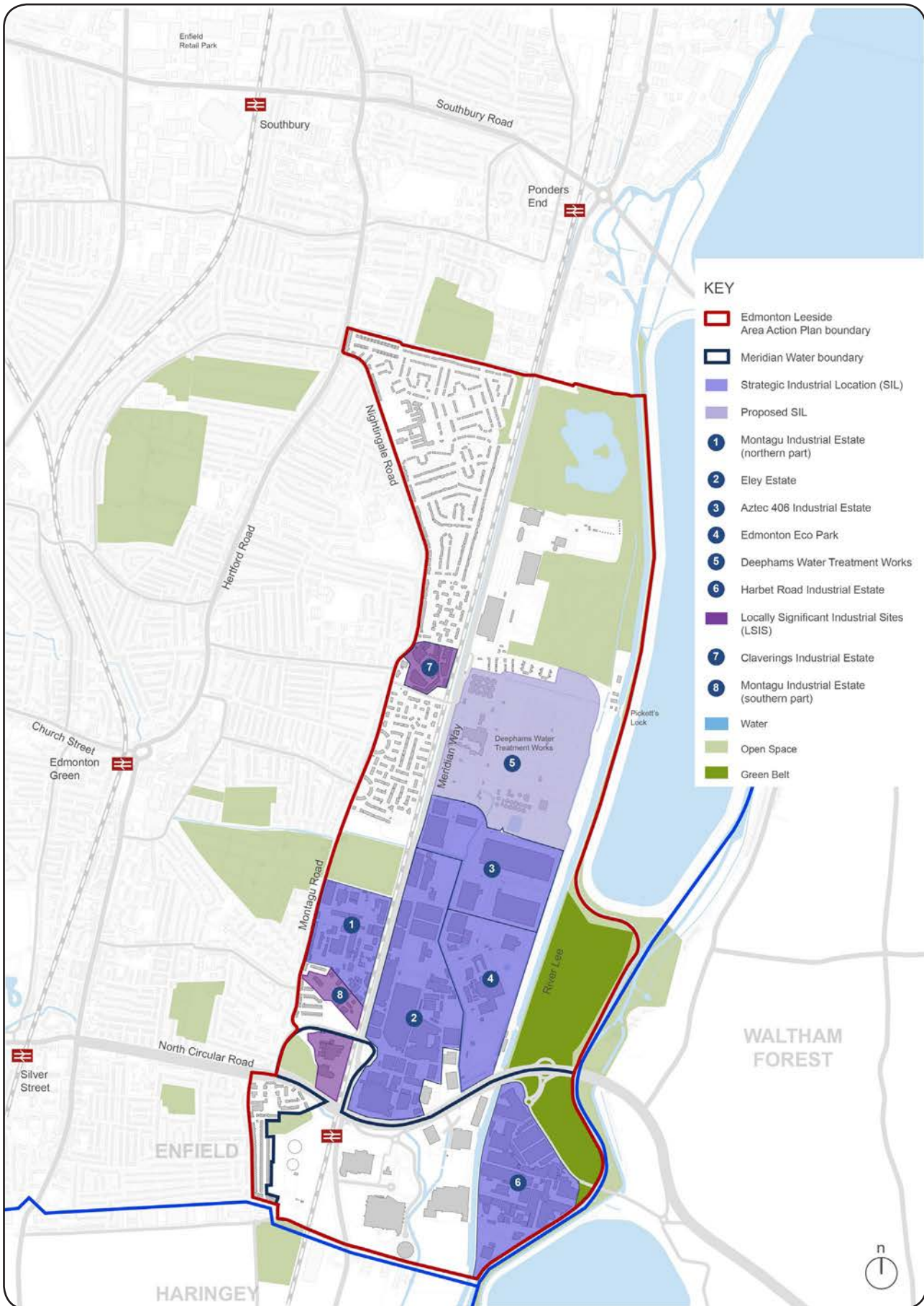
**6.4.2** To achieve a balance of transformational change and supporting ongoing industrial capacity in Edmonton Leaside, this AAP will retain the SIL designations in Edmonton Leaside. Furthermore, an additional SIL location has been identified to ensure the most effective functioning and protection of land for industrial uses in Edmonton Leaside. The new area for SIL designation is shown in Table 6.2 and figure 6.2 below.

**6.4.3** The Deephams site will continue in use as an operational sewage treatment works with its designation as SIL being in accordance with the London Plan approach which recognises utilities as an industrial-type function.

Site	Justification
Deephams STW	Designate the site of 34.0 ha as SIL. The site is in ongoing use as a sewage treatment works. This extends the SIL designation northwards from existing SIL areas to the south.

**Table 6.1: New SIL Designated Area in Edmonton Leaside**





**Figure 6.2:** New and existing SIL and LSIS in Edmonton Leaside (AAP designations)





## Eleys Industrial Estate

### Space at Rays Road

**6.4.4** An area of land at Rays Road was vacant with public access largely restricted. There is evidence that the previous employment use had largely ceased by the 1980s, and fly tipping had become an issue. The area was designated as a Locally Significant Industrial Site (LSIS), contiguous with the Montagu Estate. As part of regenerating the area, the Council brought forward its own proposal to accommodate a new landscaped park for public recreation at Rays Road, named 'Angel Gardens'. Further regeneration is expected at the adjoining Montagu Industrial Estate which is to undergo a comprehensive upgrade and renewal (see Section 6.4 below), and that may incorporate part of the Rays Road site. The Council is committed to safeguarding a cycleway route through the site which will link between Meridian Water and Edmonton Green.

**6.4.5** The area of 1.5ha at Rays Road is de-designated as LSIS to support the Council in the objective of delivering regeneration at Edmonton Leaside, in accordance with Core Policy 15 which allows LSIS de-designation where sites are identified as opportunities to contribute to wider regeneration benefits.

## 6.5 Approach to Industrial Estates

**6.5.1** Edmonton Leaside contains a valuable reservoir of strategically important industrial land, which is safeguarded and managed in accordance with Enfield's Local Plan, the London Plan and Supplementary Planning Guidance.

**6.5.2** The Council prepared a borough-wide Industrial Estates Strategy (2014) and has a direct interest through its ownership of sites within some of the industrial estates.

### Policy EL14: New Strategic Industrial Locations in Edmonton Leaside

The Council will safeguard the following new site as a Strategic Industrial Location (SIL):

Name of industrial area	Area of site (hectares)
Deephams STW	34.0

*This policy should be read in conjunction with Core Strategy policies 14 and 15, DMD policy 23, and London Plan Policies 2.17 and 4.4.*

**6.5.3** The goal of the Industrial Estates Strategy is to ensure that the industrial estates of the borough are used to their full potential to achieve economic growth and prosperity for businesses in Enfield and to provide stable and well-paid employment opportunities for Enfield's residents. The Strategy aims to support economic growth, innovation and enterprise by:

- Maximising the role of the estates in meeting the Council's priorities for job growth;
- Diversifying the borough's economic base; and
- Enhancing the competitiveness of the borough by capitalising on its locational advantage within the London-Stansted-Cambridge corridor.

**6.5.4** The Strategy assesses existing employment areas within the Edmonton Leaside area and sets out priorities for Council intervention. These key issues and priorities, which have been used to inform this chapter, include estates management issues such as road congestions and maintenance, parking and servicing, advertising, and crime reduction.

**6.5.5** Key strategic infrastructure investment is required to support the long term prosperity of the industrial estates, including the new Meridian Water Station and improved level of rail service, along with better bus services to help local people in accessing jobs (see Policy EL23).

**6.5.6** A brief overview of the key issues for Edmonton Leaside's industrial estates are summarised below. Industrial land within the Meridian Water boundary is also discussed in Chapter 5.

**6.5.7 Industrial land at Meridian Water, including Harbet Road Industrial Area and Hastingwood Estate (SIL):** Harbet Road industrial Area, which includes the Stonehill Estate, is buffered by the adjacent roads and river and has good access to the North Circular Road. Some of this area is currently cleared and vacant. Hastingwood Trading Estate is currently occupied by small businesses and storage facilities housed within metal warehouses, positioned within a secure and controlled perimeter.

**6.5.8 Eley Estate (SIL):** is located in the south east of the borough, to the north of the North Circular Road, East of Meridian Way (A1055) and west of the Edmonton EcoPark site. Occupancy is high and space at a premium, with many of the units having high plot ratios and little available space. It also has a fragmented landownership pattern, with approximately 72 different landowners. The estate has more than 60 occupiers at any one time, a number of different types of uses, as well as a range of quality of premises. The estate's historic nature and multiple occupants make it one of the most significant and complex industrial areas in the borough.



### Coca Cola Production Line

**6.5.9** Eley Estate is affected by a number of issues, predominantly around congestion, parking, areas of poor estate environment, and crime.

**6.5.10** The Council will work with representatives of the Eley Estate management group to better understand the issues affecting the estate, including estate crime and the need to adopt unclassified roads.

**6.5.11 Montagu Industrial Estate (SIL and LSIS):** is located east of Meridian Way and Eley Industrial Estate. Access is via small/residential roads, and the estate is in relatively close proximity to residential areas around Montagu Road. The northern part of the estate is designated SIL and the southern portion is LSIS.

**6.5.12** There are approximately 50 units on the estate, including uses such as London Black Cab repair shops, garages, a wedding venue, concrete batching plant, metal works and general industrial and small scale manufacturing uses. The nature of uses on the site suggests that the majority of occupiers on the estate are local businesses which supply Enfield and north London.

**6.5.13** The part of the Estate to the north of Conduit Lane includes a substantial area of Council owned land and is identified for a major upgrade to improve outdated infrastructure and to provide new buildings that will meet modern business needs. New buildings will be designed to meet the regulations coming into force which set minimum energy efficiency standards for commercial property. This initiative aims to secure investment for a regenerated Montagu Estate through a joint venture partnership between the Council and private developer interests. The intention is to achieve overall environmental benefits from the regeneration of the estate, and improved amenity for nearby housing.

**6.5.14 Aztec 406 Industrial Park (SIL):** this site is to the north of the Edmonton EcoPark and consists of waste management facilities and large modern warehousing units at Ardra Road including a LIDL distribution depot, a Heals distribution centre and the Biffa Edmonton Materials Recycling Facility.

**6.5.15 Claverings Industrial Estate (LSIS):** Most of the area is purpose built for light industrial, office uses, Council services, and creative/cultural uses. Although the units are now quite old it provides low cost rental space for local users. The estate is owned by Enfield Council.

**6.5.16** The buildings date from the 1950s and the estate suffers from a poor environment and outdated infrastructure. The buildings, with poor energy efficiency, are no longer suitable for modern employment use, and do not meet new regulations which came into force in 2018.

**6.5.17** The Claverings Estate is identified as a location for a major upgrade and redevelopment. The Council intend to work in partnership with relevant parties to maximise employment opportunities and provide new buildings that meet modern business needs with related environmental and social benefits. A range of options have been explored including more flexible workspace. Detailed proposals will be brought forward as part of a masterplan for the redevelopment of the Claverings Estate.

**6.5.18** It was recognised in the 2012 Employment Land Review that the Claverings Estate should retain its LSIS designation, but a new mix of uses could be considered. There is potential for this estate to be encouraged in the short to medium term to become a creative hub, reflecting the current number of artistic/creative uses on site. This could be seen as the start of a creative cluster in Edmonton Leaside. There is also some potential for job intensification and upgrading of the estate environment.



## Policy EL15: Improving Existing Industrial Areas

### Part A: Overview

New development in the industrial estates of Edmonton Leaside will be expected to deliver buildings and services to meet modern business needs and a better range of employment opportunities, which could secure higher job densities and opportunities for local people.

### Part B: Priorities for Action

New industrial development or redevelopment will be permitted within the industrial areas identified as SIL and LSIS.

Development proposals within the industrial estates listed in Part C will be required to contribute to improvements as follows:

- Provide efficient car parking layouts that direct car users away from parking on the street;
- Improve circulation on internal estate roads where development is of sufficient scale to enable this to happen;
- Support opportunities for intensification of employment uses, and making more efficient use of land;
- Improve pedestrian and cycle routes within Edmonton Leaside and beyond, in accordance with Policy EL21; and
- Provide good quality public realm and, where appropriate, planting to support the biodiversity of the area.

### Part C: Industrial Estates

Industrial land at Meridian Water, including Harbet Road Industrial Area, Hastingwood Estate (SIL) and the southern part of Montagu industrial Estate (LSIS) (South).

- Meet the requirements set out in Part B above; and
- Give consideration to how new uses interact with neighbouring existing uses in line with the Agent of Change principle.

Eley Estate (SIL)

- Meet the requirements set out in Part B above.

Montagu Industrial Estate (SIL) (North)

- Support regeneration at Montagu Estate to improve outdated infrastructure and to provide new buildings that will meet modern business needs, potentially through a joint venture partnership between the Council and private developer interests;
- Design new buildings to meet the latest regulations which set minimum energy efficiency standards for commercial property; and
- Meet the requirements set out in Part B above.

Montagu Industrial Estate (LSIS) (South)

- Meet the requirements set out in Part B above.

**Policy EL15 continued...****Aztec 406 Industrial Business Park (SIL)**

- Meet the requirements set out in Part B above.

**Claverings Estate (LSIS)**

- Take into account detailed proposals to be brought forward as part of a masterplan for the redevelopment of the Claverings Estate, to include new buildings and/or more flexible workspace to meet modern business needs with related environmental and social benefits;
- Take a proactive approach in encouraging creative/cultural uses through flexible lease terms and assisting with artistic and cultural set-ups; and
- Meet the requirements set out in Part B above.

*This policy should be read in conjunction with Core Strategy policies 13, 14 and 15, DMD policies 19, 20, 21 and 23 and London Plan Policies 4.4 and 4.10.*



# Angel Road Retail Park





## 7 Angel Road Retail Park

### 7.1 Introduction

**7.1.1** Angel Road Retail Park is located north of Meridian Water, Ravenside Retail Park and the A406 North Circular. It straddles Eley Road and is located adjacent to SIL land at Eley Estate. It is a relatively small retail park, consisting of three large 'big box' retail blocks.

**7.1.2** Although Angel Road Retail Park is within walking distance of Angel Road / Meridian Water Station and bus routes, it is somewhat isolated from Meridian Water at present with the only direct access being a pedestrian footbridge from Ravenside Retail Park. Whilst the frequency of public transport links will improve as a result of long term development and change in Edmonton Leaside, the A406 will continue to be a barrier.



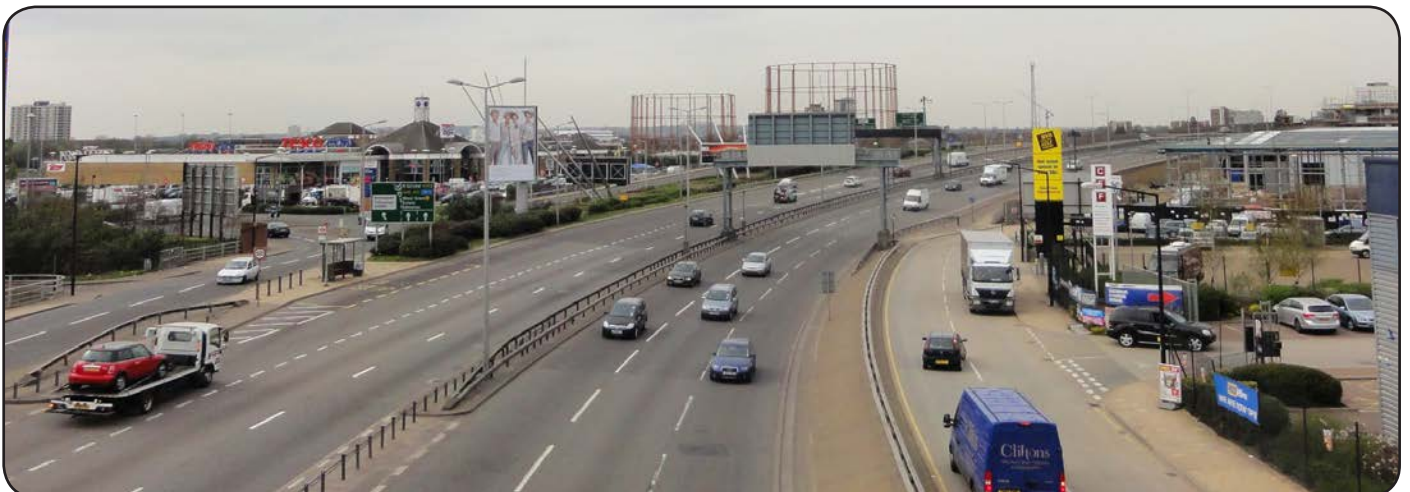
Angel Road Retail Park



## 7.2 Policy Context

## Policy context for Retail

<b>London Plan (2016) and relevant policies in new draft London Plan (2018)</b>	<p>Policy 2.7 Outer London Economy          Policy 2.15 Town Centres          Policy 4.7 Retail and Town Centre Development          Policy 4.8 Supporting a Successful and Diverse Retail Sector and Related Facilities and Services          Policy 4.9 Small Shops</p>
<b>Upper Lee Valley Opportunity Area Planning Framework (2013)</b>	<p>Paragraph 2.3 Mixed-use          Paragraph 2.5 Retail</p>
<b>Enfield Core Strategy (2010)</b>	<p>Core Policy 17 Town Centres          Core Policy 18 Delivering Shopping Provision Across Enfield          Core Policy 37 Central Leaside          Core Policy 38 Meridian Water</p>
<b>Development Management Document (2014)</b>	<p>DMD 25 Locations for New Retail, Leisure and Office Development          DMD 28 Large Local Centres, Small Local Centres and Local Parades          DMD 29 Individual Shops and Small Clusters of Shops</p>
<b>Other Sources</b>	<p><i>National Planning Policy Framework (2012 and 2019)</i>  <i>A new Local Plan for Enfield 2018 – 2036 (2018)</i>  <i>Meridian Water Masterplan (2013)</i>  <i>North East Enfield AAP (2014)</i>  <i>Town Centre Uses and Boundaries Review (2013)</i>  <i>Enfield Retail Study Update (2009)</i>  <i>Enfield Retail Capacity Study (2014)</i></p>



North Circular Road and Retail Parks

**Policy EL16: Angel Road Retail Park**

Development proposals that support employment and other supporting uses at Angel Road Retail Park will be supported, provided that they:

- Integrate with and support the vitality and viability of the existing Eley's Estate;
- Contribute to a net overall increase in jobs and improve training and skills opportunities;
- Contribute to improving the public realm of Eley's Estate so to create an employment gateway to the rest of the industrial estate (see Policy EL15); and
- Do not have a negative impact upon the existing transport network.

Residential uses will not be appropriate on this site and proposals for such uses will be refused.

Development proposals that are compatible with SIL and LSIS uses as identified in DMD 19, 20 and 21 will be supported in this location.

*This policy should be read in conjunction with Core Strategy policy 17, DMD policies 19, 20 and 21 and London Plan Policies 2.7 and 4.7.*

**7.3 The Changing Nature of Angel Road Retail Park**

**7.3.1** London Plan Policy 2.15 supports planning policies to proactively manage the changing roles of centres, especially those with surplus retail floorspace and considers the scope for consolidating and strengthening them by encouraging a wider range of services.

**7.3.2** Given the scale, location and changing character of this area, it is considered appropriate to de-designate Angel Road Retail Park as a retail park and promote the site for a mixed use employment led approach. The de-designation of this location as a retail park will allow for a more integrated, consolidated area, safeguarding important employment opportunities at Eley Estate and the wider SIL area. New development of commercial spaces could cater for small businesses and support ancillary uses to strengthen the vitality and viability of other employment uses.

# Edmonton EcoPark



## 8 Edmonton EcoPark

### 8.1 Introduction

**8.1.1** The Edmonton EcoPark manages the municipal and commercial waste collected across several north London boroughs. The Mayor of London has set an overall target for London to become self-sufficient in the management of its waste by 2031. To ensure that London achieves self-sufficiency, each borough has been asked to manage a rising proportion of total waste arising within its area (the apportionment target). Enfield, together with the six other north London local planning authorities of Barnet, Camden, Hackney, Haringey, Islington and Waltham Forest, is jointly preparing the North London Waste Plan (NLWP). The NLWP sets out the planning framework for waste management in these boroughs for the next 15 years, identifies sites for waste management use and sets out policies for determining waste planning applications.

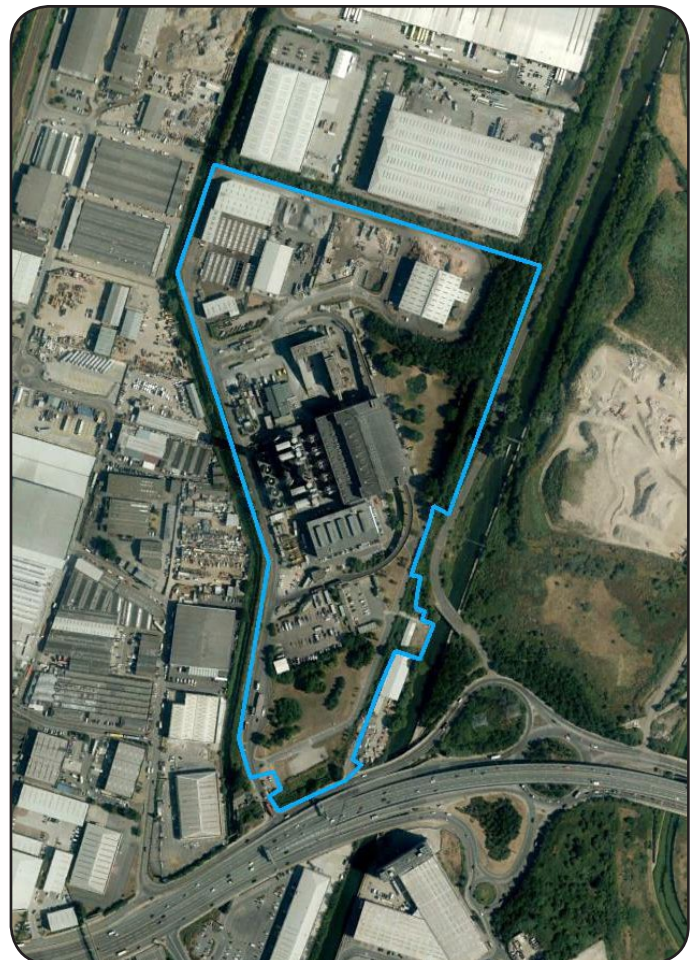
**8.1.2** The Edmonton EcoPark is identified in the NLWP and safeguarded as an existing and strategic waste site in Enfield's adopted Core Strategy.

**8.1.3** Modern exemplar waste management facilities are required to meet the apportionment target and manage waste in the most sustainable way possible. There is an important opportunity to secure environmental and regeneration benefits for the area and to recover value from waste resources (for example, waste heat).

**8.1.4** The EcoPark SPD (May 2013) highlights that development on the Edmonton EcoPark should improve the appearance of the site and facilitate the wider regeneration of the area through the use of more sustainable waste management technologies, job creation (with around 200 jobs the site is already a major employer in the area), by attracting new businesses, and through the delivery of a decentralised energy network supplying affordable and low carbon heat across the Upper Lee Valley area.

Development of the site should be considered on a comprehensive basis so that the cumulative form and impact of development can be assessed.

**8.1.5** In 2017 a Development Consent Order (DCO) was granted for the redevelopment of the Edmonton EcoPark site that will allow for the construction and operation of an energy recovery facility to replace the existing plant, replacement facilities associated with waste management, and provision of visitor, community and education facilities.



**EcoPark Site Boundary**

## 8.2 Policy Context

Policy context for Edmonton EcoPark	
<b>London Plan (2016) and relevant policies in new draft London Plan (2018)</b>	<p>Policy 5.5 Decentralised Energy Networks</p> <p>Policy 5.6 Decentralised Energy in Development Proposals</p> <p>Policy 5.16 Waste Net Self-Sufficiency</p> <p>Paragraph 5.9a (relates to Policy 5.1 Climate Change Mitigation)</p> <p>Paragraph 5.32 (relates to Policy 5.5 Decentralised Energy Networks)</p>
<b>Upper Lee Valley Opportunity Area Planning Framework (2013)</b>	Objective 6 - A Lee Valley Heat Network linked to the Edmonton EcoPark
<b>Enfield Core Strategy (2010)</b>	<p>Core Policy 20 Sustainable Energy Use and Energy Infrastructure</p> <p>Policy 22 Delivering Sustainable Waste Management</p>
<b>Development Management Document (2014)</b>	DMD 52 Decentralised Energy Networks
<b>Other Sources</b>	<p><i>National Planning Policy Framework (2012 and 2019)</i></p> <p><i>A new Local Plan for Enfield 2018 – 2036 (2018)</i></p> <p><i>North London Waste Plan: Proposed Submission Plan (2019)</i></p> <p><i>Edmonton EcoPark SPD (2013)</i></p> <p><i>Meridian Water Masterplan (2013)</i></p> <p><i>Discover Central Leaside: Towards a draft Area Action Plan (2012)</i></p> <p><i>London's Municipal Waste Strategy: London's Waste Resource (2011)</i></p> <p><i>GLA's Industrial Capacity Supplementary Planning Guidance (2012)</i></p> <p><i>National Planning Policy Statement for Energy (EN-1) (2011)</i></p>

## 8.3 The EcoPark and the Meridian Water Heat Network

**8.3.1** The Council's approach to the Meridian Water Heat Network (MWHN) is set out in further detail in Chapter 12. To make the development of the EcoPark acceptable in planning terms the Council has used planning obligations to secure measures including:

- A commitment to provide heat to the local heat network, subject to a heat supply agreement being agreed;

- A commitment to safeguard land for the energy centre and pipe routes to the energy centre and from the site;
- Travel and management plans;
- Highways and accessibility improvements; and
- Supporting business and employment initiatives, including initiatives such as local labour in construction, employment skills training, apprenticeships, and job brokerage.



**Figure 8.1:** Edmonton EcoPark - site context



### Policy EL17: Redevelopment of the EcoPark site

Redevelopment of the Edmonton EcoPark site will be delivered through the development proposals consented by the 2017 North London Heat and Power Plant Development Consent Order.

Development proposals at the EcoPark site, which are not consented under the 2017 DCO, or for any other Development Consent Orders made subsequently at the EcoPark site, are required to:

- Provide enhanced and sustainable waste treatment facilities to meet the waste management needs of north London's residents as part of a network of waste management sites;
- Use a design-led approach to provide a distinctive and well-functioning environment with a high quality of design, landscaping materials and finish, integrated with proposals in the wider area of regeneration;
- Minimise emissions to air and water, including carbon dioxide emissions, through the use of advanced waste management technologies, environmental improvements, and sustainable design and construction techniques such as green roofs and walls, in accordance with DMD policies;
- Maximise energy and resource efficiency in construction and operation, and use design to facilitate materials reuse and recycling at end of life/decommissioning;
- Operate within permitted limits on nuisance risks such as noise and odour;
- Enable efficient and effective operation of the site to meet regulatory requirements for health and safety, air quality and environmental protection;
- Mitigate local transport impacts, and support, where viable, sustainable forms of transport including water borne transport;
- Ensure local access to employment and training opportunities, through employment initiatives and other measures including transportation improvements;
- Be designed to be resilient to the impacts predicted as a result of climate change; and
- Support the implementation of the Meridian Water Heat Network (MWHN) as set out in Policy EL26.

*This policy should be read in conjunction with Core Strategy policies 20 and 22, DMD policies 51 and 52, London Plan Policy 5.5, and Enfield's Edmonton EcoPark Planning Brief.*



# Deephams Sewage Treatment Works



## 9 Deephams Sewage Treatment Works

### 9.1 Introduction

**9.1.1** Located in the south eastern part of the borough, Deephams Sewage Treatment Works (STW) is strategically positioned within the Upper Lee Valley Opportunity Area, adjacent to the opportunity site of Picketts Lock, and to the north of the major regeneration area of Meridian Water. Thames Water own, operate and maintain Deephams STW, which is their fourth largest sewage works, occupying approximately 34 hectares. The STW is located in a largely industrial and commercial area and serves a population equivalent of nearly one million, discharging treated effluent into the Salmons Brook, a tributary of the River Lee, in accordance with an environmental permit set by the Environment Agency. The Deephams STW catchment includes Enfield and parts of Barnet, Broxbourne, Epping Forrest, Haringey, Redbridge, Waltham Forest and Welwyn Hatfield.

**9.1.2** As the owner and operator of the site, Thames Water is completing a major project to re-build the effluent stream at Deephams STW site to increase its capacity, reduce polluting discharge and significantly lower odour. The upgrade is primarily driven by a new discharge consent set by the Environment Agency which is in force from March 2017, but also to provide capacity to cater for population increase. The new discharge consent requires Thames Water to bring into operation an upgraded treatment plant that has significantly improved the quality of the effluent discharged to Salmon's Brook and the River Lee.

**9.1.3** Thames Water submitted a planning application (14/02612/FUL) for the Deephams Sewage Works Upgrade in July 2014 and planning permission was granted by London Borough of Enfield in February 2015. The construction of the upgrade was completed for final commissioning in 2019. Land within the Deephams Sewage Works site will be retained for future upgrades to the sewage treatment infrastructure, including wastewater re-use and sludge treatment upgrades.

**9.1.4** The Council acknowledges the need for ongoing improvements to the strategic wastewater infrastructure within the UK, and in particular to manage the needs driven by high levels of population growth within the borough and London-wide. Given the levels of growth anticipated in the borough, especially at Meridian Water, further improvements to existing sewage works within the borough are welcomed. The Council supports the need for the upgrade of the existing Deephams Sewage Treatment Works plant to meet European and statutory water quality requirements and the needs of a growing population through sensitive, integrated, coordinated and high quality development.

**9.1.5** The Council is designating Deephams STW as a Strategic Industrial Location (SIL) in accordance with the new London Plan approach which recognises utilities as an industrial-type function. Further detail is set out in Chapter 5.

**9.2 Policy Context**

<b>Policy context for Deephams Sewage Treatment Works</b>	
<b>London Plan (2016) and relevant policies in new draft London Plan (2018)</b>	<p>Policy 5.12 Flood Risk Management</p> <p>Policy 5.13 Sustainable Drainage</p> <p>Paragraph 5.9a (relates to Policy 5.1 Climate Change Mitigation)</p> <p>Paragraph 5.32 (relates to Policy 5.5 Decentralised Energy Networks)</p>
<b>Upper Lee Valley Opportunity Area Planning Framework (2013)</b>	Objective 6 - A Lee Valley Heat Network linked to the Edmonton EcoPark
<b>Enfield Core Strategy (2010)</b>	<p>Policy 21 Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure</p> <p>Policy 32 Pollution</p> <p>Policy 37 Central Leaside</p>
<b>Development Management Document (2014)</b>	<p>DMD 64 Pollution Control and Assessment</p> <p>DMD 65 Air Quality</p>
<b>Other Sources</b>	<p><i>National Planning Policy Framework (2012 and 2019)</i></p> <p><i>A new Local Plan for Enfield 2018 – 2036 (2018)</i></p> <p><i>North London Waste Plan: Proposed Submission Plan (2019)</i></p> <p><i>Waste Water NPS (2012)</i></p> <p><i>Meridian Water Masterplan (2013)</i></p> <p><i>Discover Central Leaside: Towards a draft Area Action Plan (2012)</i></p>



**Deephams Site Boundary**

### Policy EL18: Deephams Sewage Treatment Works (STW)

The Council will work with Thames Water and its development partners to ensure the Deephams Sewage Works upgrade caters for population growth in the catchment area, meets water quality standards in the Environmental Permit set by the Environment Agency to meet water quality targets, and will significantly reduce odour emissions from the site.

Development proposals at Deephams Sewage Works must meet the following requirements:

- The location and design of development within the site should avoid unacceptable impacts on the environment;
- The incorporation of appropriate landscape treatment and the use of opportunities to enhance ecological links to the wider Edmonton Leaside area;
- The use of planting to visually improve and enhance the site;

- The promotion of renewable energy generation and sustainable design and construction;
- The promotion of sustainable transport for staff;
- Connection to the Meridian Water Heat Network or another DEN if feasible and viable (see Policy EL26); and
- The incorporation of measures to minimise noise impacts of the site.

Planning applications for development proposals in the vicinity of Deephams STW should be accompanied by an Odour Impact Assessment to confirm either there is no adverse amenity impact on the future occupiers of the development, or that appropriate avoidance or mitigation measures will be implemented as necessary.

*This policy should be read in conjunction with Core Strategy policy 21.*



Figure 9.1: Deephams Sewage Treatment Works - site context





Lee Valley Regional Park

# Pickett's Lock





## 10 Picketts Lock

### 10.1 Introduction

**10.1.1** Picketts Lock Leisure Complex is identified as a Major Developed Site in the Green Belt. National policy on development within the Green Belt is set out in the NPPF. It states that local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

**10.1.2** It also requires local planning authorities to ensure that substantial weight is given to any harm to the Green Belt in cases where new development may be proposed within it. The 'very special circumstances' under which development may be consented will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

**10.1.3** While the construction of new buildings is regarded as inappropriate in the Green Belt, provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and outdoor recreation are an exception to this, as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

**10.1.4** Further exceptions potentially relevant for any development at Picketts Lock include:

- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location; or
- the re-use of buildings provided that the buildings are of permanent and substantial construction.

**10.1.5** Proposals for development at Picketts Lock must also have appropriate regard to Enfield Development Management Document Policy DMD89 Previously Developed Sites in the Green Belt, which states that complete or partial redevelopment of the Picketts Lock site will only be permitted where the proposal improves the character and appearance of the site and appearance from the surrounding Green Belt and that new development must not have a greater impact on the openness of the Green Belt than the existing development.

**10.1.6** The principle of developing Picketts Lock as an area for the development of additional sports and recreation facilities is supported by Core Strategy policy 33. Any development coming forward must be considered in the context of the Green Belt as set out above.



**10.1.7** Picketts Lock occupies a strategic position in the Upper Lee Valley Corridor and the London Stansted Cambridge corridor, offering an ideal opportunity to deliver a development of a strategic nature, while having appropriate regard to the site's location in the Green Belt.

**10.1.8** The opportunity to generate additional community benefits will be sought through the redevelopment and regeneration opportunities at Picketts Lock. It is important that Enfield Council and the Lee Valley Regional Park Authority (LVRPA) share a long term strategic vision for the site. A coordinated approach should set out the parameters for future development. Key drivers for change include the following:

- Leveraging the strategic location of Picketts Lock in the Upper Lee Valley and London-Stansted-Cambridge corridors;
- Population growth at Meridian Water and in the wider area is providing new demand for extensive, high-quality leisure uses;
- To take the opportunity to develop an outstanding mix of leisure and recreation facilities that benefits Enfield's residents, workers, and visitors from the wider region;
- The need to benefit the local community through the creation of new employment opportunities, contributing to the creation of 1,500 new jobs in Edmonton Leaside; and
- To take advantage of step-change improvements to transportation links in the area, including a significant increase in the number of trains-per-hour on the railway line between Brimsdown and Stratford; the significant upgrade to Angel Road/Meridian Water Station, new and improved bus services, and new and upgraded pedestrian and cycle routes.

**10.1.9** The Council and the LVRPA recognise the need to provide for the needs of Enfield's residents, in particular those residents living nearest the site and for the needs of the new community at Meridian Water, both in terms of access to the site and leisure activities that are currently underprovided. The Council will work with its development partners to ensure that the regeneration of Picketts Lock is successfully integrated into Edmonton Leaside to provide benefits for the wider community.

**10.1.10** There is an opportunity to rediscover the open spaces at the eastern part of Picketts Lock for the benefit of new and existing communities as well as enhancing the visitor experience. Policy EL19 below sets out potential leisure and recreational uses. However, if they exceed 2,500 square metres of gross floorspace for leisure uses, they will be subject to a sequential and impact assessment, in line with local and national planning policies.

**10.1.11** Delivering a step change in leisure, sport and recreational uses at Picketts Lock while ensuring proposals conform fully to Green Belt policy and ecological assets including Sites of Metropolitan Importance for Nature (SMINs) and the nearby Site of Special Scientific Interest (SSSI) at Chingford reservoirs, will require developers to work closely with the Council and the LVRPA to strike an appropriate balance between the scale of new facilities while also maintaining the openness and ecological value of the site.

**10.1.12** Proposals to improve the west-east movement network to underpin the revitalisation of Picketts Lock will be supported. In particular, the creation of new pedestrian and cycle routes across the West Anglia Main Line, A1055 Meridian Way and the River Lee Navigation is strongly encouraged. Policy EL22 provides information on the proposed routes.

### Policy EL19: Revitalising Developed Areas at Picketts Lock

The Council will continue to work with the Lee Valley Regional Park Authority to help deliver its Park Development Framework, and to identify the priority mix of recreation and leisure facilities at Picketts Lock.

Picketts Lock is identified to deliver a significant new development that will provide a destination attraction for Edmonton Leaside and beyond. Picketts Lock is considered suitable for a potential range of new and improved leisure, sport and recreation uses, including a health and fitness centre, 5-a-side football pitches, a snowdome, an ice rink, conference/exhibition spaces, self-catering accommodation, a hotel and commercial ten-pin bowling.

Development proposals must have appropriate regard to Picketts Lock's designation as a Major Developed Site in the Green Belt. In particular this means they must be in conformity with national Green Belt policy, including in terms of ensuring no net loss of site openness.

Development proposals must also demonstrate that they:

- Generate additional community benefits;
- Contribute to the creation of new jobs for local people;
- Incorporate a design-led approach using high-quality design, materials and finish;
- Will not exacerbate congestion on the wider transport network; and
- Promote sustainable transport for staff.

If development proposals exceed 2,500 square metres of gross floorspace for leisure use, they will be subject to a sequential and impact assessment.

*This policy should be read in conjunction with Core Strategy policy 33, DMD policies 25, 82 and 89, and London Plan Policies 3.19 and 7.16.*

**10.2 Policy Context****Policy context for Picketts Lock**

<b>London Plan (2016) and relevant policies in new draft London Plan (2018)</b>	<p>Policy 2.18 Green Infrastructure: The Multi-Functional Network of Green Spaces</p> <p>Policy 3.19 Sports Facilities</p> <p>Policy 7.16 Green Belt</p> <p>Policy 7.18 Protecting Public Open Space and Addressing Deficiency</p> <p>Policy 7.19 Biodiversity and Access to Nature</p> <p>Policy 7.21 Trees and Woodlands</p> <p>Policy 7.24 Blue Ribbon Network</p> <p>Policy 7.27 Blue Ribbon Network: Supporting Infrastructure and Recreational Use</p> <p>Policy 7.28 Restoration of the Blue Ribbon Network</p> <p>Policy 7.30 London's Canals and Other Rivers and Waterspaces</p>
<b>Upper Lee Valley Opportunity Area Planning Framework (2013)</b>	<p>Objective 8</p> <p>4.4 Design Principles</p> <p>4.5 Development by the Waterways</p> <p>4.6 Nature Conservation</p> <p>7.5 Opening up the Lee Valley Regional Park</p>
<b>Enfield Core Strategy (2010)</b>	<p>Policy 33 Green Belt and Countryside</p> <p>Policy 34 Parks, Playing Fields and Other Open Spaces</p> <p>Policy 35 Lee Valley Regional Park and Waterways</p> <p>Policy 36 Biodiversity</p>
<b>Development Management Document (2014)</b>	<p>DMD 25 Locations for New Retail, Leisure and Office Development</p> <p>DMD 71 Protection and Enhancement of Open Space</p> <p>DMD 74 Playing Pitches DMD 75 Waterways</p> <p>DMD 78 Nature Conservation</p> <p>DMD 80 Trees on Development Sites</p> <p>DMD 81 Landscaping</p> <p>DMD 82 Protecting the Green Belt</p> <p>DMD 89 Previously Developed Sites in the Green Belt</p>
<b>Other Sources</b>	<p><i>National Planning Policy Framework (2012 and 2019)</i></p> <p><i>A new Local Plan for Enfield 2018 – 2036 (2018)</i></p> <p><i>Lee Valley Regional Park Development Framework - Area 4 Proposals (2010)</i></p> <p><i>Picketts Lock Outline Masterplan: Scenarios Report (2011)</i></p> <p><i>Meridian Water Masterplan (2013)</i></p> <p><i>Discover Central Leaside: Towards a draft Area Action Plan (2012)</i></p>

### Policy EL20: Revitalising Open Space at Picketts Lock

Development proposals for the re-use or redevelopment of existing open space at Picketts Lock, having appropriate regard to applicable national and local Green Belt policy, will be supported and encouraged.

Development proposals at Picketts Lock must demonstrate:

- A mix of appropriate leisure, sport or recreational uses;
- Landscaping or re-landscaping strategies, including tree, shrub and wild flower planting, to enhance ecological links to the wider Edmonton Leaside area;
- Improvements to the access network to, from and within the Picketts Lock area, including new pedestrian and cycle paths, as set out in Policy EL22.

The use of the green spaces and waterways will be encouraged by:

- Attracting a greater number of visitors to the site;
- Supporting expansion of the range of appropriate outdoor activities available at the site;

- Supporting and increasing accommodation options which are suitable to the nature of the open space and waterways;
- Exploring ways, with the Canal & River Trust, of increasing usage of the canal, as well as connecting users from Enfield to the Tottenham Lock landing (see Policy EL24); and
- Encouraging new community and learning facilities to provide services, support and opportunities through a range of community development projects.

All development proposals must be accompanied by:

- An integrated long-term landscape and ecological management and maintenance plan; and
- A surface water management plan and demonstrate that they have no negative impact on ground water.

*This policy should be read in conjunction with Core Strategy policies 34, 33 and 35, DMD policies 71, 74, 76, 77, 78, 81, and 82 and London Plan Policies 7.18 and 7.19.*



Figure 10.1: Picketts Lock - site context







# AAP Area-Wide Policies



# Part C:

## AAP Area-Wide Policies



### 11 Enabling Movement

#### 11.1 Introduction

**11.1.1** This section sets out planning policy in relation to movement within Edmonton Leaside, as well as connections to the wider area, and should be read together with Chapter 5 Meridian Water, and Section 5.8 Transport Infrastructure.

**11.1.2** Walking and cycling in Edmonton Leaside can be difficult. Whilst the area has some good connections running north-south through the Lee Valley Regional Park, connections to these routes are often poor quality and do not encourage safe journeys. Making walking and cycling a pleasant and convenient means of getting around is vital to securing a modal shift. The Council will work with developers and existing occupiers in encouraging modal shift from private modes of transport to public transport, walking and cycling.

**11.1.3** Consultation with local businesses has highlighted transport as a key issue. Many of Enfield's business and residential communities currently rely on private road vehicles. It is essential that the use of more sustainable forms of transport is encouraged and a balance is struck between the need for good access to the area and the need to promote the principles of sustainable travel. This AAP promotes sustainable modes of travel such as walking and cycling, from the strategic down to the neighbourhood level, and stresses the importance of high quality public realm and well thought out urban design in the promotion of these modes of travel.



North Circular Road and Slip Road



## 11.2 Policy Context

Policy context for enabling movement	
<b>London Plan (2016) and relevant policies in new draft London Plan (2018)</b>	<p>Policy 6.1 Strategic Approach</p> <p>Policy 6.2 Providing Public Transport Capacity and Safeguarding Land for Transport</p> <p>Policy 6.9 Cycling</p> <p>Policy 6.10 Walking</p> <p>Policy 6.12 Road Network Capacity</p>
<b>Upper Lee Valley Opportunity Area Planning Framework (2013)</b>	<p>Objective 7</p> <p>3.2 The transport vision and challenge</p> <p>3.4 Improving rail connectivity</p> <p>3.5 Roads and surface transport</p> <p>4.3 Opening up the Lee Valley Regional Park</p> <p>8.3 Opening up the Lee Valley Regional Park</p>
<b>Enfield Core Strategy (2010)</b>	<p>Core Policy 24 The Road Network</p> <p>Core Policy 25 Pedestrians and Cyclists</p> <p>Core Policy 26 Public Transport</p> <p>Core Policy 27 Freight</p>
<b>Development Management Document (2014)</b>	<p>DMD 45 Parking Standards and Layout</p> <p>DMD47 New Roads, Access and Servicing</p> <p>DMD48 Transport Assessments</p>
<b>Other Sources</b>	<p><i>National Planning Policy Framework (2012 and 2019)</i></p> <p><i>A new Local Plan for Enfield 2018 – 2036 (2018)</i></p> <p><i>Planning Practice Guidance (2014)</i></p> <p><i>Core Strategy Transport Assessment/Appendices (2009)</i></p> <p><i>A1010 Study (Halcrow) (2010)</i></p> <p><i>Upper Lee Valley Transport Study (JMP) (2006)</i></p> <p><i>Upper Lee Valley (Halcrow) (2012)</i></p> <p><i>Discover Central Leaside (2012)</i></p> <p><i>Freight by Water Feasibility Study (2013)</i></p> <p><i>Enfield Council Bus Service Review (2012)</i></p> <p><i>Enfield Cycle Action Plan (2013)</i></p> <p><i>Cycle Routes in Enfield (2013)</i></p>

## 11.3 Encouraging Modal Shift

**11.3.1** Improving access and movement for all modes of transport within Edmonton Leaside is a key issue, particularly if Enfield is to accommodate housing and employment growth over the life of the plan. Although there is low car ownership in Edmonton Leaside, usage is higher than the London average, suggesting many of Enfield's business and residential communities currently rely on private road vehicles.

**11.3.2** Sustainable transport will be supported through high quality public realm and a modal shift towards public transport. Greater rates of walking and cycling will be enabled by providing high quality streets with low vehicle design speeds, where pedestrians and cyclists have priority and where car parking levels are reduced. Sustainable travel can be encouraged through travel plans, which offer information on sustainable travel as well as schemes and incentives to encourage sustainable travel, such as car clubs.



### Cycling along the River Lee Navigation

The Council will require travel plans and parking management strategies to be submitted with planning applications, in line with Core Policy 24 and DMD 48.

#### 11.4 Improving Key Pedestrian and Cycle Links

**11.4.1** Existing connections within Edmonton Leaside are generally poor, with particular issues between the large residential areas to the west of Edmonton Leaside and the large industrial estates either side of Meridian Way. The infrastructure that provides such good strategic connections, for example, the North Circular Road, also constitutes a significant barrier to local accessibility for cycling and walking.

**11.4.2** When considering proposed improvements, it is important to recognise that Edmonton Leaside has the benefit of being served by the West Anglia Main Line as well as strategic walking routes such as the Lee Valley Walk and Lee Valley Pathway. Edmonton Leaside also benefits from being served by a number of strategic cycle routes which are part of the National Cycle Network and London Cycle Network. These strategic walking and cycle routes can provide a foundation on which improvements to key routes and local networks can be built.

**11.4.3** Improved pedestrian and cycle connections within Edmonton Leaside are needed to allow residents, employees and visitors to access services, retail, employment opportunities, leisure and open spaces, and other modes of transport, for example, rail stations. Improved connectivity within Edmonton Leaside could also create significant opportunities to unlock the potential of the Lee Valley Regional Park.

**11.4.4** One of the most significant improvements required to accommodate cycle trips is a better east-west connection, both within Edmonton Leaside and beyond, particularly towards Edmonton. It is important that Edmonton Leaside is properly integrated into the wider community to enable all local people to enjoy new facilities.

### Policy EL21: Improving the Quality of the Pedestrian and Cycling Environment

The Council will work with partners to secure a step-change to the quality of the existing pedestrian and cycle environment, providing attractive, safe and convenient links to the adjoining areas to encourage a shift to more sustainable forms of transport.

Development proposals should reference 'Legible London' guidance to create high quality streets and spaces. New developments must be connected across Edmonton Leaside, including to public transport hubs, the industrial estates, and Picketts Lock. Links which provide connections to surrounding areas of Enfield and neighbouring boroughs must also be enhanced or created.

Development proposals which include or are adjacent to Towpath Road and along the River Lee towpath must deliver significant improvements to the continuous north-south route for pedestrians and cyclists from Tottenham Hale, through Meridian Water, to Enfield Lock.

Development may be required to make a financial contribution to the provision and improvement of pedestrian and cycle routes and other infrastructure, in line with DMD policy 47 and other relevant policies as shown below.

*This policy should be read in conjunction with Core Strategy policies 24 and 25 and DMD policy 47.*

**11.4.5** Development should be supported by greatly improved transport linkages and connections, and developments should integrate with and enhance the transport networks and opportunities. A high quality environment, with well-designed streets and a good mix of uses, will help to make walking and cycling a key mode of travel for those living, working and visiting the area. New development should deliver improved onward connection for cyclists and pedestrians. Connectivity will also be greatly improved to transport hubs which will allow improved interchange with other modes of transport and provide much needed access to surrounding areas of Enfield and neighbouring boroughs.

**11.4.6** The walking environment must be well designed and provide a feeling of safety and security in order to encourage more people to use sustainable modes of transport rather than private motor vehicles, and to meet the Mayor's and borough's objectives in relation to walking and cycling. All new streets within Edmonton Leaside should be attractive to cyclists and pedestrians, through high quality design and arrangement, as well as a good mix of uses.

**11.4.7** In addition, significant investment in cycling facilities will be vital to achieving higher levels of cycling and walking. A number of proposals are set out for Edmonton Leaside as part of the 'Cycle Enfield' scheme for the borough, with one of the key aims being to redesign the town centre of Edmonton Green around cycling and improve cycle links in the area. New segregated cycle routes are proposed to provide direct access to key destinations and employment opportunities along the A1010 and A110 and at Meridian Water.

**11.4.8** New developments should provide cycle parking and other appropriate facilities for cyclists in line with the London Plan to encourage more local residents and employees to cycle.

**11.4.9** A number of specific proposals for east-west cycle and pedestrian routes are set out in this AAP, connecting across the eastern and western sides of the railway line and linking Edmonton Leaside with adjacent areas. Some parts of these routes will require interventions to existing public realm, whereas others require construction of new links and building new non-vehicular bridges.

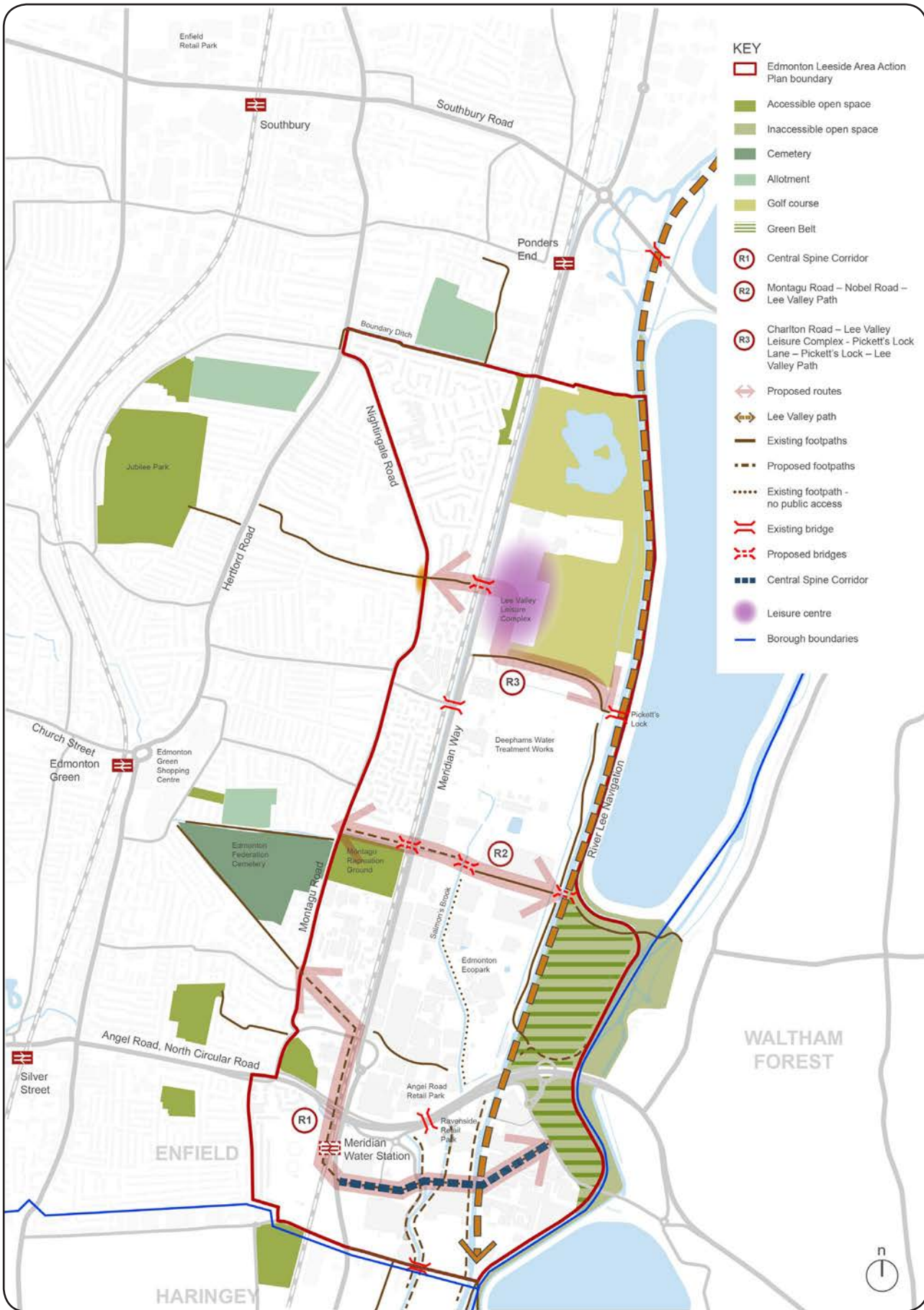


Figure 11.1: Indicative proposed location of key pedestrian and cycle routes

### Policy EL22: Proposed Pedestrian and Cycle Route - Improvement Principles

Route 1: The Central Spine – an east-west spine road running through Meridian Water (see Policy EL6)

Route 2: Montagu Road – Ardra Road – Lee Valley Path

Route 3: Charlton Road – Lee Valley Leisure Complex - Picketts Lock Lane – Picketts Lock – Lee Valley Path

Planning proposals to deliver these pedestrian and cycle routes will encourage:

- Well designed, high quality new links and pedestrian and cycle bridges, including high quality bridging over the rail mainline, Meridian Way and River Lee Navigation;

- Clear and consistent signage throughout the route, including on-street markings for cycles;
- Provision of pedestrian and cycle facilities, which integrate with the existing highway network;
- Improved public realm, including where routes pass beneath the North Circular Road;
- Introducing interventions to discourage informal and on street parking, where this affects the route; and
- Reference to the principles of the Mayor's Healthy Streets approach, in particular taking account of the 10 Healthy Streets indicators.

*This policy should be read in conjunction with Core Strategy policies 24 and 25 and DMD policy 48.*

#### Route 1: The Central Spine

**11.4.10** See section 5.8 and policy EL6.

#### Route 2: Montagu Road – Ardra Road – Lee Valley Path

**11.4.11** This route will form an extension of the existing footpath along Salmon's Brook at the north of Edmonton Federation Cemetery creating the most direct east-west link between Edmonton Green and the Lee Valley Park. The existing footpath will require public realm interventions to improve access and to make it safe for cyclists.

**11.4.12** The route through Montagu Recreation Ground will run along Salmon's Brook. Currently there is no pedestrian crossing on Montagu Road alongside the recreation ground. A pedestrian and cycling crossing point in this location will encourage the use of the new route.

**11.4.13** There is no existing crossing over the railway line. This new route will require a new pedestrian and cycle bridge to create an uninterrupted east-west connection.

**11.4.14** A new pedestrian and cycle crossing facility is needed on Meridian Way and this will be achieved by means of the new bridge. As part of this route a new link will be required along Salmon's Brook to create a direct connection to Ardra Road.

**11.4.15** Ardra Road currently provides for limited walking and cycling movement and is of poor quality. It gets cluttered by the high number of heavy vehicles parked along the road. There are opportunities to improve the public realm and create a greenway on Ardra Road to enhance perception and encourage walking and cycling. A new pedestrian and cycle bridge crossing the River Lee Navigation will provide access to the Lee Valley Park and path.

### **Route 3: Charlton Road – Lee Valley Leisure Complex - Pickett’s Lock Lane – Pickett’s Lock – Lee Valley Path**

**11.4.16** This is a significant route that provides a direct and short pedestrian and cycle link to the Lee Valley Leisure Complex. It will improve accessibility for the surrounding communities. This route also connects Jubilee Park and Lee Valley Park which are important recreational assets in the area.

**11.4.17** Charlton Road is a residential street providing pedestrian footpaths on both sides. Extension of this route towards the railway will be created by transforming the existing footpath into a link for pedestrians and cycles.

**11.4.18** There is no existing crossing over the railway line along this route. A new pedestrian and cycle bridge will be required to create an uninterrupted east-west connection. At this point new pedestrian and cycle crossing facilities are required on Meridian Way.

**11.4.19** Pickett’s Lock Lane currently provides for limited walking and cycling movement and is of poor quality. The only footpath is on the southern side of the road and it stops towards its eastern section.

## **11.5 West Anglia Rail Enhancement**

**11.5.1** As set out in Chapter 5, development in Edmonton Leaside will increase demand on the public transport networks, requiring improvements to allow higher frequency and more accessible services. Major improvements to public transport will be necessary to optimise the quantum of housing and employment development possible at Meridian Water and the wider Edmonton Leaside area.

**11.5.2** The West Anglia Mainline Enhancement project would involve four tracking the railway line, which would allow increased train frequencies between Brimsdown and Stratford, including to the new Meridian Water station. This would significantly improve accessibility to Edmonton Leaside and to the wider London area (see also AAP policy EL7).

## **11.6 Improving Bus Services and Connectivity**

**11.6.1** There is a need to improve the provision of bus services to support the growth of Edmonton Leaside, particularly at Meridian Water. Linkages to surrounding communities will be improved, with more east-west and north-south connections to other parts of Enfield and neighbouring boroughs.

**11.6.2** The Edmonton Leaside area has direct access to nine bus routes, including one night bus (see Figure 11.2). There is a dual requirement to meet the growing demand from new developments and to link existing populations, where there is high unemployment, with the job opportunities of Edmonton Leaside. The delivery of better bus services must be part of an integrated approach to public transport and accessibility.

### **Bus Service Level**

**11.6.3** Bus service frequencies should be aligned to the growing transport demands at Meridian Water and the wider Edmonton Leaside area.

**11.6.4** A strategic transport assessment must be used to identify a range of interventions which support the growth and regeneration of Edmonton Leaside.

**11.6.5** Frequencies will need to be increased on links and at interchange nodes where:

- Development is expected to generate additional transport trips;

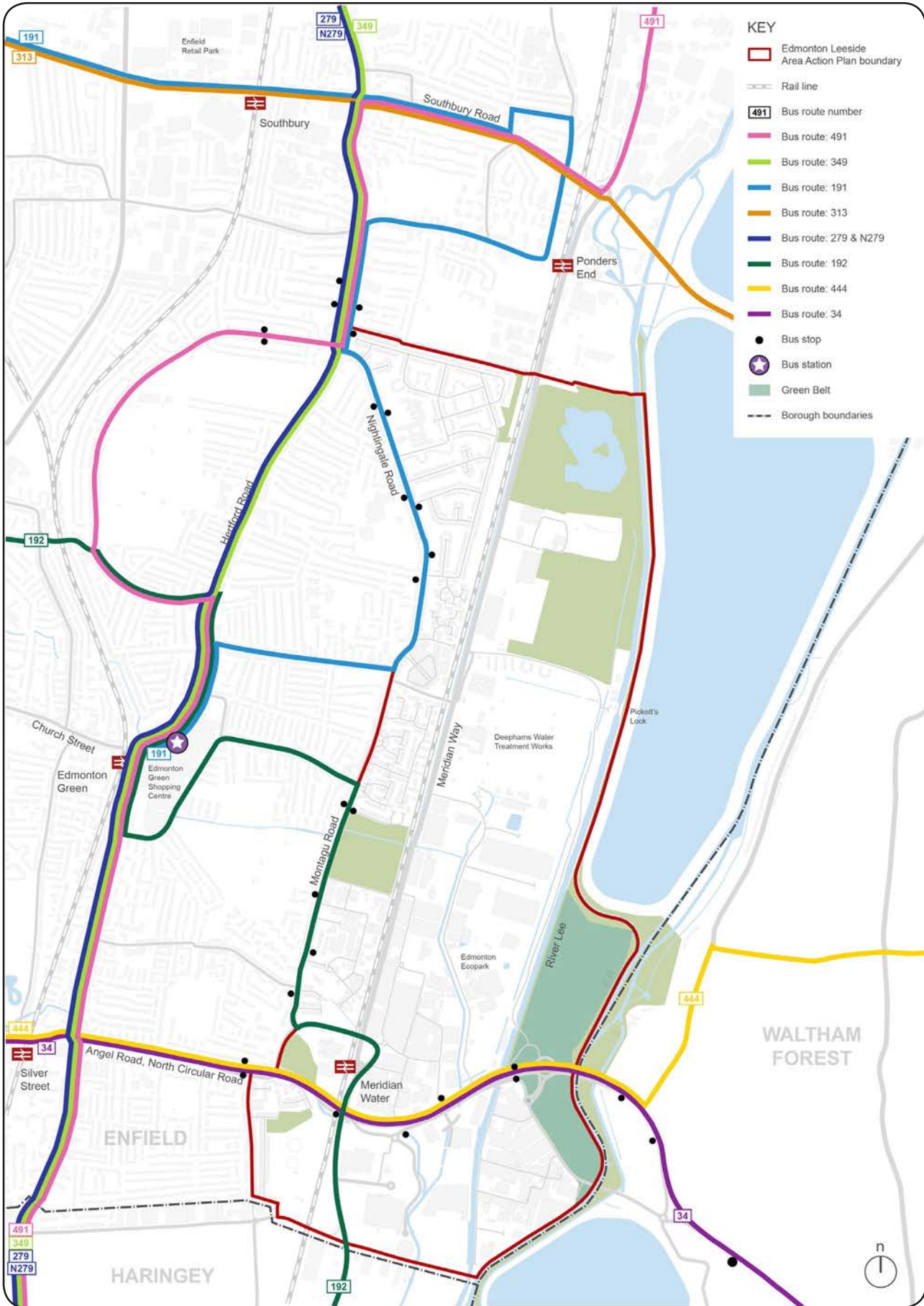


Figure 11.2: Existing Bus Routes in Edmonton Leaside



- New developments within Edmonton Leaside affect the patterns of transport demand;
- There is high unemployment, in order to link these areas with the employment opportunities such as in Edmonton Leaside and also Brimsdown; and where
- Major developments beyond the boundaries of Edmonton Leaside attract new transport trips from Edmonton Leaside.
- Introduction of bus priority through Selective Vehicle Detection as an integral part of new traffic signal infrastructure;
- Bus stop clearways and accessibility improvements, to protect bus stops from parking and loading obstructions and provide an appropriate kerb height and a robust carriageway surface;
- New or improved bus lanes; enhancements could include widening and resurfacing of existing bus lanes and new bus lanes to support the enforcement of bus only access restrictions or protect buses from traffic congestion;
- Alterations to waiting and loading restrictions to assist buses and other road users; and
- Introduction of other traffic management measures to improve traffic flow, such as footway loading bays.

**11.6.6** New bus routes may need to be put forward to support the proposed growth. The potential for additional bus routes in addition to a reassessment and re-routing of existing bus routes (particularly routes 192 and 341) to connect Edmonton Green to Tottenham Hale via Meridian Water would greatly increase the range of trips by public transport that could be made from Edmonton Leaside.

### Bus Network Accessibility

**11.6.7** The Council will work with TfL to provide new services and extend existing services, using TfL's 'Measuring Public Transport Accessibility Levels' (2010) guidelines to ensure good access to bus stops, which should be located no more than 640m from developments.

### Bus reliability

**11.6.8** To compete with other transport modes, bus services must achieve a good standard of reliability and provide a dependable transport service that meets or exceeds user expectations.

**11.6.9** Improved reliability of bus operations, and associated reductions in average bus journey times, can be achieved through the strategic introduction of traffic management measures. These could include:

- 'Bus gates' to restrict sections of public highway to buses only;

**11.6.10** The transport plans for new developments must seek to incorporate bus priority measures from an early stage in the design development process.

### Amenity for bus users

**11.6.11** The amenity of the waiting space at bus stops is an important part of the bus-users' experience.

**11.6.12** All bus stops within Edmonton Leaside need to achieve a minimum quality standard in terms of infrastructure and information provision, compliant with the requirements of the Equality Act 2010 and TfL's 'Accessible Bus Stop Design Guidance', along with essential facilities for bus users such as timetable information.

**11.6.13** Effective bus services require better access to public transport information for bus users. Within Edmonton Leaside there are opportunities to deliver improved access to bus information, including:

- Real time bus information at railway stations, and bus interchanges;



### Policy EL23: Enhancing the Bus Network and Services

The Council will continue to work closely with TfL to meet the needs of the existing communities and businesses within the area, and to improve bus routes to secure more east-west and north-south connections. The Council and its partners will:

- Develop an enhanced network of bus routes and services to meet the growing demand that will be generated by the proposed growth;
- Identify any potential new bus routes within Edmonton Leaside to better meet the needs of existing residents and businesses; and
- Provide links between areas where there is high unemployment and employment opportunities such as Edmonton Leaside and Brimsdown.

Enhanced bus services will be provided to Edmonton Green town centre, and Tottenham Hale via Meridian Water. The former will include a direct bus link between Meridian Water and Edmonton Green as referred to in Table 14.1. Existing routes will be reorganised so that they run along the Central Spine (where accessible by buses), through Meridian Water.

The Council will continue to work with TfL, major employers and other stakeholders to ensure that:

- Integration of bus and rail services is improved, and seek to ensure that existing businesses and major new developments have good access of no more than 640m from the development to a bus stop;
- Support is given to providing more direct and frequent bus services serving existing businesses and employment areas. TfL will be encouraged to extend the operational hours of such services to match employees shift patterns and time services to match employees travel to and from work to reflect demand;
- The bus network is supported by standing spaces and driver facilities;
- Bus reliability is improved through the introduction of traffic management measures to assist buses; and
- Bus routes within Edmonton Leaside are provided with the highest quality infrastructure, including accessible stops and modern high quality bus stop infrastructure with real time information at stops and other public places.

*This policy should be read in conjunction with Core Strategy policy 26.*

- Bus information display screens within public buildings; and
- Integration of real time information provision into designs for buildings and public spaces within new developments.

**11.6.14** Existing bus services will be extended from their current terminal point along Glover Drive so that they run through the centre of Meridian Water along the Central Spine. Services from the west would then be directed north and linked to Argon Road.

The bus services will connect to the new Meridian Water Station, as well as Edmonton Green town centre and Tottenham Hale for access to the London Underground network.

**11.6.15** TfL have indicated that they are supportive of amending or expanding existing routes and providing new routes where demand is demonstrated. An advantage of bus services is that new and improved routes can be implemented within a relatively short timescale in comparison to other modes of mass-transit.

### Policy EL24: Use of the Waterways for Transportation

Where suitable, the Council will support opportunities for water-borne traffic, on the River Lee Navigation, in particular:

- Freight transport to help alleviate the road network;
- Leisure, tourism and educational uses, such as day trip boats, overnight moorings, and a 'floating classroom'; and

- Waterbus and/or water taxis to transport passengers along the Lee Valley.

Any proposals must be considered through consultation with the relevant statutory organisations.

*This policy should be read in conjunction with Core Strategy policy 27.*

## 11.7 Use of the Waterways for Transportation

**11.7.1** The River Lee Navigation is a key feature of Edmonton Leaside and provides the opportunity to encourage and support greater water-borne traffic.

### Freight

**11.7.2** Edmonton Leaside comprises one of the largest clusters of industrial estates in London, generating a considerable amount of freight traffic travelling along Meridian Way, the A406 and the M25.

**11.7.3** Transferring road freight to the waterways offers the potential to reduce the impact of freight transport on the local highway network and developments adjacent to the Navigation should consider the use of waterborne freight for transporting demolition waste and construction materials.

### Leisure, Tourism and Education

**11.7.4** There is potential to use the waterways for leisure and tourism, including for example day trip boats, overnight moorings, or a 'floating classroom'.

**11.7.5** The waterfront at Meridian Water could provide a hub or focal point, while there is potential to develop access to the Lee Valley Navigation waterfront at Picketts Lock, linking to this area of leisure uses.

## Waterbus and Water Taxi Services

**11.7.6** The potential for waterbus and water taxi services could also be explored to link into the adjoining area of Tottenham Hale and provide a connection with the Underground system. Services could also continue further south into the Lower Lee Valley, potentially linking with the Olympic Legacy transformation. The service could extend north to Enfield Lock, with access to the surrounding residential areas, including Gunpowder Park and Enfield Island Village.

## 11.8 Balanced Parking Provision

**11.8.1** Development proposals must have regard to London Plan and DMD parking standards. The Council will seek to minimise provision of new car parking, in conjunction with encouraging sustainable modes of transport and improving public transport. New developments must adopt a design led approach to ensure that parking functions satisfactorily. Consideration must be given to the design of access and parking areas for cars, cycles and service vehicles and their relationship to the built environment which they serve. Well-planned and designed parking can have a determining influence on the success of streetscapes.

**11.8.2** Parking provision on the industrial estates is currently largely unrestricted and is a major issue. The built environment of some estates, poor circulation, poor servicing areas, close proximity to residential areas and friction between different users on the estates have all contributed to difficulties with parking provision.



## Parking in the Industrial Estate

### 11.9 Road Network and Vehicular Traffic

**11.9.1** The strategic highway network of Edmonton Leaside is dominated by the North Circular (A406) to the south which provides an east-west route through the area, and the two radial routes of the A10 and Meridian Way. In addition, the A1010 Hertford Road is a strategic north-south route which also serves local traffic.

**11.9.2** Although the A406 provides excellent links to the west (A10 and M1) and to the east (M11), access to and from the industrial estates is difficult and the route between Meridian Way and the North Circular is indirect. There is also currently indirect access to the M25 via Bullsmoor Lane (A1055).

**11.9.3** The local network is also poorly connected across Edmonton Leaside with the area dissected by major traffic routes. In addition, the layout of local access roads in parts of the area is unclear and, in many places, confusing.

**11.9.4** At a strategic level, irrespective of growth in population and employment, the effect of traffic growth across London will lead to increased pressures across the whole of Enfield's highway network.

**11.9.5** Traffic levels on the highway network within Enfield are, on several links, already operating at or near capacity<sup>6</sup>. Adding these projected trips to the existing transport network would, without network enhancements, lead to increased congestion. Traffic levels across the North London sub-region are forecast to increase by some 12% (or around 100,000 km) in the AM peak hour by 2031.<sup>7</sup>

**11.9.6** Developments are likely to have an impact on the highway network through an increased number of car trips as well as from increased freight, waste collection and service and delivery activity. Although a new east-west connection will be introduced in Meridian Water to enable the new developments, the main impact of development will be on existing highway links and junctions.

**11.9.7** The Council will work with developers to minimise and manage the impact of traffic from new development on the road network in line with the Upper Lee Valley OAPF and the requirements of DMD 47. The Council will require development proposals to carry out additional modelling to establish the transport impact, while taking into account growth elsewhere in the Upper Lee Valley Opportunity Area.

**11.9.8** The Upper Lee Valley OAPF highlights junctions within Edmonton Leaside which experience significant levels of congestion, notably Montagu Road/Conduit Lane and Conduit Lane/Angel Road. The Phase 1 Transport Assessment also highlighted capacity issues at the junctions with Leaside Road and Glover Drive.

**11.9.9** Options to improve the strategic highway network could include the following:

- Selective junction improvements to increase journey time reliability;
- Demand management measures to reduce vehicle use, including school and workplace travel plans, enhancements to walking and cycling routes, and public transport improvements; and
- Controlling the levels of on-street parking and public car park provision, particularly in relation to new residential and commercial development.

6 Enfield Core Strategy Transport Assessment (2009)

7 Discover Central Leaside (2012)

### Policy EL25: Design of the Road Network

Where possible and required to support development, there will be improvements to congested junctions and the control of on-street parking. Each development proposal will be assessed on its own merits and characteristics.

The arrangement of streets and places within Meridian Water should be guided by an urban design approach which incorporates sufficient capacity to meet demand and also encourages sustainable travel through a high quality environment. The network design will include a new east-west connection, the Central Spine (see Policy EL6)

*This policy should be read in conjunction with Core Strategy policy 24 and DMD policy 47.*



Meridian Way

## 12 Promoting a Low Carbon Future

### 12.1 Introduction

**12.1.1** The development of Edmonton Leaside will deliver a large number of new homes and jobs, presenting an opportunity to provide a place which promotes sustainable lifestyles through well-designed buildings and spaces, and maximises energy efficiency and use of low and zero carbon energy generation technologies.

**12.1.2** The Council is committed to achieving high standards for sustainable design and construction within the borough. All developments will need to comply with the environmental and energy standards set out in the London Plan and Local Plan documents.

#### Approaches to Carbon Reduction

**12.1.3** Developments at Edmonton Leaside must demonstrate how the proposal minimises energy-related CO<sub>2</sub> emissions through use of carbon saving technologies and approaches. For heat, where this cannot be via the connection to a heat network, then this could include, for example, solar thermal panels and ground source heat pumps.

#### Decentralised Energy Networks

**12.1.4** Large scale decentralised energy networks offer an affordable way of achieving low carbon energy supply in densely populated urban areas, meeting domestic, commercial and some industrial space heating and domestic hot water requirements. This is achieved through the supply of low cost, low carbon sources of heat (for example waste heat from power stations and heat generated from highly efficient gas combined heat and power engines) distributed at scale as hot water conveyed via highly insulated underground pipes.

**12.1.5** Benefits of decentralised energy for local people and businesses include:

- Protection against future energy price rises;
- Durable cost and carbon savings, with potential knock-on benefits for inward investment, business advantage and job creation; and
- Security of energy supply.

**12.1.6** Lee Valley Heat Network Ltd has shown that a network is viable and could be extended over time. The EcoPark site has been identified as the preferred location for an energy centre to provide low carbon heat to a 'core network' to serve the Edmonton Leaside area. Planning policy development plays a key role in supporting the delivery and expansion of the network.

**12.1.7** There is also the potential to use the waterways in Edmonton Leaside to cool buildings, particularly for waterside businesses with a significant cooling demand (for example those with data centres). This would involve using canal water and heat exchange technology to provide a more sustainable alternative to traditional air conditioning, reducing local businesses' energy bills and carbon dioxide emissions. The Canal & River Trust is promoting the use of such schemes and there are already examples of buildings using waterways for 'free cooling', such as GlaxoSmithKline's canal-side headquarters in Brentford, the Mailbox mixed use city centre development in Birmingham and the Hepworth Gallery in Wakefield. This AAP supports the use of such innovative and sustainable solutions, subject to consent from the Environment Agency.

## 12.2 Policy Context

## Policy context for decentralised energy &amp; managing flood risk

<b>London Plan (2016) and relevant policies in new draft London Plan (2018)</b>	<p>Policy 6.1 Strategic Approach</p> <p>Policy 6.2 Providing Public Transport Capacity and Safeguarding Land for Transport</p> <p>Policy 6.9 Cycling</p> <p>Policy 6.10 Walking</p> <p>Policy 6.12 Road Network Capacity</p>
<b>Upper Lee Valley Opportunity Area Planning Framework (2013)</b>	<p>Objective 7</p> <p>3.2 The transport vision and challenge</p> <p>3.4 Improving rail connectivity</p> <p>3.5 Roads and surface transport</p> <p>4.3 Opening up the Lee Valley Regional Park</p> <p>8.3 Opening up the Lee Valley Regional Park</p>
<b>Enfield Core Strategy (2010)</b>	<p>Core Policy 24 The Road Network</p> <p>Core Policy 25 Pedestrians and Cyclists</p> <p>Core Policy 26 Public Transport</p> <p>Core Policy 27 Freight</p>
<b>Development Management Document (2014)</b>	<p>DMD 45 Parking Standards and Layout</p> <p>DMD47 New Roads, Access and Servicing</p> <p>DMD48 Transport Assessments</p>
<b>Other Sources</b>	<p><i>National Planning Policy Framework (2012 and 2019)</i></p> <p><i>A new Local Plan for Enfield 2018 – 2036 (2018)</i></p> <p><i>Planning Practice Guidance (2014)</i></p> <p><i>Core Strategy Transport Assessment/Appendices (2009)</i></p> <p><i>A1010 Study (Halcrow) (2010)</i></p> <p><i>Upper Lee Valley Transport Study (JMP) (2006)</i></p> <p><i>Upper Lee Valley (Halcrow) (2012)</i></p> <p><i>Discover Central Leaside (2012)</i></p> <p><i>Freight by Water Feasibility Study (2013)</i></p> <p><i>Enfield Council Bus Service Review (2012)</i></p> <p><i>Enfield Cycle Action Plan (2013)</i></p> <p><i>Cycle Routes in Enfield (2013)</i></p>

### 12.3 Decentralised Energy

**12.3.1** The Council has created Lee Valley Heat Network Operating Ltd (LVHN Ltd), trading as Energetik, which was officially launched in July 2014 to deliver the Meridian Water, Arnos Grove, Ponders End and Oakwood Heat Networks. Research demonstrates that there is a unique opportunity to deliver a commercially sustainable decentralised energy network that would put the Upper Lee Valley at the forefront of energy production in London.

**12.3.2** The Meridian Water Heat Network (MWHN) to be provided by Energetik will initially use a combination of heat from combined heat and power plants (CHP) and then heat from the new Energy Recovery Facility (ERF) at the Edmonton EcoPark when it is operational, which it is predicted to be in 2025. The MWHN will move energy in the form of hot water through a system of pipes to buildings and industry across the Lee Valley, including to the Meridian Water development, a westward extension to Meridian Water and Edmonton Green. Over time the network has the potential to connect additional heat sources and heat demands elsewhere in the Lee Valley and, with the agreement of neighbouring Councils, links into other London boroughs.

#### The EcoPark site and the MWHN

**12.3.3** Key considerations for policy on heat networks in the Edmonton Leaside area include the establishment of an energy centre on the EcoPark site; delivering a network route linking the EcoPark energy centre to the Meridian Water development; and delivering future connections to other suitable developments within Lee Valley. Further details on the wider requirements for the EcoPark site are provided in Chapter 8.

**12.3.4** The principal requirement for the future development of the EcoPark is to treat waste in the most sustainable way possible. However, the treatment of waste also presents a significant opportunity to generate additional community benefits through the provision of heat. For this reason, the EcoPark has been identified as the preferred low carbon heat source for initial development of the MWHN. The waste management infrastructure requirements of the EcoPark site are subject to the DCO which was granted by the Secretary of State. Energetik is seeking a heat supply agreement and lease at the EcoPark. It should be noted, however, that the Energy Recovery Facility permitted by the grant of the DCO does not refer to the energy centre proposed by Lee Valley Heat Network Ltd.

**12.3.5** The Heat Network aims to have an energy centre at the EcoPark to supply low carbon heat via a network to Meridian Water and beyond. Subject to the heat supply agreement and lease being settled between Energetik and EcoPark, and to the new ERF being delivered to programmed completion in 2025, heat from the ERF could be captured and transferred to LVHN Ltd's energy centre at the EcoPark to provide very low carbon heat. Plant will be installed in a phased manner to meet customer heat demand and ultimately be capable of supplying in excess of 30,000 homes.

#### Creating a resilient network

**12.3.6** The Energetik energy centre at the EcoPark and the network must be designed to be resilient and energy efficient. In the unlikely event that the network cannot supply heat due to the need for maintenance, temporary boiler connections must be included within the network at each development. This will future-proof large developments for emergency backup and help make connection to the network more appealing for existing and new buildings, especially if it negates the need to install back-up boilers on site, thereby freeing up funds and space for other purposes.

## Policy EL26: The Meridian Water Heat Network

### PART A: Developing the Meridian Water Heat Network

The Council supports the development of the Meridian Water Heat Network (MWHN). This will include safeguarding and securing:

- The establishment of an energy centre on the EcoPark site;
- A network route linking the EcoPark energy centre to the Meridian Water development; and
- Future connections towards other suitable developments, once they are identified.

The Council will continue to work with its partners and stakeholders to ensure that opportunities to establish connections across waterways, highways, railway land or private land interests allow for the future implementation of the MWHN.

Proposals for major developments which produce a significant amount of heat should supply heat to the MWHN or another DEN unless it can be demonstrated that this is not technically feasible or economically viable, in accordance with policy DMD 52.

### PART B: The EcoPark Site and the MWHN

To facilitate the delivery of the MWHN, development of the EcoPark site should enable heat energy from the new energy recovery facility (ERF), when it is built to be captured and supplied to the MWHN energy centre, subject to a heat supply agreement being agreed. The DCO granted by the Secretary of State for the EcoPark site requires provision for combined heat and power.

Detailed safeguarding routes and the location for an energy centre should be agreed with the Council as part of pre-application discussions.

### PART C: Creating a Resilient Network

Development proposals which are connecting to the MWHN must demonstrate how they would enhance the resilience of the MWHN and allow for provision of emergency back-up. This should include access to an area of hardstanding that could be used to park a truck mounted boiler and which is located a sufficient distance from any building with opening windows or inlet fresh air ventilation.

The Council will safeguard an “unobstructed” route for the MWHN pipe network along the Central Spine. “Unobstructed” here means a three metre wide zone with nothing built over it to a height of at least 10 metres.



**Policy EL26 continued...****PART D: Connecting to the MWHN**

All major developments (defined as development of ten dwellings or more, or of more than 0.5 hectares in area) should connect to or contribute towards the MWHN or another existing or planned DEN supplied by low or zero carbon energy in accordance with Policy DMD 52. Where a major development is expected to be completed before the MWHN or another DEN is able to supply it with heat then:

- If there are firm plans to enable the site to be connected to the MWHN or another DEN within five years, the development should design for heat network connection from the outset and use temporary on-site boilers (potentially provided by the heat network operator) until network connection is possible.

- If there are no firm plans for extension of the MWHN or another DEN within feasible and viable range of the development, provision of on-site Combined Heat and Power (CHP, with standby boilers) will be expected where the heating demand makes it technically feasible and financially viable. The development should also be future proofed for connection to a heat network. In such instances the council may agree with the developer that the installation of CHP can be deferred for up to five years (the development would use heat from standby boilers during this time) to allow time for the MWHN or another DEN to be extended and connected to the development. If the developer connects to a network within five years then the requirement to install CHP would fall away; if not then the obligation to install CHP would be triggered.

*This policy should be read in conjunction with Core Strategy policy 20 and DMD Policy 52, and London Plan Policies 5.5 and 5.6.*

**12.3.7** The early phases of the heat network should aim for delivery at the same time as the initial phases of the Meridian Water development so that all new developments can connect directly to the local heat network as a source of heat. This will avoid developments being 'locked in' to alternative heat generation solutions, which would reduce/delay the benefits delivered by the network.

**12.3.8** The Council will take into account the design standards and specifications for district energy networks set out in the DEN SPD and the Mayor of London's 'London Heat Network Manual' (2014, or as updated) in the implementation of the MWHN, and the determination of relevant planning applications. Where connection to an existing or future decentralised energy network is feasible and viable, a commitment to a connection may be secured via a legal agreement. The connection charge may take into account the cost of a temporary onsite boiler where this is deemed appropriate to facilitate connection to the MWHN.

### **Delivery of the Heat Network**

**12.3.9** Easements will be required with land owners to allow the heating network pipes to be routed underground from the EcoPark to developments. The typical width of the twin pipe installation will be between 1.0m and 2.2m, depending on proximity to the EcoPark site, and a further Zone of Influence of 1.5m is required each side of the pipework, creating a width of between 4.0m and 5.2m (depending on proximity to the EcoPark). The Zone of Influence, as for other utilities, is a protective zone that restricts excavation work without the prior permission of Energetik to prevent the inadvertent risk of damage to Energetik assets. In addition, on one side of the pipework a further 3.5m of unrestricted space is required as an Access Corridor for as much of the length of the pipe as is reasonable. The Access Corridor is to allow plant equipment to be used in order to install, repair, maintain, inspect, and replace the pipework.

The Zone of Influence and Access Corridor does not prevent other services from being located underground in these areas as long as they are horizontally separated by a minimum 600mm from the network pipes. Smaller separation distances may be acceptable with the prior written permission of Energetik.

**12.3.10** In the unlikely event of agreements with landowners not being reached, or being unlikely to be reached, and implementation being delayed beyond the Council's reasonable expectation, the Council may intervene directly. This would entail the Council undertaking a more significant role in land acquisition and assembly, potentially through the use of compulsory purchase order powers and/or direct delivery through partnerships with developers to secure land for the necessary infrastructure to deliver the MWHN.

**12.3.11** Energetik will seek individual planning consents for the heat network and its expansion to provide maximum flexibility with regard to its final route to meet the requirements of connecting developments.



**Watercourse at Meridian Water - the brooks running through Meridian Water can support local amenities and integrate with the wider blue and green network.**





## 13 Watercourses, Green Spaces and Flood Risk

### 13.1 Introduction

**13.1.1** Edmonton Leaside is crossed by several significant watercourses including the River Lee Navigation and the flood relief channel, as well as Pymmes Brook and Salmon's Brook, which are tributaries of the Lee. The area also has a range of green spaces, including along the Lee Valley Regional Park and at Picketts Lock. However, many of these watercourses and green spaces are difficult to access and of poor quality.

**13.1.2** Regeneration and improvements across Edmonton Leaside will help to provide better access to the watercourses and green spaces, integrating them both into the new neighbourhoods of Meridian Water as well as within the wider Edmonton Leaside area.

**13.1.3** Redevelopment in Meridian Water should maximise its waterfront location, in particular along the River Lee Navigation, to create vibrant places and connect to the new and existing communities.

**13.1.4** Moored boats are a common feature of waterways and can contribute to the vitality of an area. Mooring schemes (residential, leisure or visitor) can positively contribute to the character and setting of the waterway. Residential boats can also add a greater sense of security to an area. The Council will seek additional moorings on the River Lee Navigation in consultation with key stakeholders including the Canal & River Trust and Lee Valley Regional Park Authority.

**13.1.5** Development proposals must also take into consideration that increased usage of the watercourses and green spaces of Edmonton Leaside has the potential to increase pressure on the natural environment and negatively affect biodiversity, for example, through disturbance or pollution.

**13.1.6** Edmonton Leaside lies within a combination of mostly Flood Zones 2 and 3 and also contains some limited Flood Zone 1 land. This means that certain parts of Edmonton Leaside have medium to high probability of flooding based on the Environment Agency definition of flood risk.

**13.1.7** This chapter of the AAP should be read in conjunction with Chapter 5 Meridian Water, Chapter 10 Picketts Lock, and Chapter 11 Movement.

**13.2 Policy Context****Policy context for Waterways and Green Spaces Chapter**

<b>London Plan (2016) and relevant policies in new draft London Plan (2018)</b>	<p>Policy 2.18 Green Infrastructure: The Multi-Functional Network of Green Spaces</p> <p>Policy 3.19 Sports Facilities</p> <p>Policy 5.12 Flood Risk Management</p> <p>Policy 5.13 Sustainable Drainage</p> <p>Paragraph 5.9a (relates to Policy 5.1 Climate Change Mitigation)</p> <p>Policy 7.16 Green Belt</p> <p>Policy 7.18 Protecting Public Open Space and Addressing Deficiency</p> <p>Policy 7.19 Biodiversity and Access to Nature</p> <p>Policy 7.21 Trees and Woodlands</p> <p>Policy 7.22 Land for Food</p> <p>Policy 7.24 Blue Ribbon Network</p> <p>Policy 7.27 Blue Ribbon Network: Supporting Infrastructure and Recreational Use</p> <p>Policy 7.28 Restoration of the Blue Ribbon Network</p> <p>Policy 7.30 London's Canals and Other Rivers and Waterspaces</p>
<b>Upper Lee Valley Opportunity Area Planning Framework (2013)</b>	<p>Objective 8</p> <p>4.4 Design principles</p> <p>4.5 Development by the waterways</p> <p>4.6 Nature conservation</p> <p>7.3 Meridian Water Masterplan</p> <p>7.5 Opening up the Lee Valley Regional Park</p>
<b>Enfield Core Strategy (2010)</b>	<p>Core Policy 28 Managing Flood Risk through Development</p> <p>Core Policy 29 Flood Management Infrastructure</p> <p>Core Policy 33 Green Belt and Countryside</p> <p>Core Policy 34 Parks, Playing Fields and Other Open Spaces</p> <p>Core Policy 35 Lee Valley Regional Park and Waterways</p> <p>Core Policy 36 Biodiversity</p> <p>Core Policy 38 Meridian Water</p>
<b>Development Management Document (2014)</b>	<p>DMD 25 Locations for New Retail, Leisure and Office Development</p> <p>DMD 59 Avoiding and Reducing Flood Risk</p> <p>DMD 60 Assessing Flood Risk</p> <p>DMD 61 Managing Surface Water</p> <p>DMD 62 Flood Control and Mitigation Measures</p> <p>DMD 71 Protection and Enhancement of Open Space</p> <p>DMD 74 Playing Pitches</p> <p>DMD 75 Waterways</p> <p>DMD 78 Nature Conservation</p> <p>DMD 80 Trees on Development Sites</p> <p>DMD 81 Landscaping</p> <p>DMD 82 Protecting the Green Belt</p> <p>DMD 89 Previously Developed Sites in the Green Belt</p>

**Other  
Sources**

*National Planning Policy Framework (2012 and 2019)*  
*A new Local Plan for Enfield 2018 – 2036 (2018)*  
*Discover Central Leaside: Towards a Draft Area Action Plan (2012)*  
*Edmonton EcoPark SPD (2013)*  
*Enfield Open Space and Sports Assessment Update(2011)*  
*Enfield Parks and Open Spaces Strategy (2010)*  
*Meridian Water Masterplan (2013)*  
*Picketts Lock Outline Masterplan: Scenarios Report (2011)*  
*Lee Valley Regional Park Development Framework - Area 4 Proposals*

**13.3 Watercourses****Policy EL27: Watercourses at Edmonton Leaside**

The watercourses within Edmonton Leaside provide opportunities to create a distinctive and attractive sense of place. Waterfront developments should capitalise on the location, in particular at Meridian Water. Development proposals at waterfront locations must:

- Positively address the waterfront through providing an active frontage;
- Enable public access to the waterways, including movement to, from, alongside and, where possible, across the water;
- Optimise potential for water-based recreation and leisure use;
- Provide, where suitable, cultural and leisure uses including cafes, bars and restaurants and high quality public open spaces at the waterfront; and
- Protect and enhance habitats and biodiversity, through measures including softening of river channel edges where appropriate.

Proposals for the restoration or the increased use of the River Lee Navigation, Pymmes Brook and Salmons Brook as the Lee Valley waterways within Edmonton Leaside will be supported in line with London Plan policies on the Blue Ribbon Network and DMD policy 63 on the protection and improvement of watercourses and flood defences.

Proposals for new residential moorings will be supported provided they are designed in a way which does not negatively affect the environment and meet the requirements of policy DMD 75.

Where development is located close to a waterway and has a significant need for cooling (a cooling load of 500KW or more), the feasibility of using water from the waterway as part of a low carbon cooling system should be evaluated (see Chapter 12).

*This policy should be read in conjunction with Core Strategy policies 35 and 38, DMD policies 63, 75, 76, and 78 and London Plan policies 2.18, 7.19, 7.24, 7.27, and 7.30.*



## River Lee Navigation

### 13.4 Managing Flood Risk

**13.4.1** Meridian Water lies within an area of flood risk classified at levels 2 and 3. As such, the Environment Agency recommends that a sequential approach to site selection is undertaken across the site.

**13.4.2** The Enfield Level 2 Strategic Flood Risk Assessment is out of date as it does not take account of 2015 Environment Agency guidance in relation to climate change allowances. The Council are undertaking updated flood risk modelling but this is not yet available. At present the Environment Agency indicate that it is unclear what the 1 in 100 year plus 35% and 1 in 100 year plus 70% climate change scenarios will mean for the site, but that the level of flood risk on site is likely to increase once these have been taken into account.

**13.4.3** To justify the sequential approach the Council will make explicit how the phasing of development and the emerging new Masterplan Supplementary Planning Document will ensure flood mitigation and prevention measures are dealt with in an area-wide manner, such that at no stage of the development is there any net loss of flood storage.

**13.4.4** The Council will apply the Sequential Test within Edmonton Leaside in order to direct development to areas of low flood risk. More vulnerable and essential infrastructure should be located within Flood Zone 1 and 2 areas.

For Meridian Water, the Exception Test is also being delivered by the Council through a Flood Risk Assessment undertaken for Meridian Water. Subsequent site level assessments, where they are necessary, will be underpinned by this wider FRA.

**13.4.5** Chapter 5, Policy EL8, sets out the detailed policy on how development in Meridian Water should respond to flood risk issues. These same principles for the effective management of flood risk will be applied throughout the Edmonton Leaside Area in line with national policies and guidance.

**13.4.6** The key tool for reducing surface water flood risk is the application of Sustainable Urban Drainage Systems (SuDS). This approach is set out in the sustainable drainage hierarchy in the London Plan and in the DMD. Any drainage solutions should seek not only to minimise the rates and volumes of surface water runoff, but also to provide multiple benefits including improved water quality, amenity benefits and improved biodiversity. The River Lee Navigation provides an opportunity for receiving surface water drainage from Meridian Water and proposals should explore this potential, subject to assessment for pollution and flow-rate and Environment Agency permit. All new development will be required to incorporate SuDS techniques, as set out by Core Policy 28 and DMD 61.

### 13.5 Green Spaces

**13.5.1** This policy must be read in conjunction with AAP policies EL8, EL9 and EL12.



### Policy EL28: New and Existing Green Spaces

The Council will work with stakeholders, including the landowners, to bring forward new areas of open and green space and bring underused and vacant spaces back into active use.

Development proposals which include the provision of new open space or existing open space must explore and justify the range of appropriate uses for the location. Examples of potentially appropriate uses include:

- Sports;
- Recreation;
- Flood storage capacity;
- Nature conservation; and
- New or enhanced landscaping.

The land on either side of the North Circular Road to the east and north-east of Meridian Water has been identified as offering potential for the creation of new open space. There is also potential to improve the access and functions at existing green and open spaces including at Picketts Lock and Kenninghall Open Space. Green and open space should be explored for multiple uses, including as providing potential flood storage capacity.

Proposals will be supported that improve the access across and between existing and new green spaces, developing a network of 'green chains' comprising footpath networks and cycle paths. Green chains can be used to improve east-west connectivity between the Lee Valley Regional Park and the rest of Edmonton Leaside and beyond. Proposals must not generate negative impacts such as recreational disturbance on sites of ecological importance, including the Chingford Reservoirs SSSI and Lee Valley Special Protection Area/ Ramsar site at Walthamstow Reservoirs.

New development may be expected to make appropriate financial contributions to protecting and improving green and open spaces and biodiversity, in line DMD 72 and other relevant policies shown below.

*This policy should be read in conjunction with Core Strategy policies 34 and 35, DMD policies 71, 72, 76, 77 and 78 and London Plan Policies 2.18 and 7.27.*





# Delivery and implementation



# Part D:

## Delivery and Implementation

### 14 Delivery and Implementation

#### 14.1 Introduction

**14.1.1** This AAP will support the regeneration and transformation of Edmonton Leaside through a number of significant and interlinked actions. The document identifies locations for new housing, employment, open spaces and other important land uses, as well as existing land uses that are currently underutilised, underperforming or require regeneration.

**14.1.2** The AAP sets an ambitious vision for growth and development at Edmonton Leaside. Meridian Water in particular represents the most important regeneration opportunity in the borough, but also presents significant challenges for delivery. Major interventions are required to make the public transport and highways connections necessary to support growth and to create a high quality environment. This takes place, at least initially, in the context of low land values within the Meridian Water area.

**14.1.3** Due to the scale of opportunity, a comprehensive approach to master planning of the area is required, with partnership working between the public and private sector. A piecemeal approach to development, with individual landowners bringing forward discrete plots in the absence of a comprehensive masterplan, will lead to a sub-optimal outcome and prevent effective regeneration. For this reason, and commensurate with the extent of land in the Council's ownership at Meridian Water, Enfield Council is taking a lead role in the process.

**14.1.4** This Chapter is structured as follows:

- Overall approach;
- Funding sources;
- Development phasing and delivery;
- Projects and prioritisation;
- Governance and partnership working; and
- Monitoring and Review.

#### 14.2 Overall Approach to Delivery and Implementation

##### The Council's Role and Comprehensive Planning at Meridian Water

**14.2.1** At Meridian Water, the delivery of the public realm, transport improvements, and other critical infrastructure identified in this AAP are essential to facilitate the changes necessary to create a successful place and attract investors and developers. These key infrastructure requirements, including the new station, the provision of new road and public realm networks, and the degree of remediation work required, are of such scale and complexity that they can only be achieved if the project is driven by a lead organisation, working jointly with all the necessary statutory organisations and the private sector. The Council has therefore taken, and will continue to take, a lead role in delivering Meridian Water.

**14.2.2** The Council formerly undertook a developer procurement process and engaged a master developer with whom they intended to partner to deliver the whole of Meridian Water. However, the Council has since decided to undertake the dual role of master developer and scheme promoter itself. This demonstrates the Council's long term commitment to ensuring that the regeneration process truly delivers the housing and jobs that the area needs.

**14.2.3** A comprehensive approach is required to establish the vision for change, plan for the infrastructure investment, purchase land parcels, to create value and change perceptions. The Council is working jointly with key stakeholders to progress this work.



### Preparatory Works at Meridian Water

**14.2.4** An Infrastructure Delivery Plan is being developed to accompany the Council's forthcoming Local Plan which will include details of infrastructure delivery for Meridian Water, building on the infrastructure work undertaken through the masterplanning process.

**14.2.5** The Infrastructure Delivery Plan will cover three schedules of infrastructure, namely transport & connectivity, green & blue and social & cultural. It will assess the planned provision, proposed location and timeframe of key items of infrastructure, for each one identifying the lead partner, delivery partners and stakeholders, estimated costs, funding sources, funding available, any funding gap and prioritisation of its delivery. Some initial considerations on funding sources, development phasing, delivery and key delivery bodies appear later in this section and will be useful as a starting point for this work.

**14.2.6** As new Masterplan options are developed and refined in consultation with relevant stakeholders, they will also be subject to site-wide development viability modelling, including soft-market testing, to provide confidence and certainty to all stakeholders that the preferred development option presented in the final masterplan document is deliverable and achievable.

### Landownership at Meridian Water

**14.2.7** The need for a comprehensive approach at Meridian Water is supported by and linked to landownership. The Council owns a significant proportion of the developable land, including the land necessary to deliver the first phase of development.

**14.2.8** However, land in some key parts of the site is fragmented between several owners. To deliver the infrastructure needed to develop Meridian Water in an effective and timely way, greater control over land and delivery is required. This relates particularly to delivery of the Central Spine as the key linking element.

**14.2.9** The Council is proceeding to acquire further land in key locations across Meridian Water, either through negotiation or compulsory purchase if required, enabling the Council to deliver and co-ordinate investment and development in a more effective way. The Council has made an in-principle resolution to use CPO powers if necessary.



## Development Management

**14.2.10** Development management is the principal process through which the AAP policies and principles will be implemented. Development decisions will also be made in accordance with other plans including the London Plan, Core Strategy, Development Management Document and the emerging new Local Plan.

### 14.3 Funding Sources

**14.3.1** Significant investment is required to deliver the social and physical infrastructure and realise the full potential of the area. However, Meridian Water is not yet an established residential market. Significant upfront investment will therefore be required, which can only be recovered through improved land values achieved over the longer term. The regeneration of the area will therefore require long term commitment and funding from a variety of sources.

**14.3.2** The Council is itself investing in the transformation of this important regeneration area, supported by a range of other funding sources.

### Network Rail

**14.3.3** As part of the West Anglia Main Line improvements, Network Rail relocated Angel Road Station south of the North Circular Road and renamed it Meridian Water station. The new station opened in 2019.

**14.3.4** London Borough of Enfield is providing additional funding to provide an enhanced station, which will incorporate a bridge providing public, non-ticketed west-east access across the railway to support connectivity across Meridian Water.

## Community Infrastructure Levy (CIL)

**14.3.5** Community Infrastructure Levy (CIL) is an important means of funding infrastructure through the development process. CIL allows local authorities to charge a levy on new developments to raise funds to build infrastructure to support growth. In London, there are at present two levies: a Mayoral CIL to raise funds for Crossrail and Local Authority CIL to pay for infrastructure such as road and rail transport.

**14.3.6** The Council formally adopted its CIL Charging Schedule and associated documents (Regulation 123 List and Instalment Policy) in March 2016 and the Enfield CIL took effect on the 1st April 2016. The CIL Regulation 123 Infrastructure List sets out that the levy will fund only the rail and Central Spine infrastructure at Meridian Water.

**14.3.7** Residential CIL at the Local Authority level is applied at a nil rate for Meridian Water. Other areas within the Edmonton Leaside AAP will be subject to the lower eastern residential CIL rate. A borough-wide CIL rate for commercial development is applicable throughout Edmonton Leaside.

### Section 106

**14.3.8** The role of Section 106 (S106) agreements to fund infrastructure changed as a result of the introduction of CIL. However, S106 continues to have an important role in delivering items not currently covered by CIL such as affordable housing, education and open space, and addressing site-specific issues such as access.

**14.3.9** The Council's current Section 106 Supplementary Planning Document was adopted in November 2016. The Regulations (Community Infrastructure Levy Regulations 2010, as amended) previously restricted pooling of planning obligations to a maximum of five planning obligations for one project or type of infrastructure, if this type of infrastructure is capable of being funded by CIL. These pooling restrictions were lifted through an amendment in September 2019. Revenue generated from CIL and pooled S106 contributions may be used, alongside other available funding, to deliver infrastructure.

**14.3.10** Further details on planning obligation requirements at Meridian Water are set out in AAP Policy EL13.

### Housing Zone

**14.3.11** The Council was awarded Housing Zone status in 2015 for the Meridian Water area to assist in the delivery of new homes through a variety of interventions that will be tailored to the site.

### Other public and private sector bodies

**14.3.12** Alongside the specific funding sources listed above, there are a number of other resources which may be drawn upon from both public and private sector bodies, which may include other GLA funding streams, the Lee Valley Regional Park Authority, Canal & River Trust, the Environment Agency, and Transport for London.

**14.3.13** The Development Infrastructure Funding Study (DIFS) for the Upper Lee Valley (ULV) was commissioned jointly by the GLA/TfL in 2014. The study includes London Boroughs of Enfield, Hackney, Haringey and Waltham Forest and identifies the strategic infrastructure required to deliver the growth outlined in the ULV OAPF. The DIFS identifies how infrastructure delivery can be phased and prioritised in line with forecast development. The resulting financial model can be updated on an ongoing basis.

## 14.4 Development Phasing and Delivery

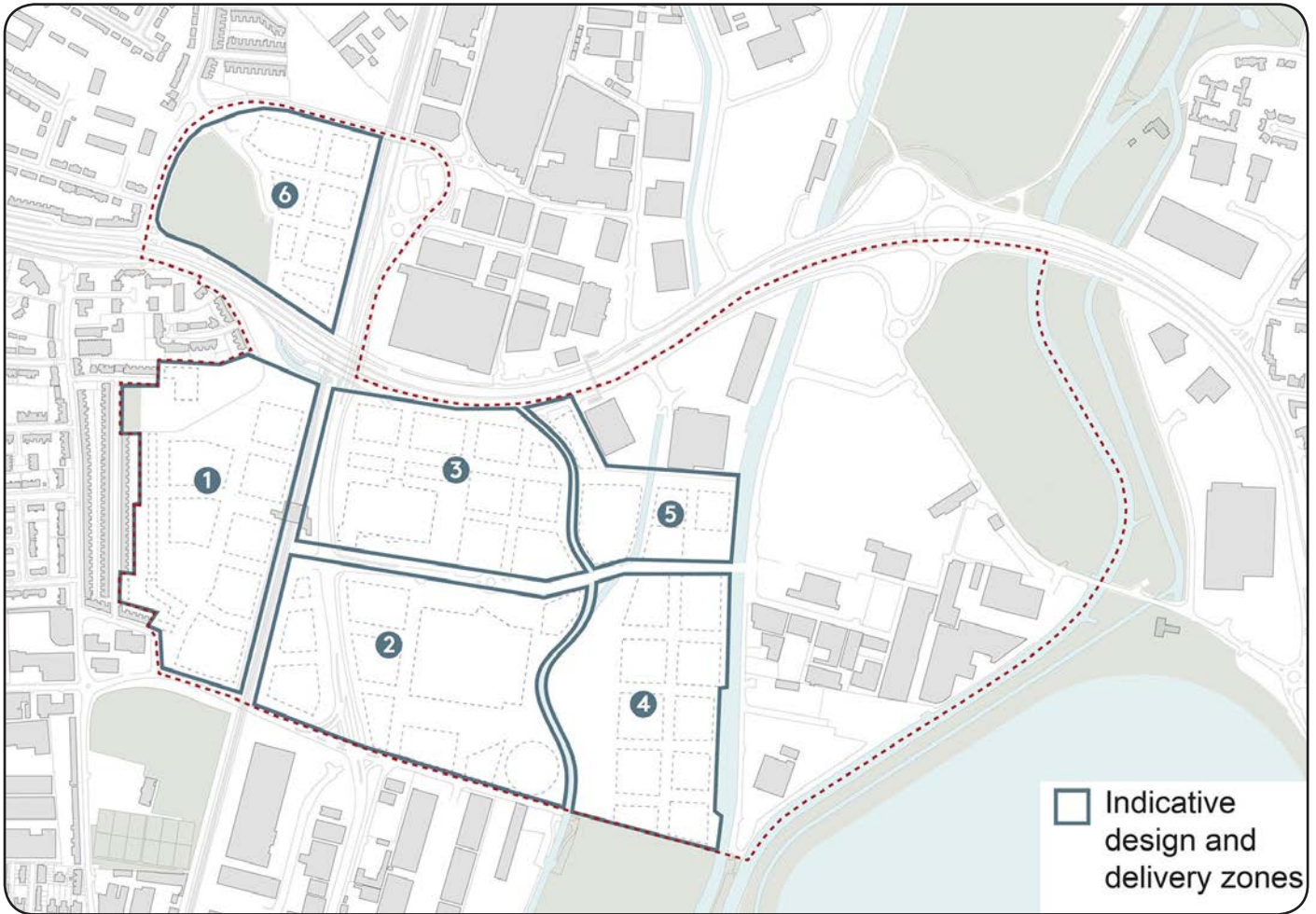
**14.4.1** The development of Meridian Water has already started. The implementation of planning consent for the development of Phase 1, and other activities taking place across the AAP area are preparing the area for comprehensive redevelopment, and will help to provide confidence through visible progress.

### Meridian Water Phase 1 Consent

**14.4.2** The consent for Phase 1 of Meridian Water covers approximately eight hectares and includes residential-led mixed use redevelopment to the west of the West Anglia Main Line (WAML), a new, relocated station, and a portion of land to the east of the WAML. This first phase of Meridian Water will deliver:

- 725 homes;
- 950 sqm of retail (A1/A2/A3) floorspace;
- 600 sqm of community (D1) floorspace;
- 750 sqm of leisure (D2) floorspace; and
- A new station building, platforms and associated interchange/drop-off facilities, with an associated pedestrian link across the railway.

**14.4.3** This Phase 1 development is the first step in the Meridian Water development and will support the unlocking of the wider potential of Meridian Water and Edmonton Leaside. Development has commenced and is due for completion in five years.



**Figure 14.1: Six indicative design and delivery zones at Meridian Water**

### Phasing for Meridian Water

**14.4.4** This AAP sets a flexible framework for phasing, using a zonal approach as an appropriate framework to enable phases of development to come forward in parallel with the infrastructure investment required. While the actual delineation of the zones may deviate slightly from Figure 14.1 as per the development partner phasing, the overriding factor is that each zone supports the critical mass and mix of uses necessary to ensure successful place making.

**14.4.5** Phasing of development will be dependent on a number of factors including improvements to public transport accessibility and improvements to the highways network. In particular, the provision of new access roads will unlock the eastern areas of the site and relieve pressure on Meridian Way and Leaside Road. In this way, there is flexibility to take advantage of opportunities, including interest from occupiers and ongoing land acquisition by the Council. The Central Spine is crucial for unlocking development, particularly in the eastern part of Meridian Water.

**14.4.6** Delivery of Meridian Water will take place over a number of years. As such, there is a need to consider how temporary and meanwhile land uses can be introduced to create a sense of place, accelerate regeneration efforts, and play a role in the transformation of Meridian Water from the start of the project. The Council will incorporate measures to encourage meanwhile uses within any master planning process.

**14.4.7** The incorporation of temporary uses to help in the early place making of Meridian Water has already commenced. Two existing works sheds within Development Zone 4 are being refurbished to provide open workshops for makers and artistic uses in Meridian Water. This temporary use of the space will encourage a move towards the introduction of small-scale creative space building on the industrial heritage of Edmonton Leaside while at the same time contributing to a contemporary, creative and vibrant new character within Meridian Water.



## 14.5 Projects and Prioritisation

**14.5.1** The projects set out in this AAP require prioritisation as part of a rolling programme of implementation over the lifetime of the AAP.

**14.5.2** There are a number of key infrastructure interventions required to unlock development across the AAP area, and within each development zone at Meridian Water, regardless of when these might come forward. Table 14.1 below, sets out the priority projects considered critical to unlocking development within Edmonton Leaside, and how these relate to development zones. This will provide a flexible framework to inform the development of further detailed phasing plans.

**14.5.3** Projects which are pivotal to ensuring modal shift should not be restricted by limits on pooled development contributions. However, many of the projects identified in Table 14.1 below, particularly transport related projects, will be reliant on pooled contributions. The Council therefore sought to secure other sources of funding for essential transport infrastructure to ensure that essential infrastructure will be delivered, while pooling restrictions applied. S106 pooling restrictions were lifted in 2019.

**14.5.4** The Council will support the preparation of masterplans and planning briefs to bring forward development within Edmonton Leaside and at Meridian Water.

## 14.6 Governance and Partnership Working

**14.6.1** The delivery of the Edmonton Leaside Area Action Plan, and of Meridian Water within it, requires a comprehensive approach by the Council, in collaboration with key stakeholders and development partners.

**14.6.2** The Council is advised to set up an Edmonton Leaside Area Action Plan Officer Working Group to monitor and drive forward delivery of proposals. The project group would be an officer advisory/ implementation group with a project sponsor from senior management and made up of senior representatives from relevant service areas.

**14.6.3** The key task of the working group would be to manage the implementation of the AAP and oversee its delivery and its detailed briefs. Other key tasks of the group would be to:

- Advise the project sponsor and report on progress against the plan on a regular basis;
- Liaise with other relevant delivery partners for complementary projects to ensure synergy, transparency and co-ordination of any activity taking place in Edmonton Leaside;
- Oversee appropriate support for any new fora or groups that may need to be established to ensure that the objectives and policies are delivered. These groups will have responsibility for bringing relevant parties together to create an action plan for either an agreed geographical area or functional area;
- Provide a bridge between those groups already in place and/or where activity goes beyond the remit of the strategic framework. This group could be used as a vehicle for fast-tracking to prevent any blockages for specific developments as well as an initial joint public sector appraisal body for third party development proposals;
- Manage the marketing and public relations activity relevant to the strategic framework. This will be carried out in conjunction with the Council and its partners; and
- Complete external funding applications.



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Project Description	Meridian Water Development Zone	Lead Agencies	Outcome
Meridian Water Highway Infrastructure. (incorporates walking and cycling route R1 from the AAP)	All	LBE (London borough of Enfield) / TfL (Transport for London) / Private Sector	Provide Central Spine road and associated bridges; Both Meridian Way/Central Spine West improvements and provision of North-South link between Argon Road and Leaside Road required early in development phasing
Meridian Water to Edmonton Green direct bus link	All	LBE/TfL	Improved bus access; Outcomes should define bus infrastructure design and how this fits into the wider bus network
North – South bus services	All	TfL, Developer Contributions	Enhanced bus service along the A1055 corridor
Borough-wide improvement of bus services focused on the Lee Valley Corridor and orbital links	All	TfL / Developer Contributions	Improved bus access implementing the findings of the Bus Service Review and supporting new development; Bus service improvements required for Meridian Water should be considered early, alongside the Meridian Water Highway Infrastructure Study and borough-wide service review, as well as through individual sites and through the emerging new Meridian Water Masterplan
Upper Lee Valley transport modelling and bus priority study	All	TfL / Enfield / Haringey	This study was completed summer 2017, further work has paused
Ground Remediation	All	LBE/Developer Contributions	Decontamination of previous industrial sites to render them suitable for alternative land uses
Upper Lee Valley Decentralised Energy Network	All	LBE, Neighbouring Authorities	Implementation of a sub-regional decentralised energy network to include the Alma Estate and Meridian Water
Provide watercourse enhancements for biodiversity	All	LBE	Delivery of watercourse enhancements which provide increased biodiversity
Meridian Water Flood alleviation measures	All	LBE	Flood alleviation measures to enable development in the Meridian Water area; to be in place ahead of development
Meridian Water Public Realm	All	LBE	Enhanced frontage and environmental public realm improvement works
Meridian Water Public Realm	All	LBE	Demolition of building(s) along Central Spine Route
Meridian Water Public Realm	All	LBE	Upgrading of street

Angel Road / Meridian Water Station and Interchange Enhancements	1	London Growth Fund / LBE / Private sector	Platform extensions, new station entrances, renaming and moving station further south, improved pedestrian links to station and formation of bus hub
Examination of options for Lee Valley Line Level Crossings	1, 6	LBE / NR (Network Rail)	Examine options for the replacement of level crossings as part of enhancements to the West Anglia Main Line
Implementation of replacement of Lee Valley Line Level Crossings	1, 6	LBE will be required to fund any consequential restructuring needed of the local road network. Funding gap identified.	To provide off-grade bridges and subways
West Anglia Main Line STAR Scheme	1, 6	LIP (Local Implementation Plan) / NR / DfT (Department for Transport) / London Growth Fund / LBE / Private sector funding	Implementation of additional track and associated signalling
West Anglia Main Line	1, 6	DfT. Funding gap identified.	Increasing local services on West Anglia Main Line to at least 4 trains per hour serving local stations
Foul water pumping station	2-5	LBE/Thames Water/Developer Contributions	Provide waste water treatment for zones 2-5
Meridian Water Towpath	2-5	LBE, Canal & River Trust, Lee Valley Regional Park	Remodel a hazardous section of towpath; Incorporate ecological enhancements to improve biodiversity
Meridian Water Primary Substation	2-6	LBE/UK Power Networks	Electricity provision for development from Zone 2 onwards
New Primary School(s) at Meridian Water	2-6	LBE / DfE (Department for Education)	One or more new primary school(s) as part of the Meridian Water development
New Secondary School(s) at Meridian Water	2-6	LBE / DfE	One or more new secondary school(s) provided as part of the Meridian Water development
New GP Practice(s) at Meridian Water	2-6	GP-based	One or more new GP Practice(s) to serve the new community
Community Hub at Meridian Water	2-6	LBE	New provision of community and/or cultural space

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Police Neighbourhood Transport Team Base / Front Counters	2-6	Met Police	A base for the Police in the new community at Meridian Water
Removal of access ramp from Argon Road to North Circular Road	3	LBE / TfL / Private Sector	Enabling Argon Road extension to Meridian Way and unlocking land for alternative development. Technical approval is required in advance of works
Raising of ground level	4-5	LBE/Developer Contributions	As flood mitigation measure for non-water compatible ground floor uses in this location
Leaside Road Bridge over Pymmes Brook	4-6	LBE/LB Haringey/ Developer Contributions	Allows for traffic increases in development of zones 4-6
Pylons	6	LBE/UK Power Networks	Provide electricity to Zone 6
Wharves at Picketts Lock and London Waste EcoPark & Ponders End	n/a	TfL, Freight Facilities Grant	Secure wharves and promote waterborne freight transport
Deephams Sewage Treatment Works Upgrade	n/a	Thames Water	Effluent quality improvements and redevelopment of existing works to provide enhanced treatment infrastructure
Edmonton Leaside – Creation of a multi-functional open space	n/a	LBE	Creation of a new open space to serve new residents in Edmonton Leaside
Edmonton Leaside – area of new open space	n/a	LBE	Area of new open space
Edmonton Leaside – Improved access to the Lee Valley Park (incorporates walking and cycling routes R2 and R3 from the AAP)	n/a	LBE	Improved access to the Lee Valley Park

Edmonton Leaside – Rays Road (incorporates walking and cycling route R1 from the AAP).	n/a	LBE	Create access and improve access to Rays Road site; Create pedestrian and cycle link to Angel Road/ Meridian Water Station
Edmonton EcoPark	n/a	North London Waste Authority (NLWA)	In 2017, the NLWA was granted a Development Consent Order to build an Energy Recovery Facility to replace the existing plant and facilities associated with waste management and provide visitor, community and education facilities

**Table 14.1: Priority AAP Projects**

**14.6.4** The activity of the Edmonton Leaside Area Action Plan Officer Working Group would be reported to the South East Enfield Partnership Board (SEEP), who will also play a role in delivery of this AAP.

**14.6.5** SEEP aims to improve neighbourhoods through joining up the activities of all agencies in its locality and engaging with the local community. It meets three to four times per year, and consists of key stakeholders including local residents, the Council, NHS and health representatives from Enfield's Clinical Commissioning Groups, the Police, representatives from the voluntary and community sector, schools, colleges, and officers from JobCentre Plus, amongst others.

**14.6.6** Development and change across the AAP area can happen only through close working between the London Borough of Enfield and area landowners and developers. As such, landowners and developers will also play an important role as partners in the development process.

**14.6.7** Within the framework of the Habitats Regulations Directive, the London Borough of Enfield will work closely with the Environment Agency, Thames Water, Lee Valley Regional Park, the Canal & River Trust and other consultees to ensure that proposed plans and projects do not have an adverse effect on environmental assets, water levels or quality.

**14.6.8** The AAP area borders the London boroughs of Haringey to the south and Waltham Forest to the east and Enfield will continue to work closely with these boroughs and other partners across the wider north London sub-region, as appropriate.

**14.6.9** The Council will continue to work with the Greater London Authority (GLA), Transport for London (TfL) and other regional bodies.

## 14.7 Monitoring and Review

**14.7.1** Monitoring is needed to establish what is happening now and what may happen in the future. It is a crucial process to help ensure that the aim of sustainable development is being achieved. By monitoring and studying trends, it is possible to identify key challenges and opportunities for the future and enable policy to be adjusted or revised where necessary.

**14.7.2** The Council has a statutory requirement to prepare a Monitoring Report on the progress of local planning policy documents, the extent to which policies within these documents are being implemented, and their effectiveness. The Council will prepare an annual Monitoring Report on the Edmonton Leaside AAP that will:

- Assess the extent to which policies in the AAP are being implemented;
- Set out, where a policy is not being implemented, the reasons why and what steps will be taken to ensure it is implemented;
- Make available up-to-date information collected for monitoring purposes;
- Identify the significant effects of implementing policies in the AAP and whether they are intended; and
- Set out whether policies are to be amended or replaced.



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## MUNICIPAL YEAR 2019/2020 REPORT NO.

**165****MEETING TITLE AND DATE:**

Cabinet - 22 January 2020

**REPORT OF:**Executive Director of  
Place

Contact officer and telephone number:

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**Agenda – Part:****Item: 5****Subject:** Proposal to implement a borough-wide additional licensing scheme and a selective licensing scheme in 14 wards.**Wards: All****Key Decision No: KD 4999****Cabinet Member consulted:****Cllr George Savva****1. EXECUTIVE SUMMARY**

- 1.1 The private rented sector in the borough is rapidly growing and is increasingly relied upon by Enfield's residents to meet their housing needs. Tackling poor housing conditions and improvement of the quality of the private rented sector is a key contributor towards the Corporate Plan's objective to provide '*Good homes in well-connected neighbourhoods*'. A good quality and well managed private rented sector will also encourage residents and their neighbours to stay in Enfield and in turn '*sustain strong and healthy communities*' which is another objective of the Corporate Plan. Well managed and good quality private rented properties also contribute towards the perception and quality of the neighbourhood and will help '*build our local economy to create a thriving place*'.
- 1.2 One of the key emerging aims of the Council's proposed new Housing Strategy 2020 – 2030 is to achieve "quality and variety in private sector homes", with a range of priorities being considered to improve quality of the private rented sector. The Council's proposed new Preventing Homelessness and Rough Sleeping Strategy 2020- 2025 includes the ambition to support people to access the right accommodation, which also focuses on improving the conditions and security of the private rented sector.
- 1.3 A review of the private rented sector in the borough found evidence of significant levels of poor housing conditions, deprivation, anti-social behaviour, in both single household private lets (selective licensable properties) and Houses in Multiple Occupation (HMOs) that would fall under additional HMO licencing. In addition, the review found significant poor management of Houses in Multiple Occupation (HMOs) that would fall under an additional HMO licensing, and causing problems for the occupants and residents. Existing measures alone, such as enforcement under Part 1 of the Housing Act 2004, are not having the required impact to address the large-scale improvements that are needed in the borough's private rented sector.

- 1.4 Under Part 3 of the Housing Act 2004, local authorities may designate an area as subject to Selective Licensing, requiring those managing or having control of privately rented accommodation (that does not have to be licensed under other licensing schemes) to obtain a licence. These are properties occupied by a single household.
- 1.5 In order to designate an area as a Selective Licensing area, the local authority must be satisfied that at least one of the prescribed criteria are met. The evidence (*Appendix 3*) demonstrates that 3 of the 6 criteria are met. There are:
  - significant numbers of private rented properties that have poor housing conditions and need inspection,
  - the area is suffering high levels of deprivation and affect a significant number of private rented properties, and
  - the area is experiencing significant and persistent anti-social behaviour and appropriate action is not being taken by private sector landlords.
- 1.6 The evidence supports two proposed selective licensing schemes (designations). The first designation includes 13 wards meeting the criteria for poor housing conditions, deprivation and anti-social behaviour – Bowes, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton. The second designation meets the criteria for poor housing conditions and deprivation and is 1 ward - Chase.
- 1.7 As the proposed selective licensing designation would affect more than 20% of the privately rented homes in the area, the local authority must apply to the Secretary of State for MHCLG for confirmation of the scheme.
- 1.8 Part 2 of the Housing Act 2004 allows local authorities to designate an area as subject to an Additional HMO Licensing Scheme, requiring those managing or having control of HMOs (that are not subject to mandatory licensing) to obtain a licence. These are properties occupied by 3 or 4 persons who do not form a single household and share amenities.
- 1.9 In order to designate an Additional Licensing Scheme, the local authority must consider that a significant proportion of the HMOs in the area are being managed sufficiently ineffectively, so as to give rise to one or more problems either for those occupying the HMOs or for the public.
- 1.10 The current estimation is that there are 9,661 HMOs across the borough, of which we would expect to find that approximately 915 are actually Mandatory HMOs. The evidence (*Appendix 3*) shows that the majority of these HMOs would fall into Additional Licensing (estimated 8,746), and that significant numbers of these HMOs have poor housing conditions and a significant level of antisocial behaviour, and are being ineffectively managed. HMOs are located throughout the borough.

- 1.11 The evidence supports a proposed additional licensing scheme (designation) for the whole borough.
- 1.12 In order to designate areas for selective and additional licensing, the Council must also consider if they are consistent with the authority's overall housing strategy, and also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector.
- 1.13 When considering whether to implement a selective or additional licensing scheme, the authority must also consider whether there are any other courses of action available to the Council that might provide an effective method of achieving the objectives that the licensing schemes seek to achieve, and whether the licensing schemes will significantly assist the Council achieve the objectives (whether or not they take any other course of action as well).
- 1.14 The fee paid by the applicant for a licence must be reasonable and proportionate to the cost of licensing schemes and shall not exceed the cost of the licensing schemes. Based on the estimation of costs, the proposed fee for a Selective Licensing property is £600 for up to five years, and the proposed fee for an Additional Licensing property is £900 for up to five years.
- 1.15 Sections 67 and 90 of the Housing Act 2004 allow local authorities to attach conditions to licences granted under additional and selective licensing schemes in order to regulate the management, use and occupation of the property (and in relation to HMOs to also regulate the condition of the property). This is in addition to the mandatory licence conditions that are required by the legislation. (*Appendix 8 and 9 - proposed licence conditions*)
- 1.16 If a local authority proposes to introduce an additional or selective licensing scheme (designation) it must take reasonable steps to consult persons who are likely to be affected by the designation(s), and consider any representations made in accordance with the consultation. The consultation must take place for not less than 10 weeks.
- 1.17 An extensive public consultation, widely publicised using various channels of communication, was undertaken for just over 13 weeks between 28 August and 29 November 2019 both inside and outside of the borough (regionally and nationally). This publicity included:
- Enfield Council's website
  - Newspaper adverts
  - A social media campaign
  - A digital media campaign
  - E-newsletters, direct emails and letters
  - A leaflet delivered to all residential addresses in the borough (127,000 properties) and 5,000 business addresses
  - Leaflets, posters and pull up banners in public buildings
  - Outdoor advertising; on-street Clear Channel advertising boards and banners

- 1.18 The consultation used a variety of formats to engage and seek feedback from key stakeholders such as landlords, letting/managing agents, private renting tenants, residents, organisations representing landlords, managing agents and private renters and businesses. These included:
- An online questionnaire hosted on M.E.L Research's website
  - Two public (face to face) meetings with landlords and agents
  - Two public (face to face) meetings with tenants and residents
  - Direct emails to over 2,500 stakeholders (2,132 of which were landlords)
  - A feedback form hosted on M.E.L Research's website
  - Provision of feedback via email or by telephone hosted by M.E.L
  - Interviews conducted with 9 key stakeholders
- 1.19 There were 1,861 responses received: 794 from the online survey and 1,067 from the face to face survey. Qualitative feedback was recorded at four public meetings attended by 241 persons, and 35 written responses were submitted by interested parties and via 10 stakeholder interviews/responses. In total 1,031 residents responded, 440 landlords and 365 private rented tenants and 25 other stakeholders (e.g. public bodies, organisations representing landlords).
- 1.20 There were high levels of support for the proposed licensing schemes and licence conditions (about 7 in 10 respondents), and just over half of the respondents found the proposed licence fees reasonable.
- 1.21 It appears that proportionally we received a greater number of responses to the public consultation from the landlord population than from private rented tenants or residents. As a group, landlords were generally opposed to the proposals. The online questionnaire results were less positive about the proposals than the face to face questionnaire (Appendix 1A, Appendix 5). This is not surprising as the online questionnaire is self-selecting (and landlords/agents were the highest respondent group) whereas the face to face survey was a random sample based on the borough's population.
- 1.22 Overall by group, Residents' responses were strongly supportive of the proposals (86% for selective licensing and 87% for additional HMO licensing), followed by Private Renting Tenants' responses who were also strongly supportive (81% each for selective licensing and additional HMO licensing). Landlords' responses were generally opposed to the proposed selective licensing (73% disagreed), and more than half were opposed to the additional HMO licensing scheme (56% disagreed with additional HMO licensing). Please see Appendices 1 and 1A.
- 1.23 Overall, the key outcomes of the public consultation were:
- 69% of respondents supported the introduction of selective licensing schemes
  - 72% of respondents supported the introduction of additional licensing scheme
  - 71% of respondents agreed with the proposed selective licensing conditions
  - 73% of respondents agreed with the proposed additional licensing conditions
  - 53% of respondents agreed the proposed selective licence fee is reasonable
  - 53% of respondents agreed the proposed additional licence fee is reasonable

- 1.24 There was a high level of engagement and 4,907 individual comments were received as part of the consultation regarding the proposed licensing schemes, licence conditions and fees, and suggested alternatives to licensing to address poor property conditions and management, high levels of deprivation and ASB.
- 1.25 The feedback from the consultation was carefully considered and is detailed in Appendix 2. Following this consideration, we do not propose to change the proposed schemes or licence fees but are proposing some amendments to licence conditions. As a result of feedback, the changes we have made are:
- The introduction of civil penalties for breaches of housing legislation as an additional enforcement tool (maximum fine of £30,000 for most severe cases)
  - Provide dedicated webpages on the Council's website with information for both tenants and landlords and signpost to any funding for grants (e.g. energy efficiency)
  - Include resources to support tenants and landlords such as tenancy relations and ASB officers
  - Easy means of reporting substandard properties (online 'report it' form and dedicated telephone line and email)
  - If there are concerns about the licence holder or management of the property, we may impose a condition requiring the licence holder to be accredited but this will be on a case by case basis if considered necessary
  - Allow for one (rather than several) selective licence application for buildings where all the flats are under common ownership/management if certain criteria are met
  - Propose to set up a stakeholder group involving landlords and letting agents operating in the borough to work with us on setting the guidance and information we provide to landlords
  - Removal of draft condition 3.5 from the additional and selective licence conditions (external property decorative order)
  - Removal of draft conditions 8.1, 8.2 and 8.3 from the additional licence conditions (responsibilities for Council Tax and payment)
- 1.26 Overall, the findings of the Equalities Impact Assessment (Appendix 10) were that the proposed selective and additional licensing schemes would positively impact private renters (particularly those most vulnerable), residents and also landlords by large scale improvement to housing conditions and management standards of private rented properties. Feedback from the public consultation raised concerns about potential issues such as the cost of licence fees being passed onto tenants in rent increases and a potential for increased evictions. The Licensing Team will work closely with the Homelessness Prevention Team to monitor this and act accordingly. There was also feedback that some landlords might have protected characteristics and experience short term negative financial impact in payment of the licence fees. This will be monitored during implementation if the schemes are approved.

## 2. RECOMMENDATIONS

Cabinet is recommended to:

- 2.1 Note that the evidence in *Appendix 3* supports the designations for two selective licensing schemes of 14 wards, and be satisfied that the designated areas have higher than the national average (19%) of private rented sector and exceeds the minimum criteria of 1 (of 6) and actually meets 3 of the legislative criteria (2 of the criteria for Chase ward\*), namely:
- significant numbers of private rented properties that have poor housing conditions (more than the national average of 15% category 1 hazards) and need inspection,\*
  - the areas are suffering high levels of deprivation (between 10-50% of the most deprived wards in the country) and affect a significant number of private rented properties,\* and
  - the areas are experiencing significant and persistent anti-social behaviour (higher than other wards in the borough) and appropriate action is not being taken by private sector landlords to combat ASB.
- 2.2 Note that the evidence in *Appendix 3* supports the designation for an additional licensing scheme for all 21 wards and be satisfied that a significant proportion of the HMOs in the area are being managed sufficiently ineffectively, so as to give rise to one or more problems either for those occupying the HMOs or for the public, namely:
- significant numbers of HMOs have poor housing conditions (more than the national average of 15% category 1 hazards), and
  - the area is experiencing significant and persistent anti-social behaviour (across all wards in the borough) and appropriate action is not being taken by private sector landlords to combat ASB.
- 2.3 Consider the outcome of the public consultation in *Appendix 1 and 1A*, in particular the representations received and the Council's consideration of, and response to, these representations in *Appendix 2*.
- 2.4 Consider and agree that the objectives of the selective and additional licensing schemes are consistent with the Council's strategies and policies (*Appendix 3 section 16*) namely the Corporate Plan, the Housing Strategy, and will seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties, anti-social behaviour and poverty affecting the private rented sector.
- 2.5 Agree that other courses of action considered will not alone provide an effective method of achieving the objectives that the additional and selective licensing schemes seek to achieve (*Appendix 3 section 17 and Appendix 6*), and agree that the licensing schemes will significantly assist the Council achieve the objectives (as well as other course of action such as continued use of existing powers).

- 2.6 Agree that reasonable steps were taken to consult persons, for more than the required 10 weeks, who were likely to be affected by the designations (*Appendix 1*), and that the representations made in accordance with the consultation have been considered and changes made where appropriate (*Appendix 2*).
- 2.7 If Cabinet is satisfied upon consideration of the above matters and in exercise of its powers under section 80 of the Housing Act 2004, approve the designation of 13 wards (Bowes, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton) 'Designation One' as a selective licensing area as delineated and edged red on the map at *Appendix 4*. This will come into being at the earliest opportunity following the statutory process and not before 3 months after the requisite confirmation from the Secretary of State for MHCLG – estimated 1 September 2020.
- 2.8 If Cabinet is satisfied upon consideration of the above matters and in exercise of its powers under section 80 of the Housing Act 2004, to approve the designation of Chase ward 'Designation Two' as a selective licensing area as delineated and edged blue on the map at *Appendix 4*. This will come into being at the earliest opportunity following the statutory process and not before 3 months after the requisite confirmation from the Secretary of State for MHCLG – estimated 1 September 2020.
- 2.9 If Cabinet is satisfied upon consideration of the above matters and in exercise of its powers under section 56 of the Housing Act 2004, to approve the borough wide designation as an additional HMO licensing area as delineated and edged red on the map at *Appendix 5*. For administrative practicality, this designation will come into being at the same time as selective licensing, estimated to be 1 September 2020.
- 2.10 Agree the proposed scheme objectives as detailed in *Appendix 6*.
- 2.11 Agree to the proposed fee structure for licence applications made under the selective and additional licensing schemes at *Appendix 7*.
- 2.12 Agree the proposed licence conditions that would accompany any granted additional HMO licence at *Appendix 8*.
- 2.13 Agree the proposed licence conditions that would accompany any granted selective licence at *Appendix 9*.
- 2.14 Note the Equalities Impact Assessment in *Appendix 10*.

- 2.15 Subject to Cabinet agreeing 2.7- 2.9, that Cabinet delegate to the Cabinet Member for Licensing & Regulatory Services in consultation with the Director of Environment & Operational Services responsibility for agreeing the final document requesting confirmation of the selective licensing designation from the Ministry of Housing, Communities and Local Government (MHCLG) in consultation with the Director of Governance and Law.
- 2.16 Delegate to the Cabinet Member for Licensing & Regulatory Services in consultation with the Director of Environment & Operational Services authority to ensure compliance in all respects with all relevant procedures and formalities applicable to authorisation schemes.
- 2.17 Delegate to the Cabinet Member for Licensing & Regulatory Services in consultation with the Director of Environment & Operational Services authority to keep each scheme under review for the duration thereof and to agree changes to the proposed implementation of the schemes where necessary, including authority to keep the licence fees and licence conditions under review and to amend if necessary (either in an individual case or generally), and to ensure that all statutory notifications are carried out in the prescribed manner for the designations and to take all necessary steps to provide for the operational delivery of any licensing schemes agreed by Cabinet including but not limited to the procurement of services subject to the Council's Contract Procedure Rules.



### 3. BACKGROUND

#### Selective Licensing Scheme

- 3.1 Under Part 3 of the Housing Act 2004, local authorities may designate an area as subject to selective licensing, requiring those managing or having control of privately rented accommodation (that does not have to be licensed under other licensing schemes) to obtain a licence. In order to designate an area as a selective licensing area, the local authority must be satisfied that certain prescribed legislative criteria are met which are explained below.
- 3.2 The designated area must be experiencing one or more of the following:
- **Poor property conditions;**
  - **High levels of deprivation;**
  - **A significant and persistent problem caused by anti-social behaviour**
  - High levels of migration;
  - High levels of crime;
  - Low housing demand (or likely low housing demand in the future, in this case Enfield has a high housing demand and hence is not considering this criteria);
- 3.3 The criteria highlighted in bold above are those that have been considered, evidenced and proposed for selective licensing designations.
- 3.4 With regards to a selective licensing designation for poor property conditions, the local housing authority must consider that it is appropriate that a significant number of private rented properties need to be inspected to determine if category 1 or 2 hazards exist, and that the authority intends to undertake inspections with a view to taking the necessary enforcement action.
- 3.5 With regards to a selective licensing designation for high levels of deprivation, the local housing authority must consider that the area is suffering from a high level of deprivation which affects a significant number of the occupiers of private rented properties.
- 3.6 With regards to a selective licensing designation for anti-social behaviour, the local housing authority must consider that the area is experiencing a significant and persistent problem caused by anti-social behaviour and that some or all of the landlords have failed to take action to combat the problem that would be appropriate to take.
- 3.7 The local housing authority must also consider that making a designation under these criteria will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in

deprivation and anti-social behaviour in the area, and lead to improvement of housing conditions in the area.

- 3.8 In addition, the area must have a high proportion of properties in the private rented sector (in comparison with the national level of private rented sector in the English House Condition Survey, currently 19%), that are let under either assured tenancies or licences.
- 3.9 If a proposed selective licensing designation covers more than 20% of an authority's geographical area or would affect more than 20% of the privately rented homes in the area, the local authority must apply to the Secretary of State for MHCLG for confirmation of the scheme.
- 3.10 A local authority may determine to make a designation covering all or part(s) of its area that it considers meet the designation criteria, or it may make two or more designations.

#### Additional Licensing Schemes

- 3.11 Part 2 of the Housing Act 2004 allows local authorities to designate an area as subject to an additional licensing Scheme, requiring those managing or having control of HMOs (that are not subject to mandatory licensing but fall within a description set by the local authority) to obtain a licence.
- 3.12 In order to designate an additional licensing Scheme, the local authority must consider that a significant proportion of the HMOs<sup>1</sup> in the area are being managed sufficiently ineffectively, so as to give rise to one or more particular problems either for those occupying the HMOs or for the public. An additional licensing scheme such as the one proposed does not require Secretary of State approval.

#### Other considerations by the Local Authority when designating additional and/or selective licensing schemes

- 3.13 The local authority must also ensure that designations of an additional or selective licensing area is consistent with the authority's overall housing strategy, and also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector.
- 3.14 When considering whether to implement a selective or additional licensing scheme, the authority must also consider whether there are any other courses of action available to the Council that might provide an effective method of achieving the objectives that the licensing schemes seek to achieve, and whether the licensing schemes will significantly assist the Council achieve the objectives (whether or not they take any other course of action as well).

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<sup>1</sup> Other than buildings which are not HMOs for purposes of the Housing Act 2004 as per Schedule 14

- 3.15 *Appendix 3 (sections 4 & 17)* and Section 4 below outlines the measures that the Council have taken to seek to improve conditions in the private rented sector, and consideration of other alternative courses of action. Alternative courses of action suggested during the public consultation have also been considered in *Appendix 2*. However, for the reasons explained in section 4 below and *Appendix 2 and 3*, these measures alone have not, or will not, bring about necessary improvements on a scale of such large numbers of properties that is needed in the borough's private rented sector.
- 3.16 It is considered that the introduction of an additional and a selective licensing scheme, alongside continued use of enforcement powers under Part 1 of the Housing Act and other measures, will assist the Council to achieve the objectives of improving housing conditions and reducing ASB and deprivation (selective licensing) and improve the management of HMOs (additional licensing). The introduction of licence conditions as part of these schemes will, in particular, ensure that landlords are fully aware of their obligations and will require landlords to ensure that properties are properly managed. This is currently not a measure that is available to the Council across all private rented properties.

#### Statutory Public Consultation

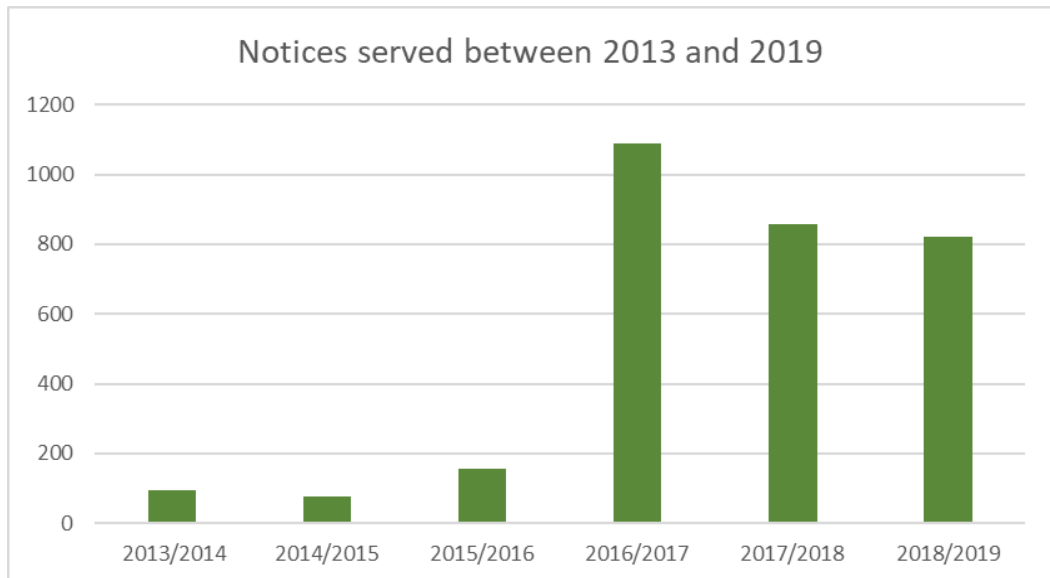
- 3.17 For both proposed additional and selective licensing schemes, the local authority must take reasonable steps to consult persons who are likely to be affected by the designations, and consider any representations made in accordance with the consultation and not withdrawn. The consultation must take place for not less than 10 weeks.
- 3.18 On 20 June 2019, approval was given by the Cabinet Member for Licensing & Regulatory Services to undertake a public consultation on two proposed private rented property licensing schemes. This decision was upheld and supported by the Overview and Scrutiny Committee on 15 July 2019. The proposed schemes are informed by the robust evidence base (*Appendix 3*) on the private rented sector in the borough, and the government legislation and guidance relating to the designation of additional and selective licensing schemes.
- 3.19 An extensive public consultation, widely publicised using various channels of communication, was undertaken for just over 13 weeks between 28 August and 29 November 2019.
- 3.20 The proposals consulted on were:
- A selective licensing scheme comprising of two designations covering 14 of the borough's wards, which would apply to eligible dwellings occupied by a single household; and

- An additional HMO licensing scheme comprising one designation for all wards in the borough occupied by 3 or 4 persons in more than one household who share one or more amenities
- 3.21 The first designation for selective licensing includes 13 wards – Bowes, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton. The second designation is one ward – Chase (see map *Appendix 4*). There are an estimated 24,534 rented properties in the two designations which would be subject to selective licensing.
- 3.22 The other proposal is a borough wide additional licensing designation which would apply to eligible Houses in Multiple Occupation (HMOs) occupied by 3-4 persons in more than one household which share one of more standard amenities (see map *Appendix 5*). There are around 9,661 HMOs in Enfield that would fall under either mandatory or additional licensing. 915 of these are expected to be Mandatory HMOs with the remaining 8,746 being covered by the additional licensing scheme.
- 3.23 This report details the feedback received from the public consultation and the Council's consideration of, and response to, that feedback (*Appendix 1, 1A and 2*).
- 3.24 Having taken into account the legislative requirements, the robust evidence and the support and feedback from the public consultation, it is recommended that Cabinet approve the proposed selective licensing designations and the additional licensing designation. It is anticipated that the schemes would commence on 1 September 2020.
- 3.25 If the Cabinet agrees to the proposed designation of a selective licensing scheme, this will be subject to confirmation from the Secretary of State for the MHCLG before it can be introduced. We are not required to seek confirmation for the additional HMO licensing designation from the Secretary of State for MHCLG.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The Council could decide to do nothing. This is not a viable option due to the significant scale of poor housing conditions and poor management of private rented property in the borough and the increasing growth of the sector. This is clearly seen in the evidence (*Appendix 3*) and is the day to day experience of council officers working in the sector. The ageing housing stock in the borough, coupled with the increased demand for private rented accommodation has enabled landlords to rent out sub-standard properties to families who have few options. Such a decision would leave only mandatory HMO licensing as the means of regulation of housing management of certain properties that are HMOs. The Council could continue to rely on Part 1 Housing Act 2004 enforcement powers alone. The Council has

undertaken significantly increased levels of enforcement to improve private rented properties in the last 3 years but despite this, large scale improvements are still needed in the sector.



**Figure 1 - Housing Enforcement Notices served between 2013 and 2019**

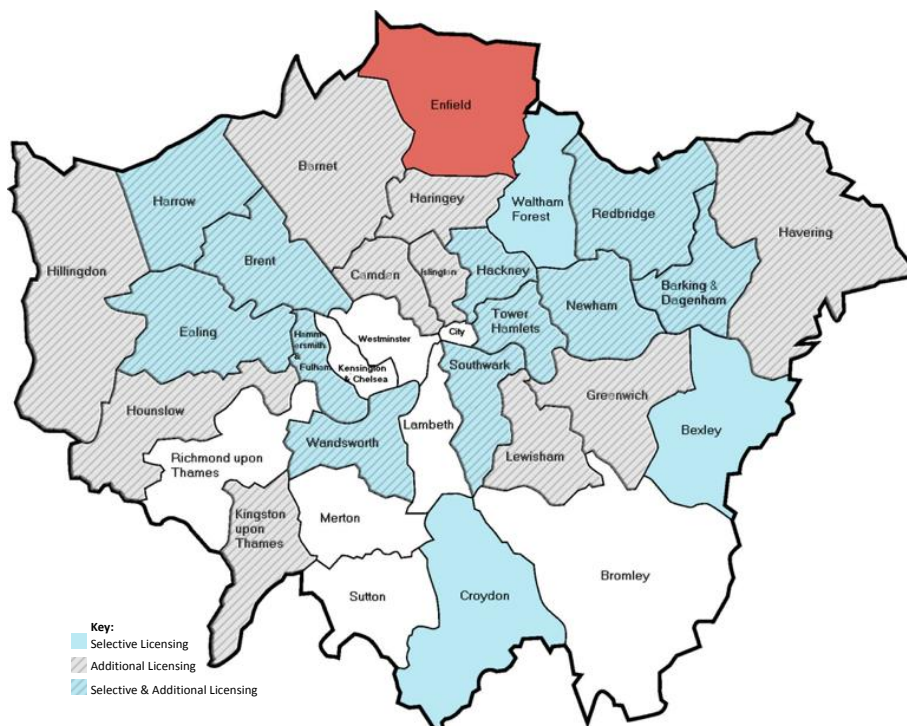
Formal action is slow with appeal provisions against most types of notices served, which can significantly delay the time period for compliance. Work in default (where a local authority carries out works to a property when the landlord fails to and the landlord is then billed for it) can be effective but is expensive and time consuming for the Council, with the risk that costs are not recovered. In addition, the Council's powers under Part 1 do not enable it to regulate the management of property as licensing schemes do. The Part 1 provisions are currently available to the Council but have not provided the necessary large-scale improvements in the sector. The Council can only mostly respond reactively to complaints or reports of disrepair, overcrowding etc. which does not address the volume or scale of the issues in the borough.

- 4.2 The Council could rely on voluntary accreditation schemes or landlord membership organisations, such as the National Landlord Association or the Residential Landlords Association. These can help to support and improve a professional approach by landlords, but the uptake of the various schemes is low and does not give the Council any additional powers to take enforcement action against non-compliance. A local landlords' forum was previously set up by the Council but was attended with only 30 landlords and agents. Attendance dwindled to ten and was eventually disbanded in 2014. The national membership schemes are currently available but have not had a significant uptake or provided the necessary improvements in the borough.

- 4.3 The Council could decide to only designate an additional licensing scheme and not a selective licensing scheme. The alternatives to a selective licensing scheme were investigated and put forward as part of the consultation. However, the alternative powers would not deliver the necessary large scale improvements and outcomes to meet the objectives set out in *Appendix 6* that selective licensing can achieve.
- 4.4 The Council could decide to only put forward the 14-ward selective licensing scheme and not pursue the borough wide additional licensing scheme. This would have the effect of leaving the majority of HMOs unlicensed and less regulated. These properties are some of the most poorly managed and hazardous and make the most demands on Council services.

## **5. REASONS FOR RECOMMENDATIONS**

- 5.1 The introduction of Additional and Selective Licensing will:
- Improve housing conditions
  - Seek to reduce deprivation and inequalities, in conjunction with other key council strategies (e.g. homelessness prevention, housing strategy, corporate plan, poverty commission actions)
  - Help to tackle anti-social behaviour linked with the private rented sector as part of a broader tool kit
  - Contribute to an improvement in the health outcomes of residents in the most deprived areas by improving property conditions
- 5.2 Enfield is one of the few boroughs in London that doesn't have either Selective or Additional Licensing Schemes. Anecdotally and observationally, officers from the borough and neighbouring boroughs support the theory that this has the effect of displacing the problem of rogue landlords from neighbouring boroughs with strong licensing scheme inspection regimes to Enfield, making the situation in the borough worse.



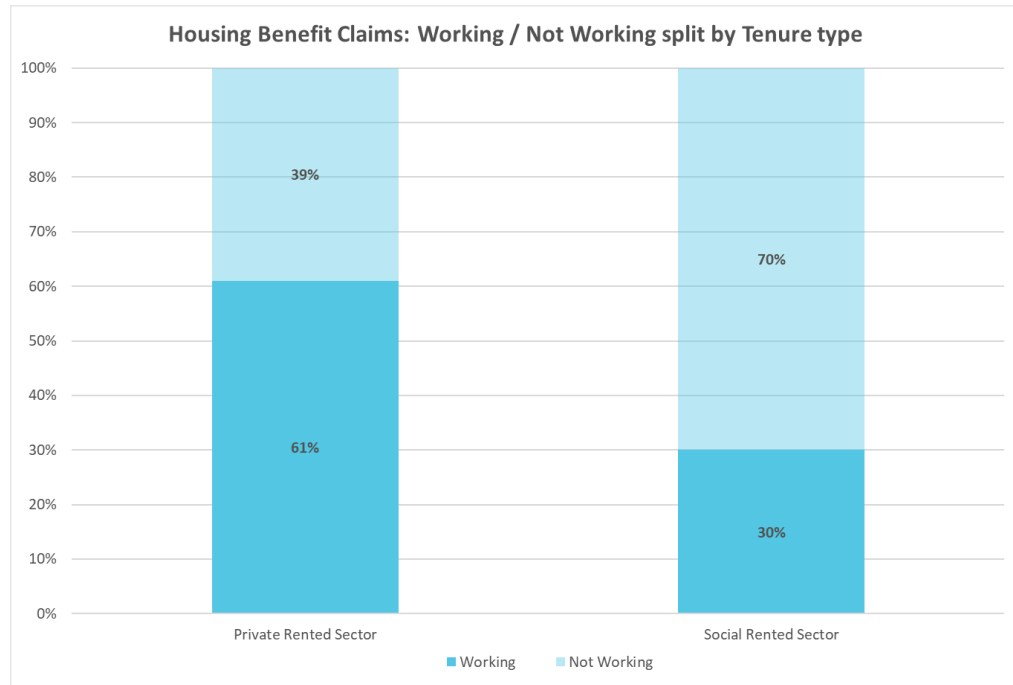
**Figure 2 - Selective and Additional Licensing in London Boroughs**

- 5.3 Two nearby boroughs, Newham and Waltham Forest, have had large scale Additional and/or Selective Licensing for a number of years, since 2013 and 2015 respectively. Newham's experience is that *"Licensing has proved invaluable in driving housing standards up in the growing private rented sector and helps both tenants and landlords manage rented properties to a higher standard"*. In addition, 89% of respondents who responded to a face to face survey agreed that continuing the scheme would improve property condition and management. (Newham Council Cabinet report, Licensing of privately rented properties, 15 June 2017).
- 5.4 As a result of implementing licensing, Waltham Forest has improved over 5,685 properties and has sent over 21,000 warning letters to landlords, agents and property managers. Having licensing has enabled it to prosecute or issue a civil penalty to nearly 200 landlords and has taken over the full management of over 20 properties. Waltham Forest will be implementing a second 5-year borough-wide Additional Licensing Scheme, and are currently seeking Secretary of State's approval for a new Selective Licensing Scheme.
- 5.5 The eviction rate in the private rented sector in the borough of Enfield is the highest in London. There were 32 evictions per 1,000 renting households in 2016/17 compared to 22 per thousand in Newham and 20 per thousand in Waltham Forest. Whilst not completely eradicating the issue, a designation of selective licensing would provide greater protection to tenants from one of the biggest causes of eviction. Landlords cannot use Section 21 of the Housing Act 1988, a so-called "no-fault eviction notice", to evict tenants from a property that is subject to licensing, if the property is not licensed. It is essential that any new

licensing scheme is aligned with the Council’s strategy on preventing homelessness. This is discussed further in paragraphs 5.47 – 5.54.

5.6 The Council have increasingly used existing enforcement powers to deal with property conditions and management, but these are generally reactive. At the moment the council relies heavily on receipt of complaints to identify which properties are privately rented and are in poor condition, overcrowded and are being badly managed. The continuing increase and high number of service requests and incidences of ASB in the private rented sector indicate that current enforcement measures are not sufficient on their own. Additional and Selective licensing schemes will provide the necessary capacity to identify which properties to target for inspection and to bring into compliance, and help us to raise standards and improve conditions for the private rented sector. Licensing provides clear guidance for landlords on the expected standards for property conditions and management.

5.7 Enfield has the highest number of private renters on Housing Benefit in London, and the second highest in the UK. Of Housing Benefit claimants in work – twice as many live in the private renter sector. This demonstrates that private renting is expensive and families in work also need assistance with housing benefit to help pay their rent.



**Figure 3 - Housing Benefits Claims: Working / Not Working split by Tenure.** Source: DWP reporting tool – Stat-Xplore 2019, LB of Enfield – Information & Research Team

5.8 Housing Benefit assistance is being rolled into universal credit payments on a phased basis. The borough also has the second highest level of Discretionary Housing Payment for Universal Credit in



the country, after Birmingham. The roll out of Universal Credit started in Enfield in 2017 and is ongoing. Discretionary Housing Payments provide further financial assistance, over and above any welfare benefits, when help with housing costs is required.

- 5.9 At the moment, the Council pays rent in the private rented sector via Housing Benefit (and Universal Credit is paid via the Department of Work and Pensions to residents in the borough). Despite contributing around £202 million this year to rent through Housing Benefit in the private renter sector, the Council has very limited means to control the standards in the sector. Therefore, if the Council/DWP is making this level of payments to support tenants in the private rented sector there should be some form of regulation to address the poor housing conditions to ensure the standards of accommodation are safe and of a satisfactory standard.

### **Evidence Base – Selective Licensing Scheme (extracts from Appendix 3)**

#### The level and distribution of Private Rented Sector accommodation in the borough

- 5.10 The private rented sector in the borough has been steadily growing and has trebled in the last twenty years from 12% in 2001 to 24% in 2011 and now reaching an estimated 34%. The number of private rented properties in the borough is estimated to be 43,526. Of these, an estimated 24,534 are in the proposed designated selective licensing areas (14 wards).



**Figure 4 - LBE Total Private Rented Sector %. Source: Metastreet predicted model 2019**

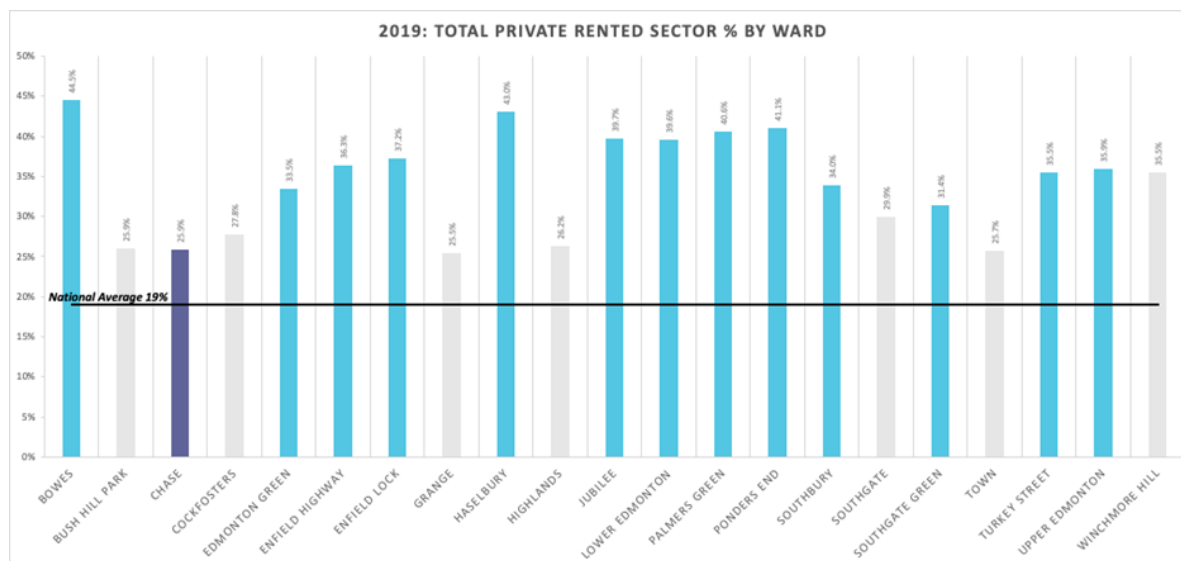
- 5.11 This aligns with the trend across London, which has seen a dramatic increase in the private rented sector over the last fifteen years. Nearby boroughs now report a private rented sector level of between 22% and 46%.

**Private rented sector (PRS) % Comparison**

	<b>Census 2011</b>	<b>Latest reported PRS level</b>
<b>Enfield</b>	<b>24%</b>	<b>34%</b>
Brent	32%	41.5%
Hackney	30%	30%
Haringey	33%	31%
Harrow	23%	22%
Islington	28%	26%
Newham	35%	46%
Redbridge	24%	24%
Waltham Forest	27%	37%

**Table 1 - Private rented sector (PRS) % Comparison. Source: Census 2011- Tenure for Local Authorities, Reported PRS on individual borough documentation**

5.12 Any geographical area included in a Selective Licensing Scheme must have over the current national average of 19% of private rented sector (English Housing Survey 2018). All wards in Enfield have well over 19% of private rented sector. The graph below shows the ward by ward breakdown of private rented sector based on recent predicted modelled data.



**Figure 5 - Total Private Rented Sector % by Ward**

5.13 The legislation requires that for a Selective Licensing Scheme to be applicable, the area must also have a high proportion of the tenancies in the private rented sector that are either assured tenancies or licences (to occupy). Based on our professional experience through day to day working and further research carried out, we are satisfied that a high proportion of private rented properties in the borough are rented out as assured tenancies or licences. Since the Housing Act 1988, assured shorthold tenancies are the most common type of tenancy agreement in the private rented sector. Also, the experience of the Council's Housing Enforcement Officers is that the majority of

tenants they deal with have (or should have) an assured shorthold tenancy agreement.

- 5.14 Whilst all wards meet the Government criteria of being over the national average of 19% private rented sector, only 14 wards are being put forward to be included in the designation areas because they must also meet at least one of the other criteria set in the legislation. The criteria are listed in paragraph 3.2.
- 5.15 The Council is looking at poor property conditions as the primary criteria followed by high levels of deprivation and then ASB. Private rented properties in the first proposed designation area suffer from poor property conditions; high levels of deprivation and have significant and persistent anti-social behaviour. They also place a significant demand on council resources. Chase ward has been placed in a separate second proposed designation (Designation Two), as it has a significant number of private rented properties with poor property conditions along with being 11<sup>th</sup> most deprived ward in Enfield, but with lower levels of ASB compared to Designation One.

*Appendix 4* shows the proposed designations for selective licensing.

#### Poor Property Conditions

- 5.16 According to the Government guidance<sup>2</sup>, *“There may... be circumstances in which a significant number of properties in the private rented sector are in poor condition and are adversely affecting the character of the area and/ or the health and safety of their occupants. In that case, as part of wider strategy to tackle housing conditions, the local housing authority may consider it appropriate to make a Selective Licensing Scheme so that it can prioritise enforcement action under Part 1 of the Act, whilst ensuring through licence conditions under Part 3 that the properties are properly managed to prevent further deterioration.”*
- 5.17 Nationally, the condition of properties in the private rented sector continues to be worse than other housing sectors. A quarter (25%) of privately rented homes fell below the Decent Homes standard in 2017 and 15% of privately rented dwellings were estimated to have a least one serious Category 1 hazard, assessed using the Housing Health and Safety Rating System (HHSRS) under Part 1 of the Housing Act 2004 (English Housing Survey 2017/18).
- 5.18 An independent company specialising in data and property licensing were commissioned to use a stock-modelling approach based on

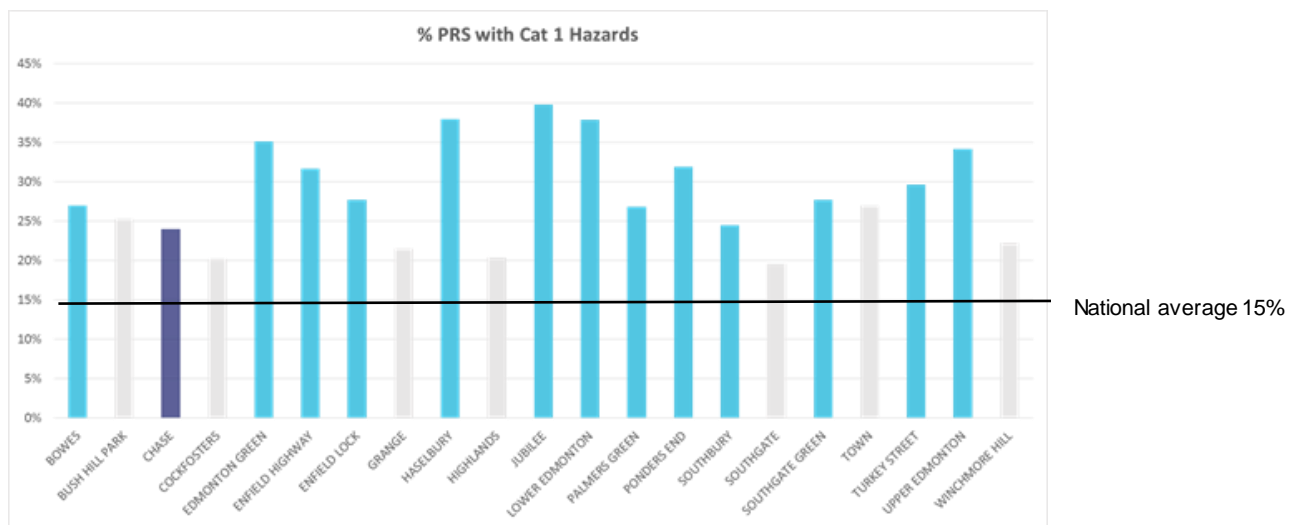
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metadata and machine learning using actual data to provide predictive insights about the prevalence and distribution of a range of housing factors in the borough's private rented sector. This specialist data company has used the same methodology working with other local authorities (such as Newham, Waltham Forest and Havering Councils) with their introduction of licensing schemes.

- 5.19 The modelling shows that there are a significant number of Category 1 hazards in the private rented sector in the borough. The vast majority (79%) of the Category 1 hazards are within the designated areas proposed (*Appendix 3 Table 5*).
- 5.20 A national survey<sup>3</sup> showed that 15% of privately rented dwellings had at least one serious Category 1 hazard, assessed using the Housing Health and Safety Rating system (HHSRS) under Part 1 of the 2004 Housing Act. The modelling undertaken shows that all the wards in the borough have over the national average of 15% of private rented properties with Category 1 hazards, and the borough average for Category 1 hazards is 28% which is significantly above the national average. Please see the graph below for a breakdown ward by ward.



**Figure 6 - % PRS with Cat 1 Hazards**

- 5.21 The modelled data is based on actual Council records, which shows that the wards within the designated areas have the highest number of private rented properties interventions per 1,000 private rented properties dwellings (*Appendix 3, Fig14*). This includes a broader range of property issues including Category 1 hazards, overcrowding, enforcement actions, housing notices, enviro-crime and disrepair. These wards place the highest demands on council services and resources.

<sup>3</sup> English Housing Survey Private Rented Sector 2016/17

- 5.22 A recent report published by the Government reviewing selective licensing schemes undertaken by Julie Rugg and David Rhodes<sup>4</sup>, agrees that, *“there are currently no regulations that define a minimum standard for property deemed suitable for letting, although the local authority can enforce compliance with the Housing Act 2004 if the property is inspected...Selective Licensing regimes open a dialogue between the local authority and local landlords, which local authorities can use to implement ‘soft’ enforcement through advice and support on property condition.”*
- 5.23 A Selective Licensing Scheme would enable a supportive dialogue with compliant landlords and to greater prioritise enforcement action under Part 1 of the Housing Act. The proposed licence conditions would set a minimum standard and encourage better management of properties to stop them getting even worse. A selective licensing scheme would also provide a targeted inspection programme and compliance capability backed by a strong legal framework.
- 5.24 The 2019 joint report from the Chartered Institute of Environmental Health and Chartered Institute of Housing<sup>5</sup> states the important role that Selective Licensing has in improving property conditions in the areas it is introduced, *“The introduction of a Selective Licensing Scheme in these areas clearly shows that property and management standards have been improved and the schemes were well targeted to focus on areas with very poor housing stock. The fact that such large numbers of properties needed works to be done also suggests that the schemes are largely fair to landlords – a majority of properties within licensable areas are benefitting from improvements and greater compliance.”*

### Deprivation

- 5.25 In order to make a selective licensing designation based on a high level of deprivation, the Government recommends considering the following factors when compared to other similar neighbourhoods in the local authority area or within the region:
- the employment status of adults;
  - the average income of households;
  - the health of households;
  - the availability and ease of access to education, training and other services for households;
  - housing conditions;
  - the physical environment;
  - levels of crime.

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<sup>4</sup> <http://www.nationwidefoundation.org.uk/wp-content/uploads/2018/09/Private-Rented-Sector-report.pdf>

<sup>5</sup> <https://www.cieh.org/media/2552/a-licence-to-rent.pdf>

5.26 Enfield is the 6th most deprived borough in London and the 25th most deprived borough in England, based on low income levels (Indices of Multiple Deprivation, 2015). Breaking this down by ward, 14 of the wards with the highest levels of private rented sector rank in the 14 most deprived wards in the borough. These wards rank in the top 10% - 50% most deprived in London and nationally. Please see the map below.

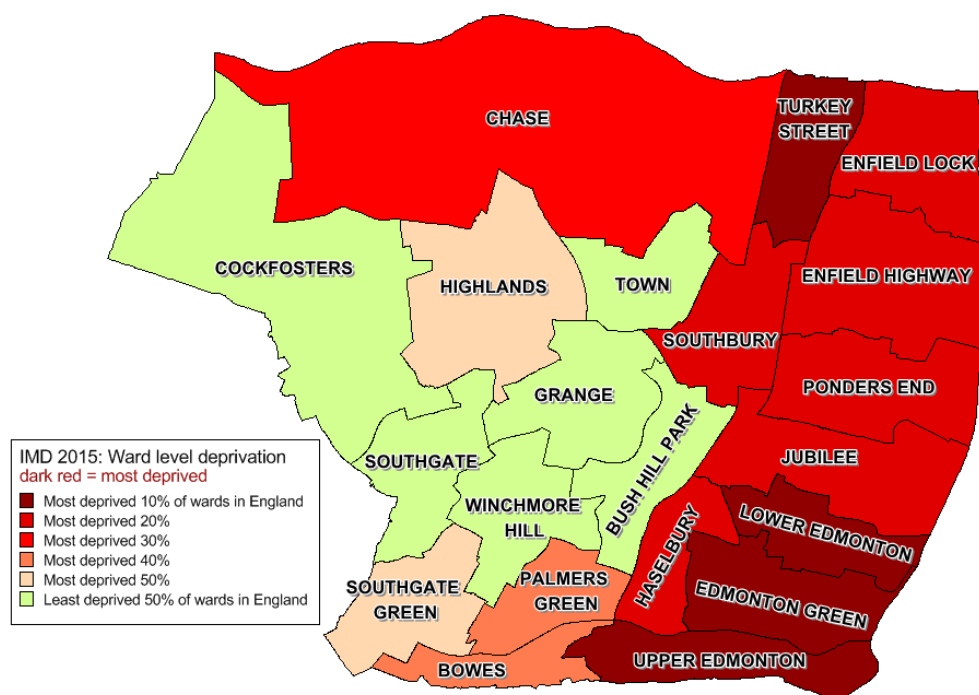


Figure 7 – Enfield Borough Ward level deprivation

5.27 Using the data from a number of sources<sup>6</sup>, it is clear that the wards with the highest levels of private rented sector are also the wards with high levels of deprivation, as indicated by a combination of the following:

- The higher levels of unemployment benefit claims as an indicator of the employment status of adults (*Appendix 3 Fig 10*)
- The high number of households living on low incomes below £15,000 per annum (*Appendix 3 Fig 11*)
- The number of children in low income families (*Appendix 3 Fig 12*)
- The number of households receiving the housing element of Universal Credit and Housing Benefit for the property they rent.

<sup>6</sup> The data sources are cited in Appendix 3 with each of Figures referred to in the bullet points

Enfield has the second highest level of Discretionary Housing Payment in the country (*Appendix 3, paragraph 3.12*)

- High levels of childhood obesity, as a proxy for poor health outcomes (*Appendix 3 Fig 13*).
- Properties with dirty front gardens as an example of a poor physical environment (*Appendix 3 Fig 18*)
- High levels of crime (*Appendix 3 Fig 15*)

5.28 The modelled data shows that there are significant numbers of private rented properties with poor housing conditions (including Category 1 Hazards) in the wards in the proposed designations. These not only contribute to poor health, with damp, mould and excessive cold being common issues, but landlords with properties in areas of high crime and ASB need to ensure that their properties are secure. In addition, under Selective Licensing, any ASB relating to a property must be monitored and addressed effectively by the licence holder.

5.29 The proposed Selective Licensing Scheme will help to address these problems by providing a targeted inspection programme and enforcement backed by a strong legal framework. This will ensure that landlords keep their properties in good condition and are not able to take advantage of vulnerable people and families who, due to their low income, have very limited choice in the rental market.

5.30 In addition, the licence conditions proposed for the scheme will stipulate a management regime for properties that will encourage landlords to inspect their properties and deal with disrepair and anti-social behaviour. Failure to manage a property effectively could also lead to prosecution or a civil penalty.

5.31 The table below summarises the deprivation factors in each ward demonstrating that the wards with the highest private rented sector also have the highest levels of deprivation.

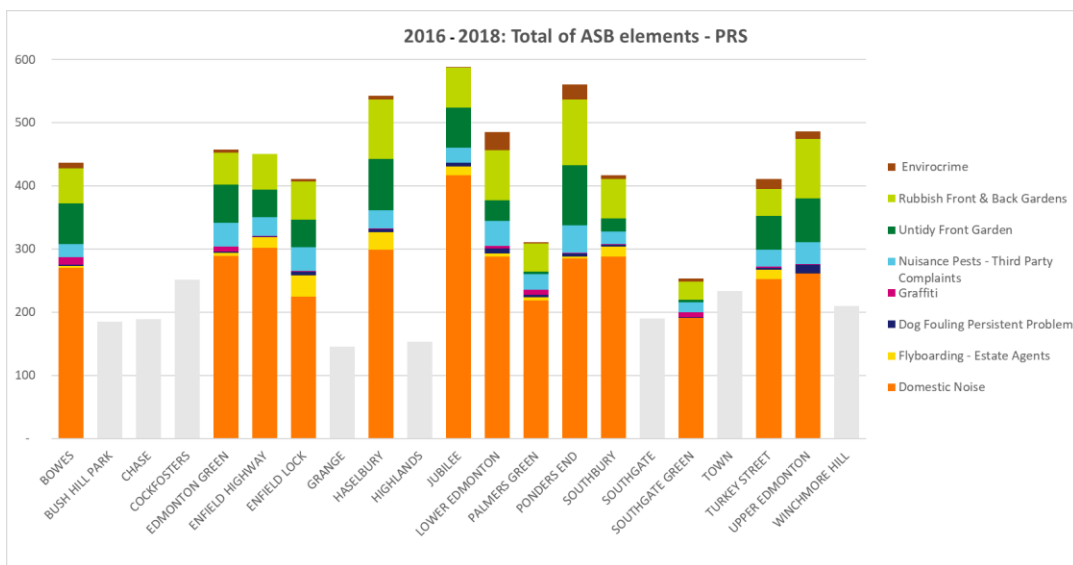
Ward	IMD ranking	High unemployment	Low income households	Poor health outcomes	Poor property conditions	High levels of crime	Number of factors
EDMONTON GREEN	1	✓	✓	✓	✓	✓	7
UPPER EDMONTON	2	✓	✓	✓	✓	✓	7
TURKEY STREET	3	✓	✓	✓	✓	✓	7
LOWER EDMONTON	4	✓	✓	✓	✓	✓	7
PONDERS END	5	✓	✓	✓	✓	✓	7
HASELBURY	6	✓	✓	✓	✓	✓	7
ENFIELD LOCK	7	✓	✓	✓	✓	✓	7
ENFIELD HIGHWAY	8	✓	✓	✓	✓	✓	7
JUBILEE	9	✓	✓	✓	✓	✓	7
SOUTHBURY	10	✓	✓	✓	✓	✓	7
CHASE	11	✓	✓	✓	✓	✓	7
BOWES	12			✓	✓	✓	4
PALMERS GREEN	13			✓	✓	✓	4
SOUTHGATE GREEN	14			✓	✓	✓	4
HIGHLANDS	15						0
COCKFOSTERS	16			✓			1
SOUTHGATE	17					✓	1
BUSH HILL PARK	18			✓			1
TOWN	19					✓	1
WINCHMORE HILL	20						0
GRANGE	21					✓	1

**Table 2 - Deprivation Factors in Enfield Borough’s wards. Source: IMD 2015, LB of Enfield – Information & Research Team**

Anti-social Behaviour

5.32 According to the Government’s guidance, if ASB is to be used as a criteria, the Council must show that the proposed designated area is suffering from significant and persistent anti-social behaviour. In addition, must show that ‘private sector landlords in the designated area are not effectively managing their properties so as to combat incidences of anti-social behaviour caused by their tenants or people visiting their properties’.

5.33 The graph below shows the combined levels of ASB events linked to properties predicted to be privately rented. Noise problems are the biggest cause of ASB complaints, with rubbish in gardens and other envirocrimes causing the next level of complaints. The summary clearly shows that the situation with ASB is worse in the wards in the proposed Designation 1.



**Figure 8 - 2016-2018 Total of ASB elements**



5.34 The objectives of the proposed Selective Licensing Scheme will be strongly linked to reducing ASB connected to private rented homes, in conjunction with the Council's policies:

- Corporate Plan 2018 - 2022 'Creating a lifetime of opportunities in Enfield', which promises to tackle 'all types of crime and anti-social behaviour';
- The Homelessness Prevention strategy, which will look at tackling ASB in relation to tenancy sustainment;
- The new Housing strategy, which aims to prevent ASB by an improvement in interventions with private rented sector; and
- The Safer and Stronger Communities Board, Community Safety Plan 2017-2021 will deal with a range of ASB behaviours as one of the 5 priorities in the Community Safety Plan 2017-2021.

5.35 The proposed licensing conditions will also deal with a landlord's responsibilities to address ASB in their property.

5.36 The table below summarises the evidence ward by ward, allowing a view of all of the criteria considered (private rented sector level, property conditions, deprivation and ASB).

Ward	Above 19% PRS	Poor property Conditions	Deprivation – based on IMD ranking	Significant Anti-Social Behaviour	Designation 1	Designation 2
BOWES	✓	✓	12	✓	Yes	
BUSH HILL PARK	✓	✓	18			
CHASE	✓	✓	11			Yes
COCKFOSTERS	✓	✓	16	✓		
EDMONTON GREEN	✓	✓	1	✓	Yes	
ENFIELD HIGHWAY	✓	✓	8	✓	Yes	
ENFIELD LOCK	✓	✓	7	✓	Yes	
GRANGE	✓	✓	21			
HASELBURY	✓	✓	6	✓	Yes	
HIGHLANDS	✓	✓	15			
JUBILEE	✓	✓	9	✓	Yes	
LOWER EDMONTON	✓	✓	4	✓	Yes	
PALMERS GREEN	✓	✓	13	✓	Yes	
PONDERS END	✓	✓	5	✓	Yes	
SOUTHBURY	✓	✓	10	✓	Yes	
SOUTHGATE	✓	✓	17			
SOUTHGATE GREEN	✓	✓	14	✓	Yes	
TOWN	✓	✓	19			
TURKEY STREET	✓	✓	3	✓	Yes	
UPPER EDMONTON	✓	✓	2	✓	Yes	
WINCHMORE HILL	✓	✓	20			

**Table 3 - Private rented sector level, property conditions, deprivation and ASB by ward.**  
Source: IMD 2015, LB of Enfield – Information & Research Team

- 5.37 The light blue rows represents Designation ONE comprising 13 wards. These wards exceed the national private rented sector threshold level and show the significant level of Category 1 hazards within the private rented sector. All 13 wards also show high levels of deprivation within all factors and show a significant high level of ASB, showing that landlords with properties within these wards (and hence the designation) are not managing their properties to combat ASB.
- 5.38 The dark blue row showing Chase ward exceeds the national private rented sector threshold level and has a significant issue with property conditions Category 1 hazards within the private rented sector properties along with being the 11<sup>th</sup> most deprived ward in the borough and hence being placed in Designation TWO.

#### Other Government criteria for Selective Licensing

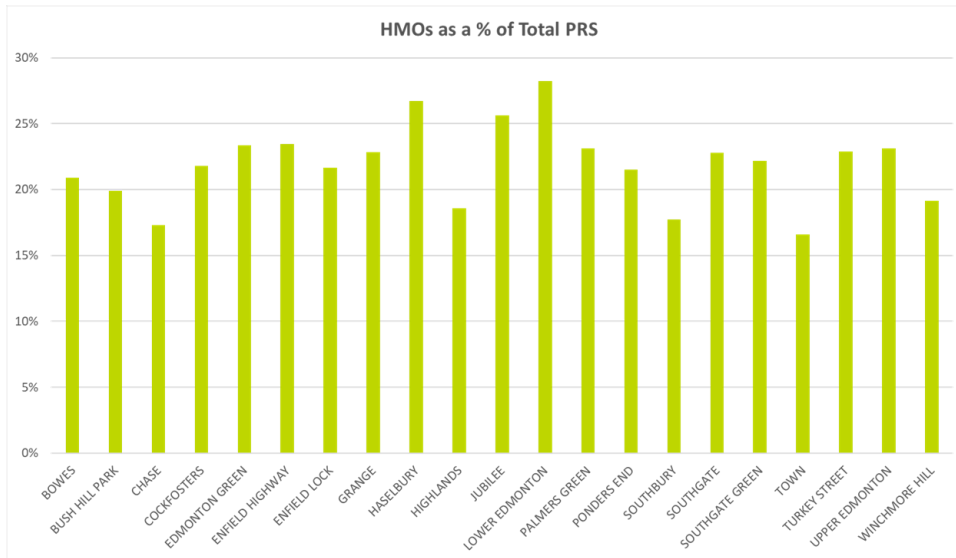
- 5.39 The other criteria (as listed in paragraph 3.2) that can be used to identify an area that could benefit from a Selective Licensing scheme either do not apply in the borough (i.e. low housing demand), or the pattern and distribution of the issues in the borough do not suggest a strong link to the private rented sector (i.e. high levels of crime, migration).

#### **Evidence Base – HMO Additional Licensing Scheme (extracts from Appendix 3)**

- 5.40 Additional Licensing Schemes relate to HMOs (House of Multiple Occupation) and applies to the entire house or flat which is let to less than 5 persons in two or more households with shared facilities (kitchen, bathroom and/or toilet). Larger HMOs that are occupied by five or more people forming two or more households which share facilities already fall within the scope of the national Mandatory HMO licensing, which Enfield Council already operates.

#### Level and distribution of Additional Scheme HMOs in the borough

- 5.41 The current estimation is that there are 9,661 HMOs across the borough of which we would expect to find that approximately 915 are actually Mandatory HMOs. The evidence shows that the majority of these HMOs would fall into additional licensing (estimated 8,746).



Evidence and experience of poorly managed sector

5.42 There is evidence that HMOs in the borough are being ineffectively managed and are causing issues for their inhabitants and neighbours in the community. There have been a high proportion of queries, complaints and reports to the Council from tenants living in HMOs and their neighbours, covering issues from noise and rubbish to overcrowding and fire hazards. These are confirmed by the follow up inspections and enforcement notices issued against the owners and managing agents of those properties. It is clear that this problem is getting worse and that the number of HMOs is also increasing. See the graph below for evidence of an increase to caseload queries between 2016 -2018.

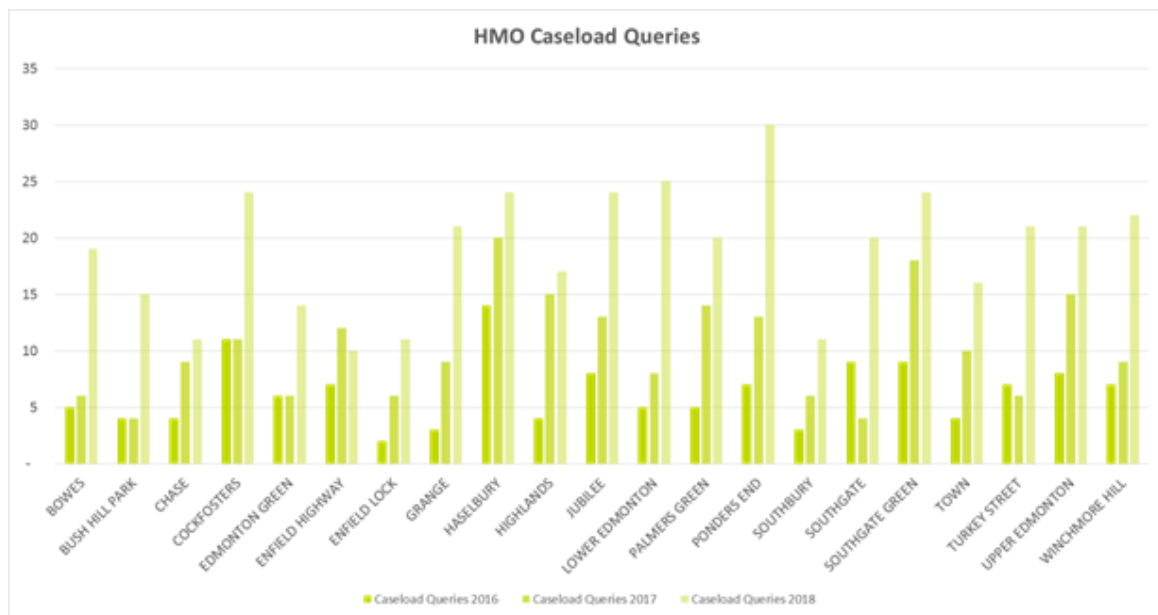
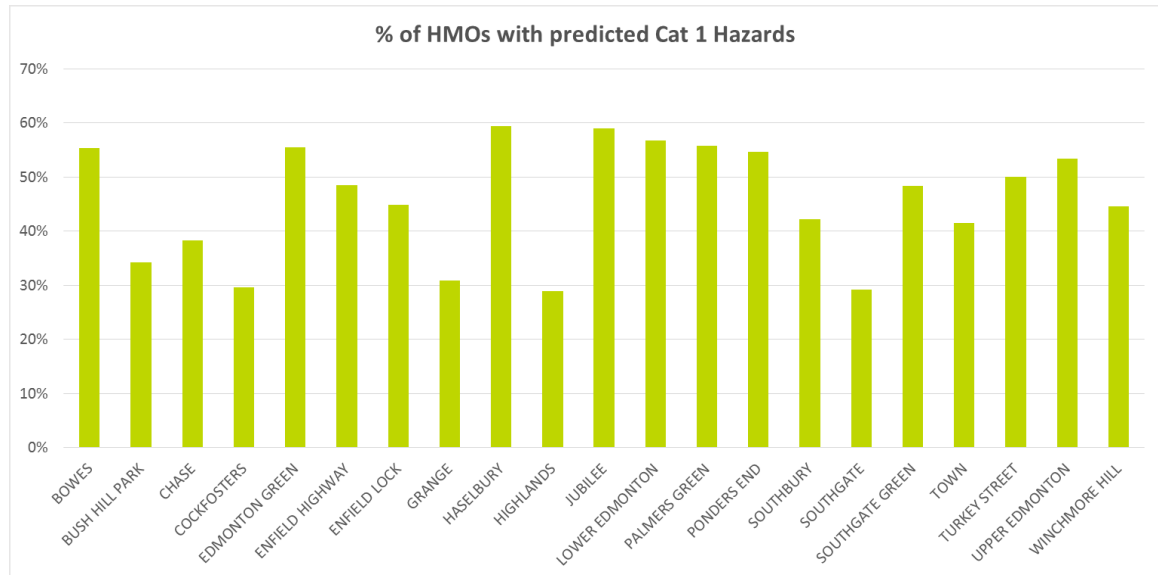


Figure 9 - HMO Caseload Queries 2016-2018

5.43 Using actual data, the predicted data modelling shows that there are poor property conditions (Category 1 hazards) associated with HMOs in the borough. HMOs are much more likely to have Category 1 hazards, way above the national average of 15% of privately rented properties. Please see the graph below.



**Figure 10 - % of HMOs with predicted Cat 1 Hazards**

5.44 There are also significant and persistent problems caused by anti-social behaviour specifically related to HMO properties and evidence that HMO properties place high demands on Council services (private rented sector regulatory interventions).

Ward	No. HMOs	Cat 1 hazards	Total ASB, Nuisances & Envirocrime	Total PRS Regulatory Interventions
BOWES	555	307	128	860
BUSH HILL PARK	298	102	44	155
CHASE	261	100	45	162
COCKFOSTERS	347	103	60	122
EDMONTON GREEN	558	310	167	947
ENFIELD HIGHWAY	520	252	121	758
ENFIELD LOCK	548	246	103	693
GRANGE	337	104	25	97
HASELBURY	688	409	182	1,259
HIGHLANDS	290	84	32	119
JUBILEE	555	327	285	1,054
LOWER EDMONTON	709	402	225	1,274
PALMERS GREEN	596	332	99	821
PONDERS END	533	291	188	980
SOUTHBURY	367	155	139	355
SOUTHGATE	435	127	45	209
SOUTHGATE GREEN	397	192	74	424
TOWN	277	115	47	176
TURKEY STREET	452	226	146	661
UPPER EDMONTON	552	295	179	697
WINCHMORE HILL	386	172	50	250
<b>BOROUGH TOTAL</b>	<b>9,661</b>	<b>4,651</b>	<b>2,384</b>	<b>12,073</b>
<b>BOROUGH AVERAGE</b>	<b>460</b>	<b>221</b>	<b>114</b>	<b>575</b>

**Table 4 - HMO, Cat 1 Hazards, Total ASB, Nuisances & Envirocrime and PRS Regulatory Interventions by ward. Source: Metastreet predicted model 2019**

- 5.45 *Table 4* shows that there are high levels of property-related ASB in HMOs across the borough, supporting the case for a borough-wide Additional Licensing Scheme.
- 5.46 Another example of poor property management is the extremely low level of tenancy deposits registered with the national schemes. The national average for all private rented sector is 73%, and the Enfield Borough average for HMOs is only 12%. This shows an indicative failure of landlords to use these government protected schemes and is an offence under the Consumer Rights Act 2015.

Ward	Total Registered Tenancy Deposits	% HMOs with Tenancy Deposits
BOWES	93	17%
BUSH HILL PARK	37	12%
CHASE	26	10%
COCKFOSTERS	54	16%
EDMONTON GREEN	65	12%
ENFIELD HIGHWAY	36	7%
ENFIELD LOCK	55	10%
GRANGE	31	9%
HASELBURY	64	9%
HIGHLANDS	29	10%
JUBILEE	56	10%
LOWER EDMONTON	84	12%
PALMERS GREEN	66	11%
PONDERS END	78	15%
SOUTHBURY	49	13%
SOUTHGATE	92	21%
SOUTHGATE GREEN	78	20%
TOWN	51	18%
TURKEY STREET	30	7%
UPPER EDMONTON	51	9%
WINCHMORE HILL	32	8%
<b>BOROUGH TOTAL</b>	<b>1,157</b>	<b>12%</b>
<b>BOROUGH AVERAGE</b>	<b>55</b>	<b>12%</b>

**Table 5 - Total registered tenancy deposits and % HMOs with tenancy deposits by ward. Source: Metastreet predicted model 2019**

#### Alignment with other key council strategies

- 5.47 Selective Licensing and Additional Licensing Schemes are key to supporting the Council's strategies for Housing and Homelessness.
- 5.48 The Council is currently developing a new Housing and Growth Strategy, which sets out the vision for delivering housing that creates a step-change to tackle the scale of the housing crisis. The Council wants to make sure that everyone can benefit from the opportunities that growth can bring, and everyone feels connected to their community, even during times of change. Enfield's emerging new Housing Strategy is made up of five ambitions. The third proposed ambition is to achieve "quality and variety in private sector homes", with a range of priorities being considered to improve quality of the private rented sector.
- 5.49 As well as new developments, the new Housing and Growth Strategy will increase supply of good quality, private sector housing by bringing as many empty homes as possible back into use. Empty homes are a blight on neighbourhoods and can attract crime and anti-social behaviour. Bringing empty homes back into use will improve the quality

of homes and neighbourhoods and contribute to increasing housing supply to meet the needs of local people. This also plays a particularly important role for families who are overcrowded, as many homes have three or more bedrooms.

- 5.50 This strand focuses on the need to improve the private rented sector in the context of rising homelessness, high eviction rates and heavy reliance on the private rented sector. Licensing will significantly contribute to the Council's Corporate Plan aim to 'deliver initiatives to improve standards in the private rented sector and tackle rogue landlords' and the overarching aim to deliver 'good homes in well-connected neighbourhoods' and 'increase the supply of affordable, quality housing options'.
- 5.51 Alongside the new Housing Strategy, the recently approved Preventing Homelessness and Rough Sleeping Strategy found that almost a quarter of residents in the private rented sector have higher outgoings than income, mainly driven by housing costs. These residents are at high risk of becoming homeless. The level of evictions in the borough is the highest in London. Whilst homelessness is rising significantly across the country, in Enfield this is particularly stark with 3,466 households currently in Temporary Accommodation, the second highest number nationally. The additional and selective licensing schemes will complement the new operating model and action plan in the Preventing Homelessness and Rough Sleeping Strategy which aims to:
- Develop a service offer for residents that provides tenancy sustainment support and intervention for all types of rented accommodation (including private rented)
  - Strengthen tenancy sustainment services by providing residents with support and training before they start their tenancy, so that they are informed about their rights and responsibilities, and provide on-going support to residents who need it, to help them to sustain their tenancies and stay in their homes
  - The Council's Financial Assessment Service working with Enfield Citizens Advice and the Department of Work and Pensions to support people early with timely access to benefits, effectively dealing with debt and rent arrears, and access to employment and training
  - Intervene directly in the private rented market to improve conditions by increasing the supply of good quality private rented sector accommodation through Housing Gateway, an Enfield Council owned company, which buys and manages homes for homeless residents. Housing Gateway will be an exemplar landlord, providing stable and longer-term tenancies for families and shorter tenancies where appropriate to residents' needs

- Will explore options to set up an ethical lettings agency to provide a good offer for residents who are privately renting.
- Will undertake further research to better understand the demand for affordable housing from single people on low incomes and further develop solutions in the private rented sector which meet their needs.
- Will broaden and strengthen the support that we provide to landlords, helping them to raise standards, sustain tenancies and offer longer-term tenancies. We will move away from paying landlords incentives to let their properties and move towards a model where we fund the deposit and months' rent in advance required by private landlords, for people who are otherwise unable to access private rented accommodation due to these costs

5.52 The Council sees its relationship with private rented landlords as key to achieving this. Loss of private rented accommodation is the main reason for households accepted as homeless, accounting for nearly half of all cases. Reducing evictions from the private rented sector is a key priority. This involves supporting, empowering, and educating tenants regarding their rights and responsibilities, as well as working with landlords. Enfield Council's priorities include both improving standards of management through effective support, information, advice and guidance for landlords; whilst also taking a strong approach to tackling poor conditions and stopping rogue landlords and managing/ letting agents.

5.53 In June 2019, Enfield Council created an independent commission; Enfield Poverty and Inequality Commission (EPIC), to understand the causes of poverty and inequality in the borough and to find local solutions. Understanding and acting on poverty is a priority for the Council, as many people are managing the effects of poverty in their daily lives. Poverty and housing are closely linked, and the results of this commission will influence and inform the Council's delivery of this strategy.

5.54 As mentioned in paragraphs 5.47–5.54 above, the additional and selective licensing schemes will operate alongside other Council's strategies to reduce ASB connected to private rented homes such as:

- Corporate Plan 2018 - 2022 'Creating a lifetime of opportunities in Enfield', which promises to tackle 'all types of crime and anti-social behaviour';
- The Homelessness Prevention strategy, which will look at tackling ASB in relation to tenancy sustainment;
- The new Housing strategy, which aims to prevent ASB by an improvement in interventions with private rented sector; and



- The Safer and Stronger Communities Board, Community Safety Plan 2017-2021 will deal with a range of ASB behaviours as one of the 5 priorities in the Community Safety Plan 2017-2021.

### Licence Fees

- 5.55 Article 13(2) of the EU Services Directive (2006/123/EC) requires that the licence fee paid by the applicant must be reasonable and proportionate to the cost of the authorisation (licensing) procedure and shall not exceed the cost of the authorisation procedure. This means that the costs of the proposed licensing schemes must be cost neutral whereby the total licensing fee income does not exceed the expenditure over the 5 year duration of the scheme.
- 5.56 Based on the evidence, information and data presented above and the estimation of costs, the proposed fee for a property in the Selective Licensing scheme is £600 for up to 5 years, and the proposed fee for a property in the Additional Licensing scheme is £900 for up to 5 years.
- 5.57 The fee is levied in two parts. Part 1 of the fee is for the application for a licence and covers the costs of processing, administration and validation of the application. Part 2 of the fee funds the running costs of the scheme, including licensing inspections and enforcement.

Type of Licence	Total	Part 1 fee element – processing and determination of application	Part 2 fee element – administration, management and enforcement of the scheme
<b>Selective Licence</b>	<b>£600</b>	£260	£340
<b>Additional HMO licence</b>	<b>£900</b>	£550	£350

**Table 6 - Proposed Selective and Additional License Fees**

- 5.58 The schemes (if implemented) will also comply with the procedural and formality requirements of the Provision of Services Regulations 2009 including a realistic time-scale for processing applications and notification of outcome.

### Licence Conditions

- 5.59 Sections 67 and 90 of the Housing Act 2004 allow local authorities to attach conditions to licences granted under additional and selective licensing schemes in order to regulate the management, use and occupation of the property (and in relation to HMOs to also regulate the condition of the property). This is in addition to the mandatory licence conditions that are required by the legislation.
- 5.60 The proposed licence conditions for the selective licensing scheme are set out in Appendix 9, and comprise matters such as:
- Provision of tenancy agreements
  - Obtaining references for tenants
  - Protection of any deposit by placing it in an authorised statutory tenancy deposit scheme
  - Provision of adequate facilities for the storage of waste and recycling
  - Provision of documents to tenants (eg gas certificate, Energy Performance Certificate, copy of licence and conditions, information about storage and placing of rubbish for collection)
  - Taking reasonable steps to prevent or address ASB
  - Regular inspections of the property, and address complaints about disrepair or housing conditions
  - Ensuring electrics, and any electrical appliances provided, are safe
  - Provision of a gas safety certificate every 12 months
  - Ensuring waste, furniture or other household contents discarded at a time of tenancy changes is not left on or outside the property
  - Provision of adequate numbers of smoke and (if applicable) carbon monoxide alarms
  - Notification of changes to ownership or management or occupation of the property
- 5.61 The proposed licence conditions for the additional licensing scheme are set out in Appendix 8, and comprise matters such as those for selective licences above but also include conditions such as:
- Bedrooms must meet minimum room sizes and must not exceed the maximum number of persons allowed for the room size as set out in legislation
  - Undertake a Fire Risk Assessment is undertaken and action to minimise the risk of fire at the HMO is taken
  - Maintain fire detection equipment, fire alarms and emergency lighting in good working order
  - Display a copy of the licence and conditions and emergency contact details

### The Public Consultation

- 5.62 As explained above, the local authority is required to consult on the proposed additional and selective licensing schemes for a minimum of 10 weeks. Enfield undertook an extensive and widely publicised consultation using various channels of communication, both inside and outside the borough, for just over 13 weeks between 28 August and 29 November 2019.
- 5.63 The public consultation was undertaken by an independent social research company called M.E.L Research Limited. Their report on the outcome of the consultation is at Appendix 1 and 1A.
- 5.64 The consultation used a variety of formats to engage and seek feedback from key stakeholders such as landlords, letting/managing agents, private renting tenants, residents, organisations representing landlords, managing agents and private renters and businesses. These included:
- An online questionnaire hosted on M.E.L Research's website (and a link to it from Enfield Council's website)
  - Two public (face to face) meetings with landlords and businesses
  - Two public (face to face) meetings with tenants and residents
  - Direct emails to over 2,500 stakeholders (2,132 of which were landlords)
  - A feedback form hosted on M.E.L Research's website
  - Provision of feedback via email or by telephone hosted by M.E.L
  - Interviews conducted with key stakeholders
- 5.65 The following documents were published on M.E.L Research's website (and a link to M.E.L's website from Enfield Council's website) to inform the public about the rationale behind the proposed licensing schemes and details of the proposal:
- Evidence report
  - Case studies
  - Ward summaries
  - The overview of the schemes
  - The proposed designated areas
  - The proposed conditions for Selective Licencing
  - The proposed conditions for Additional Licencing
  - The proposed licence fee structure
  - Frequently Asked Questions
- 5.66 A wide range of communication channels were used to extensively publicise the public consultation both inside and outside of the borough (regionally and nationally). This included:
- Enfield Council's website
  - Newspaper adverts
  - A social media campaign
  - A digital media campaign
  - E-newsletters, direct emails and letters

- A leaflet delivered to all residential addresses in the borough (127,000 properties and 5,000 business addresses)
- Leaflets, posters and pull up banners in public buildings
- Outdoor advertising; on-street Clear Channel advertising boards and banners

5.67 It was recognised that Landlords and Managing agents are a key stakeholder for the licensing proposals and so these audiences were specifically targeted by the following communication channels during the 13 week consultation period:

- A 9 week digital campaign reaching an audience of 67,609 and 238,875 impressions targeted at landlords living across London, resulting in 1,176 clicks to the public consultation website. The click through rate (CTR) for the full campaign was 0.49% which is higher than the industry average for display adverts of 0.35%
- Social media campaign – Enfield Council ran a social media campaign throughout the 13-week consultation targeted at landlords, residents and tenants. This campaign resulted in 474 clicks from 48 Twitter posts and 21 Facebook posts, and 69 re-tweets/shares and 153 likes. The Council also paid for a Facebook boosted post, 4 Facebook adverts and 3 Twitter adverts. These adverts were targeted at landlords and tenants, and the Facebook content reached 166,508 generating 2,372 clicks and the Twitter content had 175,566 impressions generating 896 clicks
- 2,132 landlords from the Council's Enfield Connected database who had opted to receive communication were contacted in September via direct email, and chased up again in October.
- 93 local letting agents were contacted in September via direct email asking them to inform all landlords in the borough, and chased up again in October
- 5 National landlord/letting agents associations were contacted with details of the consultation and asked to circulate it to their membership. They were also asked for an in-depth interview on the proposals, of which 3 were carried out and 4 written responses received.
- A press release was sent to London Property Licensing web site, which is a landlord focussed website.

5.68 The report compiled by M.E.L Research Limited of the outcome of the public consultation is at Appendix 1 and 1A.

5.69 Several comments and suggestions were made during the public consultation. These, and the Council's considered response to these comments and suggestions, are shown in Appendix 2 and considered below.

Public consultation response to the proposed selective licensing scheme

*All figures quoted in the following paragraphs are from the Consultation Outcome Report (Appendix 1).*

- 5.70 Through the statutory public consultation, the Council proposed a selective licensing scheme, comprising of two designations covering 14 wards in the borough. The evidence base showed that the proposed designations have a high proportion of privately rented properties (above the national average of 19%). The areas are also experiencing:
- Poor property conditions;
  - A high level of deprivation;
- The first designation of 13 wards is also experiencing:
- A significant and persistent problem caused by anti-social behaviour.
- 5.71 There were 1,861 respondents to the consultation. There were 1,067 face to face questionnaires completed and 794 questionnaires completed online. The breakdown of results for both of these questionnaire methods is shown in Appendix 1A. There were also 9 stakeholder interviews completed, and 35 emails and formal letters received from stakeholders providing feedback.
- 5.72 As explained above, as landlords are a key stakeholder, communication about the consultation was specifically targeted towards landlords. 440 landlords responded to the public consultation. The size of the landlord population in the borough is unknown. A neighbouring London borough with a similar sized private rented sector has a known landlord population of 15,000 individuals. If this were similar to Enfield's borough, then the response rate for landlords to the consultation was about 3%. The consultation results showed that there was a high level of engagement from landlords. 2,661 of the 4,900 comments received (54%) were from landlords via the online questionnaire and face to face surveys. Approximately 70% of the attendees at the public meetings were landlords and letting agents.
- 5.73 1,031 residents responded to the public consultation. The latest Office of National Statistics population estimate for over 16 year olds in Enfield Borough is 257,503 (2018 mid-year estimate). This represents a response rate of about 0.4%. The population estimate will also include landlords and private rented tenants living in the borough.
- 5.74 365 private rented tenants responded to the public consultation. The size of the private rented tenant population inside the borough (or in a neighbouring borough) is not known. The 2018 GLA Annual Population Survey estimates that there are 32,800 households in the private

rented sector in Enfield borough. Whilst this is not individual renters, if each of the respondents were from separate private renting households (and it is recognised we cannot determine this), this would equate to about 1% of private rented households in the borough.

- 5.75 Two public meetings were held for landlords and managing agents attended by 182 landlords and managing agents. Two public meetings were held for private renting tenants and residents attended by 59 private renting tenants and residents.
- 5.76 It appears that proportionally we received a greater number of responses to the public consultation from the landlord population than from private rented tenants or residents. As a group, landlords were generally opposed to the proposals. The online questionnaire results were less positive about the proposals than the face to face questionnaire (Appendix 1A, Appendix 5). This is not surprising as the online questionnaire is self-selecting (and landlords/agents were the highest respondent group) whereas the face to face survey was a random sample based on the borough's population. Overall, the results of the consultation showed that there was strong support for the introduction of both proposed licensing schemes. This is set out in the paragraphs below.
- 5.77 Overall the majority of respondents, 69%, agreed with the proposal to introduce a selective licensing scheme in the 14 wards and 25% disagreed with the proposal. 86% of residents and 81% of tenants agreed with the Council's proposal to introduce selective licensing in the borough. Only 18% of landlords/agents agreed with the proposal and the vast majority of landlords (73%) disagreed. This is shown in the table below. The group 'other' comprised entities such as businesses, bodies representing businesses or a community group or charity.

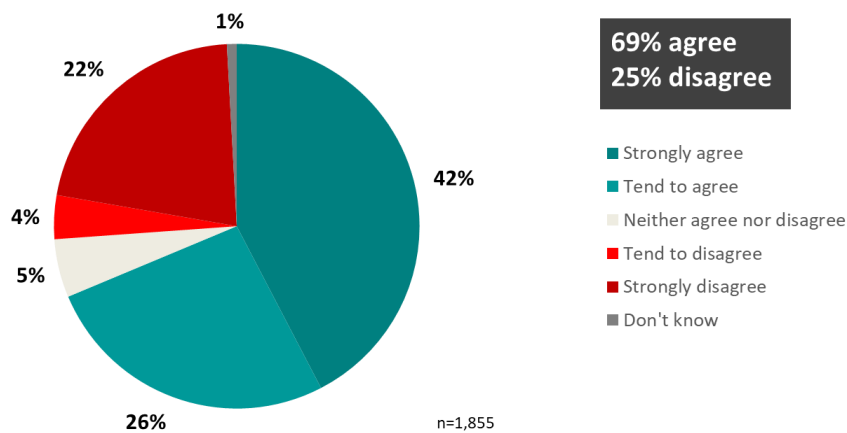
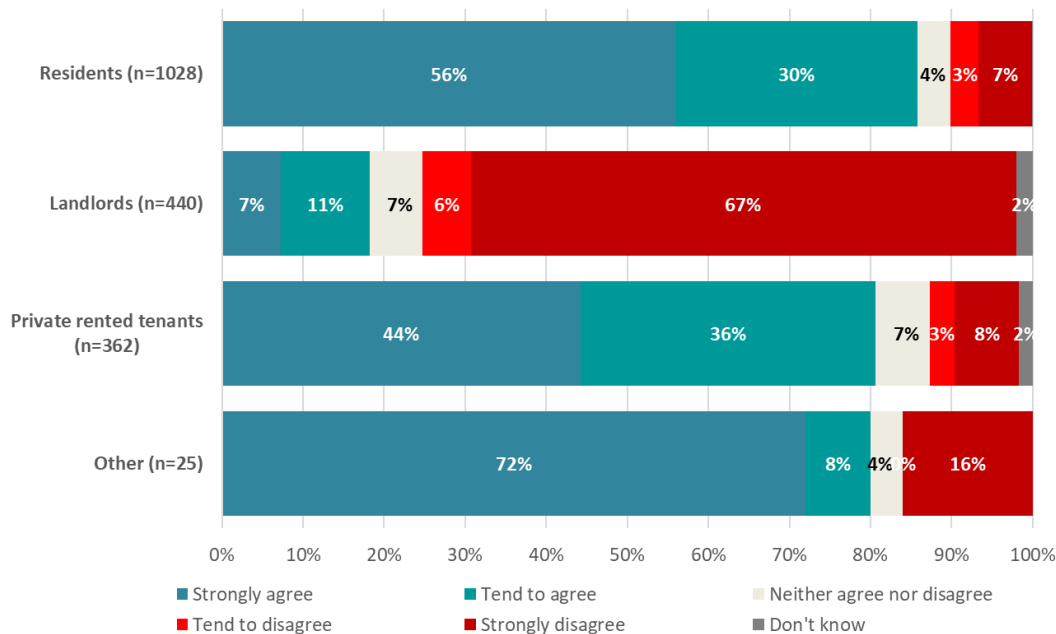


Figure 11 - Levels of support for introducing a Selective Licensing scheme



**Figure 12 - Levels of support for introducing a Selective Licensing scheme (by respondent group)**

5.78 There were 702 comments in relation to not supporting the selective licensing scheme. The most common reasons (more than 5 comments) were:

- Felt it was a money making scheme (96 comments)
- Good landlords should not be penalised (84 comments)
- Rents will increase - costs pass onto tenants (77 comments)
- Fees unnecessary cost to landlord (64 comments)
- Already systems/regulations to deal with problems, eg ASB (53 comments)
- Licensing not needed (51 comments)
- Will reduce availability of housing/push landlords out of borough (47 comments)
- Will not solve the problems - eg bad landlords will still operate (44 comments)
- Additional bureaucracy (35 comments)
- Disagree with the proposal – areas and conditions (28 comments)
- Generally disagree with the proposal (21 comments)
- Problems are not solely related to PRS - council housing and owned also - (20 comments)
- It is not landlords' responsibility (15 comments)
- Lack of evidence of licensing working (9 comments)

5.79 As explained in the evidence report and consultation materials, the costs of the proposed licensing schemes must be cost neutral whereby the total licensing fee income does not exceed the expenditure over the five-year duration of the scheme. A licence fee pays for the licensing schemes to bring about the necessary improvements. The strong evidence base demonstrates the issues and the need for licensing schemes in the borough, and that the existing powers alone are not

sufficient to tackle the large scale improvements needed. An independent review of selective licensing schemes published by the Government in June 2019<sup>7</sup> found that selective licensing schemes can be very effective and that it was market factors that contributed to rent increases rather than licence fees. It is understood that boroughs that have introduced licensing schemes have not experienced a noticeable decrease in private rented properties. All landlords (whether private rented, council housing or housing associations) have a responsibility to manage their properties, to keep them safe and to address ASB with their tenants. Council housing are making huge investment in their stock (£41 million in 2019/20 alone), and have teams dedicated to tackling ASB amongst council tenants.

- 5.80 The Council's considerations of these comments are detailed in Appendix 2. Having carefully considered the comments, it is not proposed to change the designations or area covered by the proposed selective licensing scheme.
- 5.81 There were a number of comments from respondents that selective licensing should cover the whole borough. However, at this time it was considered it is more targeted and more proportionate to select the wards with the highest and multiple issues of poor property conditions, deprivation and anti-social behaviour that together create the greatest demands on council services.

Consultation response to the proposed additional HMO licensing scheme

- 5.82 Through the statutory consultation, the Council proposed a borough wide additional licensing designation that would apply to HMOs that did not fall within the scope of mandatory HMO licensing, comprising HMOs occupied by 3 or 4 persons where one or more amenities are shared by more than one household. The proposal did not include HMOs defined under Section 257 of the Housing Act 2004 (a building converted into self-contained flats but does not meet the standards of conversion required by the Building Regulations 1991, and where less than two thirds of the flats are owner occupied).
- 5.83 Overall, the majority of respondents, 72%, agreed with the Council's proposal to introduce additional licensing for Houses in Multiple Occupation (HMOs) across the borough, with 20% of respondents disagreeing. 81% of tenants and 87% of residents agreed. 30% of landlords/agents agreed and 56% of landlords/agents disagreed.

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/833217/Selective\\_Licensing\\_Review\\_2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833217/Selective_Licensing_Review_2019.pdf)



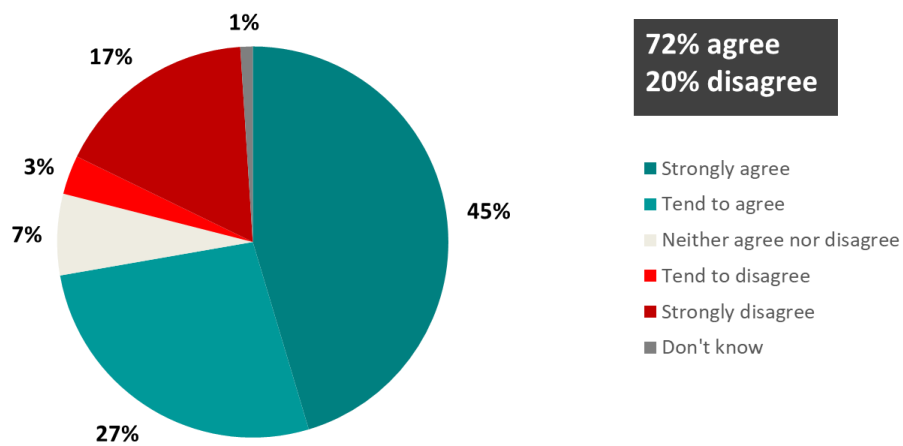


Figure 13 - Support for introducing a borough-wide Additional Licensing scheme

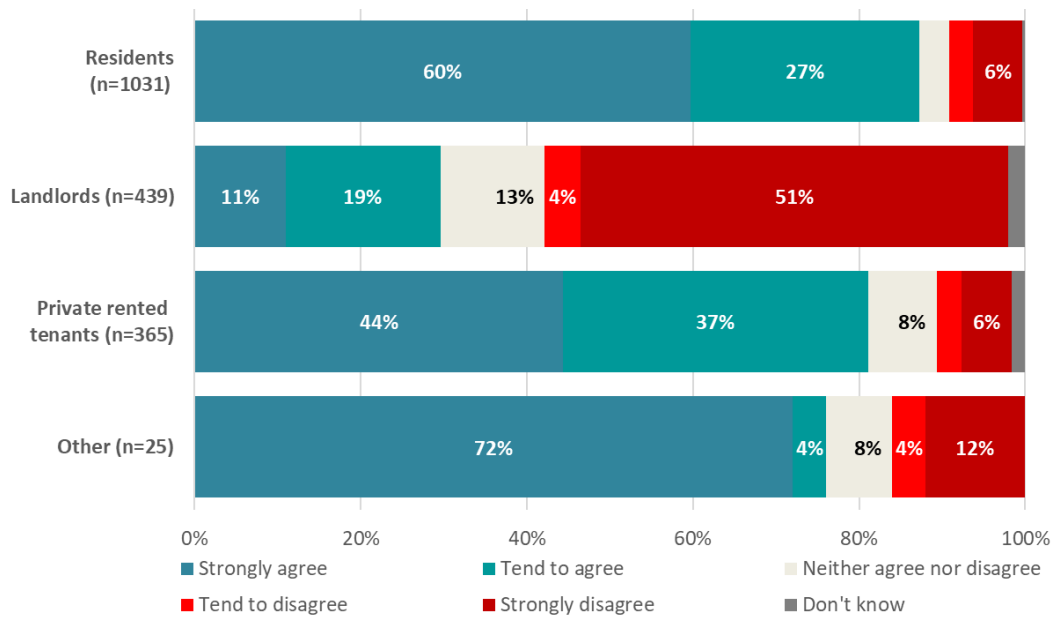


Figure 14 - Support for introducing a borough-wide Additional Licensing scheme (by respondent group)

5.84 There were 590 comments in relation to not supporting the proposed additional HMO licensing scheme. The most common reasons (more than 5 comments) were:

- Felt it was a money making scheme (84 comments)
- Good landlords should not be penalised (76 comments)
- Rents will increase - costs pass onto tenants (65 comments)
- Already systems/regulations to deal with problems, eg ASB (52 comments)
- Disagree with fees/unnecessary cost to landlord (51 comments)

- Will reduce availability of housing/push landlords out of borough (41 comments)
- Will not solve the problems - eg bad landlords will still operate (41 comments)
- Problems are not solely related to PRS - council housing and owned also - (23 comments)
- Licensing not needed (23 comments)
- Additional bureaucracy (21 comments)
- Generally disagree (17 comments)
- Lack of evidence of licensing working (13 comments)
- It is not landlords' responsibility (13 comments)
- Disagree with the proposal – areas and conditions (10 comments)

5.85 The comments were generally the same reasons as those opposing the proposed selective licensing, albeit fewer comments were received about the additional licensing scheme.

5.86 The Council's considerations of these comments are detailed in *Appendix 2*. Having carefully considered the comments, it is not proposed to change the designations or area covered by the proposed additional licensing scheme. Discussion and consideration of the comments as in paragraphs 5.79 and 5.80 as also relevant to these comments.

#### Comparison with other London Boroughs' public consultations

5.87 A number of London Borough Councils have carried out public consultations for proposed selective and/or additional HMO licensing schemes in the last few years. The table below shows the most recently published data by those Councils of the levels of support for their licensing schemes. The comparison with Enfield Council shows that the majority of respondents support Enfield's proposed additional and selective licensing schemes, a stronger level of support than reported in some recent public consultation on similar schemes.

Borough	Selective Licensing		Additional Licensing	
	Agree	Disagree	Agree	Disagree
<b>Enfield</b>	<b>69%</b>	<b>25%</b>	<b>72%</b>	<b>20%</b>
Waltham Forest 2019	47%	31%	57%	23%
Brent	65%			
Redbridge	42%	52%		
Hackney	38%	55%	41%	55%
Croydon	Currently in consultation			

**Table 7 - Levels of support for Selective and Additional Licensing in other London boroughs**

#### Consultation response to the objectives of the proposed schemes and possible alternatives to licensing

5.88 When considering whether to make an additional or selective licensing designation a local housing authority must identify the objective or

objectives that a designation will help it to achieve. The proposed scheme objectives (alongside outcomes and outputs) formed part of the consultation and can be found in *Appendix 6*.

- 5.89 As required by legislation, the evidence report (*Appendix 3*) detailed a number of other courses of action or alternatives to selective and additional licensing that the Council had considered, but did not believe that, individually or collectively, provided an effective, or as effective a, means of tackling poor housing conditions, ASB and the conditions that make deprivation worse in the borough. Neither will they deliver the scale of improvement required in the private rented sector. A summary of these alternatives is:
- Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers
  - Voluntary accreditation schemes
  - Reliance on prosecutions and civil penalties for housing offences
  - Improvement grants to improve sub-standard properties
  - Use of ASB powers
- 5.90 Overall, there were 1,046 comments from respondents suggesting alternative ways the Council could address poor property conditions and management, anti-social behaviour and deprivation in private rented properties in the borough. There were 534 comments from landlords (51% of comments), 335 comments from residents (32% of comments), and 136 comments from private renting tenants (13% of comments).
- 5.91 The most common reasons (more than 5 comments) expressed in the 1,046 comments for alternative ways the Council can address poor property conditions and management, anti-social behaviour and deprivation in private rented properties in the borough were:
- More checks/inspections (110 comments)
  - General disagreement with the proposals (106 comments)
  - Better enforcement - follow up complaints, more officers and police (82 comments)
  - Easier system to report problems - eg website, app (74 comments)
  - Use existing powers/regulations (70 comments)
  - Agree with proposals/good idea (65 comments)
  - Fines for poor properties/landlords (59 comments)
  - Hold bad tenants to account (48 comments)
  - Focus on the worst culprits (36 comments)
  - Liaise with tenants and landlords/help them work together (26 comments)
  - More social/affordable housing (23 comments)
  - Use of court action/evictions (23 comments)
  - Introduce different/better standards (22 comments)
  - Maintain a register of landlords/properties (21 comments)

- Inform tenants of their responsibilities (20 comments)
- Council/Police should deal with ASB (20 comments)
- More rights for tenants/inform them of rights (16 comments)
- Better street maintenance/more investment in areas (14 comments)
- Rent control/caps (13 comments)
- Revoke ability to rent properties – blacklist (13 comments)
- Make landlords bring properties up to standard (12 comments)
- Hold management companies/agents accountable for bad landlords (12 comments)
- Checks already carried out by management agents (10 comments)
- More rights/protections for landlords (10 comments)
- Make management agents or accreditation compulsory (9 comments)
- Helpline for advice (8 comments)
- Grants/funding for landlords (8 comments)
- Install CCTV cameras (7 comments)
- Make ASB part of tenancy agreements/contracts (7 comments)
- Tenant vetting (6 comments)
- Case by case approach (6 comments)

5.92 A large proportion of the comments relate to the use of powers and enforcement (use powers/more enforcement, more checks/inspections, fine landlords, focus on worst culprits, hold agents to account for bad landlords and make landlords bring properties up to standard). The evidence report (Appendix 3, section 4) explains how the Council has increased its use of enforcement powers over the last 3 years and also specifically targeted rogue landlords. However, this alone has not been able to address the growth in the sector and the large scale improvement needed in the private rented sector. We recognise the need for robust enforcement, and as such around £5million will be used to resource the enforcement of the schemes. As there is strong support for the use of powers, we will look to introduce the use of civil penalties for breaches of housing legislation as an additional enforcement tool. Councils can impose a maximum fine up to £30,000 although this upper limit would be rare and only for most severe cases.

5.93 There were 74 comments about making it easier to report problems. We agree with the introduction of the schemes, if approved, we will make available online an easy to use form to report issues in relation to private rented properties as well as a dedicated telephone line and email address into the team.

5.94 There were many comments about ensuring that tenants and landlords know their rights, are protected, are well informed, have access to a helpline, that the council can help with the relationship between tenants and landlords and access to grants/funding by landlords. These are all helpful suggestions and we agree and with the introduction of the licensing schemes, if approved, we intend to provide such relevant information for tenants and landlords on the Council's website and

signpost to any funding for grants (eg energy efficiency). We will also resource a tenancy relations officer to give support to tenants and landlords.

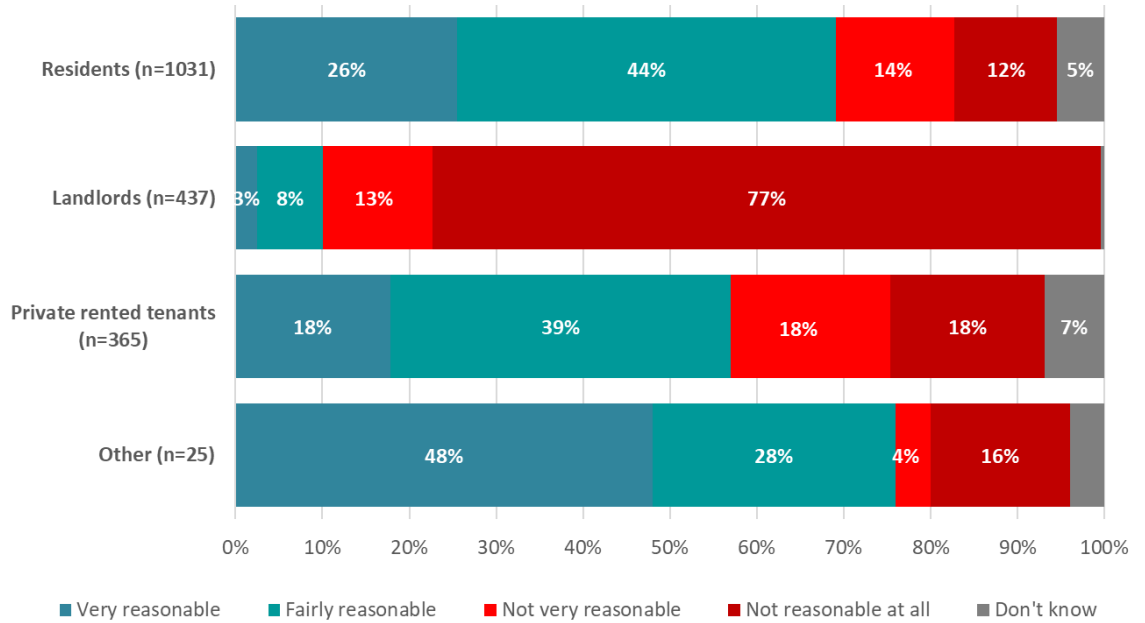
- 5.95 There were several comments about dealing with ASB caused by tenants (Council/Police to deal with ASB, tenant vetting and blacklisting tenants with known ASB, holding bad tenants to account and the use of evictions). The proposed licence conditions expect landlords in the first instances to take reasonable steps to address ASB with their tenants. However, the Council also has a role in assisting landlords where possible and helping to enforce the more serious/ongoing cases. So, in addition to the resource of a tenancy relations officer we will also provide additional ASB officers to provide this support.
- 5.96 There were 23 comments about provision of more social housing. We agree this is needed and the Council's Housing and Growth Strategy has a bold house building programme and ambition to massively increase housing supply is an opportunity to develop homes and neighbourhoods that are balanced with mixed incomes, are health-promoting, environmentally sustainable, child-friendly, age-friendly and accessible for people throughout their lifetime. The Council's Housing and Growth Strategy plans to invest in existing council homes to make sure they provide safe and secure homes for future generations and offer high-quality management services. Already in 2019/20, the Council launched a £41m investment programme to improve the condition of its own housing stock.
- 5.97 There were 21 comments about having a register of landlords (rather than licensing). This could potentially address part of the process that would be used for licensing; checking the landlord was 'fit and proper,' but does not address the need to undertake inspections to check the property conditions and how this would be resourced.
- 5.98 There were 13 comments about rent control/caps. This is not an area that the Council regulates for the private rented sector. However, we would seek to signpost or provide information about rents and their regulation on the Council's website alongside the other information suggested in paragraph 5.94.
- 5.99 There were 9 comments about requiring the use of managing agents or accreditation of the landlord. We have considered this. This suggestion has merit as a condition to be added to the licence if there are particular concerns with the conduct or management by an applicant or licence holder rather than as one of the standard conditions as it would be onerous to apply to all applicants.
- 5.100 The Council's considerations of these suggestions for alternatives to introducing licensing schemes are detailed in Appendix 2. Having carefully considered the suggested alternatives, whilst no alternatives were identified through the consultation process that would, individually or collectively, be capable of delivering the scheme objectives that the

Council would deliver through the operation of large scale selective and additional licensing schemes, there were a number of suggestions that the Council will implement alongside the proposed licensing schemes such as:

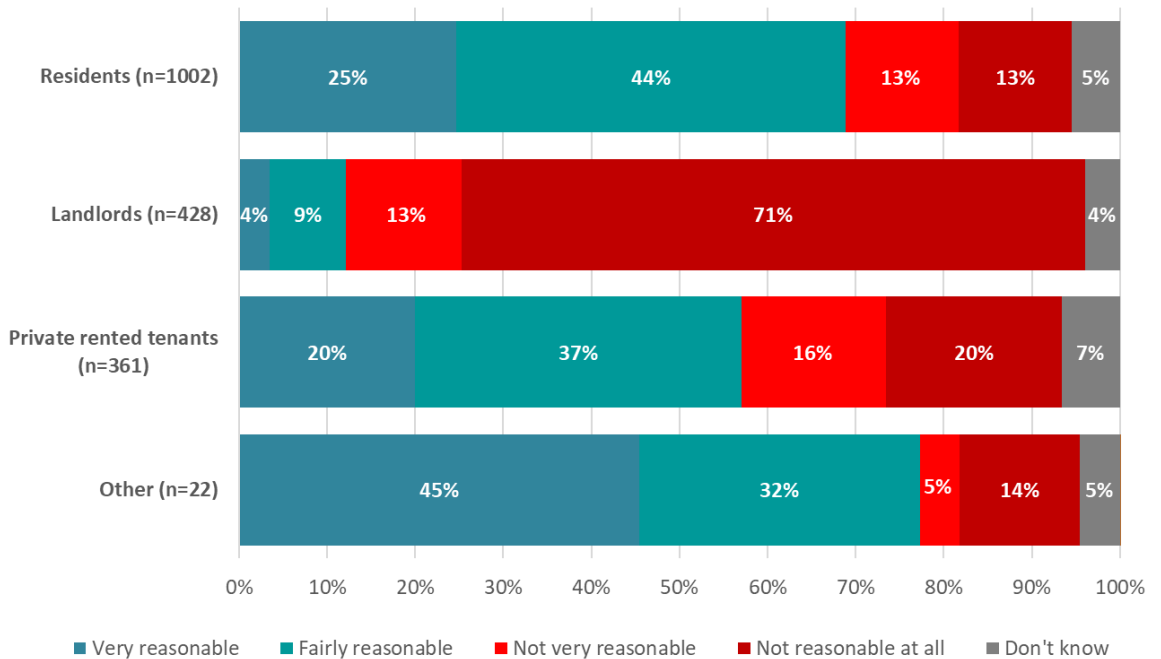
- Introduction of financial penalties (civil penalties under the Housing and Planning Act 2016) as an additional enforcement tool
- Easy means of reporting substandard properties (online form and dedicated telephone line and email)
- Dedicated webpages with information for both tenants and landlords
- Resources to support tenants and landlords such as tenancy relations and ASB officers
- If there are concerns about the licence holder or management of the property, we may impose a condition requiring the licence holder to be accredited but this will be on a case by case basis if considered necessary

#### Consultation response to the licence fee structure

- 5.101 Through the statutory consultation, the Council explained that the proposed licence fee in respect of an application to licence a property must be reasonable and proportionate to the costs of setting up, running and enforcing the licensing schemes and shall not exceed those costs. This means that the costs of the proposed licensing schemes must be cost neutral whereby the total licensing fee income does not exceed the expenditure over the five-year duration of the scheme. It was explained that the fees will be reviewed throughout the scheme and the council may adjust the fees to reflect changes in costs. The licence fee is for the duration of the scheme of up to 5 years.
- 5.102 Respondents were asked their views on the reasonableness of the Council's proposed fee structure for both additional and selective licensing. Overall just over half of respondents, 53%, said that they found the £600 selective licence fee reasonable and 43% said they found it unreasonable. Overall just over half of respondents, 53%, said that they found the £900 additional licence fee reasonable and 41% said they found it unreasonable.
- 5.103 As can be seen from the graphs below, residents were most supportive of the fees (69%) followed by private rented tenants (57%), and landlords were least supportive (only 12% were supportive of the additional licence fee and only 10% were supportive of the selective licence fee).



**Figure 15 - How reasonable respondents considered the proposed Selective Licence Fee (by respondent group)**



**Figure 16 - How reasonable respondents considered the proposed Additional Licence Fee (by respondent group)**

5.104 There were 1,096 comments about the reasonableness of the additional and selective licence fees. The most common reasons (more than 5 comments) were:

- Not in favour/generally disagree (277 comments)
- Too high/should be lower (238 comments)
- Will be passed onto tenants/rents will increase (212 comments)
- Appropriate/reasonable (77 comments)
- Will put new landlords off/existing landlords will sell up (49 comments)
- Two low/should be higher (46 comments)
- Should be annual payments/instalments (37 comments)
- Different fees for scale of properties let (29 comments)
- Should be free (24 comments)
- Fee should reflect rent/property (20 comments)

5.105 The licence fees have been calculated based on the estimated costs of setting up, operating and enforcing the licensing schemes. The costs must be met from the anticipated number of properties that would be licensed within the designated areas, rather than the size or rental value of the property. If the proposed fees were reduced, and therefore the costs reduced, this would impact on the resources available to deliver the schemes and reduce their expected effectiveness. There were high levels of support for the schemes elsewhere in the consultation (328 comments) if they are properly implemented and enforced. We are not aware of any Council that does not charge a fee for additional or selective licensing schemes. There were some comments that the fees were appropriate or should be higher.

5.106 There were high levels of comments about the cost of the licences being passed onto tenants in rent increases. This is a common concern with licensing schemes. However, an independent review of selective licensing schemes published by the Government found that rent increases were the result of market forces rather than licence fees. There were some comments that the fees were appropriate or should be higher.

5.107 We do not propose to offer a discount or reduced fee if applications are made early ('early bird') as some Councils provide. There were several (73) comments asking the council to consider reduced fees (incentives) received in the public consultation. The proposed fees have been based on the estimated costs of operating the licensing schemes, and if early bird discounts were now introduced this would reduce the resources needed for the schemes or result in higher fees being set for when the fee for the early bird discount expires. Therefore, for these reasons it is not recommended that early bird or other discounts are provided.

5.108 The Council's considerations of these comments about the proposed licence fees are detailed in Appendix 2. Having carefully considered the outcome of the public consultation regarding the fees and the need to ensure that the licensing schemes are appropriately resourced to



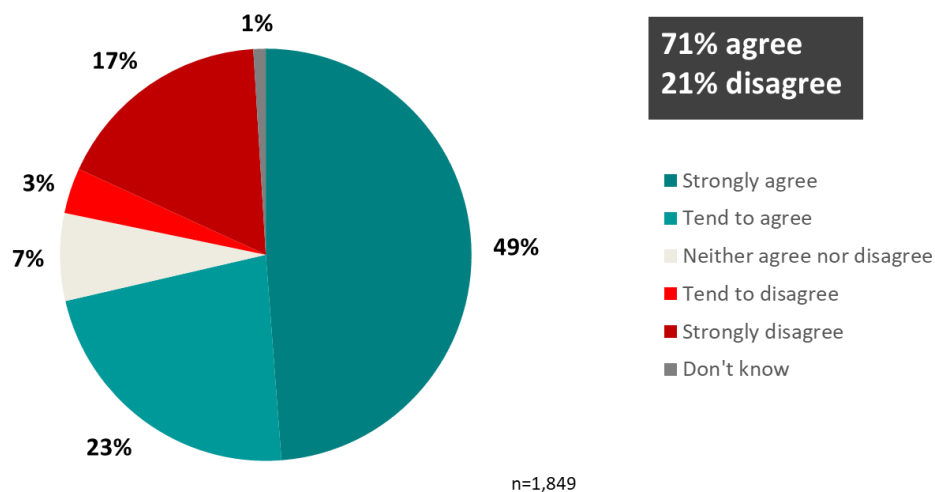
deliver the scheme objectives, it is not proposed that the level of fees are reduced or increased, but will be kept under review.

Consultation response to the Licence Conditions

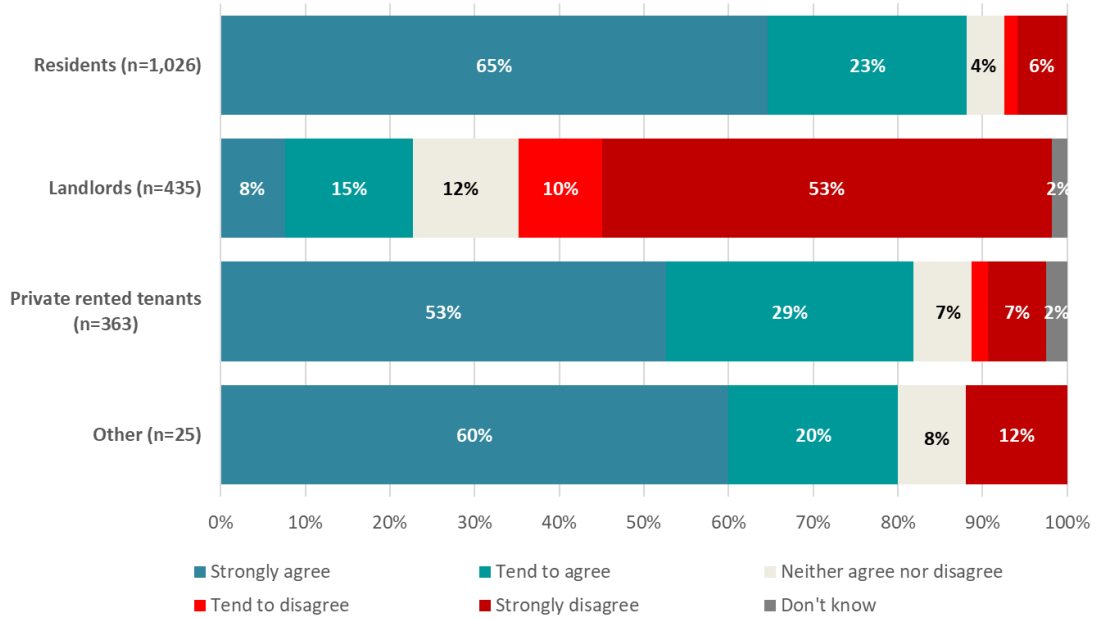
5.109 Through the statutory consultation, the Council set out its proposed licence conditions to accompany a granted property licence, placing obligations on the licence holder in relation to the letting and management of the property.

5.110 Overall, the majority of respondents, 71%, said they agreed with the proposed selective licence conditions and the majority of respondents, 73%, said they agreed with the proposed additional licence conditions.

5.111 Residents were most supportive of the selective licence conditions (88%), followed by private rented tenants (82%). 22% of landlords agreed.

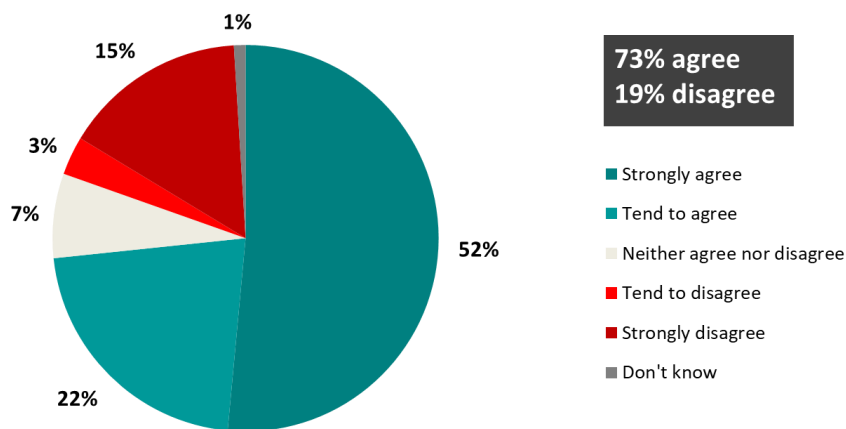


**Figure 17 - Levels of agreement or disagreement with the proposed Selective Licence conditions**

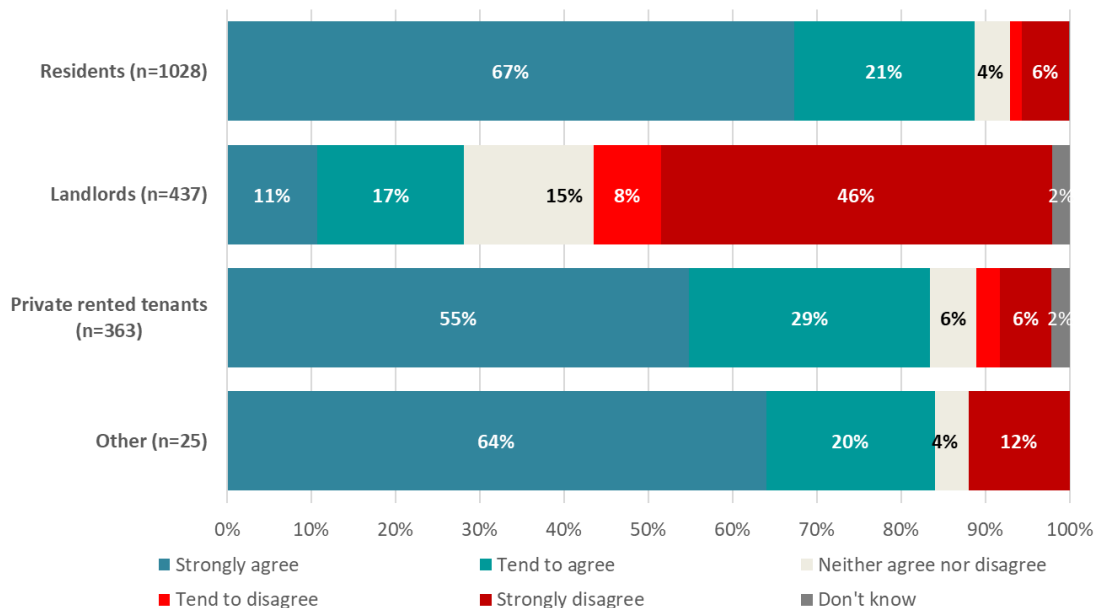


**Figure 18 - Levels of agreement or disagreement with the proposed Selective Licence conditions (by respondent group)**

5.112 Support for the proposed conditions was marginally greater for additional licences. Residents were most supportive of the additional licence conditions (89%), followed by private rented tenants (83%). 28% of landlords agreed.



**Figure 19 - Levels of agreement or disagreement with the proposed Additional Licence conditions**



**Figure 20 - Levels of agreement or disagreement with the proposed Additional Licence conditions (by respondent group)**

5.113 There were a number of comments and suggestions on both sets of licence conditions, some of which demonstrated that there is not a clear understanding of why the conditions are being proposed. This information will help to inform the communications around the licence conditions.

5.114 There were 288 comments on the selective licence conditions. The most common comments (more than 5 comments) were:

- Felt it was a money making scheme/additional tax (36 comments)
- It will raise rents (33 comments)
- Landlords doing a good job/unfair on good or small landlords (33 comments)
- Council should not interfere/no need for the scheme (32 comments)
- Licensing will not solve issues - eg ASB, rogue landlords (20 comments)
- Enough legislation in place/conditions already implemented (20 comments)
- Too strict/not adequate for the real world/too much responsibility on landlords (17 comments)
- Costly bureaucracy/waste of money and resources (14 comments)
- Unfair to landlords as tenants sometimes to blame (13 comments)
- Enforce current laws/fines and respond to residents' complaints (13 comments)
- Additional cost for landlords (11 comments)
- The schemes should only target problematic landlords/tenants (10 comments)
- Will diminish housing stock (9 comments)

- Council unable to manage their own properties so not capable of managing these schemes (7 comments)
- 5.115 Many of these themes have been considered and discussed above and are mostly about the schemes themselves rather than the proposed licence conditions. Most of the licence conditions reflect existing legal requirements so are not placing any additional responsibilities, costs or burdens on landlords.
- 5.116 There were 289 comments on the additional licence conditions. The most common comments (more than 5 comments) were the same as for comments on the selective licence conditions.
- 5.117 The Council's considerations of these comments about the proposed licence conditions are detailed in Appendix 2. In addition to the comments above there were some more specific comments on the proposed conditions. This included comments regarding whether draft condition 3.5 (regarding external decorative order) was correct as it could be considered a licence condition to regulate the 'condition' of property which is not permitted in the legislation for selective licensing. It was also suggested that draft conditions 8.1-8.3 in the additional licence conditions (regarding council tax responsibility and payments) were not correct.
- 5.118 As a result of the consultation representations received, the Council has decided to remove draft conditions 3.5 from both schemes and draft conditions 8.1-8.3 from the additional licence conditions. The revised proposed conditions are at *Appendix 8 (Additional Licensing)* and *Appendix 9 (Selective Licensing)*.

Other comments on the proposed additional and selective licensing schemes

- 5.119 At the end of the questionnaire respondents were asked if they had any further comments. There were 888 comments provided. The most common themes (more than 5 comments) were:
- Agree with the schemes if properly implemented and enforced (328 comments)
  - Adjust the fee/make it free/offer incentives (72 comments)
  - Could result in rent increase/rent control needed (69 comments)
  - Some of the proposals are unrealistic/not solve the issues – ASB, overcrowding (64 comments)
  - Schemes not needed/Council should not interfere/do not introduce the scheme (63 comments)
  - Felt it was a money making scheme (58 comments)
  - Unfair/unnecessary burden to some landlords (49 comments)
  - Amends or additions suggested/more info needed (46 comments)

- Might raise rents/diminish housing stock (34 comments)
- Target only the bad landlords (27 comments)
- Current legislation covers most/all of proposed measures, just enforce it (25 comments)
- Scheme difficult to implement/not cost effective and too bureaucratic (20 comments)

5.120 These themes have been considered and discussed above, and considered in more detail in Appendix 2. There was a high level of comments (328) in support for the licensing schemes but that the Council needs to ensure that they are properly implemented and enforced. We agree, and so if the proposed fee level (costs of the resources for the scheme) were reduced this would compromise their delivery and objectives. We will resource robust enforcement of the licensing schemes (about £5million).

#### Licensing Scheme exemptions

5.121 The statutory exemptions from licensing (Housing Act 2004) will apply to both schemes. These include, for example, properties where the Council holds the tenancy agreement directly with the tenant for temporary accommodation, registered social providers, properties that are subject to prohibition orders, where the full term of the tenancy is over 21 years. A full list of the statutory exemptions can be found on page 51 of the evidence report [Appendix 3].

## **6 COMMENTS FROM OTHER DEPARTMENTS**

### **6.1 Financial Implications**

6.1.1 The intention and requirement is that the schemes are self-financing over the five-year period it is in force. Using comparable modelling from benchmarking exercises, the cost for implementing and administering both schemes is estimated to be £19.8 million over the five-year period. The licence fees have been set in line with the requirements of operating the schemes and are at a level which is estimated to equal these costs.

6.1.2 Based on the estimated total cost of the scheme (£19.8m), the proposed fee for a Selective Licence is £600 per property for up to 5 years, and the proposed fee for an Additional Licence is £900 per property for up to 5 years. The fee is levied in two parts; part 1 of the fee is for the application for a licence and covers the costs of processing, administration and validation of the application. Part 2 of the fee covers the running costs of the scheme, including the licensing inspections and enforcement.

6.1.3 The licence fee paid must be reasonable and proportionate to the cost of the authorisation (licensing) procedure and shall not exceed the cost of the authorisation procedure. This means that the costs of the

proposed licensing schemes must be cost neutral; whereby the total licensing fee income does not exceed the expenditure over the five-year duration of the scheme.

6.1.4 Proposed Licence Fees and estimated income over the five-year period are show in the table below: -

Type of Licence	Part 1 Fee Processing and determination of application	Part 2 Fee Administration, management and enforcement of the scheme	Total
Selective Licence	£260	£340	<b>£600</b>
Additional HMO licence	£550	£350	<b>£900</b>

Scheme	Estimated Income From Fees £
Selective (est. 22,997 x £600)	13,798,200
Additional (est. 6,662 x £900)	5,995,800
<b>Total</b>	<b>19,794,000</b>
<p>Note: There are allowances in the maximum potential income for bad debt, and some private rented properties that might not come forward/be identified and exempt tenancies/properties (ie other Council's temporary accommodation in the borough).</p>	

6.1.5 The forecast costs and income over the five-year period are as follows:

<b>Scheme 5 Year Operating Costs</b>							
<b>5 Year Projections</b>	<b>Year 0 £</b>	<b>Year 1 £</b>	<b>Year 2 £</b>	<b>Year 3 £</b>	<b>Year 4 £</b>	<b>Year 5 £</b>	<b>Total</b>
Staffing (Employee Costs)	914,664	3,558,422	3,373,467	2,414,137	2,337,006	2,382,146	<b>14,979,842</b>
Staffing (Indirect Employee Costs)	38,695	60,895	57,400	60,895	57,400	57,400	<b>332,685</b>
Consultancy, Implementation and Research Costs	583,000	10,000	10,000	10,000	10,000	10,000	<b>633,000</b>
Communication Costs	2,000	11,740	6,610	2,765	2,765	2,765	<b>28,645</b>
IT & Equipment Costs	271,500	59,400	41,500	51,500	41,500	51,500	<b>516,900</b>
Legal Costs	148,000	143,760	46,760	46,760	46,760	46,760	<b>478,800</b>
Other Operational Costs	0	10,579	3,980	3,980	3,980	3,980	<b>26,499</b>
Overhead and Management Costs	323,047	636,041	584,053	427,356	412,403	414,729	<b>2,797,629</b>
<b>Total Costs</b>	<b>2,280,905</b>	<b>4,490,837</b>	<b>4,123,770</b>	<b>3,017,393</b>	<b>2,911,814</b>	<b>2,969,280</b>	<b>19,794,000</b>
<b>Income from License Fees</b>							
<b>5 Year projections</b>	<b>Year 0 £</b>	<b>Year 1 £</b>	<b>Year 2 £</b>	<b>Year 3 £</b>	<b>Year 4 £</b>	<b>Year 5 £</b>	<b>Total</b>
Estimated Additional income	0	2,698,200	1,499,400	599,400	599,400	599,400	<b>5,995,800</b>
Estimated Selective Income	0	6,208,800	3,449,400	1,380,000	1,380,000	1,380,000	<b>13,798,200</b>
<b>Total Income</b>		<b>8,907,000</b>	<b>4,948,800</b>	<b>1,979,400</b>	<b>1,979,400</b>	<b>1,979,400</b>	<b>19,794,000</b>
<b>Surplus (green) Deficit (red)</b>	<b>2,280,905</b>	<b>-4,416,163</b>	<b>-825,030</b>	<b>1,037,993</b>	<b>932,414</b>	<b>989,880</b>	<b>0</b>

6.1.6 The estimated investment in year zero (£2.28m) will be funded from the Council's Corporate reserves, and will be offset/covered through the estimated surplus in year one. This will be included in the budget to be agreed by Council on 26 February 2020.

6.1.7 Over its life (5 years), the schemes are expected to cover its full costs of £19.8m, through the income generated from the proposed licence fees.

## **6.2 Legal Implications**

### **Jeremy Chambers – Director of Law & Governance**

- 6.2.1 I have considered the contents of the report and the advice given by Counsel. I am content that the work done by officers to date and the matters before Cabinet are appropriate and minimise the risk of any successful legal challenge.

Counsel has provided advice and guidance to the Council as part of the proposed Additional and Selective Licensing schemes and continues to work with the lead officers. The following legal implications have been prepared in full consultation with Counsel.

Parts 2 and 3 of the Housing Act 2004 provide powers for local housing authorities to designate areas, or the whole of the area of its district, for additional (Part 2) and/or selective (Part 3) licensing of private rented accommodation.

These powers are available where the local housing authority is satisfied that specified criteria are met as set out below and within this report.

The exercise of the powers must be consistent with the Council's overall housing strategy and the Council must adopt a co-ordinated approach in connection with improving housing standards and tackling deprivation and inequalities including homelessness, empty properties and antisocial behaviour.

#### **Criteria for Additional Licensing**

- 6.2.2 Part 2 of the Housing Act 2004 allows local authorities to designate HMOs as subject to an additional licensing scheme. Section 56 empowers a local housing authority to designate the area of their district, or an area in their district as subject to additional licensing in respect of the description of HMOs specified in the designation outlined in the consultation documentation where it considers that a significant proportion of those HMOs in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- 6.2.3 This report outlines the legislative conditions, at paragraphs 3 and in Appendix 3.

#### **Criteria for Selective Licensing**

- 6.2.4 Under Part 3 of the Housing Act 2004, local authorities may designate an area as subject to selective licensing, requiring those managing or



having control of privately rented accommodation (that does not have to be licensed under other licensing schemes) to obtain a licence. Section 80 of the Act empowers a local housing authority to designate the area of their district, or an area in their district as subject to selective licensing of residential accommodation other than HMOs, where it considers that a designation is experiencing one or more of the following conditions:

- (i) Poor property conditions
- (ii) High levels of deprivation
- (iii) A significant and persistent problem caused by anti-social behaviour
- (iv) High levels of migration
- (v) High levels of crime
- (vi) Low housing demand (or likely low housing demand in the future, in this case Enfield has a high housing demand and hence is not considering this criteria)

6.2.5. The non-statutory guidance - *Selective licensing in the private rented sector: A guide for local authorities* (March 2015) required consideration in conjunction with legislative provision in any designation of any Selective Licensing Scheme. Further, *An Independent Review of the Use and Effectiveness of Selective Licensing* June 2019 (updated September 2019) has been considered and informed the proposed selective licensing scheme.

6.2.6 The evidence base highlights that the conditions (i-iii) at 6.2.4 have been met along with additional required factors, as provided at paragraphs 3 and in Appendix 3.

#### Mandatory requirements for additional or selective licensing

6.2.7 Before designating an area of additional or selective licensing, the authority must take reasonable steps to consult persons who are likely to be affected by the designation and consider any representations made in accordance with the consultation and not withdrawn. Any consultation must meet the basic requirements known as the Sedley Criteria from *R v Brent London Borough Council ex p Gunning [1985] 84 LGR 168* to ensure fairness, namely, (i) consultation must arise when the proposals are at a formative stage, (ii) the proposer must give sufficient reasons for any proposal to permit an intelligent consideration and response, (iii) adequate time must be given for consideration and response and (iv) the product for consideration must be conscientiously taken into account in finalising any statutory proposals. The consultation, consideration thereof and any actions which have informed the proposed schemes along with its outcomes are outlined at Appendix 1, 1A and 2.

- 6.2.8 The authority must ensure that any exercise of the power to designate areas of additional or selective licensing is consistent with the authority's overall housing strategy. This is outlined at paragraphs 5.47- 5.54 and in Appendix 3.
- 6.2.8 The authority must also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector, as regards combining licensing with other courses of action available to it, or measures taken by others. The co-ordinated approach is outlined at paragraphs 5.47- 5.54 and in Appendix 3.
- 6.2.9 Designations cannot come into force unless they have been confirmed by the appropriate national authority, or where they fall within a description of designations in relation to which that national authority has given a general approval.
- (a) Should this report be approved, the Council will make the necessary application to the national authority for approval in relation to the proposed London Borough of Enfield Designations for Areas for Selective Licensing 2020 scheme.
  - (b) The proposed London Borough of Enfield Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2020 scheme falls within a description of designations in relation to which the Secretary of State has issued a General Approval under section 58 of the Act, namely, The Housing Act 2004: Licensing of Houses of Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 which came into force on 1 April 2015
- 6.2.10 As soon as any designation is confirmed or made, the authority must publish a notice containing prescribed information stating that a designation has been made. The authority must also make copies of the designation and information available to the public for as long as the designation is in force. The Council will publish the draft Designation Notice(s) at Appendix 4 and 5 within the prescribed time limit of 7 days provided at sections 59 and 83 for the Additional and Selective Licensing Schemes respectively.
- 6.2.11 A designation ceases to have effect no later than 5 years after the date on which it comes into force. The authority must from time to time review the operation of any designation made by them and it may revoke a designation and, if it does so, must publish a notice of the revocation in prescribed form as provided by sections 60 and 84 for additional and selective licensing respectively.

#### Grant of licences

- 6.2.12 The authority must apply a 'fit and proper person' test to applicants for the grant or refusal of any licence to additional and selective licensing

(Housing Act 2004 ss 66 and 89 respectively) and may include in any licence such conditions as it considers appropriate for regulating the management, use or occupation (and the condition in relation to additional licences) of the house concerned (Housing Act 2004 ss 67 and 90 respectively). In the instance of a dispute, the applicant(s) or any relevant person will have a right of appeal to the appropriate Tribunal in line with ss 71 and 94 respectively and Schedule 5 Part 3 Housing Act 2004.

### Fees

6.2.13 When setting the licence fees for additional and selective licencing the authority may take into account all costs incurred by it in carrying out its functions as provided by the Housing Act 2004 Part 2 and 3 Sections 63 and 87.

The non-statutory guidance - *Selective licensing in the private rented sector: A guide for local authorities* (March 2015) requires a Local Authority to set out the proposed fee structure and level of fees the authority is minded to charge (if any) as part of its consultation (this is evidenced at Appendix 1, 3 and 7. In line with this Guidance it must also set out the details of any fees that will be charged in its application to the Secretary of State.

The proposed fee structure and level of fees the authority is minded to charge for Selective and Additional Licencing is evidenced at Appendix 7.

6.2.14 ***R(Gaskin) v Richmond Upon Thames LBC [2018] EWHC 1996 (Admin)***, notes that the licensing provisions under Part 2 of the Housing Act (and by implication Part 3 also) constitute an “authorisation scheme” to which the Provision of Services Regulations 2009 apply and as such “*any charges provided for by a competent authority which applicants may incur under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities.*” Reg. 19 of the Provision of Services Regulations provides “*that authorisation procedures and formalities provided for under an authorisation scheme must secure that applications for authorisation are processed as quickly as possible and, in any event, within a reasonable period running from the time when all documentation has been submitted; that such period must be fixed and made public in advance*”. Reg 20 lays down further procedural requirements.

***Hemming v Westminster CC (No 2) [2018] AC 676***, the Supreme Court confirms that “*European law permits a fee to cover costs of running and enforcing the licensing scheme becoming due upon the grant of a licence*”.

Accordingly, fees are required to be charged in two parts, namely, (i) an application fee covering authorisation procedures and formalities and (ii) upon the grant of any licence a fee covering the running and enforcing costs of the scheme.

### Challenge

6.2.15 A designation may be challenged by way of judicial review. The time for seeking judicial review is within 3 months of the date the designation is made. The general legal principles of reasonableness, procedural propriety and proportionality will be applied by the courts on any such review.

### **6.3 Property Implications**

If the licensing schemes are approved, office space will be required for the new team of staff. There will be a requirement in at least the first year for office space for approximately 70 staff. We will work with the Council's Facilities Management Team to identify the appropriate size and location of office space to accommodate the new team taking account of mobile/agile and flexible working requirements. Some of the staff will be office based (eg licensing administrative staff) and many staff (eg inspectors) will be mostly working out of the office.

## **7 KEY RISKS**

7.1 The most significant risk would be to not designate additional and selective licensing schemes as we will fail to effectively tackle the large scale improvement required in the private rented sector. In addition, surrounding Councils have either one or both schemes in place. This makes the borough potentially more vulnerable to be targeted by rogue landlords wishing to operate with relative impunity. Anecdotally, there is experience of criminal landlords setting up new businesses in areas without licensing.

7.2 There is a potential risk that the selective licensing confirmation could be rejected by the Secretary of State.

Mitigation: Since the change in the legislation requiring Secretary of State confirmation for large scale selective licensing, 80% of schemes have been approved by MHCLG including large scale schemes in Newham, Barking & Dagenham and Redbridge. This potential risk is considered low given the robust evidence base (*Appendix 3*) and the extensive Public Consultation and outcome (*Appendix 1 and 1A*). If the Secretary of State did not confirm the selective licensing scheme the Council would consider the most appropriate legal steps based on the grounds of refusal. Consideration would be given to only implementing an additional HMO licensing scheme at that time.

- 7.3 There is a potential risk of Judicial Review of the Council's decision to designate the selective and additional licensing schemes, or any Secretary of State decision on selective licensing. Judicial Reviews of public authorities are a procedural challenge to the way in which a decision has been made, rather than the conclusion reached. This is a potential reputational and financial risk to the Council.

Mitigation: The Council has engaged Counsel with particular expertise in this subject area, and specialists to advise and support us throughout the process. The data and evidence base has been subject to detailed and quality assured processes to ensure that the proposed licensing schemes are reasonable and well founded. Extensive publicity has been undertaken during the 13 week public consultation period (in excess of the statutory requirement of 10 weeks in the Housing Act 2004) which has seen high levels of engagement and feedback, and high levels of support for both licensing schemes. There has been prolonged engagement with Counsel providing assured legal advice regarding the evidence base and public consultation documents. The general legal principles in determining any Judicial Review are reasonableness, proportionality and procedural propriety. Having considered all of these factors, the likelihood of a successful Judicial Review is considered low.

- 7.4 It is well recognised that as with all local authorities approving designations for additional and selective licensing schemes, much preparation, resource and expenditure takes place in advance of the introduction of the schemes. This includes preparation such as implementing IT and recruiting staff. There is a potentially risk that the introduction of the schemes could be delayed due to difficulties with staffing or IT for example (or as mentioned above, a legal challenge). This poses a potential financial risk to the Council as expenditure is required in advance of licence application fee income being received when the licensing schemes 'go live'.

Mitigation: A draft project plan and risk register for the implementation of the licensing schemes has been prepared. This will ensure that any risks to implementation have been identified and measures taken to eliminate or reduce the risk. The project plan will be monitored regularly by a Governance Board and any corrective actions taken to ensure that the licensing schemes can be delivered on time.

## **8 IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

### **8.1 Good homes in well-connected neighbourhoods**

One of the Council's key promises in the corporate plan is "*Delivering initiatives to improve standards in the private rented sector and tackle rogue landlords.*" The introduction of additional and selective licensing schemes is fundamental to the delivery of that promise and is the most important tool the Council will have to enable an improvement in the

standard of privately rented homes and making Enfield a place that does not tolerate rogue landlords.

The schemes will also work positively and supportively with good landlords to raise the professionalism and management of the sector and ensure that properties are safe, secure and well-maintained.

By improving standards in the private rented sector and tackling rogue landlords, this will improve the neighbourhood as a whole and will help to encourage investment in regeneration and housing in the borough. Together, these will enable the Council to deliver on its aim of, “Working with the public and private sector to deliver decent, safe housing that meets residents’ needs.”

## **8.2 Sustain strong and healthy communities**

A good quality private rented sector will encourage residents to stay in Enfield, in turn creating sustainable communities. A poorly managed rented sector, with badly maintained properties, not only encourages a faster turnover of tenants but often distracts from the look and feel of the street. This can put off residents of all tenures from remaining in the borough and destabilises the community.

The main objective of both licensing schemes is to improve the management and maintenance of properties in the sector. The licensing schemes, in particular, will have a specific aim to reduce category 1 hazards in the private rented sector, such as excessive cold, damp, infestations and fire/electrical issues, which adversely affect the health and wellbeing of residents. This supports the Council’s corporate aim to “Build measures into all our strategies and projects that will help improve public health and people’s wellbeing.”

Another of the objectives of introducing licensing in Enfield is to reduce property-related ASB. This is consistent with Enfield’s’ corporate plan pledge of “Working with partners to make Enfield a safer place by tackling all types of crime and anti-social behaviour; and protecting the local and urban environment.”

## **8.3 Build our local economy to create a thriving place**

The introduction of selective and additional licensing in Enfield aims to provide an improved standard of housing within the private rented sector. Poor property conditions are borne by the most vulnerable and economically disadvantaged in the community so, by improving housing conditions these schemes will help the council to deliver on its pledge to “work on reducing inequalities to make Enfield a place for people to enjoy from childhood to old age.”

An improvement in property conditions also has an inevitable positive effect on the streetscape, and will help to ensure “*our high streets and town centres thrive and attract people to live, work and visit.*”

## 9 EQUALITIES IMPACT IMPLICATIONS

- 9.1 A full Equalities Impact Assessment (EQIA) was carried out prior to the public consultation and has been reviewed and revised in the light of feedback from the public consultation. The Equalities Impact Assessment is at Appendix 10.
- 9.2 Enfield Borough is characterised by significant inequalities between the relative affluent west of the Borough and the deprived east, separated by the A10, which represents both a physical and social boundary between communities. The licencing schemes should help those that are most disadvantaged through ensuring that proper tenancy arrangements are in place. The elimination of overcrowding and addressing poor energy efficiency within the private rented sector will help to improve the health outcomes of the most disadvantaged groups. Overall, tenants will benefit from an improvement in their property conditions and better standards of tenancy management.
- 9.3 The public consultation on the proposed licensing schemes was widely publicised using various media including ethnic newspapers and voluntary and third sector organisations. The ethnicity breakdown of Enfield's population was taken account of in determining the same size for the 1,067 face to face surveys across the borough. Stratified random sampling was undertaken for each ward in order to take account of the age and gender profile in each ward. We collected equality monitoring information as part of the public consultation process (please refer to Appendix 1A Page 51-54). This showed that the age and gender of respondents were broadly representative of the Enfield population, as were disability and work status. Ethnicity was broadly representative amongst respondents for many groups, although 'White - English' was overly represented and some groups were slightly under represented amongst respondents; 'White – Other', Greek Cypriot, Turkish, Black Somali and Black African and 'Black – Other'.
- 9.4 The Action Plan (Appendix 10) identifies actions from the EQIA to be undertaken.

## 10 PERFORMANCE AND DATA IMPLICATIONS

- 10.1 The objectives of the licensing schemes are explained in section 15 of the evidence report (Appendix 3). These are to:
- Improve property conditions and management standards
  - Reduce the factors that make deprivation worse
  - Reduce Anti-social behaviour

These are supported by outputs detailed in section 15 (appendix 3) to achieve the outcomes.

- 10.2 Comprehensive performance indicators and a robust performance monitoring will be developed and monitored regularly to ensure that progress with these objectives is achieved. Performance will be reported regularly to the departmental management team and the Council's Executive Management Team and/or Assurance Board. A number of these indicators are likely to also feature on the Quarterly report for Cabinet.
- 10.3 A detailed analysis of the Borough and its wards are produced annually that review amongst other things the changing deprivation, ASB and customer demographics of the area. This analysis can support us in understanding any changes that are resulting from the licensing schemes.
- 10.4 Detailed analysis can be undertaken looking at any new releases of Deprivation data to look at how wards are changing over time which will help assess the relative success of the scheme.

## **11 HEALTH AND SAFETY IMPLICATIONS**

- 11.1 As an employer, the Council has a duty towards employees under section 2 of the Health and Safety at Work etc Act 1974, so far as is reasonably practicable. Fundamental to this is the requirement for employers to undertake a suitable and sufficient assessment of the risks to the health and safety of staff and to take measures to eliminate or reduce the risks. Staff should be informed of these risks and control measures, and provided with any necessary health and safety training.
- 11.2 There are existing risk assessments for housing enforcement staff and these will apply to new staff that are recruited for the licensing schemes. The risk assessments are reviewed and revised as necessary on an ongoing basis.
- 11.3 One of the main risks to housing enforcement officers in undertaking inspections and enforcement are the risks associated with lone working. There are already Council policies and arrangements in place to address the risks of lone working which would also apply to new staff recruited for additional and selective licensing schemes.

## **12 HR IMPLICATIONS**

- 12.1 New roles and posts will be created in order to appropriately resource and deliver these licensing schemes. All new posts will require a job description and person specification, and the grade of the post will need to be evaluated.
- 12.2 Recruitment to the posts will be undertaken in accordance with the Council's HR recruitment policies and procedures.



- 12.3 A comprehensive staffing workforce project plan will be developed with the Council's human resources team.

### **13 PUBLIC HEALTH IMPLICATIONS**

- 13.1 Warm, safe affordable housing is fundamental to health. The quality of housing is crucial with, for example, damp housing being associated with increased incidence of respiratory conditions, homes that are expensive to heat increasing the risk of fuel poverty and overcrowding meaning that, for example, children have less space to study and more likely to be interrupted / distracted when they are studying.
- 13.2 Research by Shelter, the Housing Charity, has shown that poor housing increases a child's risk of severe ill-health and disability during childhood and early adulthood by 25% and that it leads to lower educational achievement, greater likelihood of unemployment and poverty. Research for the Health Foundation indicates that for every £1 invested in housing saves £2 in costs avoided to public services including care, health and crime. The Building Research Establishment (BRE) estimates that the cost of poor housing to the NHS is £1.4 billion per year.
- 13.3 An improvement in the living conditions of the most vulnerable and deprived in the borough is one of the aims of introducing the licensing schemes. Additional HMO licensing scheme and a selective licensing scheme in 14 wards will help raise housing standards by identifying removing dangerous defects from privately rented accommodations. The inspection and enforcement of the licensing schemes aim to improve housing conditions and management and reduce the factors that make deprivation worse. As a result, the proposed licensing changes may contribute to an improvement in the health outcomes of private tenants. Nonetheless the licensing measures in itself will not improve the respiratory diseases related to damp and mould which are made worse by fuel efficiency measures, that inhibits ventilation, when the tenants cannot afford heating due to fuel poverty. Licensing in itself will not solve a key underlying cause which is poverty. A co-ordinated approach with other Council Strategies and agencies is needed to tackle housing standards, deprivation, homelessness, empty properties and antisocial behaviour in the private rented sector.

## **Background Papers**

'London Borough of Enfield Private Rented Sector: Housing Stock Condition and Stressors Report' produced by Metastreet Limited.

## **Appendices**

Appendix 1: M.E.L Research report on the outcome of the public consultation

Appendix 1A: M.E.L Research report Appendices

Appendix 2: The Council's consideration of the consultation feedback

Appendix 3: The Evidence report

Appendix 4: Selective Licensing Scheme Designations

Appendix 5: Additional Licensing Scheme Designation

Appendix 6: The Licensing Schemes objectives

Appendix 7: Fee structure for the licences

Appendix 8: Selective Licence conditions

Appendix 9: Additional Licence conditions

Appendix 10: Equalities Impact Assessment



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research

**Consultation on licensing  
private rented property in  
Enfield**

**Enfield Council**

**Report  
December 2019**



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## Project details and acknowledgements

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# 1. Executive Summary

This summary provides the main findings from the consultation undertaken on Enfield Council's proposals to introduce Selective Licensing in 14 wards (Bowes, Chase, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton), and Additional Licensing for Houses in Multiple Occupation (HMOs) across the whole borough of Enfield.

A variety of methods were used to consult with landlords, tenants, residents, businesses, stakeholders and other interested parties. These included an online survey, which was hosted independently by M·E·L Research, along with a face to face survey, which was representative of residents in the borough (by wards, age and gender). Four public meetings were held, a feedback form was provided for written responses, along with an email address for any written responses and queries, along with a freephone number.

The consultation ran for 13 weeks from 28 August to 29 November 2019. In total, 1,861 responses were received: 794 from the online survey and 1,067 from the face to face survey. Qualitative feedback was recorded at four public meetings, via 35 written responses submitted by interested parties and via 10 stakeholder interviews/responses.

The results include support for a proposal that the Council is considering introducing to improve the private rented sector:

- Implement a Selective Licensing scheme in 14 wards of the borough (in 2 separate designations)
- Implement a borough-wide additional (HMO) licensing scheme across the whole of the borough.

The consultation also looked at views on the proposed licensing conditions, fees and alternatives that the council could consider. We also asked respondents who were not in support of the proposals to provide reasons for their views and to identify any likely impact that each licensing scheme would have on them.

## Key findings

### 1. Selective Licensing scheme in 14 wards

**Table 1: Responses to Selective Licensing proposal (overall responses/by respondent group)**

	Overall	Landlords	PRS tenants	Residents	Other
Base	1,855	440	362	1,208	25
Agree with Selective Licensing proposal	69%	18%	81%	86%	80%
Disagree with Selective Licensing proposal	25%	73%	11%	10%	16%
Base	1,849	435	363	1,026	25
Agree with proposed Selective Licensing conditions	71%	23%	82%	88%	80%
Disagree with proposed Selective Licensing conditions	21%	63%	9%	7%	12%
Base	1,828	437	365	25	1,031
Selective Licensing fee is reasonable	53%	10%	57%	69%	76%
Selective Licensing fee is not reasonable	43%	89%	36%	26%	20%

- Support for the Selective Licensing proposal is strong overall with around seven out of ten (69%) respondents agreeing with the proposal. A quarter disagree (25%).
  - Residents are most supportive of the proposal, followed closely by private rented tenants (86% and 81% agreeing);
  - Landlords are least in favour of Selective Licensing, with around three quarters (73%) disagreeing with the proposal, and only one in five (18%) agreeing. This is much higher than for Additional Licensing;
  - The most common reason respondents give for disagreeing with the proposal is that it is a **money-making scheme** (96 comments from 400 respondents).
  
- Around seven out of ten respondents (71%) agree with the proposed **Selective Licensing conditions**, whilst a fifth (21%) disagree.
  - Residents are most supportive of the proposed conditions (88% agree);
  - Landlords are most strongly opposed to the conditions, with around six out of ten disagreeing (63%).
  
- Over half of respondents (53%) feel the proposed **Selective Licence fee is reasonable**. However, four out of ten (43%) feel the licence fee is not reasonable.
  - Support is strong amongst 'other' respondents and residents (76% and 69%), whilst lower amongst private rented tenants (57%);
  - Landlords are much more negative, with 89% saying they are not reasonable.



## 2. Borough-wide Additional Licensing scheme

**Table 2: Responses to borough-wide Additional Licensing proposal (overall/by respondent group)**

	Overall	Landlords	PRS tenants	Residents	Other
Base	1,860	439	365	1031	25
Agree with Additional Licensing proposal	72%	30%	81%	87%	76%
Disagree with Additional Licensing proposal	20%	56%	9%	9%	16%
Base	1,853	437	363	1,028	25
Agree with proposed Additional Licensing conditions	73%	28%	83%	89%	84%
Disagree with proposed Additional Licensing conditions	19%	54%	9%	7%	12%
Base	1,833	428	361	22	1,022
Additional Licensing fee is reasonable	53%	12%	57%	69%	77%
Additional Licensing fee is not reasonable	41%	84%	36%	26%	18%

- Support for a borough-wide Additional Licensing scheme is also strong overall with around seven out of ten (72%) respondents agreeing with the proposal. One in five disagree (20%).
  - Residents are most supportive of the proposal, followed closely by private renters (87% and 81% agree);
  - Landlords are least in favour of Additional Licensing, with over half (56%) disagreeing with the proposal, and only three out of ten (30%) agreeing;
  - The most common reason respondents give for disagreeing with the Additional Licensing proposal is also that they feel it is a **money-making scheme** (96 comments from 400 respondents).
  
- Around three quarters of respondents (73%) agree with the proposed **Additional Licensing conditions**, with half (51%) strongly agreeing. Around a fifth (19%) disagree.
  - Residents are most supportive of the proposed conditions, followed closely by private rented tenants (89% and 83% agree);
  - Landlords are most strongly opposed to the conditions, with over half disagreeing (54%).
  
- Over half of respondents (53%) feel the proposed **Additional Licence fee is reasonable**. However, four out of ten (41%) feel the licence fee is not reasonable.
  - Support is very strong amongst residents and 'other' respondents (69% and 77%), whilst slightly lower amongst private rented tenants (57%);
  - Landlords are much more negative, with 84% saying they are not reasonable.

### 3. Alternatives to licensing

The top four themes suggested as alternatives to consider instead of licensing schemes, are around doing more with the tools and powers that the Council already has (1,046 comments from 707 respondents). These include:

1. The Council could do more checks and inspections (110 comments);
2. Better enforcement action to be taken (83 comments);
3. Having an easier method for reporting problems with landlords/properties (74 comments);
4. The Council should make better use of their existing powers (70 comments).

### 4. Other comments about the proposals

Respondents were asked whether they had any other comments to add about the proposed licensing schemes (888 comments were received from 681 respondents). The most common comments were that;

1. Agree in general with the proposed schemes (328 comments);
2. Fees should be altered (such as offer incentives/reduced/free) (72 comments);
3. Concern that there could be rent increases (69 comments).

### 5. Stakeholder views

In total, 10 stakeholders were interviewed and/or provided a written response (free text) to the consultation. Almost all stakeholders are concerned where the costs for licensing would end up, with many feeling they will be passed onto tenants. There is a clear divide across almost all areas, between public/third sector stakeholders and landlord/agent associations. Public/third sector stakeholders are generally in favour of both proposals and the need to regulate the private rented sector, more in favour of Additional than Selective Licensing, whilst landlord/agent associations do not support licensing and suggest there is little evidence that they work.

There were also mixed views on the scope of the schemes, with some public/third sector organisations feeling that both schemes should be borough-wide to avoid the risk of confusion, whilst landlord/letting agent associations feel that the Council should be much more targeted and start off small (if they are going to do this at all). Other alternatives suggested by landlord/letting agent associations that the Council could consider, included a delivery partner route, co-regulation or collaboration with other agencies to tackle specific issues such as anti-social behaviour (ASB).

## 6. Views from the public meetings and written responses

Four public meetings were held (two for landlords/letting agents and two for private rented tenants and residents), with 241 attendees. Feedback was also received via 35 email responses/feedback forms. Feedback is largely from landlords, as most attendees were landlords, as were the written responses. Key comments are that landlords feel that they **cannot be held accountable for tenant behaviour**, particularly around ASB, that **licensing is an unnecessary and unfair tax on landlords**, the vast majority of whom provide decent accommodation, and that the **Council should target rogue landlords** instead of taking a blanket approach. Many felt also that the **Council should tackle issues arising from social housing tenants**, rather than private rented tenants.

## 2. Introduction

### Background

The number of people living in Enfield's private rented sector has almost trebled since 2001, with renting from private landlords now the fastest growing housing tenure. An estimated 34% of Enfield's homes are now privately rented with a growing number of families with children living in the sector.

The Council recognises that many landlords operating in the borough take their responsibilities seriously and provide well managed rented homes that are maintained to a good standard. But there are also widespread issues of disrepair and housing hazards in the private rented sector and poorly managed properties that give rise to significant and persistent ASB, especially compared to homes in other sectors.

Enfield Council is considering introducing licensing schemes to help tackle these problems. As part of the considerations, the Council has consulted on proposals to designate the borough, or a large part of it, as subject to two licensing schemes for private rented properties, under Parts 2 and 3 of the Housing Act 2004. It is proposed, subject to legislative requirements, that these would both come into effect in the summer of 2020.

### Proposals

The consultation focused on the degree to which respondents agree or disagree with the proposal being considered by the Council around introducing:

- Selective Licensing covering 14 wards in two designations (Bowes, Chase, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton); and
- A borough-wide Additional Houses in Multiple Occupation (HMO) Licensing scheme.

The consultation also looked at views on the proposed licensing fees and conditions and alternatives that the Council could consider.

### Public consultation

The consultation ran for 13 weeks from 28 August to 29 November 2019. A variety of methods were used to promote the consultation across a wide range of communication channels, to inform those who may potentially be affected by the proposals. A variety of consultation methods were used to allow interested parties to share their views on the proposals. These are detailed below.

## Methods of promotion

The consultation used the following methods to publicise and promote the consultation as widely as possible. These were undertaken by the Council and partners:

### 1.1 Landlord and stakeholder discussions events:

- One event called the Council Housing Leaseholder Forum using a similar format as the public meeting was held on 3 Oct 2019 at Enfield Civic Centre 20 landlords, letting agents and landlord representative bodies attended the event (most of whom were different attendees to those that attended landlord and letting agent public meetings on the 30 September and 30 October).

### 1.2 Resident/tenant discussion events:

- One quarterly event, Customer Voice Enfield with residents and tenants was supported on Wednesday 20 November, 6pm-8pm, 12 participants attended, of whom 5 was leaseholders and 7 were residents
- Two local forums, the Enfield Society and the Haselbury, Lower Edmonton and Upper Edmonton area forum, with local residents and tenants were supported on 2 October and 25 September respectively. The Enfield Society meeting had 11 attendees, and the Haselbury, Lower Edmonton and Upper Edmonton area forum has 25 attendees.

### 1.3 Stakeholder Engagement:

Over 2500 stakeholders were directly informed about the consultation. These included councillors and MPs, all neighbouring and nearby London boroughs, public sector and community/voluntary organisations, social housing associations, local letting agents, tenant and landlord representative bodies all were directly contacted via and invited to respond to the consultation. This included emails, letters, e-newsletter and bulletin correspondence, and follow-up letters/emails along with calls to key stakeholders to periodically inform them to participate.

In total, 30 such stakeholders responded via email with comments and queries, including formal responses by letter from the Greater London Authority, a Greater London Assembly member, Hackney Council, Waltham Forest Council, Haringey Council, GMB Union and ARLA Propertymark.

- Landlords** – 2,132 contacted on 4 September, and 1,936 contacted again between 8th and 14 October - landlords on the council's database that opted to receiving relevant communication from the council.
- Councillors** – 154 ( for all London Borough and neighbouring boroughs - Barking and Dagenham, Barnet, Bexley, Brent, Bromley, Broxbourne, Camden, Ealing, Enfield, Epping Forest, Greenwich, Hackney, Hammersmith & Fulham, Haringey, Harrow, Havering, Hertsmere, Hillingdon, Hounslow, Islington, Kensington & Chelsea, Kingston, Lambeth, Lewisham, Merton, Newham, Redbridge, Richmond, Southwark, Sutton, Tower Hamlets, Waltham Forest, Wandsworth, Welwyn Hatfield, Westminster)

- **MP's** – 79 (For all London and neighbouring boroughs)
- **Chief Executives** – 36 (For all London and neighbouring boroughs)
- **Greater London Authority**
- **London Councils** (represents 32 boroughs and City of London)
- Neighbouring and London Boroughs
  - **Neighbouring:** Waltham Forest, Barnet, Haringey, Broxbourne, Epping Forest
  - **Other London Boroughs:** Redbridge, Brent, Barking and Dagenham, Newham, Welwyn and Hatfield, Hackney
- **Public Sector and community/voluntary organisations:** Eight (Shelter, Generation Rent, Citizen Advice Enfield, North London Credit Union, London Fire Brigade, UK Border Agency, Police and National Trading Standards)
- **Housing Associations** - 32
- **Local letting agents** - 93
- **Tenant and landlord representative bodies:**
  - Two tenants' associations – The Tenant's Voice and London Renter's Union.
  - Three Landlord Associations – National Landlords Association (NLA), Residential Landlords Association (RLA) and the Accredited Residential Landlords Association (ARLA)
- **Local Residents Groups** - The Federation of Enfield Residents' & Allied Associations
- **Dedicated Council Newsletters:** -in total 144,216 subscribers targeting all stakeholder groups of residents, tenants and businesses
  - News from the Council
  - Information for Council Tenants & Leaseholders
  - Cycle Enfield
  - Improving Enfield
  - Jobs and Training
  - Waste & Recycling
  - Enjoy Enfield
  - Information for Local Businesses
  - Have Your Say
- A dedicated phone line and two email address were available to residents, tenants, landlords and letting agents to ask questions about the proposed schemes and consultation or receive help to respond to the consultation. 83 inbound emails and 45 phone calls were received, and relevant responses are included within this report.

## Communication Channels

The consultation was promoted through the council's communications channels and a host of local, regional and national on and offline media. Communications were targeted at local residents, tenants, landlords, stakeholders, voluntary organisations and businesses within Enfield.

1. Local door drops of A5 leaflets issued to 127,000 residents and 5,000 businesses on between 7 and 15 September
2. Every Enfield household leaflet drop alongside the waste info pack on 9 September
3. 13 quarter/ full page local press adverts placed with 3 newspapers (Parakiaki, Enfield independent and Enfield Dispatch) 29 August (2 adverts) 5 September and 27 September (2 adverts), 3 October, 24 October, 31 October and 14 November (2 adverts). With a total distribution of 47,000 local households and estimated readership of 238,068 (print only).
4. 5 articles in Council digital newsletters, reaching 52,584 subscribers issued on 29 August, 4 October, 17 October, 31 October and 4 November
5. 7 banner ads in Council digital newsletters reaching 35,917 subscribers placed on 16 September, 4 October, 7 October, 8 October, 9 October and 24 October.
6. Periodic internal communication with over 2,000 council staff messaging on plasma screens, in staff newsletters and distributing A5 leaflet information.
7. 5-week large outdoor poster campaign (clear channel) across 23 sites within Enfield, from 23 September until 21 October
8. Social Media Activity (both paid and organic) went live from the 4 October until and continued until week ending 29 November. Paid social media posts were targeted to landlords and tenants to raise awareness of the consultation and the public meetings during the initial stages of the consultation. Following the public meetings, the paid for posts were reviewed and re-targeted at private rented tenants, to encourage a greater response rate to the questionnaire from that group.
9. Organic social media posts were targeted at landlords, residents and tenants, using a variety of messaging, designs and videos to direct people to complete the online survey throughout the 13 weeks of the consultation.
10. 56 twitter posts and 28 Facebook posts 517 clicks, 73 re-tweets/shares and 162 likes.
11. Facebook and Twitter social media platform promotion at a local level targeting local residents, tenants and landlord accounts. 4 Facebook Ads and 1 Facebook Boosted Post reached 166,508 generating 2,372 link clicks. 3 Twitter Ads had 176,566 impressions and generated 896 link clicks
12. >1,300 A5 leaflets placed at GP surgeries, Enfield Town Post Office, Age UK, Dugdale centre, Edmonton Police Station, Enfield Food Bank and distributed at 4 public meetings and resident forums, from the 30th September to 13th November
13. >200 A3 and A4 posters for libraries/children centres/leisure centres/health centres and surgeries /community offices/ job centres/ park notice boards were posted, emailed and delivered from the 23 September to 28 October

14. 6 large outdoor banners placed at Forty Hall fence line, Groveland's Park fence line, Pymmes Park fence line, Bury Lodge fence line, Delhi Garden fence line, and Broomfield fence line from the 29 October to 29 November
15. 6 Pull up banners placed at John Wilkes House, Enfield Civic Centre, Ordanance Road Surgery, and job centres in Edmonton, Enfield Chase and Palmers Green from 18 October to 29 November
16. > 100 A5 leaflets handed out to passers-by within Enfield at town centre and two train stations between w/c 28th October.

**Communications targeted at residents, tenants, stakeholders, voluntary organisations and businesses in neighbouring boroughs and beyond.**

17. A 9-week digital campaign ran from 30th September until the end of the consultation, with a reach of 67,609 and 238,875 impressions, resulting in 1,176 clicks. The click through rate (CTR) for the full campaign was 0.49% which is higher than the industry average for display ads of 0.35%;

The campaign was geographically targeted at London boroughs, with the initial target audience of landlords and letting agents;

The audience who had already engaged in LBE's Enfield Let campaign (a campaign about letting your property to Enfield Council);

The audience who had visited and landlord or housing related pages on the council's website ;

The campaign was reviewed at the halfway point and retargeted towards those who had clicked on any of the campaign adverts but did not complete the questionnaire. The artwork for the campaign was also refreshed three times during the campaign to provide a fresh but consistent look and further engage the audience;

In addition to the core digital campaign, the Council also advertised on the council's website, including using the i-bar adspace, which is only used for high priority campaigns. The i-bar advertisement resulted in 655,798 impressions and 991 clicks;

18. 14 x ¼ and ½ page local press advertisements placed in six neighbouring and national newspapers:
  - Asian Post – National newspaper with a distribution of 45,000 and readership of 125,000(print only). 1 advert on 30 August;
  - Avrupa – A London-wide Turkish newspaper with a distribution of 12,500 and readership of 10,000 (print only). 2 adverts on 29 August and 24 October;
  - Barnet Borough Times – Covering Hendon, Finchley, Barnet, Potters Bar, Edgware and Mill Hill, with a distribution of 30,000 and a readership of 47,000 (print only). 3 adverts on 5 September, 26 September and 14 November;
  - Harrow Times – Distribution of 35,000 and a readership of 80,000 (print only) in Harrow. 3 adverts on 5 September, 3 October (full page) and 24 October;
  - Your Local Guardian Waltham Forest – Covering Walthamstow, Leyton and Leytonstone with a distribution of 7,846 and a readership of 17,840 (print only) 2 Adverts on 5 September and 17 October;
  - Epping Forest Guardian – Covering Epping Forest, with a distribution of 11,000 and a readership of 26,620 (Print only). 2 adverts on 5 September and 17 October.



19. Press release to local, regional, national and industry media (for example LBC, BBC London (radio and TV), the Evening Standard, the Jewish Chronicle, Enfield Independent, Enfield Dispatch, London Greek Radio, London Turkish Radio and London Live) outlets was issued on the 28th August 2019.
20. Enfield Council consultation page went live on Wednesday 28th August 2019.

## Consultation methods

A variety of methods were used to consult with landlords, tenants, residents, businesses, stakeholders and other interested parties. These included an online survey, which was hosted independently by M·E·L Research, along with a face to face survey, which was representative of residents in the borough (by ward, age and gender). Four public meetings were held (two for landlords and agents, and two for private rented tenants and residents), a feedback form was provided for written responses, along with an email address for any written responses and queries, and a freephone number. Stakeholder interviews were also undertaken to get wider views from local and national organisations working within the sector.

In total, the consultation generated 1,861 responses to a survey, 35 written responses and 10 stakeholder interviews/responses. In total, there were 241 attendees across the four public meetings. Of those who took part in the online survey, 5 responses to the survey were from respondents outside of the borough. These have been included within the overall analysis and results provided separately in Appendix 5.

### 1. Online survey

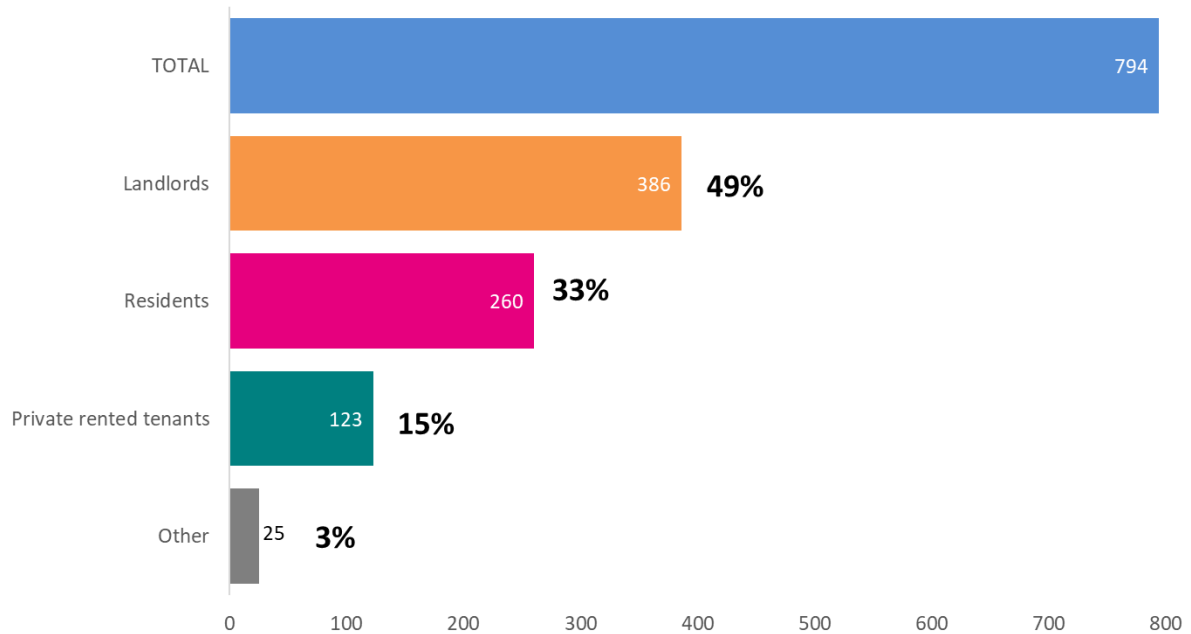
The online survey was open to all interested parties to have their say on the proposals. In total, there were 794 responses to the online survey. The profile of respondents to the online survey appears to show a high proportion of landlords (and agents), when compared to other groups in the borough, such as residents and private rented tenants (49% of respondents to the online survey). For the purposes of this consultation, results have been grouped to show respondents as 'landlords', which includes both landlords and letting/managing agents, 'private renting tenants', 'residents' and 'Other'. This includes the following descriptions:

- Own or manage a business
- Represent a business organisation
- A community group or charity
- 'Other'.

Where people identified themselves as belonging to more than one group, we have assigned respondents to one principal group (prioritised by landlords/agents first, followed by private renting tenants, residents and then 'other').

The chart below shows the breakdown of respondents by profile:

**Figure 1: Respondent profile to online survey (n=794)**



## 2. Residents survey

A face to face survey was undertaken by trained M·E·L Research interviewers, with 1,067 residents across the borough. M·E·L Research is a licensed user of CACI Ltd's InSite GIS software, which includes the latest version of Royal Mail's Postcode Address File (PAF).<sup>1</sup> Using PAF, we drew a stratified (by Ward) random sample of starting addresses from which to conduct the survey, with interviewers conducting between five and six interviews clustered around starting address.

M·E·L Research then used 2011 Census data and the latest ONS mid-year population projections (2018) as the sampling frames to set quotas for the collection of a representative sample of residents. Quotas were set for gender and age bands for each Ward.

The table below shows the breakdown of respondents by this profile:

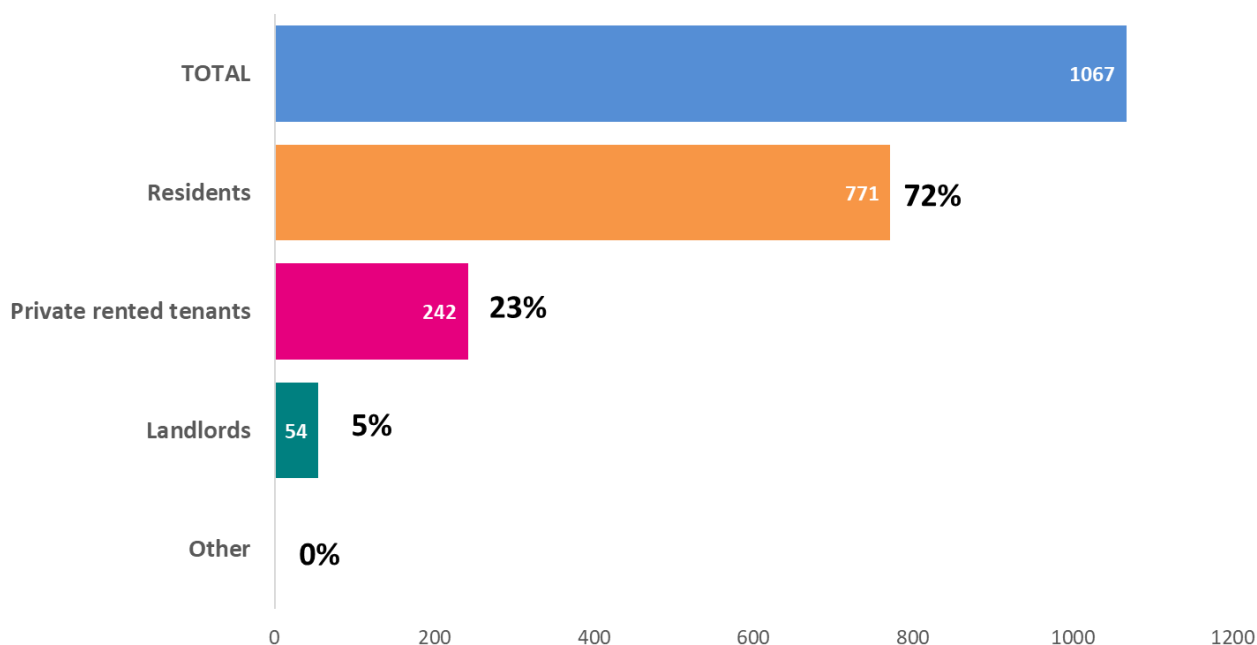
<sup>1</sup> PAF is a database which contains all known "Delivery Points" and postcodes in the United Kingdom, covering over 29 million Royal Mail postal addresses and 1.8 million postcodes.

**Table 3: Respondent profile to face to face residents survey (by demographics) (n=1.067)**

Ward / Respondents	Total	Age Group																Gender	
		19 or under	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80-84	85+	Prefer not to say	Male	Female
Bowes	50	3	4	3	7	5	5	3	4	2	6	5	1	1	1	0	0	27	23
Bush Hill Park	47	3	3	3	5	5	5	2	7	3	3	3	1	2	2	0	0	28	19
Chase	45	4	2	3	5	7	3	4	4	2	4	1	3	3	0	0	22	23	
Cockfosters	45	0	6	1	8	2	6	3	5	4	3	0	1	4	2	0	19	26	
Edmonton Green	62	3	5	9	3	12	2	10	1	6	1	7	2	1	0	0	31	31	
Enfield Highway	55	5	2	8	3	3	7	3	7	2	2	1	2	0	2	3	27	28	
Enfield Lock	59	3	4	5	8	4	8	6	4	2	5	4	3	2	1	0	30	29	
Grange	44	3	5	4	4	4	3	1	5	3	4	1	5	2	0	0	22	22	
Haselbury	56	4	4	3	6	3	7	7	2	4	6	4	1	3	2	0	29	27	
Highlands	43	3	6	2	4	6	4	5	2	3	3	4	1	0	0	0	19	24	
Jubilee	52	1	5	5	5	8	2	4	7	5	3	4	3	0	0	0	23	29	
Lower Edmonton	55	3	5	8	4	7	3	8	2	4	0	6	2	2	1	0	28	27	
Palmers Green	51	1	5	3	7	7	2	4	6	5	3	4	3	1	0	0	26	25	
Ponders End	50	4	2	3	7	6	4	8	1	4	3	2	2	1	2	1	25	25	
Southbury	51	1	7	6	5	4	7	5	2	3	4	2	2	0	1	1	24	27	
Southgate	49	3	4	4	4	5	5	3	7	4	2	2	2	2	0	2	26	23	
Southgate Green	45	1	5	5	4	3	5	2	7	4	2	3	2	1	1	0	22	23	
Town	48	1	4	4	6	5	5	2	6	5	1	4	2	0	2	1	25	23	
Turkey Street	50	3	5	5	6	3	4	5	3	5	2	2	4	1	2	0	24	26	
Upper Edmonton	65	6	6	6	7	5	5	6	4	10	1	4	3	0	2	0	34	31	
Winchmore Hill	45	4	2	2	7	2	7	5	3	3	2	5	1	0	1	0	22	23	
<b>TOTAL</b>	<b>1067</b>	<b>59</b>	<b>91</b>	<b>92</b>	<b>115</b>	<b>106</b>	<b>99</b>	<b>96</b>	<b>89</b>	<b>88</b>	<b>60</b>	<b>68</b>	<b>46</b>	<b>26</b>	<b>22</b>	<b>8</b>	<b>1</b>	<b>533</b>	<b>534</b>

The chart below also shows the profile of respondents to the face to face survey by whether they are identified as a landlord/agent, private rented tenant, resident or ‘other’.

**Figure 2: Respondent profile to face to face residents survey (n=1,067)**



### 3. Stakeholder consultation

Enfield Council identified a range of stakeholders to be consulted on the proposals. All 13 organisations were contacted by email/phone and invited to take part. In total, 10 organisations were either interviewed or provided written responses to the proposals.

**Table 4: Stakeholder profile**

Stakeholder profile	Number spoken to	Number providing written responses
Fire and Rescue	1	-
Metropolitan Police	1	-
Landlord/letting agent associations	4	3
North London credit union	1	-
Citizens Advice Bureau	1	-
Safer Renting	1	-
London Assembly	-	1
<b>TOTAL</b>	<b>9</b>	<b>4</b>

Responses from the interviews/written responses have been analysed and key themes identified in Section 4 of the report.

### 4. Public meetings

Four public meetings were hosted by M·E·L Research, to introduce the proposal to anyone interested in finding out more about the proposal and to share their views. These were largely set up to focus on specific groups - two meetings for landlords and agents, and two groups for tenants and residents. Council officers were present at each of the public meetings, with a Question and Answers session included as an opportunity for attendees to ask the council any questions about the proposals, as well as to provide them with an opportunity to feedback views and concerns. The dates, times, venue and approximate number of attendees (more came than were booked on) for each meeting are presented below.

**Table 5: Public meetings information**

Date/time	Venue	Approx. no of attendees
30 September (7-9pm)	Dugdale Centre, Enfield	98
7 October (7-9pm)	Dugdale Centre, Enfield	36
30 October (9.30-11.30am)	Green Towers, Edmonton	23
30 October (7-9pm)	Green Towers, Edmonton	84

TOTAL

241

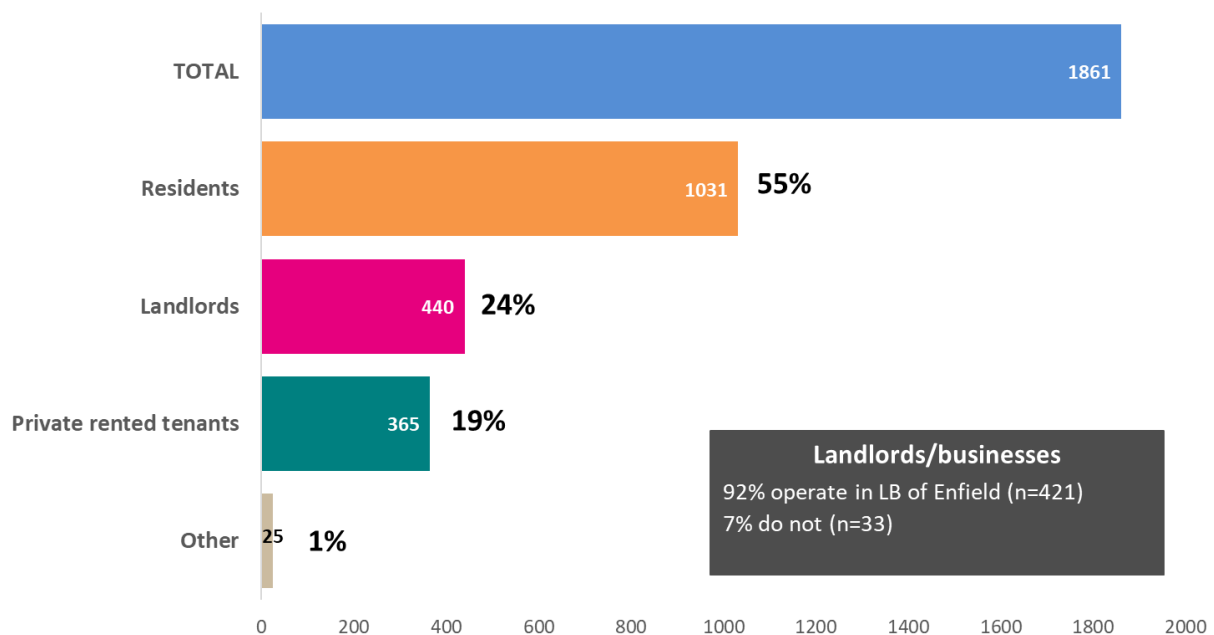
## 5. Written feedback/responses

In addition, respondents were asked to submit written responses if they wished. They could do this either by a feedback form online, by email, by letter or by telephone. In total, 35 written responses were submitted via the online feedback form or email. These have been included and analysed in the report and inserted in the Appendices. This excludes written responses from stakeholders.

## Overall profile of respondents

A full breakdown of respondent types (across the online and face to face surveys) is provided in the chart below.

Figure 3: Respondent profile to consultation (by group) (n=1,861)



## Reporting conventions

Owing to the rounding of numbers, percentages displayed visually on graphs or charts in the report may not always add up to 100% and may differ slightly when compared with the text. The figures provided in the text should always be used. For some questions, respondents could give more than one response (multiple choice). For these questions, the percentage for each response is calculated as a percentage of the total number of respondents and therefore percentages do not usually add up to 100%.

The consultation findings are presented throughout the report as an overall figure (using combined results from the face to face and online surveys, as the principal survey tools for the consultation), and then by type of respondent (landlord/agent, privately renting tenant, resident and other) to show differing views across the borough. Results by methodology are provided in Appendix 5 (by face to face survey, and online survey methods). Responses from those living outside of Enfield are included within the overall results and provided separately in Appendix 6 (5 responses in total).

The number of respondents to each question is presented as 'n=' throughout the report.

## 3. Survey results

This section of the report presents the results from the surveys, with overall results combining online and resident survey responses.

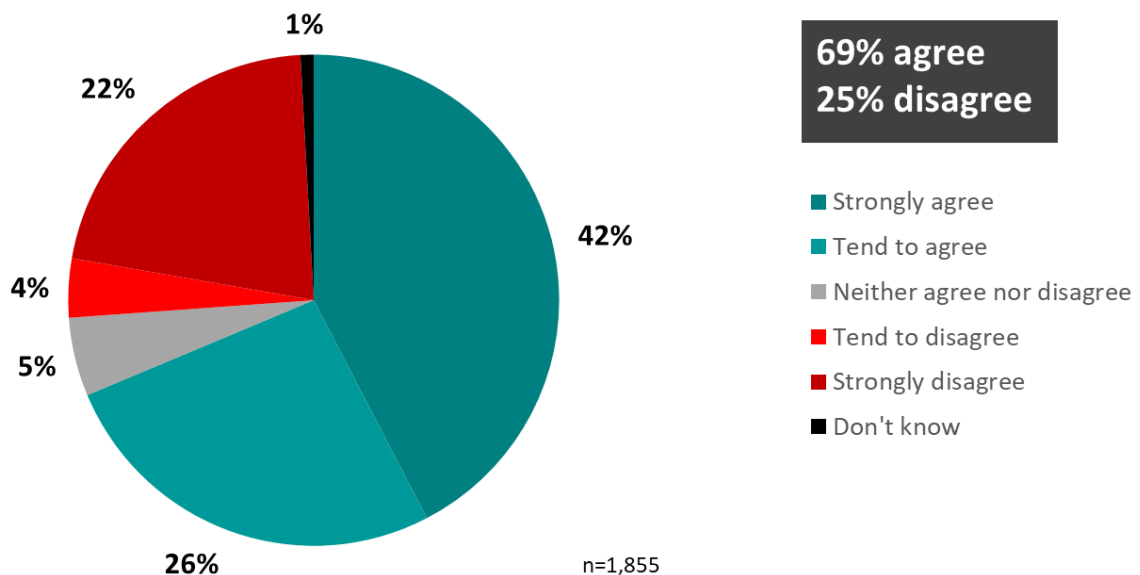
### 1. Views on the proposed Private Rented Property schemes

#### a. Proposal to introduce Selective Licensing in targeted areas

The Council is proposing to introduce a Selective Licensing scheme, which would require all privately rented properties in 14 wards of Enfield to be licensed, which are not covered by either the Mandatory Licensing scheme or the proposed Additional Licensing scheme (which cover Houses in Multiple Occupation (HMOs)). These would be in two designations, with 13 wards in one designation (Bowes, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton); and Chase ward in another designation.

Overall, around seven out of ten respondents (69%) agree with the proposal for Selective Licensing, with 42% strongly agreeing. A quarter (25%) disagree.

Figure 4: Levels of support for introducing a Selective Licensing scheme (overall) (n=1,855)



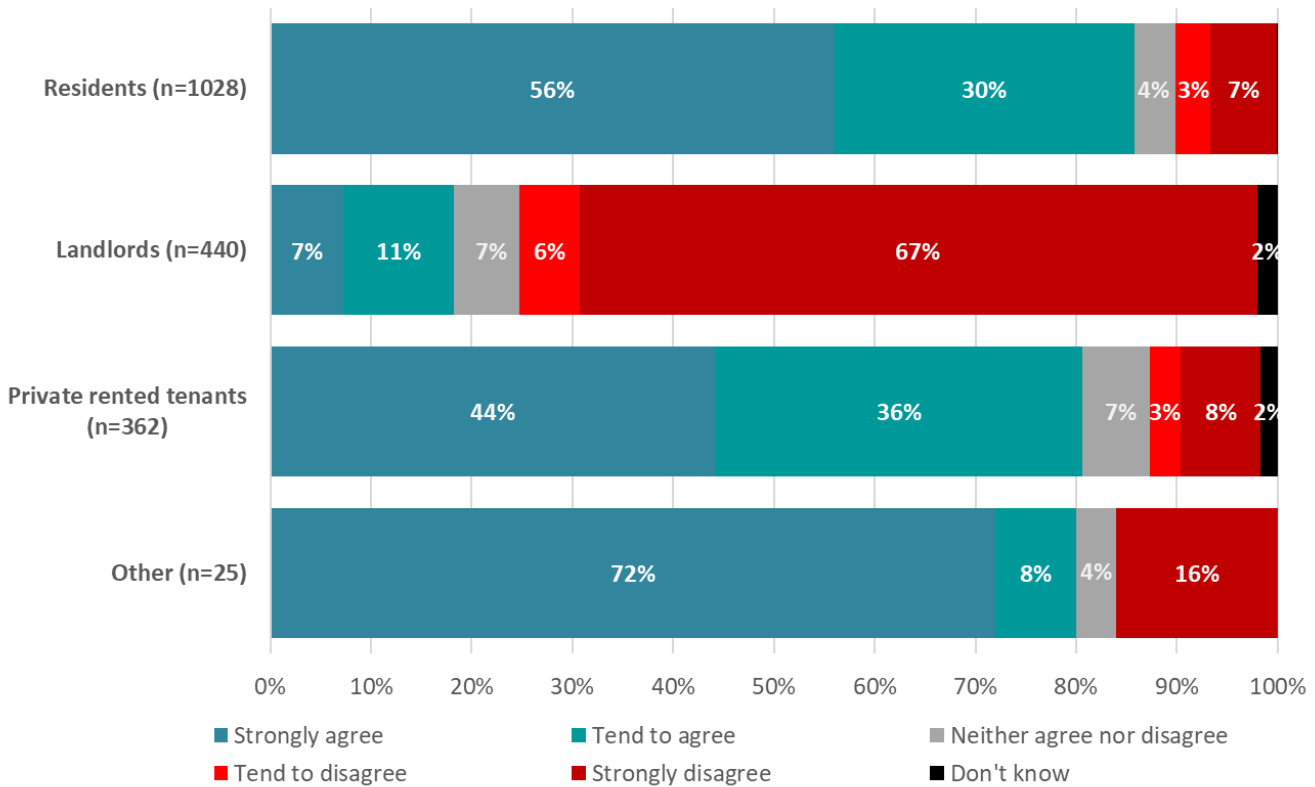
*NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.*

When we look at responses by group, we can see the following differences:

- Residents are more strongly in favour of the proposal than other groups, with 86% agreeing;

- Private rented tenants and ‘other’ respondents are also in favour, with over eight out of ten agreeing (81% and 80% respectively);
- Landlords are most strongly opposed to the proposal, with around three quarters (73%) disagreeing. This is 17% points higher than for Additional Licensing.

Figure 5: Levels of support for introducing a Selective Licensing scheme (by group)



NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.

### Reasons for opposing a Selective Licensing scheme

Respondents who said they disagreed with the proposed Selective Licensing scheme were asked to give their reasons. For all free text responses throughout the report, each response was looked at coded into one or more ‘theme’. Comments that were not relevant to the question were excluded from the analysis. In total, 702 comments were identified and coded into key themes, from 400 respondents. 535 comments were from 286 landlords, 119 comments from 77 residents, 29 comments from 29 private rented tenants and 10 comments from 8 ‘other’ respondents. Themes which received fewer than 5 comments were grouped under ‘other’.

Key themes for opposing the Selective Licensing proposal are that they feel it is a **money-making scheme** (96 comments), **rents will increase** (costs passed onto tenants) (84 comments), and that **good**



**landlords shouldn't be penalised** (also 77 comments). The chart below shows all themes with the number of comments received.

**Figure 6: Reasons for not supporting Selective Licensing scheme proposals (no of comments coded by theme)**



**(702 comments)**

When we look at the top reason given by group, we find that both residents and private rented tenants feel that rents will increase (costs will be passed onto tenants). The number of comments is provided in brackets.

**Table 6: Top reason for not supporting Selective Licensing scheme proposal (by group)**

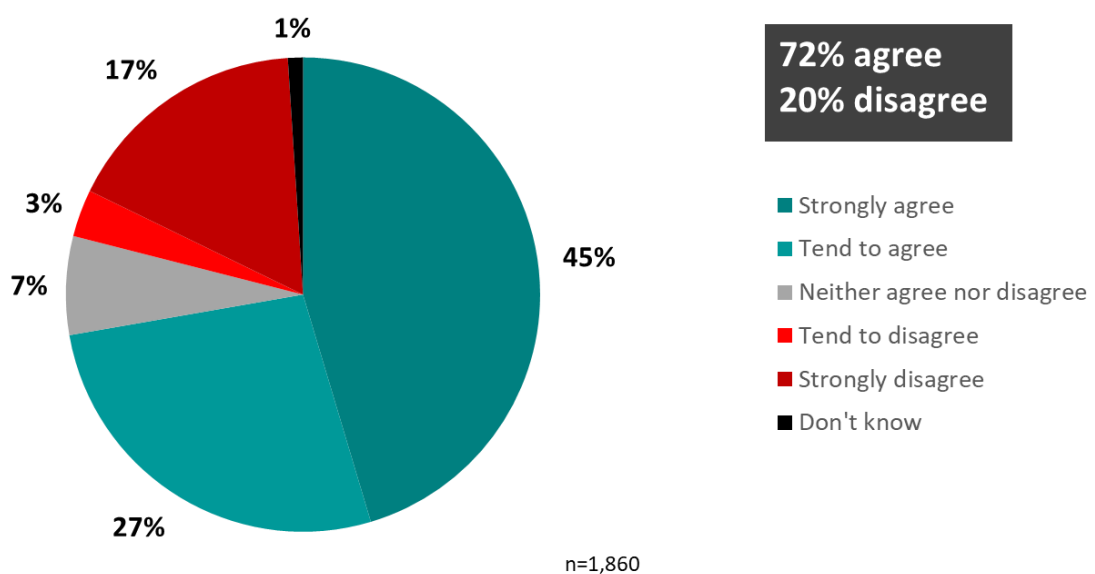
Residents	Landlords	Private rented tenants
Rents will increase (costs passed onto tenants) (19)	Money-making scheme (78)	Rents will increase (costs passed onto tenants) (14)

## b. Proposal to introduce Additional Licensing across the borough

The Council is also proposing to introduce a borough-wide Additional Licensing scheme, which would require all Houses in Multiple Occupation (HMOs) to be licensed that do not fall under the Mandatory Licensing scheme.

Overall, seven out of ten respondents (72%) agree with the proposal for Additional Licensing, with a fifth (20%) disagreeing. Just under half (45%) strongly agree with the proposal. Support is slightly higher (3%) than for Selective Licensing.

**Figure 7: Support for introducing a borough-wide Additional Licensing scheme (overall) (n=1,860)**

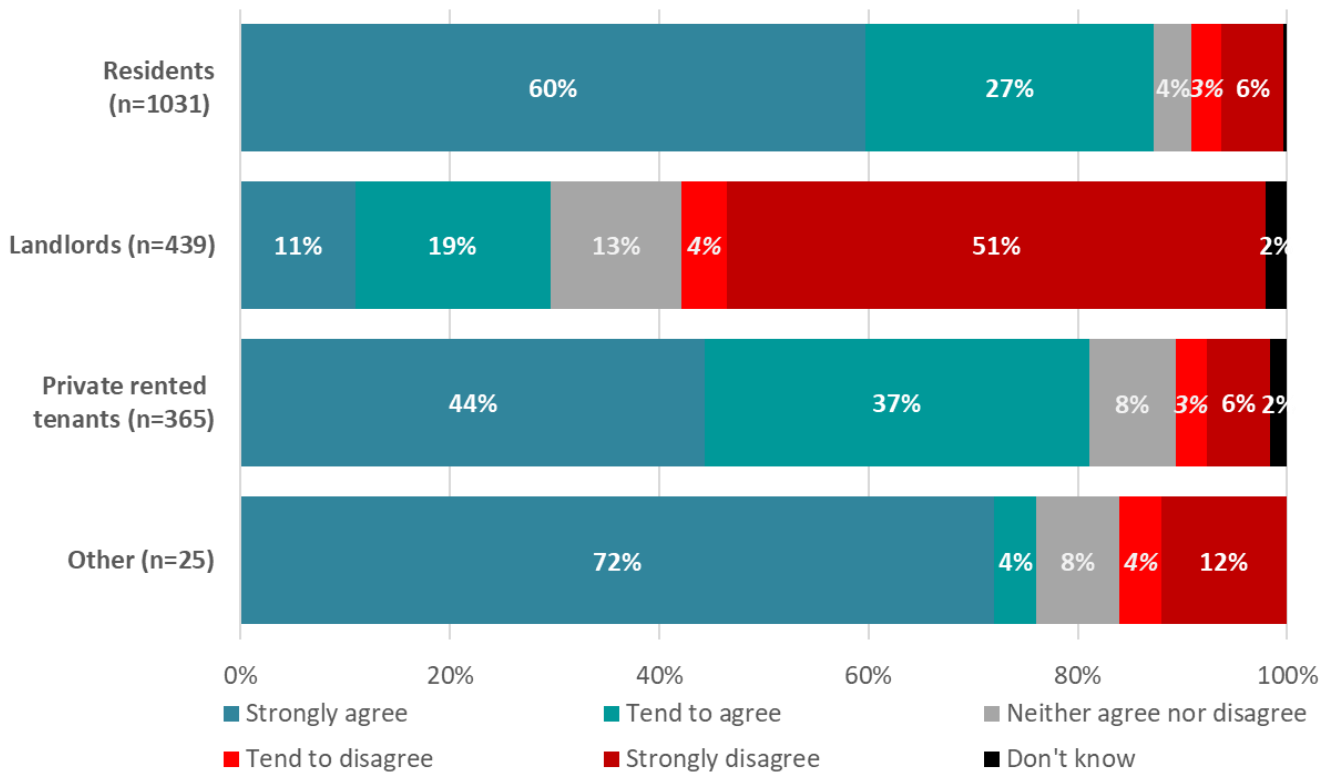


*NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.*

**When we look at responses by group, we can see the following differences:**

- Residents are again more strongly in favour of the proposal than other groups, with 87% agreeing;
- Private rented tenants and 'other' respondents are also in favour, with 81% and 76% respectively agreeing;
- Similarly, landlords are most strongly opposed, with over half (56%) disagreeing. Three out of ten landlords (30%) agree with the proposal.

Figure 8: Support for introducing a borough-wide Additional Licensing scheme (by group)



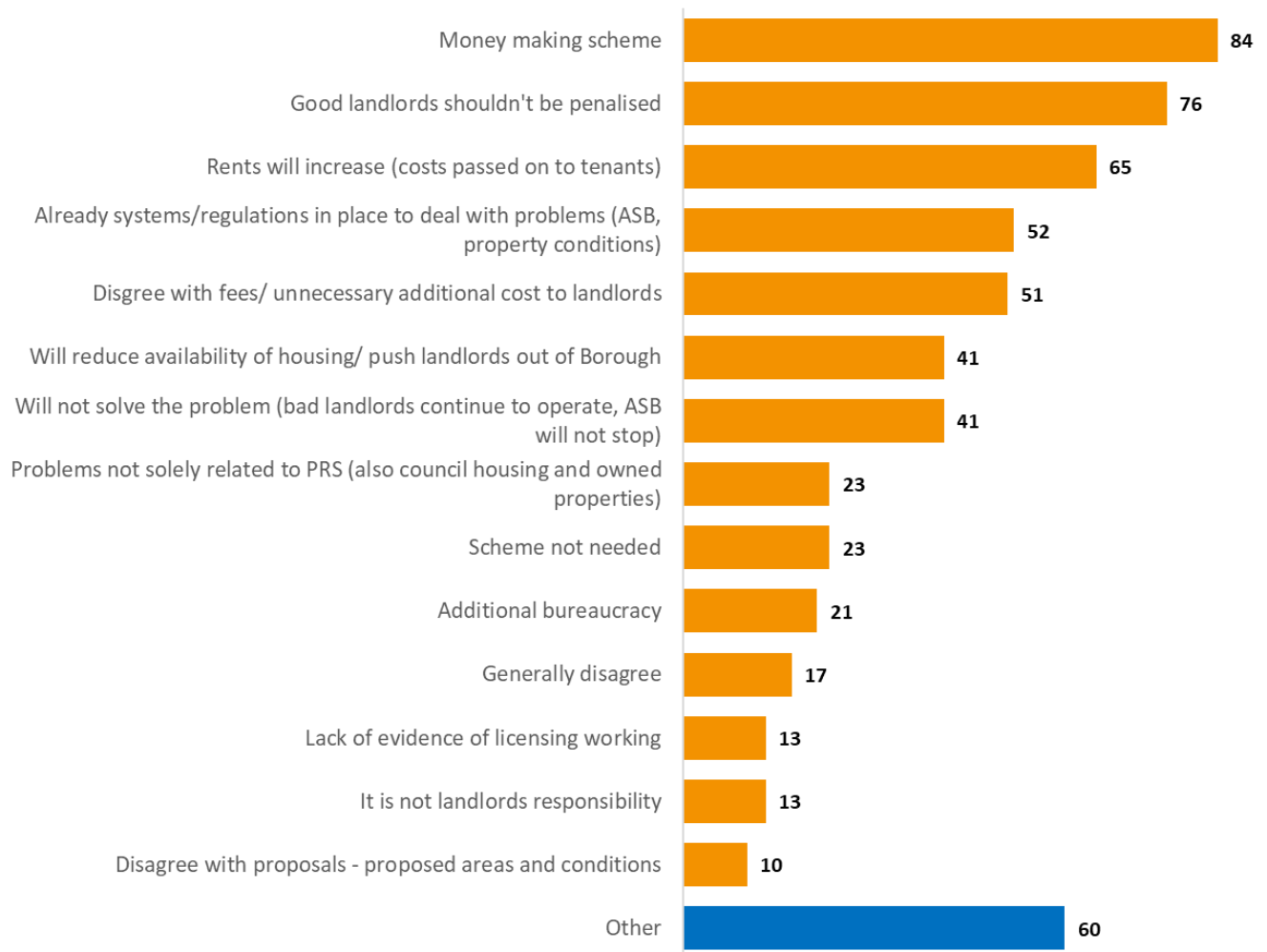
*NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.*

### Reasons for opposing an Additional Licensing scheme

Respondents who said they disagreed with the proposed Additional Licensing scheme were again asked to say why they disagree. Comments that were not relevant to the question were excluded from the analysis. In total, 591 comments were identified and coded into key themes (from 330 respondents). Of these, 422 comments were identified from 218 landlords, 122 comments from 75 residents, 40 comments from 31 private rented tenants and 7 from 'other' (6 respondents). Any themes with fewer than 5 comments received were grouped under 'other'.

Key themes for opposing Additional Licensing proposals are similar to those for Selective Licensing, in that they feel it is a **money-making scheme** (84 comments), **good landlords shouldn't be penalised** (76 comments) and that **rents will increase** (costs will be passed onto tenants) (65 comments). The chart below shows all themes with the number of comments received.

**Figure 9: Reasons for not supporting the introduction of Additional Licensing (no of comments coded by theme) (591 comments)**



When we look at the top reason given by group, each have a different reason for not supporting the proposal. The number of comments is provided in brackets.

**Table 7: Top reason for not supporting Additional Licensing scheme proposal (by group)**

Residents	Landlords	Private rented tenants
Money making scheme (21)	Good landlords shouldn't be punished (65)	Rents will increase (costs passed onto tenants) (13)

### c. Alternative suggestions for Enfield Council to consider

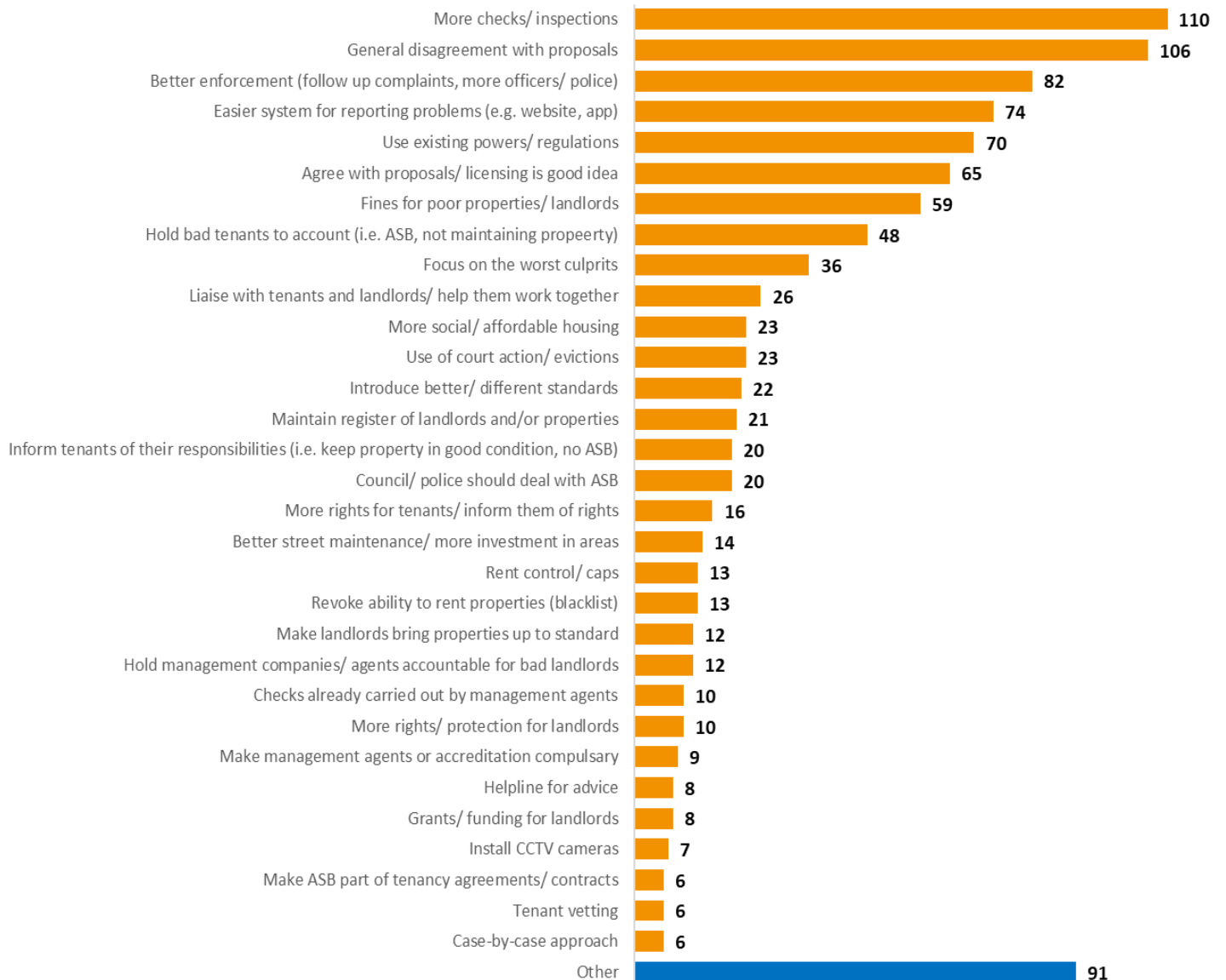
The final question in this section provided respondents with a free-text box to provide any suggestions they may have for alternative ways the Council can address poor property conditions and management, anti-social behaviour and deprivation in private rented properties in the borough.

In total, 1,046 comments have been identified and coded into themes (from 707 respondents). Any comments that were not relevant to the question were not included in this analysis. 534 comments were from 337 landlords, 335 comments from 243 residents. 136 comments from 99 private rented tenants and 41 comments from 28 'other' respondents.

Themes that receive fewer than 5 comments were put under 'Other'.

Key themes for alternative suggestions are that respondents feel the **Council should do more checks and inspections** (110 comments), they **generally disagree with the proposals** (106 comments), that **better enforcement action should be taken** (for example following up on complaints, more officers/police) (82 comments), having an **easier method for reporting problems** (such as via a website, app etc) (74 comments), or that the **Council should use their existing powers** (70 comments).

**Figure 10: Ideas on alternative ways the Council can address PRS issues (no of comments coded by theme) (1,046 comments)**



When we look at the top suggestion given by group, each have a different suggestion. The number of comments is provided in brackets.

**Table 8: Top idea on alternative ways the Council can address PRS issues (by group)**

Residents	Landlords	Private rented tenants
Agree with the proposals/licensing is a good idea (44)	Use existing powers/regulations (45)	More checks/inspections (27)

## 2. Views on licence conditions

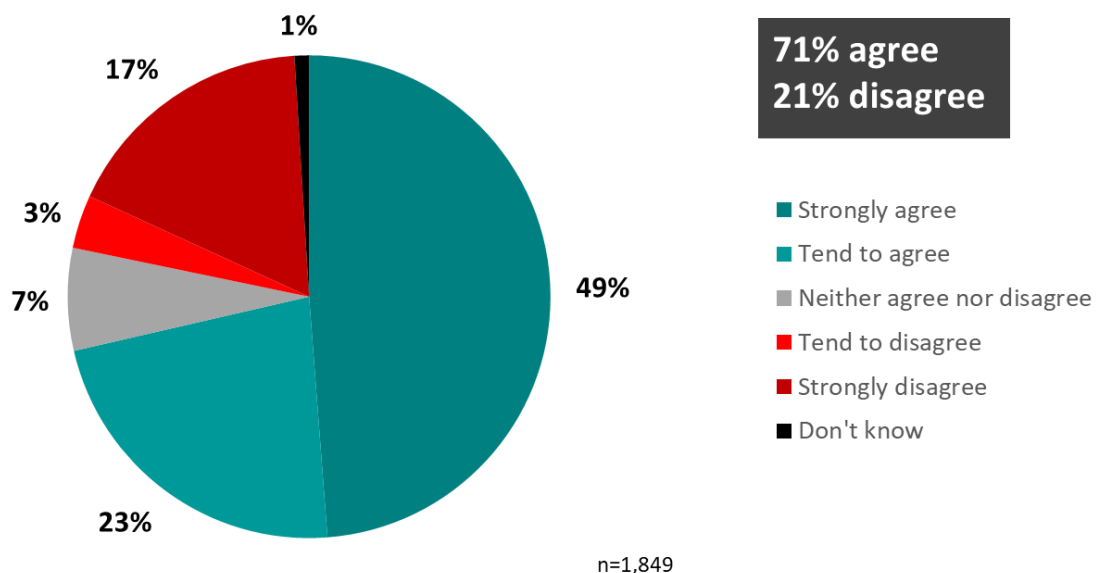
The consultation sought the views of respondents on a set of proposed licence conditions, for both Additional and Selective Licensing schemes. Links or further information about the sets of conditions were provided within the consultation documents.

### a. Selective Licence conditions

Respondents were firstly asked the extent to which they agree or disagree with the Selective Licence conditions (provided as a separate document).

Overall, around seven out of ten respondents (71%) agree with the proposed Selective Licence conditions, with around half (49%) strongly agreeing with the proposal. Around a fifth (21%) disagree.

**Figure 11: Do you agree or disagree with the proposed Selective Licence conditions (overall) (n=1,849)**

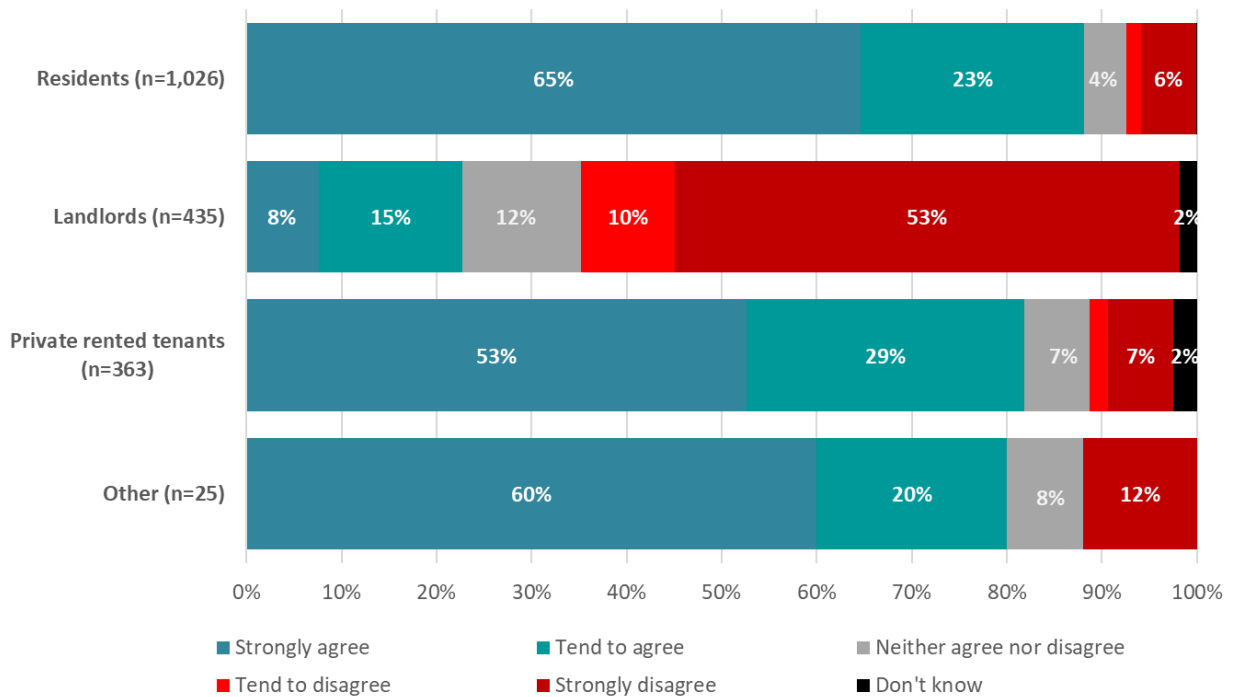


*NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.*

**When we look at responses by group, we can see the following differences:**

- Residents are the most supportive of the proposed licence conditions, with 88% agreeing;
- Private rented tenants and 'other' respondents are also supportive, with 82% and 80% respectively agreeing with the conditions. 9% of private rented tenants and 12% of 'other' respondents disagree;
- Landlords are most strongly opposed to the proposed Selective Licence conditions, with around six out of ten (63%) disagreeing. This is 9% points higher than for Additional Licensing (54% disagree). 22% agree.

Figure 12: Do you agree or disagree with the proposed Selective Licence conditions (by group)



*NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.*

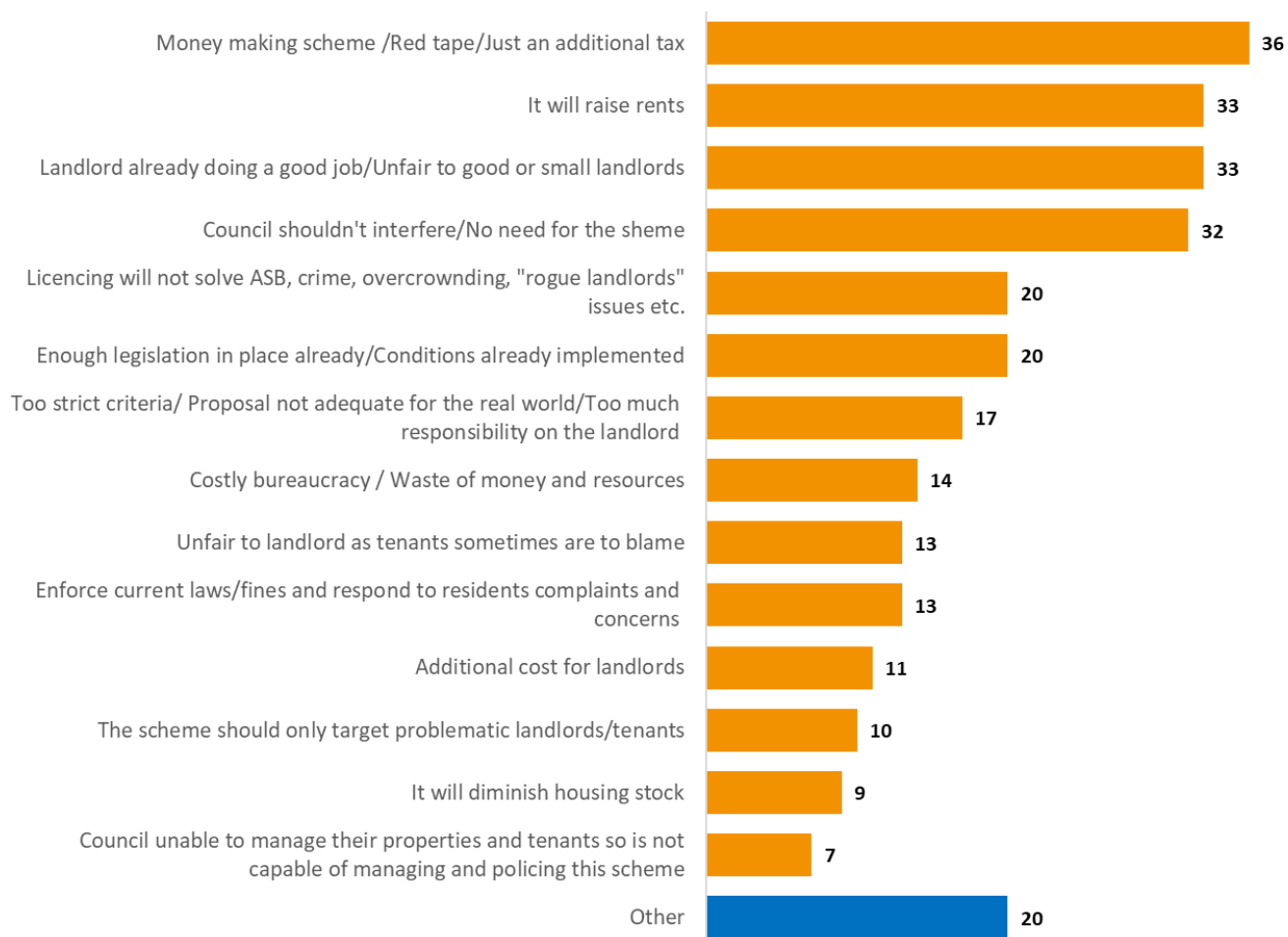
### Reasons for disagreeing with Selective Licence conditions

Respondents who said they disagreed with the proposed Selective Licence conditions were asked to give their reasons. In total, 288 comments were identified and coded into key themes (from 193 respondents). 215 comments were from 140 landlords, 39 comments from 29 residents, 28 comments from 20 private rented tenants and 6 comments from 4 'other' respondents. Themes which received fewer than 5 comments were grouped under 'other'.

Key themes for disagreeing with the proposed Selective Licence conditions are that it is a **money-making scheme/tax** (36 comments), that it will **raise rents** and that it is **unfair to good landlords** (33 comments each) and that it the **scheme is not needed/council shouldn't interfere** (32 comments). The chart below shows all themes with the number of comments received.



**Figure 13: Why do respondents disagree with Selective Licence conditions (no of comments coded by theme) (288 comments)**



When we look at the top reason given by group, each have a different reason for disagreeing with the proposed licence conditions. There are two reasons for landlords which both received 28 comments each. The number of comments is provided in brackets.

**Table 9: Top reason for disagreeing with Selective Licence conditions (by group)**

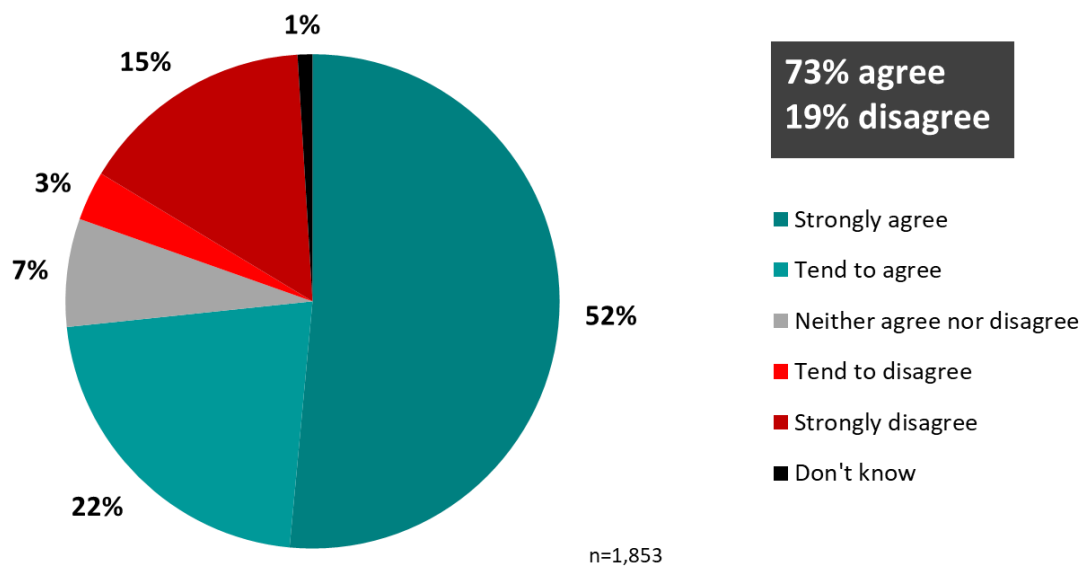
Residents	Landlords	Private rented tenants
Council shouldn't interfere/No need for the scheme (7)	Money making scheme /red tape/an additional tax <u>and</u> Landlord already doing a good job/unfair to good or small landlords (28 each)	It will raise rents (10)

## b. Additional Licence conditions

Respondents were then asked to what extent they agree or disagree with the proposed Additional Licence conditions (provided in a separate document).

Overall, around three quarters of respondents (73%) agree with the proposed Additional Licensing conditions, with around half (51%) strongly agreeing. Around a fifth (19%) disagree.

**Figure 14: Do you agree or disagree with the proposed Additional Licence conditions (overall) (n=1,853)**

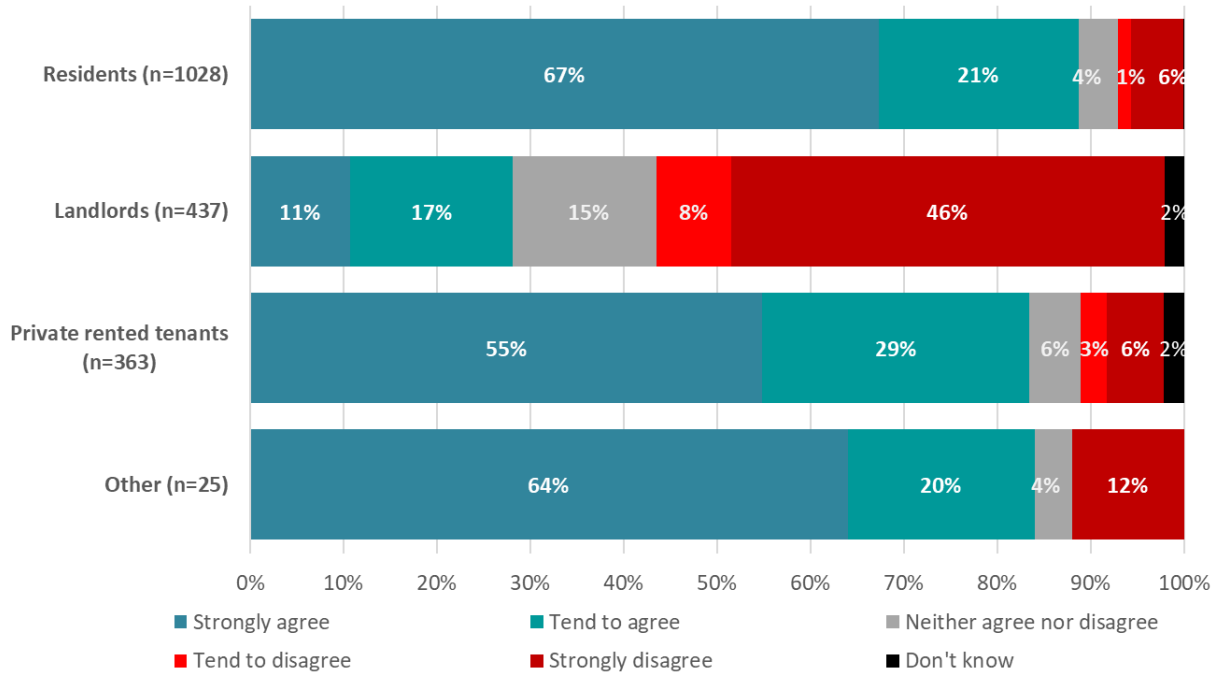


*NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.*

**When we look at responses by group, we can see the following differences:**

- Residents are again the most supportive of the proposed licence conditions, with 89% agreeing;
- Private rented tenants and 'other' respondents are also very supportive, with 83% and 84% respectively agreeing with the conditions. 9% of private rented tenants and 12% of 'other' respondents disagree;
- Landlords are again most strongly opposed to the proposed licence conditions, with over half (54%) disagreeing. Just over a quarter (28%) agree with the proposed conditions.

Figure 15: Do you agree or disagree with the proposed Additional Licence conditions (by group)



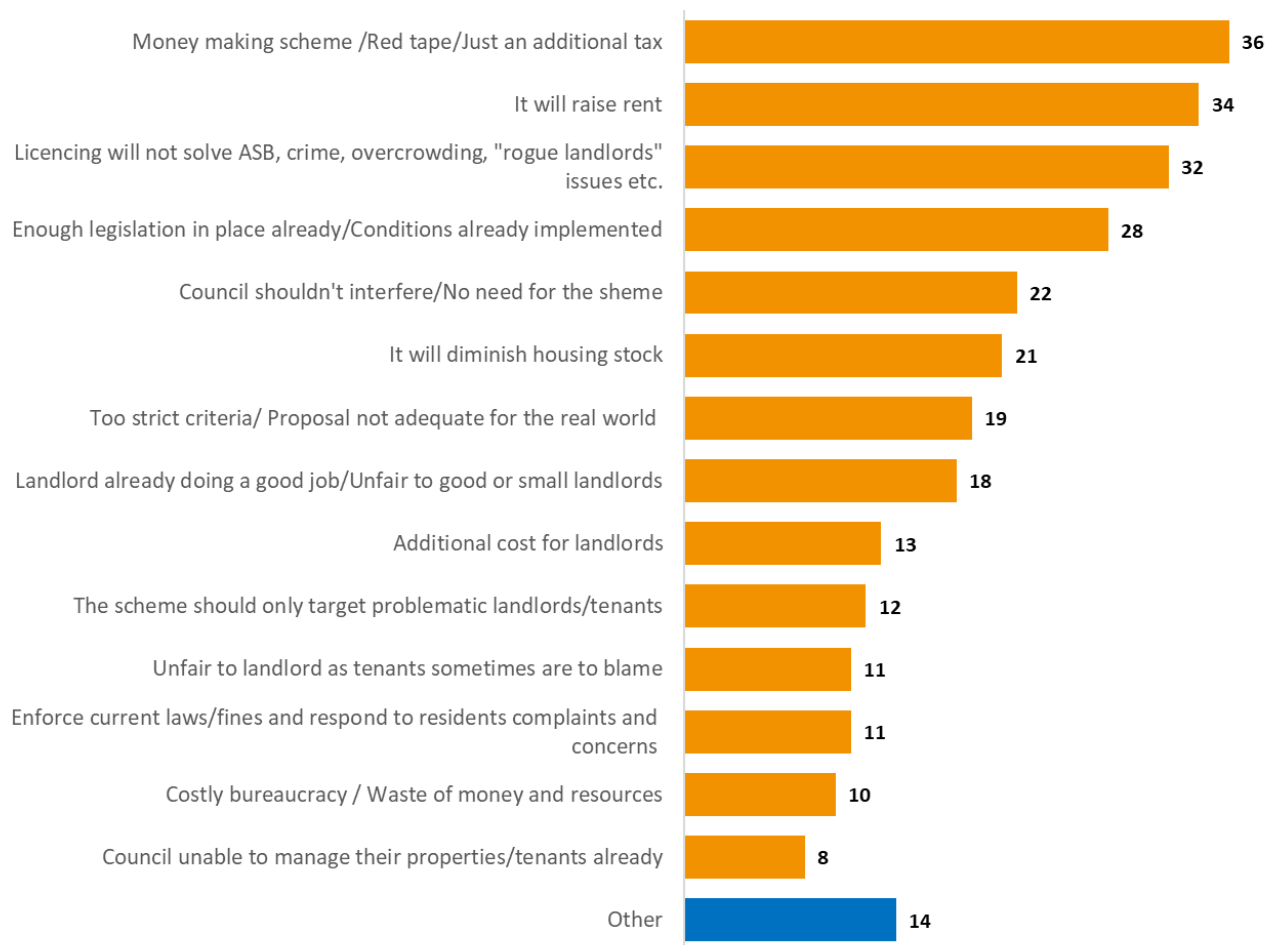
NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.

### Reasons for disagreeing with Additional Licence conditions

Respondents who said they disagreed with the proposed Additional Licence conditions were asked to give their reasons. In total, 289 comments were identified and coded into key themes (from 191 respondents). 208 comments were from 139 landlords, 44 comments from 29 residents, 33 comments from 23 private rented tenants and 4 comments from 3 ‘other’ respondents. Themes which received fewer than 5 comments were grouped under ‘other’.

Key themes for disagreeing with proposed Additional Licence conditions are that respondents feel it is a **money making scheme/tax** (36 comments), it will **raise rents (and pass onto tenants)** (34 comments), and that **licensing will not solve these problems** (such as ASB, crime, overcrowding, rogue landlords etc) (32 comments). The chart below shows all themes with the number of comments received.

**Figure 16: Why do respondents disagree with Additional Licence conditions (no of comments coded by theme) (289 comments)**



When we look at the top reason given by group, both residents and landlords feel that it is a money-making scheme, whilst private rented tenants feel it will raise rents. The number of comments is provided in brackets.

**Table 10:Top reason for disagreeing with Additional Licence conditions (by group)**

Residents	Landlords	Private rented tenants
Money making scheme /red tape/ additional tax (7)	Money making scheme /red tape/ additional tax (25)	It will raise rents (12)

### 3. Views on proposed licence fees

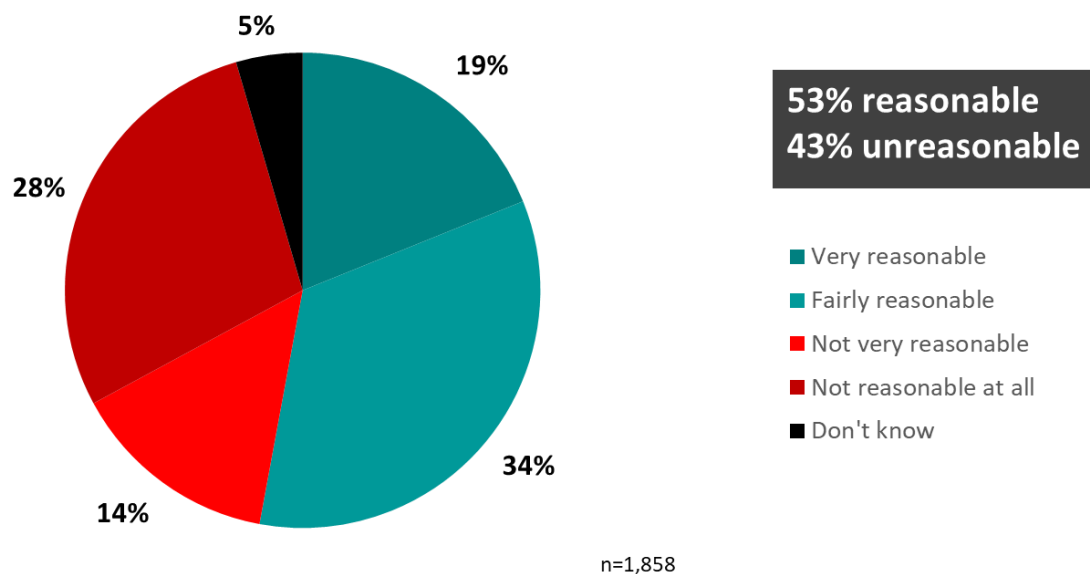
The consultation also sought views on the proposed licence fees for Selective Licensing and Additional Licensing. Links to documents or further information about the fees were provided within the consultation documentation.

#### a. Selective Licence fees

Respondents were firstly asked how reasonable they feel the proposed fees for a Selective Licensing scheme of £600 for a five-year licence.

Overall, over half (53%) feel they are reasonable, with around a third (34%) saying they are fairly reasonable. However, around four out of ten (43%) feel they are not reasonable, with 28% saying they are not reasonable at all.

**Figure 17: How reasonable is the proposed Selective Licence fee? (overall) (n=1,858)**



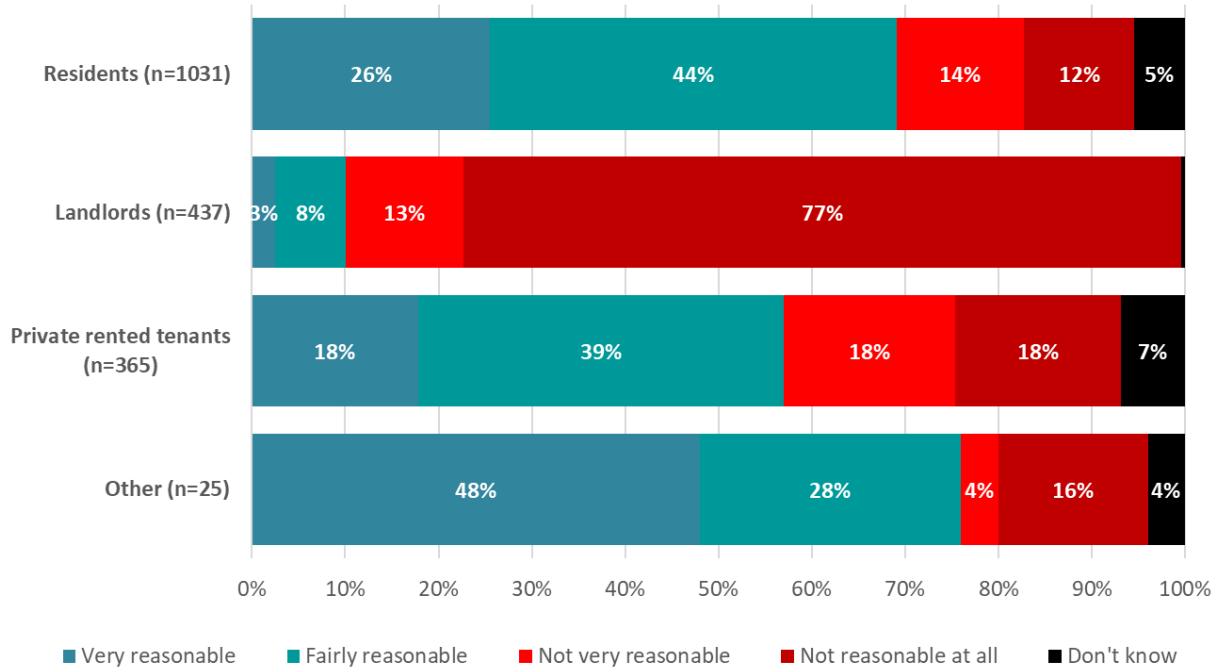
*NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.*

**When we look at responses by group, we can see the following differences:**

- 'Other' respondents are most supportive of the proposed fees, with three quarters (76%) saying they are reasonable;
- Residents are also supportive, with around seven out of ten (69%) saying they are reasonable;
- Results for Selective Licence fees are the same for private rented tenants as they are for Additional Licence fees, with 57% saying they are reasonable and 36% not reasonable;

- Landlords are most strongly opposed to the proposed fees, with almost nine out of ten (89%) saying they are not reasonable. This is 5% points higher than for Additional Licence fees (84% not reasonable). Only one in ten (10%) feel they are reasonable.

Figure 18: How reasonable is the proposed Selective Licence fee? (by group)



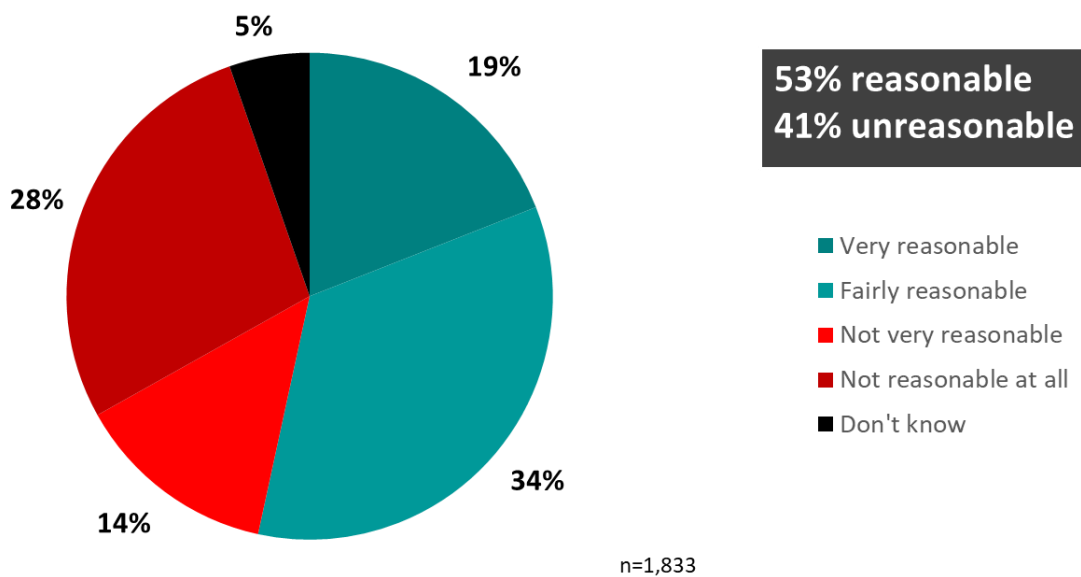
NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.

## b. Additional Licence fees

Respondents were asked how reasonable they feel the proposed fees for an Additional Licensing scheme of £900 for a five-year licence.

Overall, results are fairly similar to views on the Selective Licence fees, with over half of respondents (53%) saying the proposed Additional Licence fees are reasonable, with a third (34%) feeling they are fairly reasonable. Four out of ten (41%) feel they are not reasonable, with almost three out of ten (28%) saying they are not reasonable at all.

**Figure 19: How reasonable is the proposed Additional Licence fee? (overall) (n=1,833)**

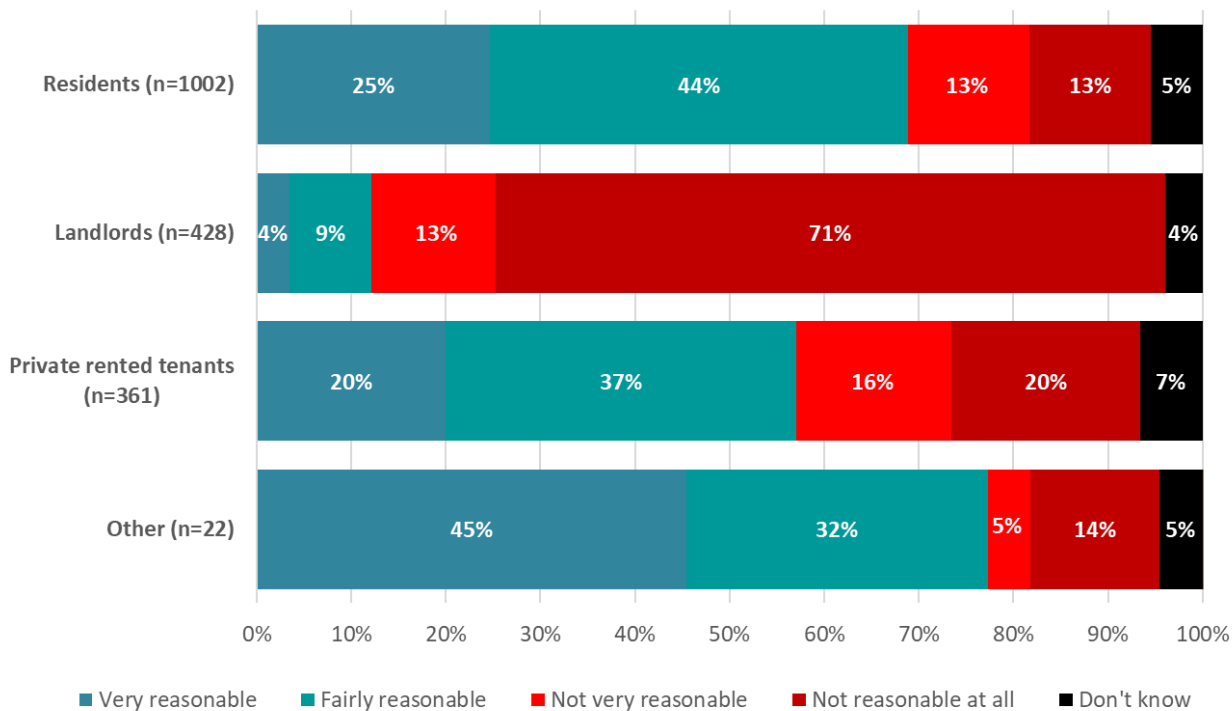


*NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.*

**When we look at responses by group, we can see the following differences:**

- Again, we see 'other' respondents most supportive of the proposed fees, with around three quarters (77%) saying they are reasonable;
- Residents are also supportive, with around seven out of ten (69%) saying they are reasonable;
- Although a relatively high proportion of private rented tenants feel fees are reasonable (57%), a higher proportion feel they are not reasonable (36%), compared to residents and 'other' respondents.
- Again, landlords are most strongly opposed to the proposed fees, with 84% saying they are not reasonable. Around one in ten (12%) feel they are reasonable.

Figure 20: How reasonable is the proposed Additional Licence fee? (by group)



NB. Due to the rounding of numbers, % may not add up to 100%. Please refer to the % in the text.

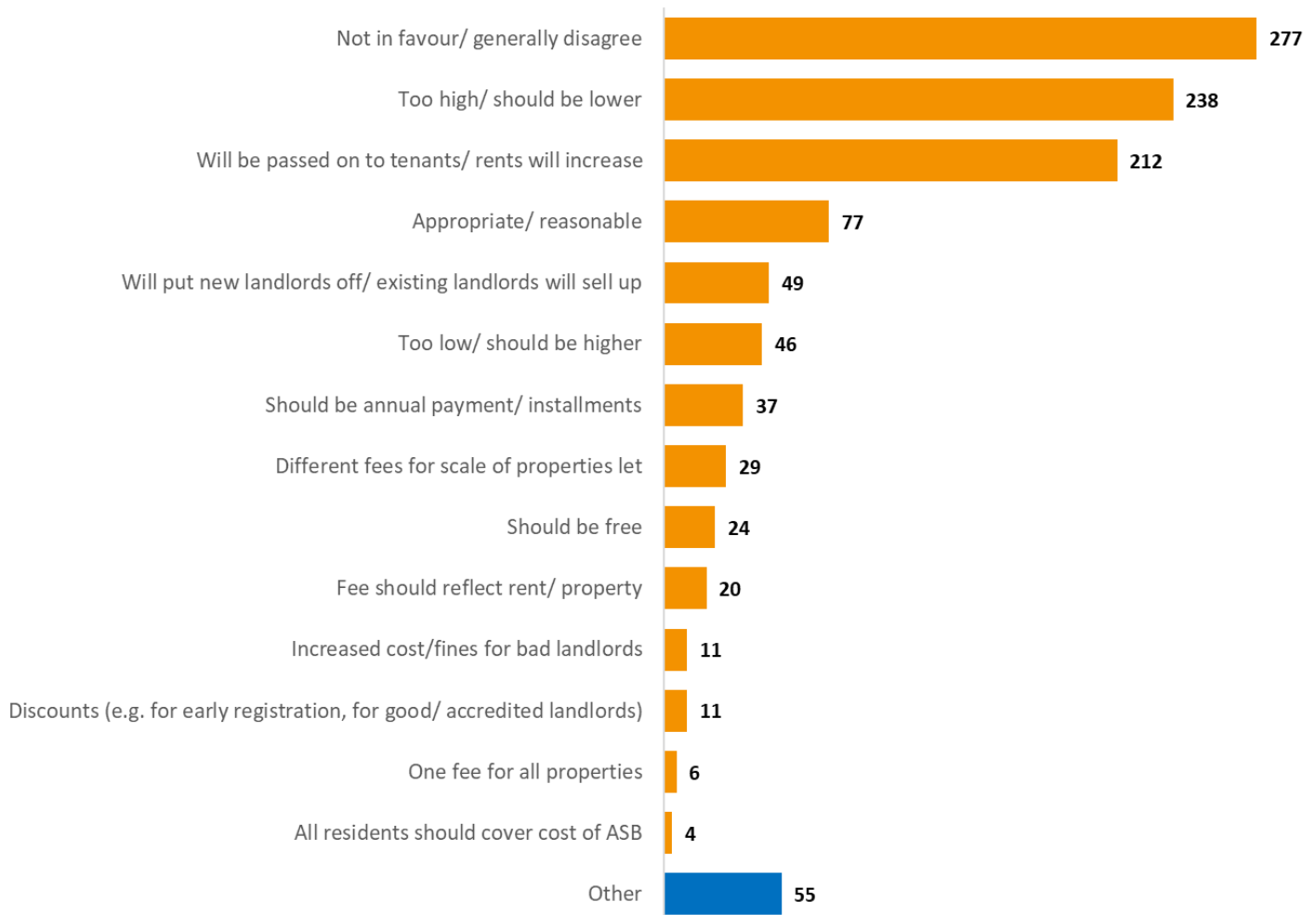


### c. Comments on Licence fees

All respondents were invited to provide any other comments they had around the proposed licence fees for Additional or Selective Licensing. Comments that were not related to the question were removed. In total, 1,096 comments were provided which have been coded into common themes (from 899 respondents). 444 comments were from 390 residents, 435 comments were from 324 landlords, 193 comments from 166+ private rented tenants and 24 comments from 19 'other' respondents.

These show a mixture of positive and negative views, along with some suggestions for the Council to consider, regarding fees. All themes are presented in the graph below. The most frequent comments were that respondents **generally disagree with/not supportive of the fees** (277 comments). This was followed by feeling that **fees are too high** (238 comments) and concerns that the **fees will be passed onto tenants** (i.e. rents will increase) (212 comments). Other themes received notably lower comments from respondents.

**Figure 21: Comments on licence fees (no of comments coded by theme) (1,096 comments)**



When we look at the top comment given by group, both residents and landlords feel that it is a money-making scheme, whilst private rented tenants feel it will raise rents. The number of comments is provided in brackets.

**Table 11: Top comment on licence fees (by group)**

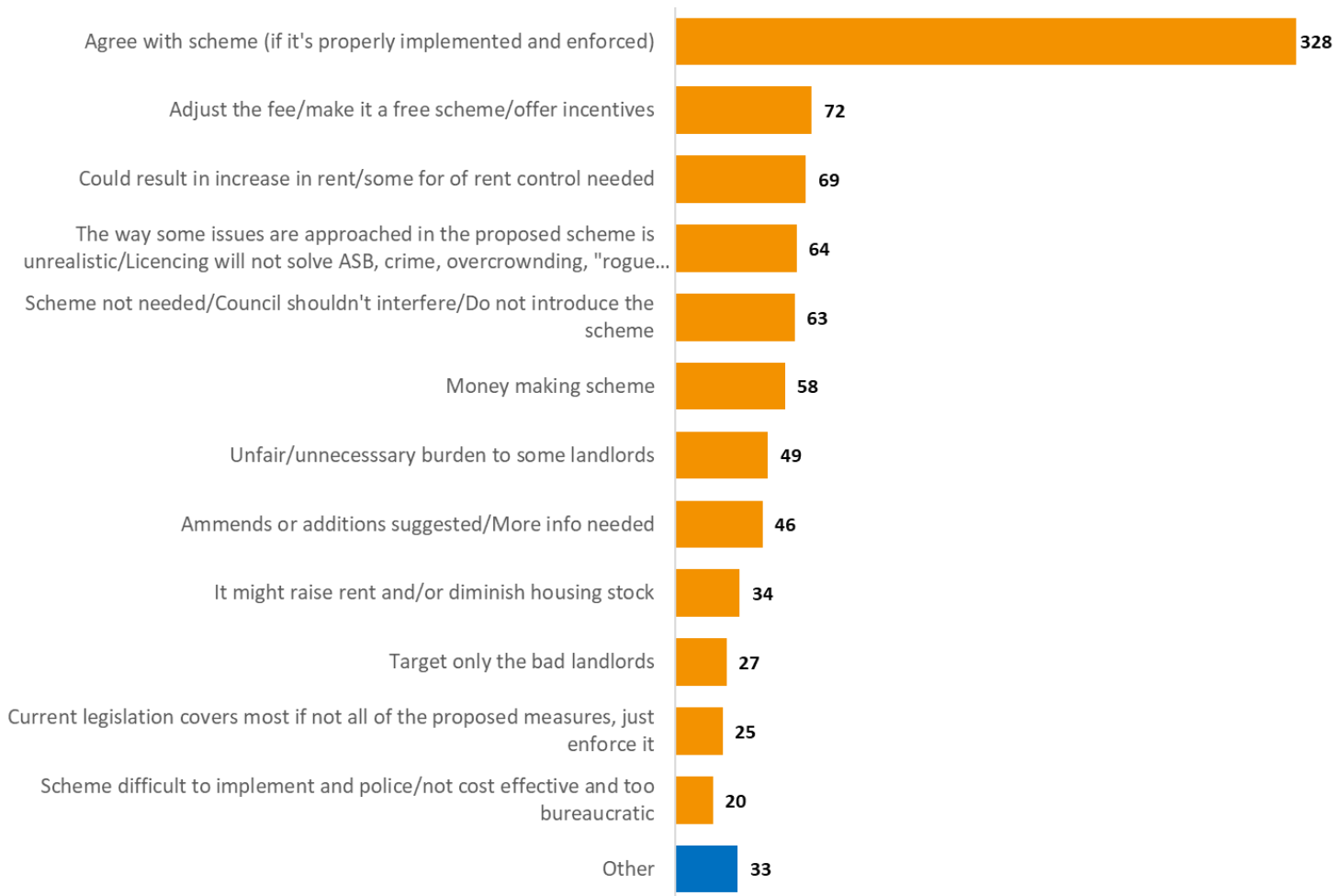
Residents	Landlords	Private rented tenants
Fees too high – should be lower (103)	Not in favour/ generally disagree (170)	Will be passed on to tenants/ rents will increase (84)

## 4. Any other comments about the proposed schemes

Finally, respondents were invited to add any further comments they would like to make about the proposed licensing schemes. In total, 888 relevant comments were analysed and coded by theme (from 681 comments). 397 comments were from 353 residents, 312 comments were from 188 landlords, 164 comments from 126 private rented tenants and 15 comments from 14 'other' respondents. Where fewer than 5 comments were made, these were included in 'other'. All key themes are presented in the chart below.

The most common comment by far was that respondents **generally agree with the proposed schemes** (if they are properly implemented/enforced) (328 comments). This is followed by comments saying that the **fees should be different** (72 comments), with some saying incentives should be offered and others saying they should be free. 69 comments were around a concern that **licence fees would be passed onto tenants** via raised rents.

**Figure 22: Further comments on the proposed licensing schemes (no of comments by theme) (681 comments)**



When we look at the top comment given by group, both residents and private rented tenants agree with the scheme (as long as its properly implemented and enforced), whilst landlords feel that the scheme is not needed, and the Council shouldn't interfere.

**Table 12: Top comment on proposed licencing schemes (by group)**

Residents	Landlords	Private rented tenants
Agree with scheme (if it's properly implemented and enforced) (236)	Scheme not needed/Council shouldn't interfere/do not introduce the scheme (40)	Agree with scheme (if it's properly implemented and enforced) (67)

## 4. Stakeholder views

This section draws together the headline findings from the stakeholder interviews. In total, 10 stakeholders responded to the consultation invitation, either by telephone interviews or a written response. Comments have analysed and grouped into themes. These are presented below.

### Key themes

#### Support or oppose proposed schemes

In general, public and third sector stakeholders were largely in support of both proposals. More so Additional Licensing than Selective Licensing. Several said that landlords often don't know what they should be doing, and licensing would make sure that they are clear about what standards they need to meet. All landlords/letting agents associations were opposed to the proposals, with some recognising that in the current financial climate, the Council is limited in resources and licensing can therefore provide funding.

#### Need to regulate the private rented sector

Almost all public/third sector stakeholders' welcome regulation of private rented housing sector. Many feel that there are most definitely issues with housing in this area, HMOs, which tend to house people on lower incomes and those who are more vulnerable and more open to exploitation. Landlords/letting agents associations, on the other hand, feel that the Council already has a whole raft of powers already at their disposal which are to be used to regulate the sector. Most stakeholders working in the third sector felt that tenants will be more likely to report things that they are currently not doing if licensing was brought in, as they would be able to find out whether their home should be licensed or not. However, some do fear eviction if they complain so the council should find a way for tenants to report issues privately.

#### Landlords' accountability for tenants

There is a mixture of views here, with some feeling that landlords should be more accountable for their properties and their tenants, whilst others feel that they cannot be accountable for the actions of other people. Again, the split in views is largely between public/third sector stakeholders and landlord/letting agent associations. Several said that landlords should ensure that tenants look after the properties in terms of rubbish and ASB, as they feel that some landlords turn a blind eye to what their tenants are doing and leave them completely to their own devices. However, others stated that ASB is a criminal offence and should just be left to the police to deal with and landlords cannot be held to account. In terms of rubbish, landlord/letting agent associations were against landlords doing anything other than

letting tenants know what is expected of them, but should not go any further than that, as they do not have the powers to do so.

### Licensing schemes' scale

Again, views were divided here on the scale of the scheme. Some of the public/third sector stakeholders felt that the schemes should both be borough-wide to ensure that there is little to confuse landlords and tenants about which types of properties and in which wards different schemes apply. One stakeholder felt that wards are not a great way to define boundaries for any scheme because in many, some parts of a road are in one ward and other parts in another. Also, one side of the street may be in one ward and the other side in another.

Others felt that unscrupulous landlords could try to move their businesses into other wards where licensing is not in place, therefore borough-wide schemes would restrict their options of displacing the problem elsewhere within Enfield or neighbouring authorities without licensing.

Landlord/letting agent associations and a few other public/third sector stakeholders were of the view that both schemes proposed are too large for the Council to have a realistic chance of having any impact, and they should really start smaller (although landlord/letting agent associations are in principal opposed licensing schemes). A few suggested that the Council should have more of a gradual or rolling approach, starting with between 1-3 wards at a time and then introducing another 1-3 wards once it's working properly (a few years down the line) and the Council is certain that it is having the desired impact.

### Fees and discounts

Most stakeholders felt that the fees themselves were relatively reasonable. Several felt that there should be some levels of discounts, such as early bird discount, as this would be an incentive for many to get their applications in early. The landlord/letting agent associations felt there should be a discount for those already in some form of accredited scheme or use managing agents in a scheme, as they should have most of the checks and paperwork in place.

### Costs passed to tenants

Almost all stakeholders said they were concerned about where the costs for licensing would end up. Many felt that these could potentially be passed onto tenants, via increases in rent. Some felt that landlords may not be able to do this due to market forces dictating what rent can be charged in the area.

One questioned whether an Article 4 directive for planning was also going to be introduced at the same time, as this would most definitely push rents up and not necessarily standards, as the market will be limited. One third sector stakeholder said that tenants they had spoken to are concerned about costs being passed onto them.

### Concern about other negative effect on tenants (such as homelessness)

Many stakeholders highlighted concerns about possible consequences of licensing schemes, which could see people made homeless, either as a result of landlords selling up, evicting tenants or if rents are increased and some people are no longer able to afford to pay their rent, particularly those who are on benefits/low income. One felt that if evictions/homelessness rates go up, this could have the opposite desired effect and put an even greater burden on public services and public money.

### Licence conditions

Most comments around specific licence conditions were from landlord/letting agent associations. Some felt that the licence conditions were not appropriate, or they needed further consideration. Most of the landlord/letting agent associations highlighted that Selective Licensing cannot include any conditions on the property conditions but can only focus on management standards. Specific conditions were highlighted as being a cause for concern. These include

- 2.3 around the tenancy deposit scheme (one felt this is incorrect);
- 3.5 – two stakeholders felt that this cannot be included for Selective Licensing as it is about property conditions;
- 3.11 around Fire Safety;
- 4.1- one was not sure how landlords could enforce this, and that the Council should be more practical about what landlords can do and cannot;
- 7.2 one questioned whether it is lawful to ask for names/addresses of children living in a property;
- 8.2 around council tax – one felt that this may not reflect council tax legislation.

### Scheme management and enforcement

Almost all stakeholders said that the licence schemes will only be impactful if it is enforced and the Council acts against landlords who do not comply. Without this it would only be a paper exercise and result in little changes being seen in terms of property conditions and management standards.

### Evidence base questions

A few the landlord/agent associations questioned the evidence base that the proposals are based on. This was particularly directed at whether the evidence for the private rented sector contains properties

covered by the mandatory licensing scheme (i.e. HMOs with 5 or more people from 2 or more households). Other questions around the evidence base include what time period the data is based on.

### **Implementation concerns**

Many of those interviewed said that it was unclear how the schemes would be rolled out and had concerns about the resourcing of these schemes. Most landlord /letting agent associations said that other schemes have been extremely under-resourced and if levels of staffing are insufficient then the council could be swamped in dealing with the application paperwork, rather than any inspections and enforcement etc... Examples of other schemes where this has happened were given, such as Liverpool and Nottingham.

### **Monitoring and evaluating the effectiveness of the scheme**

A few landlord/letting agent associations felt that the Council's objectives should be reviewed, and specific numbers put on targets rather than percentages, to make them more transparent and measurable. Suggestions included things like a target number of properties they want to licence and inspect. They also felt that the Council should be transparent on what the scheme is achieving, if it were to go ahead, such as reporting on the number of properties it has licenced, how long it takes on average for a licence to be granted, the number of enforcement actions taken etc.. One felt that there should be some form of annual report on the scheme, which would help provide transparency and let others see whether the scheme is having a positive impact, and that could help landlords be more receptive of licensing.

### **Other approaches to improve private rented sector**

Other suggestions around what the Council could consider, either as an alternative or addition to licensing, include the following:

#### **Delivery partners**

One alternative suggested would be to use a delivery partner, whereby the council can then concentrate on the issues they are looking to tackle like sub-standard housing and overcrowding etc and get a partner to do the paperwork elements.

#### **Co-regulation**

Several stakeholders felt that co-regulation would be a better approach such as in Liverpool. Here, ARLA members got a 50% discount and ARLA did the admin/processing for their members. This helps to remove some of the administrative burden on the Council.

#### **Collaborative partnership with other agencies**



Another suggestion was that there could be a collaborative approach with partners/other schemes, such as the London Rental Standard or for ASB Homestamp in the West Midlands, where the council is working as part of a multi-agency approach to tackle and resolve the issues.

### Other queries/comments

Other queries and comments included things like the schemes causing confusion between what type of licence landlords would need in the areas where Selective Licensing has been proposed (such as some properties within the same block falling under different schemes).

## 5. Public meetings/written responses

M·E·L Research facilitated four public consultation meetings in Enfield during the consultation period, in Enfield Town and Edmonton Green. Two events were targeted specifically at landlords and agents, and two were targeted specifically at residents and private renting tenants. However, the latter groups tended to have a mixture of residents and landlords. The table below shows the meetings, audience and number of attendees per meeting.

**Table 13: Public meetings information**

Date/time of meeting	Target audience	Venue	Approx. no of attendees
30 September (7-9pm)	Landlords/agents	Dugdale Centre, Enfield	98
7 October (7-9pm)	Private rented tenants/residents	Dugdale Centre, Enfield	36
30 October (9.30-11.30am)	Private rented tenants/residents	Green Towers, Edmonton	23
30 October (7-9pm)	Landlords/agents	Green Towers, Edmonton	84
TOTAL	-	-	241

In total, there were 241 attendees across the four meetings and 35 written responses submitted (via email or feedback form). Most of these attendees were landlords, therefore many of the comments were from this group and many fewer from other groups. It should be noted that Council Officers were present at every meeting and that most of the sessions were taken up by a Question and Answer session following on from a presentation about the proposals. During each public meeting, Council Officers attempted to address all questions posed by attendees or directed them to the consultation documents for further information (often when there were specific questions about the proposed licence conditions, fees etc). The Frequently Asked Questions document and consultation pages were checked, updated and republished after most meetings to address some of the most common questions highlighted.

Below is a summary of the key themes that came out from both the written responses and the feedback from the public meetings.

### Landlords' accountability for tenants' behaviour

Many of the comments across all four meetings were around tenants' behaviour and the focus on ASB and rubbish/litter problems from private rented properties, and how landlords were being held accountable for these issues. Several landlords said that they felt the responsibility to deal with these issues like ASB was being passed down to landlords, when they should be dealt with by other

organisations. There were concerns about how far the Council was going to go with this, as landlords often attempt to speak to their tenants about issues such as rubbish, but they are effectively powerless to do anything other than this. Landlords shared examples about negative experiences they have had with difficult tenants and how hard and costly it had been to deal with these issues. This was echoed in several written responses which detailed problems the landlord had with tenants and that they had little support in dealing with them from any organisation. Many felt that the balance of power is much more heavily weighted towards tenants' rights compared to landlords' rights over their own properties, and that licensing was another step in this direction.

However, a small number of residents also shared their experiences of landlords letting houses get run down and being inadequate, not dealing with issues that tenants were causing such as ASB and that the Council had also not helped them deal with any of these problems.

### **Unnecessary/unfair tax on landlords**

Again, many landlords' and agents' comments were centred around the private rented sector being penalised from all directions, and restrictions being placed on what they can and can't charge, what tax relief can be claimed and licensing being an additional financial burden on them. Some felt that landlords are effectively paying for Council staff and that the financial burdens of the Council are being passed onto them. A few comments were that this should be paid by everyone via Council Tax if this is for the good of the Enfield community at large. Many feel that if licensing is needed, it should be free of charge and the proceeds from taking financial action against rogue landlords could pay for the scheme.

### **Targeting rogue landlords**

Many comments/questions throughout the meetings and via submitted feedback, particularly from landlords, were around why the Council is not targeting 'rogue' landlords, rather than having a blanket approach. Comments centre on the fact that there are only a very tiny proportion of rogue landlords and that many landlords, do not fall under this category. Many landlords felt that unlicensed – rather than licensed – landlords will continue to be the problem, still operating under the radar and evading their duties. There were also questions from different groups about how the Council intends to target and find rogue landlords, if they currently can't deal with them.

### **Enforcement powers already available to Council**

Many landlords said during the public meetings and via feedback forms, that the Council already has the powers to deal with the issues they have identified and that these need to be used more effectively, rather than introducing new 'schemes' and additional costs.

### Licensing scheme in practice

A number of attendees questioned how the scheme would work and what can landlords expect to get for their fee, such as when would the scheme start; how long would landlords have to apply for a licence; how many inspections is the Council proposing to make on their properties; what advice/support will they get for the fee; does the licence fee need to be paid upfront; would there be any discounts for owning several properties; will every property be inspected; what happens if the makeup of the tenants changes from year to year – would they need a different licence each time; how does planning come into this; how would tenants report bad landlords; can there be a tenants blacklist if there is going to be a landlords list?

### Evidence base for licensing proposals

There were several questions around the evidence base, where the information has been pulled from and the statistical model used. A number of queries were raised about how data can be attributed specifically to private rented properties, as many are next door to owner occupied properties, social housing etc. There were also queries about the time period for the data and how the figures are being compared to the overall population or the private rented sector population in the borough. There were also a few questions posed about how licensing fits alongside other strategies and delivery teams, such as homeless strategies, planning, ASB and other agencies such as the Police, Fire and Rescue etc. Some felt that it was unfair to target the areas in Selective Licensing if other areas area also demonstrating high levels of ASB etc. and that it was the poorer areas where tenants have less money that were going to be hardest hit. There were also a few comments/queries about the data being based on projections or predictions, rather than actual data, which they suggested was not therefore real evidence about the extent of the problem, but a suggestion that there was a widespread problem. A few comments/queries sent via feedback and email asked specific questions about the data used and the model used.

### Evidence that licensing works

There were a few questions across the meetings about evidence that licensing works and how the Council is going to measure whether the schemes are working. There were a few challenges posed to the Council about how licensing was going to deal with some of the issues the Council was looking for the schemes to deal with, such as deprivation, which is more of a social than a housing issue.

### Licence fee levels

There were mixed views about the licence fees – some felt that although they were not very high, it was a high expense to have to pay upfront. Some said that the fees were higher than in other London boroughs, whilst others felt that fees were extremely low in comparison to what profits landlords make in Enfield.

### **Licence fees passed onto tenants**

Tenants and residents said that they were concerned that licence fees would be passed onto tenants and that licensing would increase rents. Several landlords said that they would have no choice but to pass the licence fees onto their tenants. Several comments from tenants were about how well their landlords look after them, therefore they feel licensing is unfair and that ultimately the fees will just hike up their rents so they will be worse off as a result.

### **Social housing/council tenants more problematic**

Many felt that social housing causes a lot of problems in Enfield and that these should be looked at as a priority, before the private rented sector. There were also comments from several landlords during the meetings and via feedback forms that tenants they provided housing to were Council tenants and therefore they were vetted by the Council, as were the tenants and they still caused problems/damage.

### **Types of properties covered by licensing**

There were several queries about whether certain types of properties or arrangements would be covered under licensing, such as if a landlord rents their property to council tenants, other housing association tenants, or to other council tenants, for example.

## Appendices

**Appendix 1: Maps of proposed licensing schemes**

**Appendix 2: Survey questions**

**Appendix 3: Email and written responses to consultation**

**Appendix 4: Stakeholder written responses to consultation**

**Appendix 5: Responses by methodology (face to face survey and online survey)**

**Appendix 6: Responses from outside of Enfield**

**Appendix 7: Demographic profile of respondents**

**Appendix 8: Communication visuals**



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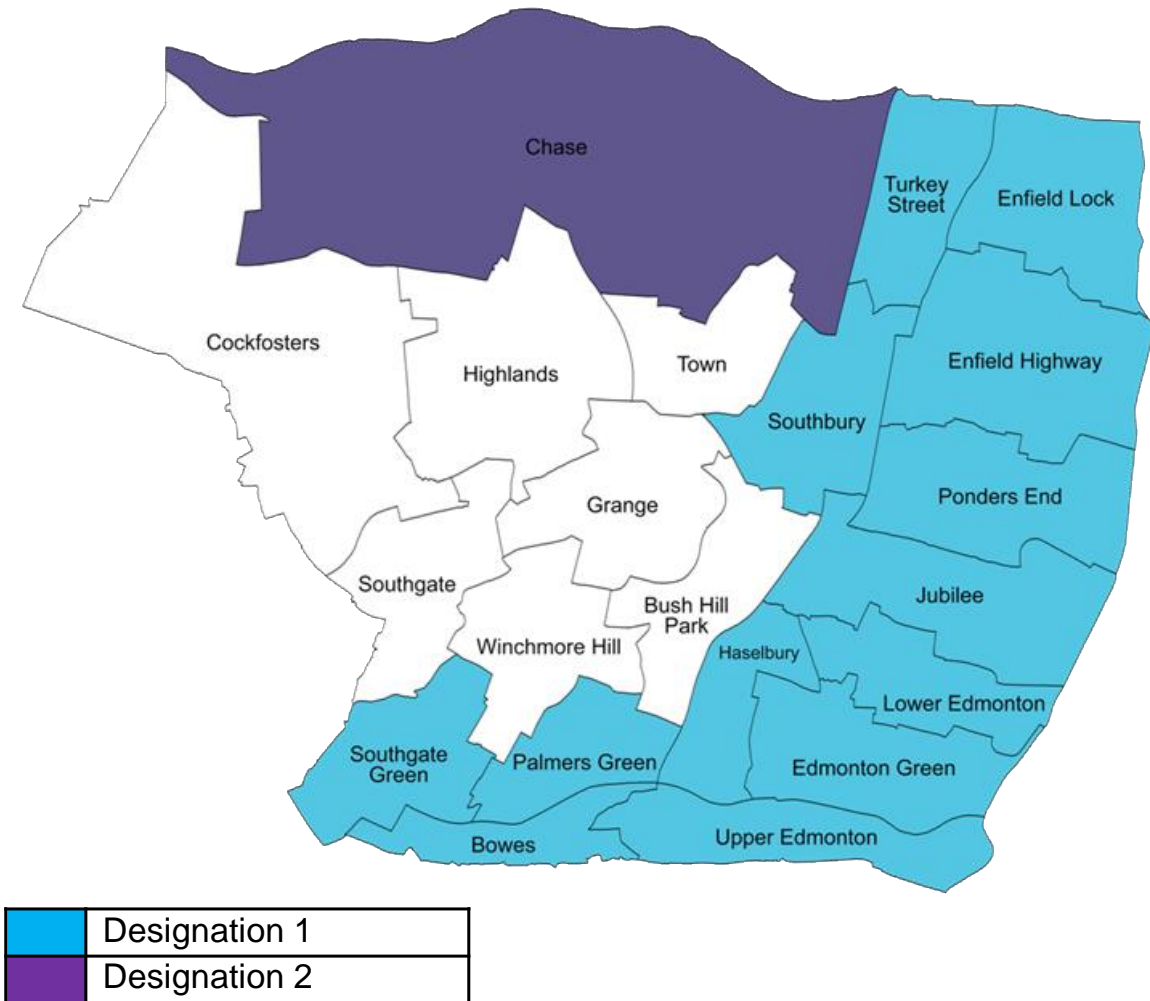


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# Appendix 1: Maps of proposed licensing schemes

## Proposed Wards for Selective Licensing Scheme



## Proposed Wards for Additional Licensing Scheme



## Appendix 2: Survey



## CONSULTATION ON LICENSING PRIVATE RENTED PROPERTY IN ENFIELD

The Council is consulting on proposals to improve housing conditions in the private rented sector in Enfield. The Council wants to ensure that private rented properties in Enfield offer tenants a choice of safe, quality and well-managed properties. It is proposing that all private landlords with properties to let within the proposed licensing areas will require a licence to rent their property.

The private rented sector is the largest growing housing sector in the borough and is hugely important to the Council and local communities.

Before making a decision, the Council wants to hear your views about the proposals and any alternatives that they could consider. We would specifically like to hear from private tenants, landlords, letting and managing agents, Enfield residents and businesses and organisations operating in Enfield and surrounding areas.

**Prior to responding to this questionnaire, we strongly encourage you to read the background information about the proposed schemes, which can be found [here](#).**

The Council is proposing to introduce the following:

1. Two selective licensing schemes covering 14 wards (Bowes, Chase, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton); and
2. A borough-wide additional Houses in Multiple Occupation (HMO) licensing scheme.

**The Council believes that the proposed schemes could have a number of benefits to residents, tenants, landlords and the wider community.**

**Residents:**

- Reducing levels of anti-social behaviour
- Providing Enfield residents with a more desirable place to live in and enjoy.

**Tenants:**

- Improving poor property conditions and management of privately rented properties
- Reducing levels of overcrowded living conditions for improved health
- Empowering tenants to recognise when properties are sub-standard and what options are available.

**Landlords:**

- Support for landlords dealing with anti-social behaviour caused by tenants
- Supporting and advising landlords on property conditions and who might not necessarily be aware of their responsibilities
- Creating good landlord reputations by independent endorsement.

**The questionnaire should take around 15 minutes to complete. Alternative ways to get involved in the consultation can be found [here](#).**

**The closing date for the consultation is midnight Friday 29 November 2019.**

The consultation is being run by M·E·L Research, an independent research company. Information you provide will only be used for research purposes and you will not be personally identifiable in any reports, however organisations may be identifiable. M·E·L Research work to the Market Research Society code of conduct.

We will hold all information securely and strictly in line with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Please visit the following to read our privacy notices: [www.melresearch.co.uk/page/privacypolicy](http://www.melresearch.co.uk/page/privacypolicy)

**For questions about the survey or to request a paper version, please contact Karen Etheridge, Senior Research Manager at M·E·L Research on Freephone 0800 073 0348 or email [enfieldprs@melresearch.co.uk](mailto:enfieldprs@melresearch.co.uk).**

## About you

**Q1 Which of the following best describes you? (Please tick all that apply)**

- A resident
- A privately renting tenant
- A landlord
- A letting or management agent
- Own or manage a business
- Represent a business organisation
- A community group or charity
- Other (Please write in the box below)

Q2 **If you live within the London Borough of Enfield, please specify which postal district you live in from the following list?**

**(If you live outside of the borough, please tick 'outside of the London Borough of Enfield').** (Please tick one box only)

- |                           |  |
|---------------------------|--|
| <input type="radio"/> EN1 | <input type="radio"/> N11                                      |
| <input type="radio"/> EN2 | <input type="radio"/> N13                                      |
| <input type="radio"/> EN3 | <input type="radio"/> N14                                      |
| <input type="radio"/> EN4 | <input type="radio"/> N18                                      |
| <input type="radio"/> EN6 | <input type="radio"/> N21                                      |
| <input type="radio"/> EN8 | <input type="radio"/> N22                                      |
| <input type="radio"/> N9  | <input type="radio"/> Outside of the London Borough of Enfield |

If outside of the London Borough of Enfield, which postal district (or area) do you live in? (Please write in the box below)

Q3 **Do you operate in the London Borough of Enfield?**

- Yes  
 No

## **Section 1: Views on the proposed Private Rented Property schemes**

The proposed Additional Licensing scheme would require landlords to licence all privately rented HMOs in the whole borough that are not covered by the Mandatory HMO scheme. An HMO is a dwelling of 3 or more people not forming a single household, who may share facilities such as a bathroom or kitchen. Additional Licensing would cover privately rented properties occupied by at least 3 individuals who do not form part of a single household and are not related to each other, but share amenities such as a kitchen or bathroom.

Q4 **To what extent do you agree or disagree with the proposed Additional Licensing scheme?** (Please tick one box only)

- Strongly agree  
 Tend to agree  
 Neither agree nor disagree  
 Tend to disagree  
 Strongly disagree  
 Don't know

Q5 **Please tell us the reason for your answer in the box below**

**(You may want to tell us how the proposed licensing scheme will affect you)**

**The proposed Selective Licensing scheme would require landlords to licence all privately rented properties that are rented as single family properties occupied by one household (i.e. single persons or couples, or one family) in the 14 wards identified.**

**Q6 To what extent do you agree or disagree with the proposed Selective Licensing scheme? (Please tick one box only)**

- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree
- Don't know

**Q7 Please tell us the reason for your answer in the box below  
(You may want to tell us how the proposed licensing scheme will affect you)**

**Q8 What suggestions, if any, do you have for alternative ways the Council can address poor property conditions and management, anti-social behaviour and deprivation in private rented properties in the borough? (Please write in the box below)**

## **Section 2: Views on licence conditions**

**There are mandatory licence conditions that must be applied to Additional and Selective licences. The Council can also apply other conditions to deal with the management, use and occupation of the property. The proposed licensing conditions would seek to prevent overcrowding, poor property conditions and help tackle deprivation and anti-social behaviour.**

**For full details on the proposed Additional Licence conditions please see [here](#).**

**For full details on the proposed Selective Licence conditions, please see [here](#).**

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Q9 **To what extent do you agree or disagree with the proposed Additional Licence conditions?** (Please tick one box only)

- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree
- Don't know

Q10 **Please tell us the reason for your answer in the box below**

Q11 **To what extent do you agree or disagree with the proposed Selective Licence conditions?** (Please tick one box only)

- Strongly agree
- Tend to agree
- Neither agree nor disagree
- Tend to disagree
- Strongly disagree
- Don't know

Q12 **Please tell us the reason for your answer in the box below**

### **Section 3: Views on proposed licence fees**

The proposal is to set fees for licence applications which take into account the Council's costs in administering and carrying out its licensing and enforcement functions under the proposed schemes. The Council has provisionally set the licence fees in accordance with the law to ensure that they are reasonable and proportionate and will not exceed the cost of the proposed licensing schemes. The licence fee is to be split into 2 parts: part 1 will be charged at the initial application and part 2 would become payable when the licence has been approved.

The Council is proposing to charge £600 per property for a Selective licence and £900 per property for an Additional Licence. The licences are for up to 5 years. Fees will be kept under review throughout that period.

Please click [here](#) for more information on the proposed licence fees.



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Q13 To what extent do you think the proposed fee for Selective Licensing is reasonable?

- Very reasonable
- Fairly reasonable
- Not very reasonable
- Not reasonable at all
- Don't know

Q14 To what extent do you think the proposed fee for Additional Licensing is reasonable?

- Very reasonable
- Fairly reasonable
- Not very reasonable
- Not reasonable at all
- Don't know

Q15 If you have any other comments you would like to make around the proposed licence fees, please write in the box below

Q16 If there are any other comments that you would like to make about the proposed licensing schemes for the London Borough of Enfield, please write in the box below

## Section 4: More about you

This last section asks you some questions about yourself so we can fully understand different people's views and experiences, in particular those with protected characteristics as defined by the Equality Act 2010.

Q17 How old are you (years)? (Please tick one box only)

- |                                   |   |
|-----------------------------------|---|
| <input type="radio"/> 19 or under | <input type="radio"/> 55-59             |
| <input type="radio"/> 20-24       | <input type="radio"/> 60-64             |
| <input type="radio"/> 25-29       | <input type="radio"/> 65-69             |
| <input type="radio"/> 30-34       | <input type="radio"/> 70-74             |
| <input type="radio"/> 35-39       | <input type="radio"/> 75-79             |
| <input type="radio"/> 40-44       | <input type="radio"/> 80-84             |
| <input type="radio"/> 45-49       | <input type="radio"/> 85 or older       |
| <input type="radio"/> 50-54       | <input type="radio"/> Prefer not to say |

- Male
- Female
- Transgender
- Prefer to self describe
- Prefer not to say

If you prefer to self-describe, please provide details in the box below

Q19 **How would you describe your ethnic background?** (Please tick one box only)

- |  |  |
|--|--|
| <input type="radio"/> White: English/ Welsh/ Scottish/ Northern Irish/ British | <input type="radio"/> Mixed: Multi ethnic islander                         |
| <input type="radio"/> White: Irish   | <input type="radio"/> Asian or Asian British: Indian                       |
| <input type="radio"/> Other White: Greek                                       | <input type="radio"/> Asian or Asian British: Pakistani                    |
| <input type="radio"/> Other White: Greek Cypriot                               | <input type="radio"/> Asian or Asian British: Bangladeshi                  |
| <input type="radio"/> Other White: Turkish                                     | <input type="radio"/> Asian or Asian British: Sri Lankan                   |
| <input type="radio"/> Other White: Turkish Cypriot                             | <input type="radio"/> Asian or Asian British: Chinese                      |
| <input type="radio"/> Other White: Italian                                     | <input type="radio"/> Black/African/Caribbean/Black British:               |
| <input type="radio"/> Other White: Polish                                      | <input type="radio"/> Caribbean  |
| <input type="radio"/> Other White: Russian                                     | <input type="radio"/> Black/African/Caribbean/Black British:               |
| <input type="radio"/> Other White: Other Eastern European                      | <input type="radio"/> Ghanaian   |
| <input type="radio"/> Other White: Kurdish                                     | <input type="radio"/> Black/African/Caribbean/Black British: Somali        |
| <input type="radio"/> Other White: Gypsy or Irish Traveller                    | <input type="radio"/> Black/African/Caribbean/Black British: Nigerian      |
| <input type="radio"/> Other White: Romany                                      | <input type="radio"/> Black/African/Caribbean/Black British: Other African |
| <input type="radio"/> Mixed: White and Black Caribbean                         | <input type="radio"/> Other ethnic groups: Arab                            |
| <input type="radio"/> Mixed: White and Black African                           | <input type="radio"/> Other  |
| <input type="radio"/> Mixed: White and Asian                                   | <input type="radio"/> Prefer not to say                                    |
| <input type="radio"/> Mixed: Mixed European                                    |  |

If 'other', please provide details in the box below

Q20 **Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?** (Please tick one box only)

- Yes - limited a lot
- Yes - limited a little
- No
- Prefer not to say

Q21 How would you describe your working status? (Please tick one box only)

- |  |   |
|--|---|
| <input type="radio"/> Working - full time (30+ hours)                      | <input type="radio"/> Unemployed and available for work |
| <input type="radio"/> Working - part time (9-29 hours)                     | <input type="radio"/> Permanently sick/disabled         |
| <input type="radio"/> Self-employed  | <input type="radio"/> Wholly retired from work          |
| <input type="radio"/> Working - under 8 hours                              | <input type="radio"/> Looking after family/home         |
| <input type="radio"/> Full-time education at school, college or university | <input type="radio"/> Other/Doing something else        |
|  | <input type="radio"/> Prefer not to say                 |

Q22 Do you receive either Council Tax Support, Housing Benefit or Universal Credit? (Please tick all that apply)

- Yes - I receive Council Tax Support
- Yes - I receive Housing Benefit
- Yes - I receive Universal Credit
- No - I do not receive any of these benefits
- Don't know
- Prefer not to say

**Thank you for taking the time to complete this questionnaire.  
Please click on the "Submit" button below.**

## Appendix 3: Email and written responses to consultation

### Email response 1

These days the back to back flats which have only electric fans, I find that despite electric fans etc. there is much dampness problem. Now this is not due to Landlord carelessness, I face this problem quite often.

In one property I changed the whole wardrobe, I got management involved etc. they also assisted us, and helped us get over this issue financially, but I will be honest to you, the problem still persists, **it is one in which there is no window in the bathroom. Back to back properties. However I manage a back to back property with no windows in the bathroom, probably built in 2006/7, off xxxxx, I have not experienced dampness in any bathrooms, although they are all back to back flats.**

At the moment I have two flats of this nature, we are using Dehumidifier in one of them, we will be installing a more powerful fan, repainting, and then see how things go, the Management are also willing to come and have a look, I said I would like to be present together with my worker when Management visit.\*

\*Prior to this tenant we had a couple for 10 years, and we have been managing this property for almost 20 years, I cannot understand why since this tenant has come, the problem has escalated to this extent.

I had another set of tenants using one room in the loft, and the rest on the first floor, there was so much damp, in their clothing, shoes etc. really shocking, once they left, and another set of tenants moved into the property who used the heating, the dryer, the ventilation of the rooms etc. there was no damp experienced ever since. These second set of tenants, were there for very many years, and as mentioned, all good.

From my experience, not making use of dryer, the moisture from the clothes, especially in winter months, leads to dampness.

Another tenant put so much furniture against the exterior wall, there was no breathing space perhaps, when he moved his furniture, it was all damp on this particular wall, since this tenant moved out, and the room does not contain so much stuff, there is proper ventilation and heating, everything is fine.

Problems of this nature, the Landlord will be heavily penalised under the new scheme. I hope that my points will be taken into serious consideration.

I have used the link today, and submitted.

I am not sure if I can get your views, as long as my points are submitted.

Kind regards.

Mrs xxxxx

## Email response 2

### General Submissions Against the need for Selective Licensing by Enfield Council

Selective licensing offers nothing new or additional to the various and countless (over 400 regulations which landlords must comply with) and various existing powers, bye laws, legislation, statutory nuisance procedures, ASBOs, environmental inspection powers etc. etc. available to all local authorities in the United Kingdom including Enfield council under legislation which compel and make landlords liable if they fail to ensure properties are safe and in repair, costs against those who breach housing and accommodation laws can be secured against their properties so the deterrence is considerable and there to be utilised freely and confidently and specifically against those who offend, so why penalise good landlords?

It's rather illogical and somewhat absurd to suggest local authorities need yet more powers for the exact same issues through instead a chargeable new scheme, worded or argued slightly differently, but giving the same responsibility and creating the same liabilities as the current rules and laws provide for, yet to seek and fully charge ALL landlords (majority good) hefty fees at a very difficult time following the removal of wear and tear allowance which had helped good landlords with repairs and mortgage relief resulting in private landlords paying approx. 93% on income including their mortgage interest which remains a real expense for the purposes of accommodating a tenant under a btl property. This is a totally self-serving and misguided scheme and plan and deliberately and totally ignores recent changes and impacts on landlords. Rental properties and landlords are essential to accommodate a large section of the public, why do people think they are the cause for there being a lack of homes being built by neglectful governments last 20 years – why are hardworking and stressed out landlords being penalised for slow or incompetent acts of others, what impression and message does that send and create. Where is the evidence to justify all this, in fact the evidence shows landlords are and will always be absolutely essential and it is well known by those who know councils are one of the worse landlords in the country - often taking months and longer to do basic repairs to anyone who actually knows in practise what is occurring, compared to good landlords who take a matter of hours or days to look after their tenants and keep them happy so they can try to enjoy a normal life, which is a challenge in itself.

There is no logical correlation between the Council introducing a new licensing scheme giving it no additional powers of enforcement other than those already available to it, to suggest or justify that this will in some way increase and improve accommodation or security to tenants. It's in fact irrational by saying that just because the council will have a register of all rented properties – which they in fact have or can compile easily through computerised databased and other records (which could be done in a matter of hours and improved gradually to perfection) without charging Landlords for it particularly

where it relates solely to identifying bad or repeat offender landlords of who are likely to be the same ones all the time - as is common in such behaviour – again no statistics or evidence are provided by the council in this regard to justify anything. It would take a bias or misguided decision maker to agree with the council without requiring for them to provide clear, independent and complete full evidence of the seriousness of the problems with evidence why existing powers are not sufficient which would equally persuade all other landlords of the reasonableness of this scheme. None has so far bene provided.

Peculiarly, it has been ignored by the council, that bad or criminal type of landlords could just as well comply with initial licensing requirements during early or initial inspections which are very simple to comply with and in actual fact already complied with through all other current rules and regulations (like smoke/carbon/safety requirements which agents/tenants are provided – which they can easily provide to councils to assess who has or hasn't and provide this annually probably at the time their housing benefit is reviewed annually as it always is). And so the introduction of this scheme would not mean these same bad landlords will ensure properties are properly maintained in the meantime and in between inspection (which are likely to be every 2-3-5 or more years) which is a far more important need and crucial to ensuring places are kept well in the meantime. These same bad landlords will likely wait to be told of what works need to be done and will only do so at those times which rather makes a mockery of the need for this scheme and yet forcing more cumbersome costs now and in years to come and added time and energy (in emails/calls/inspections/arguments/challenges which will always win as it will always be difficult/connotative/tenants who don't want to pay that will probably take time up on this too – does Enfield Council even know what some DSS tenants are like – cause damage but don't want to accept or ever pay for it even though good landlords do in 99 per cent but when they cause other damage and don't report it and insure and no one will pay) to be incurred, which they don't have on top of all other things of good landlords. The council is hardly going to be able to revisit every property quickly enough and by then this will give bad landlords another opportunity to correct things so it does nothing to eradicate bad landlords, instead money wasted on good landlords who are being force to fund it, just salt to the wounds.

### **Raising Standards**

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources focused on processing applications, the council should continue to direct these limited resources at identifying private rented properties and taking effective enforcement action.

### **Enforcement Powers**

There are over 150 Acts of Parliament and more than 400 regulations affecting landlords in the private rented sector.

Councils should use the enforcement powers already granted to them by the Housing and Planning Act 2016 and Housing Act 2004 to their full extent, rather than rely on Licensing Schemes to regulate landlords in addition to these powers. The Council has also not taken into consideration the amount of informal enforcement activity undertaken between local authorities and private landlords.

### **Pressure on non-licensed areas**

Landlords, especially those with properties outside the licence area will become risk-averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants, which would mean additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants.

### **Fee structure**

In the document titled Selective Licensing Scheme Fee Structure, there is a £50 charge for paying the licence fee in instalments. Only one licence fee can be charged per application.

Please note - this is incorrect as a £50 charge and installments was not in Enfield's consultation materials

The power to charge a fee is set out in s63(3) and s87(3) of the Housing Act 2004, with the fee-charging ability limited by s63(7) or s87(7). These state that a fee must reflect the cost of running a scheme, with the local authority not being permitted to make a profit. The fee can be used for the operation of the scheme itself, necessary inspections, promoting education and all enforcement activity to ensure the scheme is effective. Fees are only chargeable in respect of the application itself, and not in respect of ancillary matters.

No other charges can be implemented under the licensing regime, a point confirmed by the RPT (as was) in *Crompton v Oxford City Council* [2013]. Because of this, Oxford amended its fee structure to reflect this ruling. While we appreciate the need of local authorities to use their resources efficiently, this does not extend to the charging of fees that are not lawfully permitted.

The council should, therefore, remove the charge to pay the licence fee in instalments.

The administrative fee for making a paper-based application for a licence at £50 per application penalises applicants with limited technological knowledge or access to a computer. The council should not charge an additional fee on top of the £645 licence fee because the application is submitted in paper form.

### **Licence Conditions**

#### **EICR/PIR Requirement**

In the document titled "Licence Conditions amended January 2019" condition O) states that the licence holder must "produce to the Council on demand a valid Electrical Installation Condition Report (EICR) or alternatively a valid Periodic Installation Report (PIR) for the whole of the electrical installations in

accordance with current IEE wiring regulations. Such a report should be provided by a competent person who is a member of an appropriate competent person scheme, details of which can be found at [www.competentperson.co.uk](http://www.competentperson.co.uk) (to comply with Part P of the Building Regulations). Where the report expires during the term of the licence, an up-to-date Electrical Installation Condition Report must be provided to the licensing team of the Council within 28 days of the expiry date; Ensure that any remedial works identified on the EICR or PIR are attended to subject to the required remedial action”.

Section 90(1) Housing Act 2004 is clear that a licence "may include such conditions as the local authority consider appropriate for regulating the management, use or occupation of the house concerned." In contrast to s67 Housing Act 2004, the equivalent provision in Part 2 of the Act, no mention is made in s90(1) HA of the use of conditions to regulate the "conditions and contents" of the property. This is emphasised in the Court of Appeal case of *Brown v Hyndburn Borough Council* [2018] EWCA Civ 242.

Following the Court of Appeal's reasoning in *Brown*, any licence condition that seeks to regulate the condition or contents of the house is unlawful, and the local authority has no power to impose such a condition. Any such conditions should be removed. We note that the MHCLG recently drew the attention of local authorities to this case in one of their quarterly PRS newsletters.

Likewise, In *Brown* Mr Justice Hildyard confirmed that the s90(5) of the Housing Act 2004 is not itself a source of any power, residual or otherwise permitting the local authority to include licence conditions that seek to identify, remove or reduce hazards. These are covered by Part 1 of the Act and should be enforced using Part 1 powers, and the Housing Health and Safety Rating System. Councils should not rely on Part 3 licensing powers to enforce Part 1. Therefore, Wirral council should remove this condition.

There are alternatives to licensing. There should be support for a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for criminals to operate under the radar.

Based on approx. 22 bad properties in Enfield borough, all landlords are going to be blanket penalized – that is plainly absurd. Those repairs can easily be dealt with under existing rules – the tenants could easily instruct a solicitor to get issues corrected and be advised of quick and easy methods to resolve immediate problems, so many options open including self-repair and counterclaim if the evidence is at hand – no landlord is going to succeed in the face of such evidence or be viewed favourably by a judge. Those are plainly legal issues. Overcrowding is a criminal act and should not have any bearing on good landlords – it is likely to be a very low percentage of incidents likely before 1 per cent of rented properties – the council has failed to provide any statics themselves let alone justifiable ones, deliberately. There are ample other ways to deal with that, why is it being overlapped with selecting licensing. All the case examples shoot the council in the foot to anyone remotely unbiased who recognises exiting powers and mechanisms and Licensing schemes have had next to no improvement with ASB yet this is the second most argued reason by council - at 3.23. At 3.27 majority of authorities don't even consider licensing useful for ASB prevention. There is no evidence or reasoned explanation to suggest they can't. We need full and fair statistics to show exactly or reasonably accurately how bad the problem actually is as percentage of rented properties – or whether these are always the same landlord(s) in order to to justify yet another upheaval to landlords lives and retirement plans (which in some cases have taken over 40



years of savings and sacrifice to achieve to live out their lives in retirement and peace esp. given other pension plans have been disastrous and a scam). A chargeable scheme which will more likely cause more damage and problems and make things worse than those proposing it realise. There should be no charge and the council should use its existing powers and recoup costs from bad landlords direct who are home owners and so of course it can be secured and recovered, why do we all need to pay.

Those specific case are examples of and would appear to refer to low intelligent criminal type landlords, why on Earth should what they do be able to impact in good landlord who work so hard 24/7 call and are under appreciated. There are available powers to the council to deal with all these issues, it's not like there isn't. Why should good landlords be forced to pay the salaries of otherwise inept or slow appointed by the public staff, all as a result of the ignorance and behaviour of criminal/bad landlords when it's not even necessary as powers do exist? So many others alternatives haven't even been attempted to be considered. All properties for example, could be rated or graded which agents or the council can easily compile or record – landlords can apply voluntarily maybe even pay if they want to – like review of service providers/restaurants/others that way they don't have to feel threatened, charged increasing fees, forced to accept more unfair regulations added on, and interfered with. Those that don't have any ratings are those which can the council can focus on a visit, at least then won't waste all their money. There's no genuine desire to find more efficient and effective ways it's just blanket penalty on people who have worked hard by a bullying or domineering authority, what message that sends out.

Recent new rules like smoke and carbon monoxide smoke alarms, electrical or gas safety certificates are in place. New safety rules can be introduced by way of similar bye-laws and carry penalties, how is selective licensing going to address these any differently. Instead they will be wasting money on good landlords who are being forced to pay for it to be wasted.

A great deal of rental security and rights are already available to tenants though various mechanism and means. In any of the reports, there is no mention of any examples and fact finding which would encourage or gain the support of landlords, yet this is another exercise which is intended to impact them yet further. The views of the majority of good landlords who are being asked to fund licensing should, in the proper scheme of things be sought and weighed.

The council is a separate entity which its own agenda, aims and interests. The can be and are often politically motivated or to generate revenue due to mismanagement or other reasons. They cannot always be seen to be acting fairly or balancing everyone's interests justly. That would be unreasonable, misguided and somewhat of bias perception to do so without proper questioning and examination of their or anyone actions in such circumstances.

Selective licensing appears to offer yet more bargaining/arguing power and or strength to those already enjoyed by tenants and held by the council over in particular good landlords, who by all statistics are the majority of landlords.

Laws have already been introduced a general law, so if there is anything additional in licensing that the government to others consider would improve safety this too can be instructed by way of simple legislation. Why landlords should be charged so much just for that.

It further feels the council is able to interfere and intrude in a person ordinarily life, engaging its time and energy how it sees fit, in circumstances where it is selective to abuse an unfairness. Complaints against

council behaviour often lead to no sanction and there are no anti discriminatory practices in place to prevent council being comprised of particular groups who are more against certain groups than others – to suggest discrimination and bias doesn't exist often perpetuates from those who allow it or benefit from it . Data protection firm is not maintained nor considered gravely necessary to ensure there is no such practises.

Better method of engaging agents/tenants/housing benefit questionnaire tenants to better identify more rouge landlords. Having a large database of thousands more landlords will prevent the council from more easily identifying and targeting rougher landwards where the need to improve housing is far more urgent.

It's not effective, and is too random and does not effectively or directly rid poor standards let alone improve others hence it appears primarily a revenue generating scheme. There are more good landlords than bad so it is absurd to penalise them yet further even more regulatory responsibility on top of all those that they already have. It will further damage the trust and relation of council and landlords – council have always in the past advise tenants to stay beyond their legal rights of tenure, or not pay the last months of rent – and nor do they penalise them under rehousing rules, the council cannot be trusted and it seems landlords are not on a fair playing field.

Mortgage relief has recently been removed which means landlords are paying taxes on expenses which is simply absurd and irrational, despite them engaging in activity providing safe and secure well maintained accommodation and being responsible to adhere to over approx. 50 rules and requirements to ensure their tenancy is within the law. To suggest they are entitled to no additional benefit to any other homeowner is absurd as a homeowner does not have to worry about tray of these requirements nor risks being left unpaid for months and losing their mortgage property. It simply is irrational beyond comprehension and laughable seemed the view this is not case as it points to lack of understanding and familiarity in practise that boggles the mind.

Landlords are now renting at a loss having to pay income tax on btl mortgage interest paid in order to accommodate a tenant, so any additional fees which sees to recognise and suggest they are even in a worthwhile and reasonable preoccupation for which relief has been removed yet the view here is they are chargeable as business

It is clearly intended as yet another revenue generating money making scheme as existing power already exit so there need not be clear evidence otherwise it typifies the behaviour of the council in exercise of power over others and in particular targeting landlords as the reason for housing and other problems despite their being a need for a capable and well serving rental market.

The council has failed to tackle bad landlords for whom there are so many laws and rules and enforcement action available so why would introducing another scheme encourage or help them. That's illogical and demonstrates the scheme is intended to raise funds which will not go towards improving housing at all for tenants and instead place more strain on good landlords to carry out more regular repairs and ambiance due outback of monies.

Council staff are very often very poorly trained, there as often next to zero accountability about their skills and competence, staff are often personally motivated pursuing certain groups and classes as opposed to others, there is no uniformity or protection ever considered or in place, and it is superficial, and likely to lead to yet more discrimination and bias in operation. It is absurd to suggest the council who have some

of those most inept unaccountable staff by generating more money – due to poor performance and its failures in the past to stay on top of existing powers need yet more money from others to fund yet further ineptness, it is an insult.

The council should first demonstrate it has reasonably attempted to pursue or clampdown on bad landlords and has effectively systems in place to tack let them before being given more money for not real progress or change. It's an affront.

Ministers recently announced that local authorities will be able to access almost £4 million in new funding, as part of what it describes as a “crackdown on criminal landlords” for 2019/20. This comes after £2 million was made available for similar efforts in 2018/19.

We require full and clear and justifiable statistics over existing council efforts and actions; with data on the success in those actions and some statistics data to evidence why and how additional funding is requires and how it will be utilised. At the moment there is no convincing or clear or overwhelming evidence being presented whatsoever and landlords yet again are getting railroaded unreasonably and unfairly. How many times can someone seek to charge others on false pretences and claims? There must be reasonable evidence and analysis presented to proper justify such proposal before the can be introduced, not just some evidence.

#### **What new improvements are likely that can't already be required?**

It is not clear why licensing or how it will improve anything over and above other powers which would be available to get such issues addressed and resolved. It's clearly a duplication of existing rules, laws and powers for which a fee is being attempted to justify. It would make sense if there were no other rules or powers available or in place for the council, but this is simply and clearly not the case.

In fact existing powers and enforcement work very effectively and there is no reason to create new or additional rules dealing with the same issues, so it does appear as a superficial attempt which does nothing new or effective in improving standards but to charge landlords yet more fees towards council's coffers and justify yet more interference and bureaucracy. That is plainly unfair and wrong and any decision in favour of the council is clearly premised on bias or a perception that the council has the best interests of the all at heart, and does not attempt to properly appreciate or recognise that council has sufficient powers and rules at its dips opal and should be doings it job better and more effectively It is unfair to penalise landlords in any failure by them do to do so.

A selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions. The area is one experiencing:

- low housing demand (or is likely to become such an area)

(use tenant-find services and more via TR Online Lettings)

- a significant and persistent problem caused by anti-social behaviour

(prevent anti-social behaviour taking place in your property by optimising Tenant Histories, only available at Tenant Referencing UK)

- poor property conditions

(Access free property management reminders at Tenant Referencing UK, to help you stay compliant and keep up-to-date with your property maintenance)

- high levels of migration

(prevent multiple applications by optimising Tenant Histories, only available at Tenant Referencing UK)

- high level of deprivation

(Access free property management reminders at Tenant Referencing UK, to help you stay compliant and keep up-to-date with your property maintenance)

- high levels of crime

(prevent crime by optimising Tenant Histories, only available at Tenant Referencing UK)

NLA/RLA states, If you are not experiencing any of these conditions within your area then you may have a case.

Councils cannot use selective licensing conditions to impose new standards on private rented homes, the Court of Appeal has ruled.

The ruling comes following a case involving Paul Brown, a landlord in Accrington, who challenged Hyndburn Council after it tried to use its selective licensing scheme in certain areas of the borough to force the installation of carbon monoxide detectors.

The council also tried to make landlords carry out electrical safety checks and implement their findings.

Brown was supported in the case by the Residential Landlords Association (RLA).

He carried out both of the requirements but argued that imposing such standards through licensing schemes went beyond the powers available to local authorities.

The Court of Appeal agreed with Brown.

Instead, the Court, Brown and the RLA argued that rather than relying on licensing schemes which only cover certain properties, electrical and gas safety issues are best addressed by councils using the “extensive powers” they already have under the Housing, Health and Safety Rating System (HHSRS).

HHSRS applies to all private rented homes, whether they require a licence or not.

The RLA is calling for the guidance associated with the HHSRS, which was last published in 2006, to be updated urgently to reflect considerable changes in the sector since then.

RLA policy adviser Richard Jones said: “This case was not about trying to stop councils from imposing requirements.

“It was about how they go about this ensuring that they use the proper processes which already exist.

“Today’s judgement is a reminder that councils already have extensive powers to deal with properties found to be unsafe and they must act in a legal manner.”

As a landlord I should be encouraged to support a scheme whereby rogue landlords are reduced and improvements made, but how can I encourage and support a scheme which seeks to randomly waste time (as that’s bound to happen) and resources on so many good landlords and not get to the crux of the problem, what exactly is new in licensing that will improve standards that can’t be improved already or by other more targeted or specific means.

Council could waste so much of the licensing money on good or undeserved landlords, there is no accountability to working together and yet only to seek to charge landlords even more. Councils are well known for poor and incompetent staff. This should be a policy where landlords and council are encouraged and incentivized to work together, not the other way around, it’s misguided.

At some point or another council will get wind of bad landlords, and these landlords are often repeat landlord who are the crux of the problem. Councils need to focus on this divides not randomly a majority of good landlords who will end up taking up time, resource, engaging in correspondence, disputes, challenges away, from dealing specifically with repeat bad landlords.

Under section 9A of the Landlord and Tenant Act 1985, tenants already have rights protected under legislation which they can freely invoke and seek;

“the landlord should ensure that the property is in such a condition as to comply with the condition obligation of a landlord under section 9A of the Landlord and Tenant Act 1985 to let and keep a property fit for human habitation within the meaning of section 10 of the Landlord and Tenant Act 1985”<sup>6</sup> Authorities should be permitted to enforce directly against this condition if prescribed hazards (or other matters set out in section 10) which amount to the property not being fit for human habitation are discovered during a selective licensing inspection (see paragraphs 8.19 to 8.48).

Tenants always point out defects, and request repairs and inventories are provided for that very reason to avoid disputes over neglect and other issues and it’s not in the landlords favour if he fails to provide them. The council is seeking to superimpose or change the balance of positions – again in favour of tenants who already have legal recourse and so many rights many of whom can be unreasonable esp. when problems occur with damage or causing condensation which they fail or refuse to accept is their fault, and so are always looking for a reason to not pay full or any rent that month. Rights of tenure are being addressed by the government and have nothing to do with available rights – that’s a bias, confusing and misdealing to try to argue such things in justifying a completely different scheme. If there are reasons tenants don’t want to seek those, we need a proper explanation and those issues can be addressed directly and more effectively than licencing over which there’s no certainty that they will ever achieve the desired goal for everyone’s best interests.

The council should give clear and specific examples of what new issues will likely will be identified and how these are better served in a new scheme compared to the existing powers it has so one can reasonably weigh up whether this is necessary, or whether this is at appears to be is a complete duplication of existing powers over which they have funding and can recover costs (is it to give more jobs to their friends – lets be real) which is moreover likely to lead to more work, more delays in dealing with and getting to the crux of the problem.

Repairs very often are minor and there are numerous simple ways for the tenant and landlord to resolve these, even though their respective letting agent where necessary – agents can be more involved, have more involvement in tenants issues – which in most cases they do anyway and they can report bad landlords much more easily and directly. Why do ALL and the majority of good landlords have to foot the bill?

Most tenants will withhold rent as a means to encourage bad landlords (albeit they wrongly do it with good ones too) to do repairs and so even the bad landlords will come around, and concerns over vindictive landlords is already being dealt with no other consultation plans such as section 21 and longer term tenancies. Landlords are being attacked from every side and angle with zero appreciation for what they do whilst trying to take care of their own sickly family and other members, to deal with essentially has been the mismanagement and ineptness of government and local council officials over critically the last 30 years to properly allocate revenue in housing and they are now attempting to scapegoat current and new and good landlords, all of which will never address the real problem or supply needs let alone improve standards. The UK is a large lettings dependant society and that is not going to change due for various and so many reasons (not going to present it all here) so there is no need to blame and target landlords every step and turn, instead many need help, if you genuinely want to improve conditions, it's obvious to good landlords you don't genuinely care. I could suggest hundreds of ways to prove things for all, as I often do and have. The council as never bothered to engage or work with landlords who have practical and other ideas and knowledge which others perhaps simply don't have, for as usual they prefer and need someone else to blame.

The council can introduced other byelaws generally to address other issues, it doesn't have to target all landlords and make them pay for it. Good landlords would comply so it's back with square one how do you identify the bad ones and can you when you have thousands of inspections and how long will that take? And even then bad landlords can easily comply initially but maintaining it is the key issue which this scheme simply won't be able to identify – bad landlords could easily overcrowd in between or other times – and repeatedly over years wouldn't be able to. There are better ways identify and pursue bad (and no doubt repeat offender) landlords especially those that are overcrowded – probably the same landlord or approx. 2-3 every time, and those who regularly don't have certificates are likely to have other dangerous hazards, this scheme just does not go anywhere to being able to identifying and ensuring they get in the habit of comply all the time.

Landlords are now required to provide tenants gas certs, epc certs, electrical certs, carbon monoxide and smoke alarms so what more or what exactly are landlords being required or desired to do – they could get damp free annual certs or fire extinguishers (although this should be a choice as most homeowners don't even have regularly workings ones) through basic bye laws, but overcrowding and regular disrepair has to be reported by a tenant – that is their legal responsibility to take action and nearly all DSS get legal aid – it doesn't make sense why this scheme is therefore needed). As it's is a tenant's responsibility to report unsafe properties, tenants should be better made aware to report it, ignorance or failure to do so is no defence, they aren't children and have to learn their responsibilities and educate themselves like anyone else, why is the council seeking to give them a defence for not relating or bothering. Why one rule for some and not others, utterly absurd and culpable in allowing such things to continue and occur.

Any decision on licensing should also be delayed pending the recent consultation as there are likely to provide tenants better security and confidence in dealing with repair issues.

Landlords could voluntarily be asked to submit property checks to be exempt from licensing - such as an appropriate inspector/surveyor who confirms on sight, safety issues and measures in place – that would cost less than £50 like epc certs which last 10 years. There are so many alternatives.

There could be better efforts at "co-regulation" schemes brought in where landlords voluntarily signed up to a professional body and code of practice.

Looking after tenants accommodations needs is time consuming, requires care and attention and to alienate and stress and burden landlords yet more who must live their own lives and balance their own emergencies and responsibility within those of a household, this scheme will not have their support it and in fact it will make their ability to deal with such issues effectively more difficult, if anything it will cause them to leave and leave bad landlords who will more often try to evade such schemes or their responsibilities. It's not well thought out at all.

In its 2004 report the only things licensing has been effective in is according to their own stats is poor conditions – for which measures are already covered by other powers. Council can better manage existing funds and make offending landlords pay for costs which they do - by securing costs orders on the actual property, so why all good landlords being penalised?

Council will be incurring funds in failed applications and so wasting funds over which there will be little to no accountability, let alone awarding their self-entrusted chosen staff inflated salaries at the expense of landlords. We have absolutely no say or control.

The Housing Act 2004 gave local authorities the power to designate areas of selective licensing to help tackle concerns over anti-social behaviour and low housing demand. In 2015, the conditions for designation were expanded to include poor property conditions, high crime, high levels of deprivation and high migration.

No statistics to show bad crime, housing is compared to say for example perhaps in certain such as Hackney where stats could well be very bad. High crime and high immigration does not apply any longer in Enfield nor are any statistics provided to justify the council's argument – deliberately not provided. Licensing schemes have had next to no improvement with ASB yet this is the second most argued reason by council - at 3.23. At 3.27 majority of authorities don't even consider licensing useful for ASB prevention.

Landlords are providing a crucial and important service in providing safe and secure accommodation to tenants and ensuring the property is well maintained and repairs are attended to promptly, quicker in most cases than their own homes which are more likely in need of work. There are over 50 rules and regulations affecting landlords which if not complied with can invalidate a tenancy leading to unpaid rent, stress and time in dealing with lengthy evictions (one problematic eviction involving a difficult or unreasonable tenant – and there can be so many at this stage not wanting to pay rent and getting prolonged free accommodation - can take 6 months to 2 years and consumes a person life which rent guarantee polices do not cover defended claims), stress and risks of other legal proceedings and legal costs incurred or awarded against them, stress and risk of the repossession of a property in which they have invested their life income and savings, many more arguments can be put forward – and licensing just adds to further burden and stress them.

Homeowners do not have any responsibility of complying with all sorts of housing requirements and repair legislation relating to maintenance and safety or in dealing with often constant emergencies,

usually quicker than they do with their own home repairs or needs. It is a 24/7 on call service/responsibility similar to what council provide miserably - I have several repairs with my local council where they have taken over a year to attend to basic repairs despite over 10 reminders – they are very badly staffed/organised, ineffective complaints systems, parliamentary ombudsman is too busy and ineffective in the end over what was a minor but necessary repair, yet private landlords provide the same service but far better and promptly. The responsibility of landlord is entirely different to homeowners and to suggest they should be compared and treated the same is if you deal with it daily rather absurd. It is in the face of it illogical to cause more upheaval and uncertainty by changing section 21 procedures, and does demonstrate a lack of familiarity and understanding of what is actually involved in being a day to day landlord. If people have a perception it's all easy and requires no time or attention that is completely misguided, on what narrow view have they formed that assumption, that would hardly be reliable or accurate.

Please excuse spelling or grammar or at times repetitive points made, due to pressure of work and other reasons, and lack of time to keep proof reading etc.

### **Email response 3**

I fully support both schemes, the licencing of HMOs and the licencing of all privately rented properties. The ability to enforce change in the conditions and the behaviour of the landlords as well as the tenants by the withdrawal or threatened withdrawal of the licence would be a huge help, as the current repair enforcement timescales are such that the tenant lives for many months without the landlord actually fixing the problem.

I also believe that the incredible pressure which Enfield council finds itself under with huge waiting lists for housing, and the numbers in Temporary accommodation mean that the exercise of any enforcement -for example insisting a landlord reduces the numbers of people in his HMO- just means that the tenants removed from that HMO need rehousing in a small pool -and often below par pool of properties.

This licencing scheme would hopefully mean that control of the condition, numbers, and rental prices would be far easier that the current enforcement via reference to the Housing Acts.

I believe that Enfield council ought to create a link between the licencing of properties and the provision of Housing Benefit to assist in the payment of the rent. Rent is often charged at above the market rates for properties which are in disrepair because the tenant does not have the deposit and thus effectively moves into the property having not paid a deposit which is overcrowded and overpriced.

A mechanism to ensure that Housing Benefit is only paid to:

- a) Tenants/landlords who are in/being provided with good well-kept properties, and
- b) Tenants in properties which are not overcrowded
- c) Tenants who are paying market rates- the council should not support the exploitation of tenants in overpriced rented properties.



The shortage of properties/Landlords on the market which are prepared to take tenants who are in receipt of Housing Benefit, leads to a situation of demand far exceeding supply and the consequent reluctance of anybody to enforce the existing housing rules.

The council ought to look at a scheme where they removed the 'need' for a substantial deposit by issuing a bond to the (licenced) landlord guaranteeing the deposit amount in the event of a fault eviction taking place. By issuing this bond, it would enable more tenants to move into private rental housing which was previously beyond the capability of the tenant to raise the deposit. Also, by the involvement of the council, it would help underwrite the stability of the tenant's occupation of the property and encourage private landlords to enter this sector of the market.

The licencing of the property and the closer relationship of the landlord with the council would ensure the quality of the property is maintained, the appropriate number of people only are allowed into the property and would assist in the provision of homes to reduce the tremendous shortage of housing in the borough.

## Email response 4

### Enfield PRSL – Additional Feedback – xxxxxx

I have submitted the Questionnaire online. This is additional feedback which I prepared as I was studying all the various documents. I am a Landlord with nearly 30 years of direct experience.

Our properties (previously categorised as HMOs) comprise multiple tenancies, BUT without any sharing of basic amenities. My history displays a large number of happy and long-stay tenancies, no ASB, no evictions, no overcrowding and no fuel poverty.

It seems our tenancies would now come under the new bureaucratic Selective Licensing Regime. For me as a good Landlord for many years the proposals are nothing less than insulting!

My overall view about the licensing proposals is that an excessively onerous and un-necessary extra burden would be formally offer to Landlords, when much of what is required already exists in Tenancy Contracts, Gas Safety, Electrical Safety and Government Letting Guide and other facets of property purchase and management.

The proposals would therefore be needlessly bureaucratic and costly. Landlords would be instinctive in rejecting the plans. The sector is not as bad as the Council wants to believe.

The effort required under the proposals, WILL force me to appoint a managing agent, and that will lead to 8-12% additional costs which I would seek to recover from raised rents.

### Scheme Objectives

The Council is pushing for Licensing because it does not know which properties are privately rented and how they are being managed and maintained. They only become aware from complaints made.

The Council is also assuming that the scale of problems is very wide and deep rooted based on its predictive data. The Council is wrong in this belief and is failing to use easy existing methods to assess the scale of the problem.

It would be very easy to take a series of steps to start achieving most important improvements first.

The Council has information in Housing Benefit Claims, Changes in Council Tax Accounts, Changes in the Electoral Register as well as rental property websites which can all help to identify rental occupation of properties in Enfield.

Next, there is plenty of opportunity to seek additional information about the property, its condition and its management.

The Council's aims on reducing anti-social behaviour among private rental tenants, improving property conditions and reducing the causes of deprivation cannot be achieved by introduction of Licensing. Significant improvements can be achieved WITHOUT the need for Licensing.

### **Evidence Report**

This is a needlessly large document as it includes unnecessary repetition and non-evidential content. It portrays extreme seriousness of issues related to private rental housing, but the actual evidence is very weak, while the proposals are based on predictive data which is very difficult to believe.

The Predictive Data is highly questionable. The Data, Tables, Graphs and Charts are all portraying an overly exaggerated negative picture.

One has only to study rental property offers for any area within the Borough to see the very good quality and choice on offer. Expectations of private tenants have risen substantially as the rental market has expanded and the standards on offer are pretty good due to intense competition.

The Council's predictive data first needs to be fully validated using ONE WARD, ideally the one with the fewest addresses on the Electoral Register.

The stated "significant and persistent" problem of anti-social behaviour and poor property management and the consequential higher demand on council services also needs to be fully quantified with actual data rather than predictive data.

**Section 3 of the Report** is attempting to connect all the undesirable aspects of housing difficulties in the Borough to Landlords and the need for Licensing - Evictions, overcrowding, Children in HMOs, homelessness, temporary accommodation, affordability, deprivation, increased immigration, renters on benefits, insufficient supply of social housing and rising housing costs.

The vast majority of private rented properties, Landlords and Renters fall outside the scope of the catalogue of problem issues that the Council is concerned about. Instead of pursuing such a large Licensing Initiative, the Council needs to make better use of the information already available to it and slowly assemble more precise data on the PRS estate which exists in the Borough.

Landlords are already subject to a number of regulatory requirements. A far more successful, cost free and voluntary scheme such as a Rental Rating System with input by Tenants as well as Landlords could be achieved.

The Government already has a Guide to Renting which Landlords are legally required to provide to Tenants. This Guide already sets out many (if not all) major Landlord Compliance Requirements

The Rented Property Market is quite competitive and supply exceeds demand. Seekers have a wide choice and generally not prepared to take properties of poor standard.

On the contrary my experience is that where tenants stay long term, they themselves can cause a worsening of condition especially when long stay tenants make it difficult for a Landlord to maintain improve the space. For example Mould is caused by Tenants not Landlords.

As Landlord, I know that prospective tenants expect to see good quality and good evidence of care whenever I offer a property for rent. As Landlord I also assess prospective tenants quite thoroughly

#### **Recent Case of Stoke's Licensing Proposals**

<https://news.rla.org.uk/success-government-rejects-licensing-in-stoke/>

#### **RLA comments on Stoke's Licensing Proposals**

[https://news.rla.org.uk/wp-content/uploads/2018/05/Stoke-on-Trent-Selective-Licensing-consultation-response\\_-002.pdf](https://news.rla.org.uk/wp-content/uploads/2018/05/Stoke-on-Trent-Selective-Licensing-consultation-response_-002.pdf)

#### **WARD SUMMARIES**

**Ward Summaries** are presented as EVIDENCE, but the volume numbers are not only unbelievably high, they are predicted. A thorough survey is necessary to produce accurate evidence BEFORE the need for Licensing is re-assessed. The Ward Summaries provide very little actual evidence. Nevertheless I have commented on "my" two wards below.

The Council is aiming to reduce the effects of **social deprivation**, but that is NOT relevant for the proposed Licensing. Landlords are offering accommodation for rent in a competitive marketplace; they are not the cause of social deprivation or adding to it in any way.

**Anti-Social Behaviour** – the actual number of 556 ASB incidents recorded for my **Bowes Ward** in 2016-2018 needs to be presented fully detailed. In my 30 years as a Landlord in Bowes and having managed 66 Tenancies Anti-Social Behaviour by Tenants at our property has been non-existent. So I would like to see the data on actual incidents.

Similarly for **Edmonton Green Ward** where I am a Landlord, I would like to see full ASB incident records together with an understanding of exactly what the Council is having to do with its resources and its powers to intervene and improve the situation.

**My** experience here (with possibly 4 incidents at one property over 15 years) was that anti-social behaviour was completely outside my control and difficult to prevent due to **one tenant** having addictions, poor English and aggressive East European friends.

These factors were not evident when I first accepted the Tenant and as Landlord there is no rapid recourse available to me to remove such a tenant. When I needed help, neither the Police nor the Council were able to help.

### **Example Case Studies and My Experience**

It is useful to see all the examples and how they were “found”. As a Landlord I am appalled at the seriousness of each case. However I believe these examples are extreme examples.

Whenever I offer my quite nice property for rent, I know from the feedback I get from viewers that there are many similar and better properties on the market. Websites are full of well-managed and good quality accommodation on offer by good Landlords and Agents.

Presentation of an extremely bad example for each ward is a deliberate exercise to justify Borough-Wide Licensing. The existence of sub-standard conditions and unprofessional practices by Landlords is not as widespread as the Council is claiming, and is more prevalent in a small number of wards.

My strong recommendation is that the Council should focus first on the more difficult wards and apply smart strategies to bring about a systematic step by step breakthrough using existing powers and processes. There are many routes available for successful impact.

## **Email response 5**

We believe that it would be better to license the landlord and not the property. In response to your point re differentiating between landlords with 30 units and 2 units, the most recent UK government research

([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/775002/EPLS\\_main\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775002/EPLS_main_report.pdf)) suggests that only 17% of landlords own more than 5 units but that this 17% account for 48% of the private rented sector. Assuming that Enfield is not too far from this profile of the PRS then LBE would be much better off targeting the landlords than the properties. Has LBE researched the landlord profile in Enfield? Does it match the national profile? What type of landlord owns the target sub-standard properties? Is it the big guys or smaller (accidental) landlords? Either way, licensing the landlord will be more effective.

- we take time, trouble and money to keep our properties in good condition. This is a competitive market and we only want good tenants. Charging us £600 for a 5 year licence will require us to look at our cost base and seems likely to mean we will invest less in our units.

- your presentation noted that LBE is targeting poorly managed *properties*. The properties are not the issue – it is the landlord that manages the properties. Bad landlords will result in bad properties.

- assuming that you will inspect properties before issuing the licence and that you will not licence sub-standard units then what is the point in licensing properties? License the landlord and you will catch the sub-standard properties. This will also focus the enforcement component of the fee on the bad landlords so leaving money in the system for good landlords to continue to invest in their properties.
- while we wholeheartedly support the intent behind the scheme (not least it will reduce the number of tenants per unit and possibly reduce the number of units in the PRS thereby increasing rents for the market overall) we do think the scheme needs some fundamental rethinking.
- we would be more than happy to engage bilaterally on this with the appropriate people in LBE.

## Email response 6

It is a very bad idea. Other greedy councils have done it and it breeds nothing but a money oriented approach which is not good for tenants as they will have less value on offer in unfurnished and unmodernised properties due to landlords needing to break even.

Another notch in the taxation wheel for Enfield residents struggling to break even and pay their council taxes and service charges, EPC's, management fees, govt taxes etc.

It will bring nothing but misery for tenants who have nothing to feed their children on.

It will put up rent prices for private renters and make housing unaffordable.

Landlords already set high standards to maintain their properties for future generations. The high standards will drop as they cut back on redecoration costs and furnishing costs so all will lose out.

It will force many to sell and go on benefits and be another burden to the State. So it is a reverse effect on achieving anything positive.

Any rogue landlords can be sued by the many legislations if need be, it doesn't need to tax the landlords struggling to break even or who run at a loss.

Unscrupulous landlords will simply rent room by room with inflated prices to offset cost of the landlord license fee and overoccupy properties causing noise nuisance, condensation and infestations. Great. Bring it on. Very forward thinking idea, not.

All in all a very unpromising future ahead of us.

## Appendix 4: Written stakeholder responses

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**Our ref:** JM/JP  
**Date:** 01 November 2019



**RE: Private Rented Sector Property Licensing**

Thank you very much for the opportunity to respond to the consultation on the two private rented sector property licensing schemes proposed in Enfield. Please see below for my responses to the relevant specific consultation questions.

As the London Assembly Member for Enfield and Haringey since 2004, I have seen first hand, and heard even more from constituents, about problems with private renting in London. Over recent years, rents have continued to rise, while the quality of homes has not materially improved, and the market is such that many unscrupulous landlord exploit tenants on low- and middle-incomes, and do not keep their properties in adequate conditions.

As your supporting evidence shows, an ever greater proportion of Enfield residents are living in the private rented sector, and that Enfield has the highest rate of private rented sector evictions in the capital. The proposed licensing scheme will help vulnerable tenants better understand and enforce their rights, leading to longer tenancies and more stable communities where people are able to build a home. Standards are also poorest in the Private Rented Sector, with a recent study estimating that more than a quarter of London's private rental homes do not meet the Decent Homes Standard. The evidence supporting this consultation that shows that in some Enfield wards, nearly 40% of private rented homes have Category 1 hazards is absolutely shocking.

I therefore absolutely welcome and fully support your proposals to implement Selective Licensing in 14 of Enfield's, and Additional Licensing for Homes of Multiple Occupation across the borough from 2020. Government legislation has not kept up with the changing rental landscape, and I am very pleased that Enfield is taking these important steps. The proposed schemes will help improve the lives of thousands of private tenants, especially those living in some of the poorest areas of Enfield and in the worst conditions, and I look forward to its introduction.

**Q1. Which of the following marketing and communication activities encouraged you to complete the online questionnaire? (Please tick all that apply)**

- Email communication
- Word of mouth

**Q2. Which of the following best describes you?**

Other: local London Assembly member

**Q5. To what extent do you agree or disagree with the proposed Additional Licensing scheme?  
(Please tick one box only)**

Strongly agree

**Q7. To what extent do you agree or disagree with the proposed Selective Licensing scheme?  
(Please tick one box only)**

Strongly agree

**Q9. What suggestions, if any, do you have for alternative ways the Council can address poor property conditions and management, anti-social behaviour and deprivation in private rented properties in the borough?**

As well as the licensing schemes proposed, the Council can look at ways of imposing Interim and Final Management Orders in cases of hazardous and poor quality private rented homes, as well as imposing civil penalties on landlords found in breach of regulations. There should be plenty of information available and communication to private tenants in the council about the new licensing schemes and about the rights they have against potential rogue landlords or poor living conditions.

**Q10. To what extent do you agree or disagree with the proposed Additional Licence conditions?**

Strongly agree

**Q12. To what extent do you agree or disagree with the proposed Selective Licence conditions?**

Strongly agree

**Q14. To what extent do you think the proposed fee for Selective Licensing is reasonable?**

Very reasonable

**Q15. To what extent do you think the proposed fee for Additional Licensing is reasonable?**

Very reasonable

Yours sincerely,



**Joanne McCartney AM**

London Assembly Member for Enfield and Haringey





Doug Wilkinson  
Director of Environment & Operational  
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Place Directorate  
Enfield Council  
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Chief Executive  
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30 September 2019

Dear Doug,

**Response to Consultation on licensing private rented property in Enfield**

Thank you for your invitation to respond to consultation regarding Enfield Council's proposals to introduce private rented property licensing schemes in Enfield.

I would like to put on record Hackney Council's support for the introduction of the proposed schemes, which your evidence indicates would have had the impact of improving conditions and management in the borough's private rented sector.

We believe that Enfield's scheme would have a broadly positive impact on neighbouring boroughs in north and east London, such as Hackney, by improving the knowledge and management standards of landlords who operate across borough boundaries, and by bearing down on and taking action against rogue landlords.

From 1 October 2018, Hackney Council introduced two discretionary licensing schemes: an Additional licensing scheme covering all HMOs in the borough and a Selective licensing scheme covering all other privately rented properties in three wards. As landlords operate across borough boundaries, we strongly support neighbouring boroughs introducing property licensing schemes, so that rogue landlords are less able to move their operations to non-licensed areas.



I know that our boroughs are working together through the London Borough Private Rented Partnership, hosted by the GLA, to improve coordination, joint working and information sharing to drive forward improvements in private rented sector enforcement across the capital. I am pleased that our councils are able to work closely on sharing intelligence on rogue landlords and developing a coordinated and effective approach to help bear down on their activities. The licensing schemes operated by boroughs assist in this essential work to protect tenants and improve conditions.

Whatever the outcome of the consultation, we look forward to working with Enfield to improve the private rented sector in north and east London and throughout the capital.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tim Shields', written in a cursive style.

Tim Shields  
Chief Executive

## Consultation on proposed discretionary licensing scheme

### Response from ARLA Propertymark

#### Background

1. ARLA Propertymark is the UK's foremost professional and regulatory body for letting agents; representing over 9,000 members. ARLA Propertymark agents are professionals working at all levels of letting agency, from business owners to office employees.
2. Our members operate to professional standards far higher than the law demands, hold Client Money Protection and we campaign for greater regulation in this growing and increasingly important sector of the property market. By using an ARLA Propertymark agent, consumers have the peace of mind that they are protected, and their money is safe.

#### General concerns

3. ARLA Propertymark does not believe that discretionary licensing schemes are an effective way of promoting higher quality accommodation. They are often poorly resourced, and consequently the schemes become an administrative exercise that penalises compliant landlords and allows rogues to continue operating under the radar. Enforcement and prosecution remain low where the schemes operate, doing little to improve the minority of substandard properties in the private rented sector, which licensing schemes aim to target.
4. Many licensing schemes fail due to the lack of adequate resources needed to undertake the necessary enforcement activity. Due to the EU Services Directive,<sup>1</sup> the fee to apply for a property licence cannot exceed the cost to process the application, this means that the cost of enforcing the schemes must come from elsewhere. Councils operating discretionary licensing schemes have often indicated that the schemes cost more to operate than the funding generated from licence fees, such as in Blackpool.<sup>2</sup>
5. Licensing schemes heavily focus on the administration involved, often directing staff away from enforcement to process applications. Councils have indicated that processing a single

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<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32006L0123>

<sup>2</sup> <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/housing-communities-and-local-government-committee/private-rented-sector/oral/77774.html>

application can take between 15 minutes and one hour. This can be incredibly time consuming and costly when thousands of properties require licensing.

6. Often, the rogue landlords that the schemes are created to target continue to operate under the radar. Already compliant landlords pay their licensing fees, funding the administration of the scheme while more than often those providing poor housing ignore their legal requirements.
7. The Housing and Planning Act 2016<sup>3</sup> allows civil penalty fines levied for offences in the private rented sector to be retained by the Local Authority for further enforcement. Research conducted by the Housing, Communities and Local Government Committee in April 2018<sup>4</sup> highlighted that Local Authorities on the whole rarely issue landlords and agents with penalties. Existing licensing schemes have demonstrated that only a small number of prosecutions ever occur, with 50 per cent of all prosecutions in 2016-17 coming from Newham Borough Council out of 33 boroughs with discretionary licensing across all of England.
8. Consequently, we would argue that the issue does not lie with existing legislation, rather the lack of enforcement. Local Authorities pinpoint lacking enforcement as a product of stretched resources. Although this should have been remedied with the introduction of the Housing and Planning Act 2016, many Local Authorities do not exercise their powers to bring additional resources into enforcement of the private rented sector.
9. ARLA Propertymark believes that instead of introducing further discretionary property licensing, Local Authorities should adopt a collaborative approach with letting agents, landlords and professional bodies to tackle issues within the private rented sector. This approach recognises and rewards landlords and agents that already adhere to good practice and enables local authorities to better target their resources on effective intelligence-led enforcement.

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<sup>3</sup> <http://www.legislation.gov.uk/ukpga/2016/22/contents/enacted>

<sup>4</sup> <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/440/440.pdf>



London Borough of  
Enfield

7th November  
2019

### **Additional & Selective Licensing Proposal**

Thank you for the opportunity to respond to the above consultation.

Although we appreciate the issues raised by the council and the new Housing Strategy the council is currently developing, the RLA is opposed to any form of landlord licensing due to the adverse impact such schemes have on landlords, tenants and the housing market overall.

### **Existing Enforcement Powers**

There are over 150 pieces of legislation, creating more than 400 legal obligations affecting landlords in the private rented sector.

Councils should use the enforcement powers already granted to them by the Housing and Planning Act 2016 and Housing Act 2004 to their full extent, rather than rely on Licensing Schemes to regulate landlords in addition to these powers. The Council has also not taken into consideration the amount of informal enforcement activity undertaken between local authorities and private landlords.

The Tenant Fees Bill has also introduced a lead enforcement authority to provide guidance and support to local authorities regarding the enforcement of letting agent requirements.

### **Raising Standards**

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources focused on processing applications, the council should continue to direct these limited resources at identifying private rented properties and taking effective enforcement action.

### **RESIDENTIAL LANDLORDS ASSOC.**

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Residential Landlords Assoc. is a trading name of Residential Landlords Association Ltd. Company No. 2869179.

www.rla.org.uk



### **Supplementary Data**

In the Evidence Report for Consultation document on page 37, point 14.3 shows a table displaying the % of HMOs of regulatory interventions per ward. Individual wards display figures totalling over 100%. The structuring of the data suggests that the council have combined single and multiple interventions as one figure. This does not display the data accurately. The table should have had two separate graphs of data showing properties who have had single PRS interventions and those who have had multiple interventions.

### **Tacit Consent**

The council have made no mention in the Fee Structure document if Tacit Consent applies should the processing of the licence goes beyond the advertised times, as well as not provided a timescale for the length of processing time for a licence application.

Concerning the processing time for a licence application, regulation 19 of the Provision Regulations deals with the speed of processing of applications. Specifically, they require that applications must be:

- processed as quickly as possible and, in any event, within a reasonable period running from the time when all documentation has been submitted;
- The length of the processing period must be fixed and made public in advance.
- Where an application is not processed within the advertised period, the authorisation will be deemed to have been granted automatically.

The *Gaskin* case says that the Provision of Services Directive applies to licensing schemes in full. This does a lot more than talk about fees. The transposition of this into the UK law states that regulators should set out how long it will take to carry out a licensing approval process and if they do not meet that timeline then approval should happen automatically.

The council needs to set out and display their licensing processing time publicly, and if tacit consent will apply if the processing of the application goes beyond the advertised processing timescale.

### **Raising Standards**

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources focused on processing applications, the council should continue to direct

#### **RESIDENTIAL LANDLORDS ASSOC.**



these limited resources at identifying private rented properties and taking effective enforcement action.

### **Conclusion**

The RLA reiterates its objection to the proposed scheme.

There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local authority enforcement. We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for criminals to operate under the radar.

Yours sincerely,

Samantha Watkin  
Policy Officer  
Residential Landlords Association  
[Samantha.Watkin@rla.org.uk](mailto:Samantha.Watkin@rla.org.uk)

## Response to Enfield Council's proposal for Selective Licensing

November 2019

1. The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords.
2. With more than 40,000 individual landlords from around the United Kingdom and over 100 Local Authority associates, we provide a comprehensive range of benefits and services to our members and strive to raise standards within the private rented sector.
3. The NLA seeks a fair legislative and regulatory environment for the private rented sector while aiming to ensure that landlords are aware of their statutory rights and responsibilities.

### Overview

4. The National Landlords Association (NLA) would like to thank Enfield Council for providing the opportunity to comment on licensing.
5. The ability to introduce Licensing is a powerful tool. If used correctly by Enfield Council, it can resolve specific issues. The NLA has supported many Local Authorities when the introduction of a licensing scheme has been introduced, as it will benefit landlords.
6. The legislation in relation to Selective Licencing clearly states that the introduction of licencing has to be evidence based. The evidence that is presented does not support the argument made, this will be developed in later sections.
7. One of the dangers of the proposed Selective Licensing scheme could be the costs are passed through to tenants, thus increasing cost for those who rent in an area, along with the cost of the council. Therefore, increasing costs to Enfield residents especially the most vulnerable. This could be seen as increasing the cost of living for residents of Enfield.
8. The cost of the license will be passed through to tenants. Thus, increasing the cost for those who wish to rent in Enfield. We already see a difference between the local housing allowance and rental prices. Tenants being placed out of borough because properties can not be found.



9. Areas that have seen the introduction of selective licensing have seen mortgages withdrawn, (Nat West and RBS), and costs for tenants rise. This will have an impact on tenancies.
10. Enfield council by proposing introducing licensing are implying that there is problems which could push investment away.
11. In addition to young professionals and students, migrants make up an important part of the shared housing market the UK. For obvious economic reasons and for flexibility, shared housing is an important source of housing for these groups. However, demand is not static. Thus the impact of these policies will have an impact on the lower economic groups within Enfield. What measures are the council taking to mitigate the issues.
12. The use of Selective Licensing which is landlord/property based, will not resolve many of the issues which are caused by tenants – they are tenant based issues. Landlords have limited powers in addressing these as any direct action by the landlord to address issues such as ASB can be stated as being harassment by the tenant. The policy does not either take into account rent to rent which is increasing. Where is the policy to support landlords who are victims of those that rent a property and illegally sublet it?
13. The introduction of Selective Licensing is not a solution in itself; resources need to be allocated by Enfield Council as well. Other councils who have introduced licensing schemes that have not allocated the adequate resources to resolve the problems still have the problems. We have reservations with the proposals as no new resources have been identified.
14. One of the aims of the council is to increase tenancies length; the policy being proposed by the council will have the direct opposite and decrease the length of tenancies. The ending of tenancies especially with the changes to section 21 which is currently under consultation by the government. What support will the council give to landlords with evicting those tenants that are causing problems.
15. The NLA believes that any regulation of the private rented sector needs to be balanced. Additional regulatory burdens must focus on increasing the professionalism of landlords, the quality of private rented stock and driving out the criminal landlords – who blight the sector. It should be the shared objectives of all parties involved to facilitate the best possible outcomes for landlords and tenants and as such good practice should be recognised and encouraged in addition to the required focus on enforcement activity. In light of the current economic climate. The last thing good landlords need is regulations or licensing schemes; particularly where there appears to be limited direct and immediate benefit to landlords or tenants.

## Resources

16. A key concern over the creation of licensing schemes is the question of Enfield Borough Council's resources. It is well known that in this time of austerity, Local Authorities are being asked to do more by central government with fewer resources. The administration of a Licensing scheme is costly in terms of both officer time and a financial commitment. This is especially true around the additional resources that the council will have to deploy around issues such as anti-social behaviour (with the proposed changes to section 21), adult social care, children's services. What additional budgets have been put in place. The passing of Selective Licensing by Local Authorities too often does not have the support that is required to resolve the issues.
17. The increase in the activity will increase the demand on the council what provision has the council made and how much additional resources has the council allocated?
18. At a time when Enfield Borough Council is reducing department budgets, we believe that the remaining resources should be allocated to targeted enforcement against the worst, criminal landlords. Equally the council should be looking at using a delivery partner which would support the council and assist the good landlords.

19. The introduction of Licensing will require resources to be allocated to the area it to work i.e. tenant information officers, landlord liaison officers, anti-social behaviour staff, community workers and enforcement staff. This will create added cost to Enfield Council which cannot be met through licensing fees.
20. Many other councils who have introduced licensing fail to inspect properties and seek out those that have not registered. Does the council propose to inspect all properties?
21. The changes to welfare allowances and the reduction in housing couples with a rising rents, how much resources have the council allocated to help vulnerable residents with increased costs due to these policies?
22. Clarification on the council's policy, in relation to helping landlords when a Section 21 notice is served is required, with the proposed Selective Licensing scheme? It would be useful if the council could put in place a guidance document which would outline the council's position in helping landlords remove tenants who are causing anti-social behaviour.
23. The NLA would like further explanation on how the council will work with landlords to mitigate the tenants that leave a property early but where they still have a tenancy, thus the tenant is liable for council tax, but the property is empty? If a landlord has challenges with a tenant, how will the council help the landlord?
24. Of even more concern is the fact that the Council has failed to provide a road map on how licensing will interact with other Council policies of renewal in the city. Such a lack of synergy is disconcerting and will further affect investor confidence, potentially destabilising demand to an even greater extent – thus negating any potential positive impact of the policy.
25. A social economic restructure has taken place in the United Kingdom over the last 30 years which has created a divide between the North and South (primarily centred around London). London is growing quicker than the rest of the country which will add to demand in Enfield, as overspill continues and Enfield becomes more attractive to investment and for people to live in. These changing conditions are already reflected in average incomes across the regions. This will impact the options for housing.

### **Powers/enforcement**

26. Licensing can have a role, but Licensing in itself will not resolve the issue; the use of enforcement where the law is being broken is required. This requires an allocation of resources; can the council provide a breakdown of resources they will be allocating for the five year period of the license?
27. Enfield Borough Council has many existing powers. Section 57 (4) of the Housing Act 2004 states that a local authority "must not make a particular designation ... unless (a) they have considered whether there are any other courses of action available to them ... that might provide an effective method of dealing with the problem or problems in question". The use of these powers as listed below give a Enfield Council the ability to tackle many of the issues that they wish to overcome in all the parts of the city:
  - a) Use of Criminal Behaviour Orders;
  - b) Crime Prevention Injunctions;
  - c) Interim Management Orders;
  - d) Empty Dwelling Management Orders;
  - e) Issuing improvement notices to homes that don't meet the decent homes standard
  - f) Directions regarding the disposal of waste (for example under section 46 of the Environmental Protection Act 1990);
  - g) Litter abatement notices under section 92 of the Environmental Protection Act 1990;
  - h) Powers under the Noise Act 1996 to serve fixed penalty notices or confiscate equipment (sections 8 and 10);

- i) The power to require rubbish to be removed from land under section 2 – 4 of the Prevention of Damage by Pests Act 1949.

28. The current proposals by the government in Parliament include reducing the threshold from which complaints can be generated that can be classified as anti-social behaviour. This would allow for the nuisance of one person to be classified as antisocial behaviour, this includes someone reading the bible out in the street. As this will increase the ability of neighbours to complain how much additional resource has the council allocated to tackle these issues? If the section 21 is replaced by a new section 8, a person who is evicted will have a criminal conviction, who will house these people? Who will house a person who has a criminal conviction?
29. With references required for tenancies and the threshold being reduced this could lead to delays for prospective tenants, along with people having difficulty getting a tenancy. Could you provide the equalities and diversity assessment that the council has undertaken into referencing? What communication has the council had with RSL's being able to provide referencing along with social housing providers that neighbour Enfield?
30. What provision is there for people who are first time renters who will not be able to get a reference? If the change to section 21 takes place, landlords will be more wary of tenants that can't provide perfect references.
31. This change proposed by the council will reduce secure tenancies and increase the cost for tenants; it could also increase homelessness (how will they get a reference) with people being unable to secure a tenancy due to references.

### **Processing the license**

32. The paperwork of a License can be reduced; the rationalisation of processing of licensing forms needs a review. The requirement to complete a form for each property needs to be reviewed. The process can be simplified along with costs that are incurred by Enfield Council and to the landlord. We would be willing to work with the Council on how this can be done.
33. A failure of Enfield Council to have joined up standards between departments is also a problem for landlords. The Planning Control Departments often has different standards to that of the Environmental Health Departments, which would issue the Licence. This causes problems for landlords and creates a bizarre situation where landlords will not be complying with one of the Councils departments to comply with another. How will the council be rectifying this?

### **Waste**

34. One of the many reasons raised by Enfield Council has proposed for the introduction of Licensing is due to litter and fly-tipping. Landlords will outline to tenants at the start of the tenancy their obligations in relation to waste and what they have to do to comply with in relation to waste disposal. This in many cases this is the waste services provided by Enfield Council, if the tenant does not comply with the waste collection then the tenant is responsible, and the Council can take action against the tenant – Licensing is not the appropriate regulation to address this issue. We would suggest that the council adopt an approach similar to Leeds council, which benefits all parties.
35. In many situations fly-tipping or excessive litter is due to the tenant not understanding the waste service. The non-collection of waste/recycling by the Council can increase fly-tipping and litter in an area. The non-collection of recycling due contamination within the recycling bin will result in the tenant having to dispose of the recycling/waste; this can lead to fly-tipping or overflowing bins/litter. Neither of these can be resolved through Licensing. What additional resources will the council allocate to resolve this issue as the current resources do not seem adequate?

36. Often when tenants near the end of the contract/tenancy and they are moving out they will dispose of excess waste in a variety of methods, this does include putting it out on the street for the Council to collect. A waste strategy for the collection of waste at the end of term needs to be considered by local authorities which have further education establishments. This is made worse when Council will not allow landlords to access the municipal waste collection points. The council does not have a strategy in place to tackle the problem of waste from housing that is rented out and appropriate waste collection bins provided for the accommodation. The NLA would be willing to work with the council in developing this strategy.

## Legislation

37. There are currently over 130 pieces of legislation that a landlord has to comply with. An understanding of the laws that the private rented sector has to comply with can be misunderstood. A landlord is expected to give the tenant a “quiet enjoyment”, failure to do so could result in harassment case brought against the landlord. Thus, the law that landlords have to operate within is not fully compatible with the aims that the council wish. A landlord keeping a record of a tenant can be interpreted as harassment.

38. The ability for a landlord to enforce the law against the tenant that is causing anti-social behaviour is currently through the civil court where the burden of evidence is different to that of a criminal court. Although this is lower, the length of this process will often exceed the period of the tenancy. Why will a landlord continue to prosecute a person who is no longer a tenant? A landlord also risks the tenant causing damage to their property if they start legal proceedings against the tenant. Equally if a landlord has started a process, this will not appear on any council document, thus how will the council expect to measure this? This could cost the council additional resources in management, of landlords sending in letters and correspondents. This will not be able to be recovered within the licensing fee.

39. The introduction of licensing is to tackle specific issues, many of these are tenant related and not to do with the property/landlord. Thus, the challenge is for local authorities to work with all the people involved not to just blame one group – landlords. The NLA is willing to work in partnership with Local Authorities and can help with tenant information packs, assured short hold tenancies, energy efficiency and accreditation of landlords, along with targeting the worst properties in an area.

40. The NLA would also argue that a problem encompassing a few poorly managed and/or maintained properties would not be appropriately tackled by a licensing scheme which is not proportional. In many situations the council should consider Enforcement Notices and Management Orders. The use of such orders will deliver results immediately – why does the council wish to do this over five years. A targeted approach on a street by street approach, targeting the specific issues and joined up between agencies, the council, community groups, tenants and landlords will have a greater impact.

41. The NLA agrees that some landlords, most often due to ignorance rather than criminal intent, do not use their powers to manage their properties effectively. A more appropriate response would be to identify issues and assist landlords to develop the required knowledge and skills to improve the sector through schemes such as the NLA Accredited Landlord Scheme. This can allow Enfield Council to target the criminal Landlords – a joint approach is required.

42. The NLA would also like to see Enfield Council to develop a strategy that can also include action against any tenants that are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect the professional landlords whilst still leaving the criminal able to operate under the radar.

**Anti-social behaviour**

43. The NLA would also like to see Enfield Council to develop a strategy that can also include action against any tenants that are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect the professional landlords whilst still leaving the criminal able to operate under the radar.
44. The council admits that it is impossible to directly link all anti-social behaviour to the private rented sector, could the council provide mapping similar to that in the consultation document for social housing and owner occupied to compare and contrast?
45. The data that has been presented does not distinguish between owner occupied, social or private rented. They are based on perception – not evidence? In the same document you claim not to know where all the private rented sector is, thus how can you claim problems emanate from one sector of housing over the other?
46. Could the council provide a breakdown of the ASB? Could this also be sub divided into anti-social behaviour that is housing related?
47. The length of time that a landlord will take to prosecute a tenant and cost if prohibitive to landlords. A course of action that landlords have taken in other areas where Licensing has been introduced which requires referencing is the landlord only granting a short tenancy i.e. 6 months and when a landlord is informed of anti-social behaviour, terminating the tenancy. This could make tenancies less sustainable.
48. A person who's tenancy has been shortened or expired due to anti-social behaviour but no prosecution has been made would still have a perfect reference. Why would a landlord continue a prosecution of a tenant who has moved out?
49. How will a landlord be able to get a reference from someone who is being housed by a third party i.e. the Home Office (refugee)?

**Conclusion**

50. The NLA would like to see Enfield Council present what will be achieved by the introduction of Licensing along with a clear outline of the services that will and will not be introduced along with a timeline.
51. We would like clarity on the anti-social behaviour, costs and resources being allocated by Enfield Council. Recent court cases show that the council will have to commit resources and that these need to be targeted to resolve the issues that the council highlight.
52. The aims of the Council has i.e. removing nuisance, ASB, waste etc. can be achieved through existing legislation that Licencing will not and cannot achieve. The risk of introducing Licencing is likely to increase the costs for those, along with not resolving the problems that the Council wishes to resolve. Thus a more erudite approach to dealing with nuisance and a separate policy to tackle the criminal landlords would be more applicable in resolving the issues.
53. Again, the NLA would like to thank Enfield Council for the opportunity to respond to this consultation and hope you find our comments useful.

## Appendix 5: Responses by methodology

The tables below show the breakdown of survey responses by methodology: online survey and the face to face residents survey.

Which of the following best describes you?

	Online		Face to Face	
	Base	%	Base	%
Landlords, agents	386	49%	54	5%
Tenants	123	15%	242	23%
Residents only	260	33%	771	72%
Other	25	3%	0	0%
<b>TOTAL</b>	<b>794</b>	<b>100%</b>	<b>1067</b>	<b>100%</b>

To what extent do you agree or disagree with the proposed Selective Licensing scheme?

	Online		Face to Face	
	Base	%	Base	%
Strongly agree	244	31%	542	51%
Tend to agree	84	11%	404	38%
Neither agree nor disagree	43	5%	53	5%
Tend to disagree	33	4%	39	4%
Strongly disagree	368	47%	29	3%
Don't know	16	2%	0	0%
<b>TOTAL</b>	<b>788</b>	<b>100%</b>	<b>1067</b>	<b>100%</b>
<i>Total agree</i>	<i>328</i>	<i>42%</i>	<i>946</i>	<i>89%</i>
<i>Total disagree</i>	<i>401</i>	<i>51%</i>	<i>68</i>	<i>6%</i>

To what extent do you agree or disagree with the proposed Additional Licensing scheme?

	Online		Face to Face	
	Base	%	Base	%
Strongly agree	267	34%	577	54%
Tend to agree	119	15%	381	36%
Neither agree nor disagree	72	9%	53	5%
Tend to disagree	31	4%	29	3%
Strongly disagree	285	36%	27	3%
Don't know	19	2%	0	0%
<b>TOTAL</b>	<b>793</b>	<b>100%</b>	<b>1067</b>	<b>100%</b>
<i>Total agree</i>	<i>386</i>	<i>49%</i>	<i>958</i>	<i>90%</i>
<i>Total disagree</i>	<i>316</i>	<i>40%</i>	<i>56</i>	<i>5%</i>

**To what extent do you agree or disagree with the proposed Selective Licence conditions?**

	Online		Face to Face	
	Base	%	Base	%
Strongly agree	209	27%	693	65%
Tend to agree	118	15%	300	28%
Neither agree nor disagree	73	9%	54	5%
Tend to disagree	53	7%	13	1%
Strongly disagree	311	40%	7	1%
Don't know	18	2%	0	0%
<b>TOTAL</b>	<b>782</b>	<b>100%</b>	<b>1067</b>	<b>100%</b>
<i>Total agree</i>	<i>327</i>	<i>42%</i>	<i>993</i>	<i>93%</i>
<i>Total disagree</i>	<i>364</i>	<i>47%</i>	<i>20</i>	<i>2%</i>

**To what extent do you agree or disagree with the proposed Additional Licence conditions?**

	Online		Face to Face	
	Base	%	Base	%
Strongly agree	240	31%	714	67%
Tend to agree	120	15%	285	27%
Neither agree nor disagree	81	10%	50	5%
Tend to disagree	49	6%	11	1%
Strongly disagree	278	35%	7	1%
Don't know	18	2%	0	0%
<b>TOTAL</b>	<b>786</b>	<b>100%</b>	<b>1067</b>	<b>786</b>
<i>Total agree</i>	<i>360</i>	<i>46%</i>	<i>999</i>	<i>94%</i>
<i>Total disagree</i>	<i>327</i>	<i>42%</i>	<i>18</i>	<i>2%</i>

**Selective licensing fees?**

	Online		Face to Face	
	Base	%	Base	%
Very reasonable	161	20%	190	18%
Fairly reasonable	111	14%	521	49%
Not very reasonable	78	10%	186	17%
Not reasonable at all	417	53%	110	10%
Don't know	24	3%	60	6%
<b>TOTAL</b>	<b>791</b>	<b>100%</b>	<b>1067</b>	<b>100%</b>
<i>Total reasonable</i>	<i>272</i>	<i>34%</i>	<i>711</i>	<i>67%</i>
<i>Total not reasonable</i>	<i>495</i>	<i>63%</i>	<i>296</i>	<i>28%</i>

## Additional licensing fees?

	Online		Face to Face	
	Base	%	Base	%
Very reasonable	161	21%	188	18%
Fairly reasonable	113	15%	517	49%
Not very reasonable	73	10%	174	16%
Not reasonable at all	381	50%	128	12%
Don't know	39	5%	59	6%
<b>TOTAL</b>	<b>767</b>	<b>100%</b>	<b>1066</b>	<b>100%</b>
<i>Total reasonable</i>	<i>137</i>	<i>36%</i>	<i>705</i>	<i>66%</i>
<i>Total not reasonable</i>	<i>454</i>	<i>59%</i>	<i>302</i>	<i>28%</i>



## Appendix 6: Responses from outside of Enfield

Which of the following best describes you?

<i>Base</i>	<b>5</b>	<b>100%</b>
Landlords, agents	2	40%
Tenants	2	40%
Residents only	1	20%
Other	0	0%

To what extent do you agree or disagree with the proposed Selective Licensing scheme?

<i>Base</i>	<b>5</b>	<b>100%</b>
Strongly agree	3	60%
Tend to agree	0	0%
Neither agree nor disagree	0	0%
Tend to disagree	0	0%
Strongly disagree	2	40%
Don't know	0	0%

To what extent do you agree or disagree with the proposed Additional Licensing scheme?

<i>Base</i>	<b>5</b>	<b>100%</b>
Strongly agree	3	60%
Tend to agree	1	20%
Neither agree nor disagree	0	0%
Tend to disagree	0	0%
Strongly disagree	1	20%
Don't know	0	0%

To what extent do you agree or disagree with the proposed Selective Licence conditions?

<i>Base</i>	<b>5</b>	<b>100%</b>
Strongly agree	3	60%
Tend to agree	0	0%
Neither agree nor disagree	0	0%
Tend to disagree	0	0%
Strongly disagree	1	20%
Don't know	1	20%

To what extent do you agree or disagree with the proposed Additional Licence conditions?

<i>Base</i>	<b>5</b>	<b>100%</b>
Strongly agree	3	60%
Tend to agree	0	0%
Neither agree nor disagree	0	0%
Tend to disagree	0	0%
Strongly disagree	1	20%
Don't know	1	20%

How reasonable or unreasonable are the Selective licensing fees?

<i>Base</i>	<b>5</b>	<b>100%</b>
Very reasonable	2	40%
Fairly reasonable	0	0%
Not very reasonable	0	0%
Not reasonable at all	3	60%
Don't know	0	0%

How reasonable or unreasonable are the Additional licensing fees?

<i>Base</i>	<b>5</b>	<b>100%</b>
Very reasonable	2	40%
Fairly reasonable	0	0%
Not very reasonable	0	0%
Not reasonable at all	3	60%
Don't know	0	0%

## Appendix 7: Demographic profile of respondents

The tables below show the profile of respondents to combined online and face to face surveys, unless otherwise specified.

### Age:

<b>Base</b>	<b>1852</b>	<b>100%</b>
19 or under	59	3.2%
20-24	98	5.3%
25-29	120	6.5%
30-34	163	8.8%
35-39	183	9.9%
40-44	183	9.9%
45-49	179	9.7%
50-54	192	10.4%
55-59	181	9.8%
60-64	143	7.7%
65-69	122	6.6%
70-74	77	4.2%
75-79	40	2.2%
80-84	29	1.6%
85 or older	12	0.6%
Prefer not to say	71	3.8%

### Gender:

<b>Base</b>	<b>1852</b>	<b>100%</b>
<i>Male</i>	881	47.6%
<i>Female</i>	858	46.3%
<i>Transgender</i>	9	0.5%
<i>Prefer to self describe</i>	2	0.1%
<i>Prefer not to say</i>	102	5.5%

**Ethnicity:**

<b>Base</b>	<b>1841</b>	<b>100%</b>
White: English/ Welsh/ Scottish/ Northern Irish/ British	888	48.2%
White: Irish	28	1.5%
Other White: Greek	22	1.2%
Other White: Greek Cypriot	45	2.4%
Other White: Turkish	63	3.4%
Other White: Turkish Cypriot	23	1.2%
Other White: Italian	7	0.4%
Other White: Polish	26	1.4%
Other White: Russian	0	0.0%
Other White: Other Eastern European	66	3.6%
Other White: Kurdish	17	0.9%
Other White: Gypsy or Irish Traveller	0	0.0%
Other White: Romany	8	0.4%
Mixed: White and Black Caribbean	19	1.0%
Mixed: White and Black African	4	0.2%
Mixed: White and Asian	17	0.9%
Mixed: Mixed European	7	0.4%
Mixed: Multi ethnic islander	0	0.0%
Asian or Asian British: Indian	82	4.5%
Asian or Asian British: Pakistani	16	0.9%
Asian or Asian British: Bangladeshi	26	1.4%
Asian or Asian British: Sri Lankan	8	0.4%
Asian or Asian British: Chinese	5	0.3%
Black/African/Caribbean/Black British: Caribbean	120	6.5%
Black/African/Caribbean/Black British: Ghanaian	8	0.4%
Black/African/Caribbean/Black British: Somali	17	0.9%
Black/African/Caribbean/Black British: Nigerian	25	1.4%
Black/African/Caribbean/Black British: Other African	23	1.2%
Other ethnic groups: Arab	8	0.4%
Other	88	4.8%
Prefer not to say	175	9.5%

**Disability:**

<b>Base</b>	<b>1848</b>	<b>100%</b>
Yes - limited a lot	104	5.6%
Yes - limited a little	107	5.8%
No	1499	81.1%
Prefer not to say	138	7.5%

**Work status:**

<b>Base</b>	<b>1850</b>	<b>100%</b>
Working - full time (30+ hours)	711	38.4%
Working - part time (9-29 hours)	248	13.4%
Self-employed	244	13.2%
Working - under 8 hours	11	0.6%
Full-time education at school, college or university	82	4.4%
Unemployed and available for work	46	2.5%
Permanently sick/disabled	46	2.5%
Wholly retired from work	253	13.7%
Looking after family/home	73	3.9%
Other/Doing something else	23	1.2%
Prefer not to say	113	6.1%

**Receipt of benefits:**

<b>Base</b>	<b>1831</b>	<b>100%</b>
Yes - I receive Council Tax Support	144	7.9%
Yes - I receive Housing Benefit	170	9.3%
Yes - I receive Universal Credit	70	3.8%
No - I do not receive any of these benefits	1443	78.8%
Don't know	15	0.8%
Prefer not to say	117	6.4%

**Ward (face to face survey only):**

<b>Base</b>	<b>1067</b>	<b>100%</b>
Bowes	50	4.7%
Bush Hill Park	47	4.4%
Chase	45	4.2%
Cockfosters	45	4.2%
Edmonton Green	62	5.8%
Enfield Highway	55	5.2%
Enfield Lock	59	5.5%
Grange	44	4.1%
Haselbury	56	5.2%
Highlands	43	4.0%
Jubilee	52	4.9%
Lower Edmonton	55	5.2%
Palmers Green	51	4.8%
Ponders End	50	4.7%
Southbury	51	4.8%
Southgate	49	4.6%
Southgate Green	45	4.2%
Town	48	4.5%
Turkey Street	50	4.7%
Upper Edmonton	65	6.1%
Winchmore Hill	45	4.2%

## Appendix 8: Communications visuals



Clear Channel Poster on London Road



Clear Channel Poster at Green Lanes



Large Outdoor Banner at Bury Lodge



Large Outdoor Banner at Pymmes Park, Victoria Road

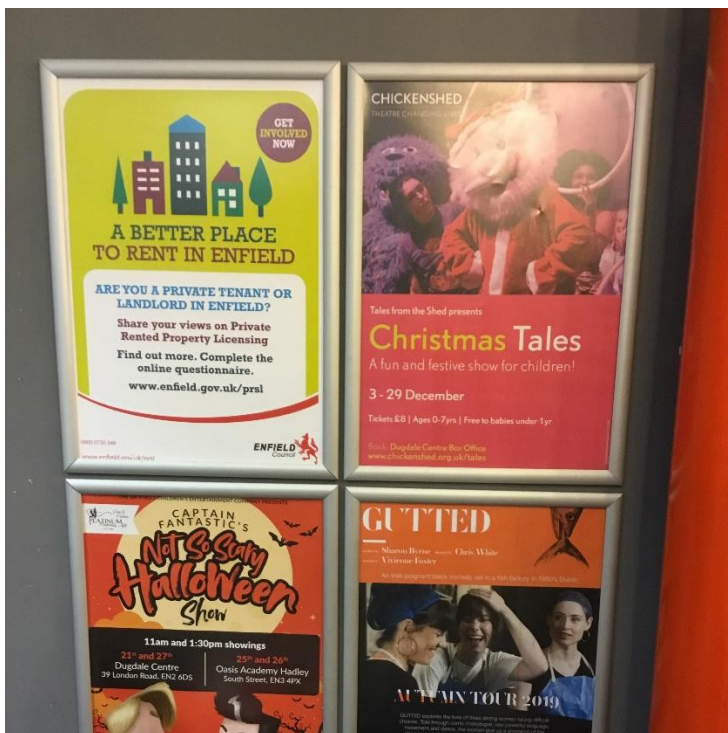
Pull-up banner at John Wilkes House



Pull-up banner at Palmers Green Job Centre Plus



A2 poster at the Dugdale Centre





Avrupa Newspaper (Turkish), 30<sup>th</sup> August 2019

Enfield Independent 28<sup>th</sup> August 2019

Epping Forest Guardian, 17<sup>th</sup> October 2019

Waltham Forest Guardian, 17<sup>th</sup> October 2019

Barnet Borough Times, 14<sup>th</sup> November 2019

Parikiaki Newspaper (Cypriot), 14<sup>th</sup> November 2019

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# **London Borough of Enfield Selective and Additional Licensing**

## **Appendix 2**

### **Council's consideration of Consultees' responses to the public consultation**

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*A range of responses were received during consultation relating to the proposed schemes and alternatives to licensing, licence conditions; licence fees; the designation area; landlord and tenant support, as well as more general responses. The following is the Council's formal response to these representations, which have been carefully considered and informed a number of changes to the proposed schemes, which are listed below.*

### 1. Changes made to the proposed schemes by the Council in consideration of the responses to the consultation

Topic	Change	Scheme(s) affected
Licence conditions	Removal of draft condition 3.5 from the additional and selective licence conditions (external property decorative order)	Additional and Selective Licensing Schemes
Licence conditions	Removal of draft conditions 8.1, 8.2 and 8.3 from the additional licence conditions (Financial management-council tax responsibility and payment)	Additional Licensing scheme
Licence conditions	If there are concerns about the licence holder or management of the property, we may impose a condition requiring the licence holder to be accredited but this will be on a case by case basis if considered necessary	Additional and Selective Licensing Schemes
Licence/Fee	We will cater for one application (rather than several) for a selective licence (one licence holder) for a building with a number of lets where all of the flats covered by the application are: <ul style="list-style-type: none"> <li>• Are separate dwellings in the same building; and</li> <li>• All under the same ownership and management control; and</li> </ul>	Selective Licensing scheme

	<ul style="list-style-type: none"> <li>• All let on tenancies or licences which are not exempt tenancies or licences, and</li> <li>• Clear responsibility for the licence conditions is achievable</li> </ul> <p>The licence fee will be the full selective licence fee for the first flat (£600), and a £100 discount on each subsequent flat (so the fee will be £500 per subsequent flat) recognising the reduced administrative fee in processing the licence under part 1 of the fee as the flats have a common owner/manager for the whole building.</p> <p>Alternatively, the Council may decide that each separate dwelling in the building should have its own licence, and the applicant will be notified of this and the reasons why.</p>	
Information and guidance	We propose to set up a stakeholder group involving landlords and letting agents operating in the borough to work with us on setting the guidance and information we provide to landlords.	Additional and Selective Licensing Schemes
Information and guidance	We will provide dedicated webpages on the Council's website to provide information, guidance and signposting for tenants and landlords, including their rights and responsibilities and any sources of funding for energy efficiency etc for landlords	Additional and Selective Licensing Schemes
Information and guidance	We will provide an online 'report it' form to report problems with private rented properties, a dedicated email address and telephone number	Additional and Selective Licensing Schemes
Information and guidance	We will provide resources to support to tenants and landlords to help sustain tenancies and to deal with severe anti-social behaviour	Additional and Selective Licensing Schemes
Enforcement	We will seek to introduce civil penalties for breaches of housing legislation as an additional enforcement tool (maximum fine of £30,000 for most severe cases)	Additional and Selective Licensing Schemes

## 2. Council's consideration of feedback from stakeholder interviews

Ten key stakeholders were interviewed, some of whom also provided a written response to the consultation. The organisations were split across the public/third sector area and landlord/agent associations and included the local Citizens Advice Bureau, Safer Renting, Metropolitan Police, the Fire Service, London Assembly and some landlord & letting agent associations.

Whilst the Public Sector organisations and those supporting tenants tended to be in favour of the proposals, they had concerns about some similar issues:

- a) That the housing issues affect all parts of the borough and that the selective licensing designation is not large enough
- b) That the costs of the licences would eventually be passed on to the tenants
- c) That it could lead to an increase in evictions and homelessness.

There were also some specific clarification questions that they wanted answered:

- d) That properties over shops, often the most at risk from issues, should be included in the licensing.
- e) That there should be greater clarity on whether Section 257 HMOs are included.

### The Council's consideration

- a) We are aware that there are issues with poor housing conditions and property management across the borough particularly in HMOs. That is why the council is proposing a borough-wide additional licensing scheme, which will improve property conditions and the management of these smaller HMOs in every ward. There are also issues with poor conditions and property management in single household dwellings but at this point it was considered that only the worst 14 wards should be included in the selective licensing designations as this is considered a proportionate approach to improve the quality of private rented accommodation. The Council will keep under review all areas to ensure the issues do not significantly increase in those wards not currently covered by the proposed selective designations.
- b) Licensing schemes have not shown to increase rents levels. In a recent report "An Independent Review of the Use and Effectiveness of Selective Licensing", commissioned by the Ministry of Communities, Housing and Local Government, published June 2019, the authors concluded that *'Analysis of Valuation Office Agency data on private rent levels in licensed areas does not support the claim that licensing has had a demonstrable effect on rent levels. Even in the minimum case, the rent increase over the five-year period was over 22 times the increase that can be ascribed to the licence fee alone. This is compelling evidence that the impact of market forces on rent levels dwarfs that of the cost of a licence.'* In one stakeholder interview for the Council's public consultation it was noted that in *'Waltham Forest [which has large scale licensing] rents have actually been going down, which shows that it is market forces driving rents.'* Licensing will not only deliver improvements to properties but will ensure tenant's rights and responsibilities are recognised as part of the licence conditions (eg requirement to issue a tenancy agreement).
- c) In regard to eviction rates, the Government's report "An Independent Review of the Use and Effectiveness of Selective Licensing", noted that there was *'no direct evidence of any meaningful displacement effect'*. Interestingly, with regard to ASB and eviction, it stated that *'tenants tend to ultimately comply with requests to moderate their behaviour rather than risk eviction.'* It also noted that *'several authorities reported that their landlord training and support schemes had a focus on reducing the need for evictions'*

*through helping landlords to work more effectively in dealing with anti-social behaviour. Furthermore, joint working to tackle issues uncovered through licensing such as alcoholism, drug addiction, unemployment etc. serve to tackle the root causes of anti-social behaviour rather than simply move the problem on. Insofar as these strategies are effective, the overall rate of eviction would be expected to go down, thus such a scheme reduces rather than contributes to displacement.'* The Council's Preventing Homelessness and Rough Sleeping Strategy also plans actions to reduce evictions and the Licensing Team will work closely with the Homelessness Prevention team to support landlords and tenants to sustain tenancies. This is outlined in the Cabinet report paragraphs 5.47-5.54.

If the licensing schemes are introduced, the council proposes to increase the landlord forums and support events, with help and guidance to dealing with anti-social behaviour as part of the programme. In relevant cases, the Council will also provide further support for responsible landlords who are struggling with their tenants' behaviour and causing deliberate ASB.

Despite the evidence to the contrary, due to the concerns raised by partner organisations during this consultation, the Council will be monitoring eviction rates and will provide support to landlords and tenants who may be at risk of eviction. The Licensing Team will be working closely with the homelessness services to ensure that there are systems in place, both for reporting issues and monitoring eviction rates. This will also include augmenting the partnership with Cambridge House, Safer Renting to support tenants who have been illegally threatened with eviction.

- d) Where there is a mixture of residential accommodation and business or commercial premises, for example, flats located above shops, any multi-occupied residential flat, may be subject to licensing under the recent Mandatory HMO reforms, The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018. Such flats are only required to be licensed if they are not purpose-built flats situated in a block of three or more self-contained flats.
- e) The additional licensing scheme proposal does not include HMOs defined under Section 257 of the Housing Act 2004 (a building converted into self-contained flats but does not meet the standards of conversion required by the Building Regulations 1991, and where less than two thirds of the flats are owner occupied). However, individual flats might be subject to additional or selective licensing, dependent on the occupancy and number of households in the property.

The organisations representing landlords were not as positive about the introduction of the schemes and also had a number of concerns. These included:

- a) The targets for the scheme were unrealistic
- b) That recruitment in housing is challenging and this may cause issues with the implementation of the scheme
- c) That having selective licensing and additional licensing side by side can be very complicated and confusing.

#### The council's consideration

- a) The scheme objectives have been carefully set balancing the need to improve conditions in the private rented sector but recognising there are potential operational restrictions. This will be monitored on a regular basis if the schemes are introduced.
- b) We are aware that recruiting the right staff is key to a successful scheme and will be looking at a number of ways to ensure a competent and dedicated team is recruited and maintained.
- c) We are aware that properties can easily fall from one scheme to another depending on occupancy/households and will be providing clear guidance and information for

landlords and tenants on what type of licence is required for their situation. This will be augmented with a series of forums and training for landlords.

There were some operational suggestions from the landlord associations that the council has considered as part of the consultation:

- a) That the designation is too big and that it should be rolled out gradually starting with 2 or 3 wards
- b) That HMOs have specific issues and that there should be a dedicated team dealing with these
- c) That ASB should be dealt with by the Police
- d) An early bird discount should be strongly considered.
- e) The council should consider a delivery partner, with the partner managing the paperwork (processing) which would leave the council to concentrate on raising standards with enforcement against sub-standard housing and overcrowding etc.
- f) More transparency about how the scheme is achieving its goals. There should be an annual report to show the impact of the scheme, for example, how long is it taking on average to licence a property, how many properties have been inspected, how many are licensed, how many prosecutions etc. The performance measures should be in actual numbers of properties, not percentages, as this is often unclear.
- g) That a stakeholder group should be set up to work with the Council on the implementation, rollout and monitoring of the scheme. This should include landlords and agents, who would be able to advise on what is practical, easy to do, unnecessary etc.
- h) That landlords need to have advice and information in terms of room sizes and that a child is half a person when it comes to room sizes and accommodation.

The council's consideration

- a) Whilst we understand the reasoning behind this suggestion, the level of problems in the borough is so great that implementing the scheme as widely as possible from the beginning is, we believe, the best way for the council to be able to start bringing the worst properties up to standard.
- b) The scheme design includes multi-faceted teams who will deal with the licensing and inspection of properties and have the skills to inspect both HMOs and properties subject to selective licensing. We will provide increased support for landlords of HMOs who may require additional advice and assistance to ensure their properties meet the minimum property and management standards for HMOs.
- c) ASB is a complex issue and one that may need a range of tools including multiple agency partnerships, such as the police, to deal with it. Licensing is only one tool which can form part of a coordinated response to tackle persistent and serious ASB.
- d) The fees for the licensing schemes have been carefully and robustly calculated to cover the costs of administration and enforcement. The fees are considered reasonable and proportionate. If an 'early bird' discount was offered this would compromise the success of the schemes if expenditure were reduced, and so the only way to cover the costs of the schemes would be to raise the licence fees at the end of the early bird period.
- e) The administration of the scheme will be carried out in-house. We do not believe an additional partner is required for these roles as they are administrative and do not present a recruitment challenge.
- f) The council will consider publication of an annual report on the progress of the scheme.
- g) The council has considered this response and as a result will be implementing a



- stakeholder group to provide information and advice on some of the implementation processes if the schemes are agreed.
- h) Guidance and information on the Council's website, plus a programme of landlord training and forums will be part of any new schemes.

There were several specific comments from stakeholders that the council has considered:

Comment from Stakeholder Interview	Council's Consideration
<p>For selective licensing, the council cannot include anything about property conditions – this is only for additional licensing. The council cannot impose property standards for selective licensing, only general management standards.</p>	<p>The Council must impose a series of mandatory conditions which apply to the regulation of the management, use or occupation of the house. We are aware that licence conditions cannot be imposed relating to the 'condition' for selective licensing. We have taken legal advice about the proposed licence conditions and are satisfied that they meet the legal requirements. However, we have decided to remove condition 3.5 (decorative order to exterior of property) as case law is not clear whether it would be considered to fall under 'management'.</p>
<p>If the council have only managed to license a small number of HMOs and haven't done them all, how are they going to license thousands of properties – they just don't have the experience to launch such a large-scale scheme as this one.</p>	<p>The number of staff required to implement any new scheme has been carefully considered so that the schemes will operate successfully. Additional staffing will be required. This includes staff for the administration, inspection, licencing and enforcement of the schemes</p>
<p>The stakeholder queried the license fees stating that Part 3 of the Housing Act enables that you can have 1 licence per block not 1 per unit, so others have 1 per block and then a smaller fee per additional unit (e.g. Hackney and Croydon)</p>	<p>Some landlords own buildings that are divided into a number of separate dwellings, which are either purpose built or conversions.</p> <p>We will consider a selective licence application for a building containing a number of lets (one single licence holder). The Council will need to be satisfied that conditions below are met and this approach is the best course of action.</p> <p>This will apply <u>where all of the flats covered by the application</u> are:</p> <ul style="list-style-type: none"> <li>• Are separate dwellings in the same building; and</li> <li>• All under the same ownership and management control; and</li> <li>• All let on tenancies or licences which are not exempt tenancies or licences, and</li> <li>• Clear responsibility for the licence conditions is achievable</li> </ul> <p>The licence fee will be the full selective licence fee for the first flat (£600), and a</p>

	<p>£100 discount on each subsequent flat (so the fee will be £500 per subsequent flat) recognising the reduced administrative fee in processing the licence under part 1 of the fee as the flats have a common owner/manager for the whole block.</p>
<p>Does the data that the evidence that all of this is based on include properties that should fall under the mandatory scheme as part of the evidence base and not just properties that would fall under additional. If this is the case, then it cannot be used as evidence for selective/additional licensing. For Additional Licensing - wanted to know whether the evidence base is based on all HMOs, including mandatory as they should not be included and open to challenge. The stakeholder also wanted to know how many of the HMO licences should actually come under mandatory licensing rather than additional?</p>	<p>The council commissioned independent research to review tenure levels and housing conditions, deprivation and ASB in the borough in the private rented sector which included HMOs. The analysis of this research data showed that of the predicted 9,661 HMOs identified, it is estimated that 915 HMOs are likely to fall under the Mandatory HMO licensing scheme. The majority of the HMOs (8,746) would come under the proposed additional HMO licensing scheme. The evidence shows that a significant number of the additional HMOs are ineffectively managed.</p>
<p>There was hardly any information about the implementation process – this would need to go live at least 3 months prior to licensing, otherwise it is a criminal offence</p>	<p>This appears to be a misunderstanding. Section 82 of the Housing Act 2004 specifies that the (licensing schemes) designation cannot come into force any earlier than three months <u>after</u> the date on which the designation is made/approval given. We have taken legal advice and cannot see anywhere in the legislation that the designation must be implemented within 3 months.</p>
<p>There is lack of information about how this is going to work with other strategies and other partners – it just states what other strategies are in place, not how it will work with these. Also, there is no mention of how the council will work with partners such as F&amp;R, police, NHS, as the Council cannot deal with the problems they say licensing can address without these other partners.</p>	<p>Paragraphs 5.47-5.54 provides some further information about how the designation of the additional and selective licensing areas is consistent with the authority's overall housing strategy, and that it is adopting a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector. In particular, the licensing team will be working closely with the homelessness team to both monitor eviction rates and to support landlord and tenants who may be at risk of eviction, as well as augmenting the partnership with Cambridge House Safer Renting to support tenants who have been threatened with eviction. The council's Community Safety Team already offers a joint working approach with both internal and external partners to tackle complaints of ASB in the borough. The</p>

	<p>proposed licensing team will work closely with the ASB team and its partners to deal with severe and complex cases of ASB within the private rented sector.</p> <p>The Housing Enforcement Team already works with other council teams in Working Groups and Boards, and with partners such as the London Fire Brigade, Police and Health Services. The Licensing Team would also do so.</p>
<p>The objectives stated show that the council is actually prepared to let criminal landlords continue to work under the radar as they say they want to licence 95% of properties, so are prepared to accept the 5% that won't.</p>	<p>The proposed licensing schemes will have a robust enforcement programme to enable the council to find and enforce against landlords who do not licence their properties. The council acknowledges that despite this, realistically there is likely to be a very small proportion of properties that might be hard to locate.</p>
<p>There is no information about the number of inspections that the Council is planning to do.</p>	<p>The council will be inspecting all properties related to the application for an additional licence before the licence is determined. There will be an intelligence-led, targeted inspection regime for properties with a selective licence, over the life of the scheme.</p>
<p>Would this affect landlords who house other councils' tenants in Enfield? If landlords wouldn't be subject to licensing if this was the case, then more landlords would want to get round licensing by trying to let out their properties to other councils or via other loopholes.</p>	<p>The council will be following the licensing exemptions defined in the Housing Act 2004, which include certain local authority temporary accommodation schemes used for the purposes of housing homeless families where the tenancy agreement is held directly between the council and tenant. Properties procured by Enfield and other local authorities will have already been inspected to ensure they are of a satisfactory standard and safe prior to being let for temporary accommodation.</p>
<p>It is surprising that Bush Hill Park isn't included in the selective licensing scheme as there are lots of private rented properties there.</p>	<p>All wards in the borough have more than the required 19% of private rented sector. However, the 14 wards with the worst combined elements of poor property conditions, deprivation and ASB were selected to be in the selective licensing designation. This selection did not include Bush Hill Park at this point, but the inclusion of further wards in the future will be kept under review.</p>
<p>Is there anything included here about planning permission, particularly about residents being able to object to planning</p>	<p>In October 2013, Enfield introduced an Article 4 Direction on HMOs across the borough. This means that residential houses</p>

applications, as there should be?	and conversions will require planning permission if they are to be used as HMOs. Landlords will be expected to ensure they have all the appropriate planning permissions. In the event a property is found not to have the appropriate planning permission, the Licensing Team may issue a one year additional HMO licence, giving the landlord the opportunity to apply for planning permission or revert the property back to its original use. Residents would be able to make representation against a planning application in the normal way.
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**d) Positive comments made by stakeholders**

There were also several positive comments made by stakeholders:

“It can only be a good thing. The council must protect tenants from landlords doing what they want. Licensing adds another string to the council’s bow in terms of options, and that there are no negatives.”

“There is not much evidence that rents have gone up in other areas of London, and the cost for a licence is a fraction of what landlords earn. Rents are dictated by market forces, not landlords. In Waltham Forest, rents have actually been going down, which shows that it is market forces driving rents.”

“We are generally in favour of selective licensing and would hope that it would drive up standards. Licensing would be beneficial in the following ways:

- Would help everyone understand the actual current picture – the council would have up to date knowledge about housing and the gaps there are.
- Tenants are often afraid to report things – if this gives them a way of doing it privately then this should help report bad landlords.
- Hopefully it would put people off being landlords who are just in in for the money and don’t care about anyone.
- It should generally drive up property standards.”

“Very strongly in favour of Additional Licensing. HMOs are popping up everywhere and it is very difficult for licensing teams to identify them. There is also confusion amongst landlords, with many being accidental landlords and not really knowing what they should be doing – this will help them to have greater understanding.”

## e) Responses from the questionnaire to the introduction of licensing schemes

Example comments from consultees	Council's consideration
<b>Theme:</b> <i>It is a money-making scheme for the Council</i>	
<i>It's just a money-making scheme</i>	The law is very clear. The council is not allowed to make money from the schemes, and the licence fee must be reasonable and proportionate. The proposed fee structure was calculated on the basis that the costs of running the schemes would be met by the anticipated income from the number of properties expected to be licensed under the designations. So the fees were set to cover the costs of setting up, administering, operating and enforcing the schemes to meet the stated scheme objectives so as to be cost neutral to the Council.
<i>This is simply a ruse to take money from Landlords based on dubious studies to fund council coffers.</i>	
<i>This is a scheme for the council to attract income.</i>	
<i>It appears to be just another ruse to raise revenue.</i>	
<i>As a landlord where is the money going, what is the end game, what is the money going to be used for?</i>	
<i>For a landlord like me who makes sure the property is in good condition throughout the year, fixes any problems straight away when they arise, and has never had any issues with my tenants it seems this scheme is just a money-making exercise. Good landlords should not be made to pay for the bad landlords' failures to rent their properties properly.</i>	
<i>This is just another attempt from council to blame others for the problems in the borough. This will fix nothing, council already have enough power and rules to do what they are claiming to do with the licence scheme. It's just money grabbing exercise for the council.</i>	
<b>Theme:</b> <i>It is penalising good landlords</i>	
<i>Policing rogue landlords does not require you to penalise all landlords in the area.</i>	We recognise that many landlords who rent out properties in the private sector manage their properties responsibly. However, the evidence shows that the borough is experiencing large scale issues in the private rented sector with poor property conditions and management, deprivation and ASB. We consider that additional and selective licensing will assist us to make the necessary improvements. We will use the regulatory framework provided by additional and selective licensing schemes to focus on those that do not comply and impact negatively on the reputation of those responsible landlords as well as having a detrimental effect on tenants and neighbourhoods. We will develop guidance and work with landlords to bring about compliance where possible,
<i>Good landlords offer a much-needed service and are already losing any rights when we have bad tenants. Don't penalise the good landlords.</i>	
<i>I am a responsible landlord with references from my tenants. Now I am being penalised for bad landlords/tenants out there. I own 1 property...I pay my taxes on this (and on account now) and cannot afford the astonishing £600 you want to steal from me and the pockets of the other landlords. I will have no choice but to sell now.</i>	
<i>I am a landlord of an immaculate house. Why should I be penalised because some landlords rent out disgusting houses. Target them not respectable landlords like me.</i>	
<i>Landlords should be responsible and</i>	

<p><i>should look after their properties. Good landlords should not be penalised for bad landlords that neglect properties and ignore bad tenants.</i></p>	<p>but we will also use robust enforcement against wilfully non-compliant landlords.</p>
<p><i>I have had no issues in the 15 years of renting and running of my property. Therefore, I strongly disagree that all landlords should be required to pay and apply for this scheme due to the carelessness of other incompetent landlords.</i></p>	
<p><i>It is punitive on decent landlords. It imposes completely unfair charges on decent landlords. In our experience Enfield Councils own properties are amongst the worst kept in the borough so it is highly peculiar that the council doesn't tackle this first before charging large sums of money to law abiding landlords who quality accommodation.</i></p>	<p>The Council's 'Housing and Growth Strategy 2020 – 2030', aims to seek improvements in all housing tenures in the borough. In terms of its own housing stock, the Council will deliver a housing investment programme, as part of a new council housing asset management strategy, to make all council homes in the borough meet a standard so that they are fit for the 21st century. For example, in 2019/20 the council launched a £41m investment programme to improve the condition of its housing stock. This includes renewing council homes so that they are compliant with all national standards, with the safety of council homes being a key priority.</p>
<p><b>Theme:</b> <i>It will result in an increase in rents</i></p>	
<p><i>An additional bureaucracy. How this will help? This is a way to collect more money from landlords. That money will come from people renting the properties.</i></p>	<p>The proposed licence fees have been set to cover the costs of setting up and running the schemes. The council will not make a profit from the licencing schemes.</p>
<p><i>Landlords will increase rent to cover the cost of licence. Already a shortage of housing, this will reduce availability/supply.</i></p>	<p>A selective licence obtained at the start of the five-year scheme for a property will pay a one-off fee of £600 (which equates to around £2.30 per week) and for an additional licence will pay a one-off fee of £900 (which equates to around £3.46 per week). Whilst we recognise that the licence fee is a cost to the landlord, this is not considered unaffordable compared to the average rental income obtainable in Enfield at present.</p>
<p><i>This is at a time where Brexit is looming, and pretty much all tax allowances for landlords have been abolished. These changes will no doubt will force landlords to increase their rents to cover the extra requirements, which will cost councils more for their tenants.</i></p>	
<p><i>This will force landlords to push some of the licensing costs to the tenants; with the government changing what costs are taxable being a landlord can sometimes mean barely breaking even each year and more often than not being out of pocket, additional fees mean that rents will increase for some properties as landlords can't keep up.</i></p>	<p>Evidence from authorities who have been operating licensing schemes have seen no evidence that landlords have increased rents to cover their licence fee costs or that landlords have moved elsewhere. Similarly, research carried out by an independent agency on behalf of the government showed that selective licensing did not result in an increase in rents in areas with a</p>
<p><i>The licence will obviously have a fee which in turn will just be passed onto the tenant</i></p>	

<p><i>increasing their rent. I own HMO's and I consider myself a reputable Landlord and consult my tenants regularly. The Government has already imposed tax regs etc so this is effectively another tax on Landlords. The Landlord will not be paying for this the tenant will.</i></p>	<p>scheme, that market forces dictated the rent levels.</p>
<p><i>I will pass on the cost to my tenants of the licensing fee.</i></p>	<p>As above, there is no evidence to support the idea that landlords pass on the licensing costs to tenants, more that market forces set the rents in local areas. If landlords want to increase the rent, there are procedures which must be followed and any increase above market rents levels can be challenged via the Residential Property Tribunal.</p>
<p><i>I have wonderful tenants that pay low rent. However, I am happy with them and the rent reflects the way I trust and like them. HOWEVER, licensing ME would cost and then the fee would be put onto the tenant.</i></p>	
<p><b>Theme:</b> <i>It is not needed</i></p>	
<p><i>If a landlord manages his property correctly and through an agent this is not needed.</i></p>	<p>As above, the evidence shows that there are large scale issues in the borough's private rented sector which licensing can address. The Council wants landlords to responsibly manage rental accommodation and where landlords are not able to effectively manage properties themselves, we do encourage the use of regulated letting agents. We can offer guidance to landlords to help make informed decisions over their management of licensed properties.</p>
<p><i>The council already have adequate legal powers to manage the private sector.</i></p>	<p>We have considered a number of other courses of action or alternatives to selective and additional licensing, but do not believe that, individually or collectively, they are sufficiently effective, in addressing the poor housing conditions and tackling ASB in the borough, or of delivering the scale of improvement that we believe is required in the private rented sector. The Council has significantly increased the use of its enforcement to enforce existing powers but this has not been sufficient on its own to address the large scale improvement needed. This includes the use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers but these powers do not place any obligation on landlords to be proactive in improving conditions and formal action is generally a slow process. We will also look to introduce civil penalties under the Housing and Planning Act 2016 as another enforcement tool to sit alongside prosecutions.</p>
<p><i>The current regulations are adequate</i></p>	
<p><i>I am not convinced this will yield the desired results. There are already systems in place to report these types of problems as evidenced in your case studies. In addition, many of the problems described can be seen in existing council-managed properties in my area (which are exempt from this scheme).</i></p>	
<p><i>There is already sufficient legislation protecting the tenant and this licencing is not required</i></p>	
<p><i>The law as it stands today offers ample protection to tenants but there is a broad brush and unfair momentum of anti landlord sentiment</i></p>	
<p><i>The law already exists to stop revenge evictions. The tenants are already able to complain to the council about the state of the property. The council already has the address of the property as they pay housing benefit.</i></p>	

<p><i>What do we pay council tax for? This council service for the operation of the so called 'selective services' and 'additional service for HMO' surely should be a service that the council is already providing.</i></p>	<p>The Council is not required to have an additional and selective licensing scheme so is not a service funded by the Council. Such schemes are introduced by Councils when there is an identified need in their borough. Additional and selective licensing schemes are funded from the licence fee.</p>
<p><i>I have 4 properties at the borough and they are all up the standards or above the standards, I do not see any point of having a licence or paying a licence fee which is unnecessary for me. Instead council can arrange yearly inspections and the inspector fee can be paid by the landlord and the inspection should be compulsory then there is no need for unnecessary licensing.</i></p>	<p>As above, the evidence shows that there are large scale issues in the borough's private rented sector which licensing can address.</p> <p>Whilst we recognise that there are many responsible landlords operating in the borough, there are many who are either not aware of their responsibilities or are flagrantly ignoring them. We have set challenging inspection targets for the new schemes, including the inspection of all HMOs before a licence is issued and to ensure compliance with licence conditions and improve property standards in at least 75% of licensed properties. Yearly inspections would be more expensive for landlords so we will use intelligence and audits to identify the properties that require the most intervention from the council. We will be working with other departments in sharing information to ensure that we concentrate our resources on those who do not comply.</p>
<p><i>Provide the evidence that this is needed so that I can compare it to the social housing data.</i></p>	<p>An independent review of the private rented sector was commissioned by the council. Evidence from this review was published as part of the consultation and shows that that in all the proposed wards there are significant problems with poor property conditions.</p> <p>The evidence from this research also showed there are high levels of ASB linked directly to private rented properties in the wards identified in the proposed designation one, especially compared to other tenures. Privately rented properties are almost twice as likely to have an ASB incident compared to social housing properties.</p> <p>The council has a separate regulatory framework to address disrepair and ASB in social rented accommodation and this is outside the scope of these proposals.</p>



<b>Theme: It won't work</b>	
<p><i>What does registering achieve as the end problem is that the council need to build new social housing, private landlords have provided a service which Enfield no longer fulfils and is never going too.</i></p>	<p>The Council's <a href="#">Housing and Growth Strategy: 2020-2030</a> will be submitted to Cabinet for approval and its first priority is for "More genuinely affordable homes for local people. Building more homes that are the right kind of homes, in the right locations and for local people. This means homes that are well-designed and are the right size, tenure and price that local people can afford." So, the council is prioritising the building of new social housing but the council also recognises that the private rented sector is also a valuable provider of accommodation for the residents of Enfield, but which also needs to be better regulated to protect tenants and vulnerable renters.</p>
<p><i>This proposal is an unnecessary action that rogue landlords will ignore anyway.</i></p>	<p>The scheme has challenging objectives to ensure that at least 95% of licensable properties are licensed by the end of the scheme and to ensure compliance with licence conditions and improve property standards in at least 75% of licensed properties. The council will be actively inspecting for unlicensed properties and take robust enforcement action against those who wilfully refuse to license their properties.</p>
<p><i>Rogue landlords will operate as normal as they remain unnoticed and are able to operate freely.</i></p>	
<p><i>I'm not sure it will affect the worst offenders, since they are the least likely to apply for the license.</i></p>	
<p><i>Unnecessary and will be ignored by rogue landlords anyway.</i></p>	
<p><i>As a landlord with over 30yrs experience of BTL [Buy To Let] in Enfield, including 10yrs renting HMOs under licence, your scheme will not work as the council does not have the financial capacity or determination to enforce the proposed scheme.</i></p>	
<p><i>I am a member of the NLA they keep me updated on the changes to the law. Dodgy landlords will not register.</i></p>	
<b>Theme: It's overly bureaucratic</b>	
<p><i>Unnecessary additional red tape.</i></p>	<p>Please see above considerations about the demonstrable need for licensing schemes, and that existing powers and enforcement alone are not sufficient. The schemes will be designed to make the online application and payment processes as quick and streamlined as possible, whilst still meeting the statutory requirements.</p> <p>Landlords are already required to meet the minimum space and room standards for</p>
<p><i>The council should weed out landlords who clearly are not providing quality accommodation, it should not force all landlords to pay money and jump through unnecessary hoops.</i></p>	
<p><i>There are already laws to deal with these issues and councils have powers to address them. This should be further considered before spending more money designing more hair brained bureaucracy into the process. Just use the powers you already have!</i></p>	
<p><i>The landlord will be forced to have less people renting the property and get all</i></p>	

<i>these extra documents and the tenants will have an increase in rent.</i>	private rented properties.
<b>Theme: Dealing with anti-social behaviour</b>	
<i>It is councils' responsibility to control anti-social behaviour. It is also responsibility of all residents of the borough, not only landlord.</i>	We agree that it is the responsibility of all residents in the borough not to cause anti-social behaviour and that the council (and others) has various powers to enforce against this. We do not expect landlords to be responsible for the behaviour of their tenants, but landlords are expected to manage their tenancies and ensure that any ASB caused by their tenants is effectively addressed and if necessary appropriate action is taken. The introduction of licensing is an additional tool that, used in conjunction with existing powers, allows the council to ensure that ASB is not allowed to continue to affect other residents who are taking their responsibilities seriously.
<i>The Council is unable to deal effectively with anti-social housing standards issues in its own portfolio of social housing why, who and how is this increase in staff demand going to be funded and performed effectively</i>	It is considered that landlords of all tenures, be they Council, Social Housing Providers and landlords that rent out privately have a responsibility to address unacceptable behaviour with their tenants. The Council addresses and enforces unacceptable behaviour by Council tenants via its own Anti-social behaviour policy <sup>1</sup> Our research shows that ASB incidents are twice as likely in private rented properties than social housing properties.
<i>In my experience anti-social behaviour does not entirely emanate from tenants within the private rented sector. I am a landlord and also a managing agent who, since the introduction of the scheme in other boroughs, has not seen a change or improvement as the tenants and properties are always looked after well.</i>	
<i>Harsher penalties for tenants that are antisocial. Why should I be penalised if they play there music too loud?</i>	
<i>Because the most problems we experience are from LBE tenants causing the nuisance, who in turn are told by LBE to stay put until bailiffs evict them, thus prolonging the aggravation for the neighbours and landlords.</i>	
<i>How is the local authority going to police licensing when the local council cannot control their own tenants in council flats.</i>	
<i>The council can't even deal with their own anti-social tenants properly, how are they in a position to give advice to other landlords, of which most are good?</i>	
<i>I can't see this reducing anti-social</i>	The council can only use the legislation that

<sup>1</sup> <https://new.enfield.gov.uk/services/housing/council-housing/council-housing-information-asb-policy-june-16.pdf>

<p><i>behaviour from tenants. If you want to stop that you should licence the tenants.</i></p>	<p>is currently available and that does not cover licensing of tenants, only of privately rented properties. Whilst tenants who cause ASB do get prosecuted or fined the landlord ultimately has the responsibility to make sure their tenants know their responsibilities and comply with their tenancy conditions. The council will offer support to landlords dealing with serious cases of ASB and more general advice on tackling ASB at the landlord forum events.</p>
<p><b>Theme: Comments about property conditions</b></p>	
<p><i>In our experience Enfield Council's own properties are amongst the worst kept in the borough so it is highly peculiar that the council doesn't tackle this first.</i></p>	<p>As part of the 'Housing and Growth Strategy 2020 – 2030' the council has committed to deliver a housing investment programme, as part of a new council housing asset management strategy, "to make all our council homes meet a standard that is fit for the 21st century". For example, in 2019/20 we launched a £41m investment programme to improve the condition of our housing stock. It is important that <i>all</i> homes in the borough, whether they are council/social housing, owner occupied or privately rented, meet the minimum safety and condition standards. Additional and selective licensing is a way to ensure that rented homes are improved, but the council is also committed to improving its own homes.</p>
<p><i>Licensing in other areas has not been proven to improve any conditions for tenants.</i></p>	<p>The recent Government review of selective licensing schemes, 'Independent Review of the Use and Effectiveness of Selective Licensing' states that the '<i>research overall indicates that selective licensing can be an effective policy tool with many schemes achieving demonstrable positive outcomes</i>'.</p>
<p><b>Theme: other comments</b></p>	
<p><i>As a private landlord we use a registered property management company to ensure we meet all requirements on us as landlords and pay for that service. I think the licence should apply to the property management company not each private landlord.</i></p>	<p>The council must comply with the legislation which states that the licence holder must be the most appropriate person who has control of the property. This is usually the registered owner. Not all owners use property management companies. However, a named person in a property management company can be the licence holder, but they must sign a declaration stating that they are willing to do this and the council will check the length and terms of the lease agreement or contract to ensure there are adequate property</p>

	<p>management arrangements in place between the two parties.</p> <p>It is also worth noting that licences are non-transferable, so if that person leaves the company then a new licence will be needed (and the additional cost of that).</p>
<p><i>... I don't have a degree in licensing and the time to decipher all the documents linked to this survey- absolutely ridiculous and not a fair consultation.</i></p>	<p>It is a legal requirement that the Council must demonstrate the need for additional and selective licensing schemes, and to explain the proposals for the schemes including fees and conditions, as part of a public consultation. It is important that those likely to be affected by the scheme have sufficient enough information to respond to the consultation proposals.</p>
<p><i>From our experience in property management over the past 10 years with some other councils that have introduced these licences I can confirm that we have seen no improvement in any of the points you mentioned.</i></p>	<p>The recent Government research 'An Independent Review of the Use and Effectiveness of Selective Licensing' found that the '<i>research overall indicates that selective licensing can be an effective policy tool with many schemes achieving demonstrable positive outcomes</i>'.</p>
<p><i>It appears to me that the Council is unable to do the tasks it is already responsible for, refuse collection, street cleaning etc. The last thing we need is LB Enfield taking on more tasks and staff.</i></p>	<p>Waste management and street maintenance are two of the council's statutory functions. Many of the complaints received by the council concern the over-generation of waste and contaminated bins. One of the mandatory licence conditions imposed by the Government for HMOs is the storage and disposal of household waste. Landlords will be required to ensure tenants are informed about the council's refuse and recycling scheme. This requirement will address the poor property management standards provided by some landlords.</p>
<p><i>There is no genuine evidence to support the "need" to licence. By adding additional costs all you do is pass costs on to responsible landlords who will seek to pass on to tenants in much the same way the new tenants fees legislation has done so. Often three sharers take on a two/three bedroom home to share costs. All you do is add to costs without adding any improvements. Enfield Council needs to save £12 million next year - how will this meet that goal. Enfield council should work to address its statutory duties and not spend resources on areas where it is not under a statutory duty to do so. If you know the bad landlords and problems then you already have a tool box to address this but what you are doing is adding red tape to an</i></p>	<p>Whilst there is no statutory duty for the council to have an additional and selective licensing scheme, the evidence provided in the consultation (Appendix 3) demonstrates that the current situation in the private rented sector is poor and getting worse. Rented properties are putting a strain on the council by requiring a high level of interventions. The scheme will be cost-neutral to the council but by tackling the problems associated with the sector, the council is aiming to improve conditions for residents.</p>

<i>area you simply are under no obligation to do so.</i>	
<i>As a privately licensed landlord one would lose the right to use section 21 of the Housing Act. This would mean that the Council would be withdrawing the landlords legal right to use this act. As a byelaw or an amendment to a byelaw, a Council cannot cancel out or override a statutory law that already exists. Therefore, the Council would be breaking the law by introducing licences and also depriving landlords of Enfield their statutory rights.</i>	This comment appears to be a misunderstanding of the law. If a property requires a licence but isn't licensed, a Section 21 of the Housing Act 1988 notice may not be considered valid. Licensing does not prevent a landlord from issuing a Section 21 notice unless it is unlicensed and should be licensed. A landlord is entitled to seek possession against their tenants, but they must follow due process in doing so.

#### f) Responses specific to additional licensing

Example comments from consultees	Council's consideration
<b>Theme: Geographical coverage</b>	
<i>It doesn't cover Grange Ward which has a large amount of rented property especially in Chalkwell Park Avenue area of the ward.</i>	The additional licensing scheme is borough-wide and covers all HMOs in Grange ward, including Chalkwell Park Avenue. (For the reason explained above, the proposal is to introduce selective licensing in 14 wards but does not include Grange ward).
<i>There is already much legislation surrounding private rental properties and thus additional licencing is not required and just adds additional bureaucracy and expense I strongly disagree in cases where the property is being let through a professional letting agent. This is because the goals of the Council's proposed license are already being met by such letting agents. This is because professional letting agent's already have to ensure the properties they let comply with legally binding standards.</i>	Not all landlords use letting agents. Unfortunately, in our experience and as shown in the evidence, properties that would fall under additional licensing are some of the worst managed in the borough. Not only do they have the worst property conditions but they have higher levels of property-related ASB, overcrowding and require high disproportionate levels of intervention from the council. Whilst many letting agents are professional and responsible, we have also have experience of poor and even criminal agents to know that using a letting agent in itself is not enough to guarantee compliance with the required standards.
<b>Theme: Other comments</b>	
<i>Currently, the council appear to be non-committal dealing with domestic rubbish and not considering waste capacity for the individual tenancy will create. domestic waste currently been discarded around the streets of Edmonton and no signs of abating. 3 individual persons in one dwelling not connected to each other is likely be doubled by the fact that partners and children will then join them therefore creating more waste and no provision to deal with increase.</i>	The proposed licence conditions for additional HMOs requires that the HMO is occupied only by the maximum number of persons/households permitted; as determined by the amenities available, size and layout of property. In addition, the Licence holder must ensure that suitable and adequate provision is made for the storage of household refuse and recycling. The standard bin size for 1-3 tenants is 140L (one for rubbish and one for recycling).

	Larger 240L bins are available for 5 or more tenants (one for rubbish and one for recycling). It is possible to buy additional bins at reduced cost with the waste services changes in February 2020.
<i>Although I have read what I think I need to read from the relevant documents it is not clear if a licence is required for each property or only one which covers all properties owned. If additional licences are required for each property, the financial burden on the landlord would be far too much.</i>	The legislation and proposals cover <u>each</u> property, not one licence for all properties owned.
<i>HMO's are already required to be licensed under the existing mandatory HMO licensing scheme for England Wales</i>	Mandatory HMO licensing is national legislation and covers HMOs that have 5 or more persons in 2 or more households and share amenities. Additional licensing (3 or 4 persons in 2 or more households and share amenities) applies to smaller HMOs that do not fall under the mandatory HMO licensing scheme. Our evidence shows that these properties have the worst property conditions, overcrowding and higher levels of property-related ASB and require disproportionate levels of intervention from the council.
<i>These are not mandatory HMOs so you are now just trying to charge people because they don't fall into the old category.</i>	As above.
<i>Mandating HMOs with 3 tenants will have no benefit.</i>	In our experience, there are often vulnerable tenants in private rented accommodation including HMOs that are not aware of suitable standards and do not raise issues with their landlords.
<i>Any HMO nowadays have educated people and they speak up when things are not right.</i>	

#### g) Responses specific to selective licensing

Example comments from consultees	Council's consideration
<b>Theme: Geographical coverage</b>	
<i>Why not all wards?</i>	<p>Whilst there was evidence to support all wards to be included in the selective licensing designation due to the criteria of poor property conditions, it was considered more targeted and proportionate to select the wards with the highest levels of poor property conditions, deprivation and anti-social behaviour that also create the highest demands on council services.</p> <p>The proposed additional licensing scheme covers the whole of the borough.</p>
<i>It should cover Grange Ward. I am chair of Chalkwell Park Avenue Residents Association and we have had issues with multiple occupancy rented properties.</i>	
<i>Also, there are 21 wards in the borough but the proposals are only targeting 14 of the 'poorer' wards. Effectively a landlord that owns a property in the more 'exclusive' wards will not be required to get a licence. How is this fair?</i>	
<i>It does not cover all wards.</i>	
<i>I don't think it should be implemented at all.</i>	

<p><i>But if it is to be implemented it should be across the whole of Enfield, as these changes will force rentals to go up in these areas making them less competitive thus people will move to other wards where rents are not as high because the scheme has not been implemented.</i></p>	
<p><i>There are 21 wards in the borough, why are only 14 wards being included. Just because a property is rented in one of these selected wards does not mean that the landlord is not a legitimate landlord and does not manage and maintain their property correctly. Also, this does not determine that they type of people in these wards are going to be causing Anti-Social Behaviour.</i></p>	
<p><i>I don't understand the need for small private rentals that aren't HMOs. I particularly don't understand the need for this in just those specific 13 wards and the reason for that has not been made clear at all.</i></p>	<p>The evidence for licensing single family dwellings (selective licensing) is in the evidence pack (appendix 3), which was part of the consultation documentation. It shows that there are issues with poor property conditions, factors that exacerbate deprivation and significant property-related ASB.</p>
<p><i>For houses/flats with single occupant/family unit residing, issues should be resolved by eviction or conflict resolution between landlord and tenant.</i></p>	<p>Unfortunately, our experience is that many tenants are not aware or have little knowledge of their legal rights as tenants and who are faced with illegal evictions often through no fault of their own. Enfield has a serious problem with high rates of evictions and the subsequent homelessness this causes. We will support and provide information for both tenants and landlords on their rights, responsibilities and how to deal with issues that arise in order to sustain tenancies and maintain their landlord and tenant relationship.</p>
<p><i>This scheme would not have helped me when I lived in Enfield. I have been evicted twice under section 21 by unscrupulous landlords wanting to charge more money.</i></p>	<p>The scheme aims to educate both landlords and tenants on their rights and responsibilities. Licensing will aim to work with both landlords and tenants and, where possible, to sustain tenancies.</p>
<p><b>Theme:</b> Other comments</p>	
<p><i>Many privately (sic) flats come under the control of management companies this will affect their rights to manage the whole development and its care for the benefit of all residents especially those that own their properties</i></p>	<p>Leaseholders are expected to comply with all requirements of their lease, including the right to let their property. The licensing process includes notification of all interested parties, including freeholders. As above, if relevant, we will cater for a single licence application (rather than several) for blocks where all the flats are in common ownership or management and all the flats are rented out with non-exempt</p>

<p><i>You are penalising everyone. Which will result in the single landlord in the long run selling their property. Please take note of what happened in Germany when this same legislation was brought in. Landlords sold their properties with the end result, rental properties reached epidemic levels as there was not being enough properties on the rental market.</i></p>	<p>tenancies/licences.</p> <p>London does not reflect the rental model in countries such as Germany and as such cannot be directly compared. There is no evidence that established licensing schemes causes landlords to leave the market. It is more likely that criminal landlords may leave the market to avoid licensing and implementing stipulations of the licence conditions. In this case, this could give opportunity for professional landlords to take over these properties.</p>
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## **h) Positive comments about the introduction of licensing schemes**

There were a number of positive comments from consultees. These were mainly in themes:

- It's a good idea
- It's good for tenants
- It's long overdue
- I'm glad the council are going to check everything
- Landlords need to be controlled and accountable for their properties

There were also a number of specific comments about how the schemes will be able to improve conditions, stop overcrowding and anti-social behaviour, and deal with poor HMOs.

- *Evidence from Hastings shows the Selective licensing scheme has made improvements to ASB and property conditions.*
- *Given the increase in rented properties I think it is high time that some controls are introduced. There has been a general increase in overcrowding, rubbish, noise, etc and an overall decrease in the quality of life in the neighbourhood. Private landlords are only interested in their income and not concerned about the effect on the neighbours.*
- *Good proposal. It will tackle the issue of overcrowding and ASB as well.*
- *I am wholly in favour of licensing for the private rented sector within Enfield. Landlords stand to make a lot of money from their properties and too often they are not providing safe, comfortable homes. I work in Haselbury ward and therefore am aware of the level of overcrowding in some properties and the ASB this can lead to. I am lucky to live in Town ward where the level of deprivation is low but having a rental property close to your house should not be something to be afraid of, and at the moment, too often it is.*
- *I have been subject to antisocial behaviour from HMO occupants on several occasions during the 30 years I have lived at my current address in EN3 and would welcome any steps to make landlords responsible for their tenant's behaviour & the standard of their accommodation. As it stands, many don't appear to give a toss and just wish to collect the money from their investment. I therefore support this scheme.*
- *I hope this is successful and implemented at the earliest possible date. Parts of the LB of Enfield have become quite unpleasant to live in over the past ten years and if this scheme is successful it may turn Enfield into a borough people want to come and live, work and socialise. LB of Hackney is a good example i.e. high property prices, business start-ups, Hackney is a desirable area to live, work & socialise!!!*
- *I think a licensing scheme would be a very good idea providing breaches are dealt with in a robust way I have had evidence the landlord of an HMO close to me when he*



- became aware that Council Officers were coming to visit the next day. Came around and ordered all the tenants to leave the day before the proposed visit. Greater protection should be given to tenants under these circumstances. Many are from overseas and are easily exploited by unscrupulous people using bullying to achieve what they want.
- I think it is a good idea and Landlords should be responsible for their properties and their tenants. I have seen my neighbourhood deteriorate over the years and now live next to a property where the managing agent did not carry out repairs. All the windows are boarded up and it is an eyesore - not very helpful if I wanted to sell my property. I feel that the introduction of licences will help the Council achieve their objectives on Enfield being a safe place to live.
  - It's good to have some standards in rented properties. some landlords are just collecting the rent and they don't bother about the living environment for their tenants.
  - Steps, such as this, to help swing the balance from a property as an investment to someone's home are welcome. The knowledge of who is responsible for inappropriate letting conditions to tenants and property upkeep and management for the local community is welcomed. Minimum checking requirements of tenants, either by the landlord or their agents, may be a positive step. Landlords would retain the right to take a view on any apparent shortcomings but the documentation, and resultant decision, would be available as evidence.
  - The schemes are long overdue! As a resident, I am constantly aware of run down rental properties around the borough that are not maintained properly and do not appear fit for purpose. It is not good for tenants, and makes areas unattractive for residents and difficult for them to sell their properties apart from to landlords likely to behave in a similarly irresponsible way.
  - These schemes can't come into force too soon as far as I am concerned. There are so many rogue landlords out there letting their properties to people whom they do not vet or whose living conditions they do not care about, so long as their rent is paid on time.
  - This is long overdue. I am aware that in my area tenants are living in squalor in some properties and that there needs to be enforcement of higher standards. The noise, dirt and rubbish coming from some HMOs is not acceptable and has a bad effect on all residents.

Council consideration – The evidence shows that there are high levels of poor property management. The objectives of the proposed schemes are to bring improvement to the sector; to reduce this kind of behaviour, support tenants and landlords and bring properties in to better condition through better management practices.

#### i) Suggestions for alternative to additional licensing

Example comments from consultees	Council's consideration
<b>Theme:</b> Dealing with poor property conditions	
<i>If there is a bad landlord, block his property for rental till he agrees to abide</i>	Licensing allows the council to enforce against unlicensed properties and licensed properties that do not meet the licence conditions of the scheme. If a landlord continues to disregard his responsibilities, the council can apply for an Interim

	Management Order under Part 4 of the Housing Act 2004 to take control of the property away from the landlord.
<b>Theme:</b> <i>The council should provide a service for tenants and landlords to report issues</i>	
<i>I suggest that the council sets up a help line for tenants within the Borough, whereby tenants call to lodge a grievance/ complaint and that each call is investigated by a selected team, and the landlord is fined appropriately on an individual basis, rather than unilaterally bullying and alienating all landlords.</i>	<p>There will be a number of ways tenants, neighbours and other residents will be able to get in touch with the team to report properties they are concerned about, or specific issues with a property. This will include:</p> <ul style="list-style-type: none"> <li>• A dedicated email to report issues</li> <li>• A licensing telephone line to speak to officers</li> <li>• An online reporting form on the Council's website</li> <li>• A new section of the web site with guidance and information about property conditions, management of rental properties and the responsibilities of landlords and tenants, and signposting to other relevant information</li> <li>• A list of licensed properties and details of the licence (this is a legal requirement for the council to publish a register of licensed properties)</li> </ul> <p>These are helpful suggestions but in themselves will not achieve the objectives that the proposed additional and selective licensing schemes seek to achieve.</p>
<i>Make it easy for tenants to register problems with their landlord, the council website is difficult to use. A dedicated and manned telephone service and the ability to email direct to the relative team dealing with tenants. Once a complaint is received the council should contact the landlord for comment and if unsatisfied arrange a joint meeting at the relative property to view / discuss etc.</i>	
<i>Enfield council just needs to create a portal for residents, tenants to report properties in bad condition. The link to portal can be published in schools' newsletters and websites. Problem solved as I don't know many people, who wouldn't report bad living conditions.</i>	
<i>Ensure that tenants have the ability to contact the local authority, identifying the issues for a particular property.</i>	
<i>There needs to be a good reporting system by which tenants can reports such conditions to the council and an action plan in place of what steps the council can take to address these issues/complaints which may be raised by tenants.</i>	
<i>The council should set up a call centre or website, where tenants can complain if they feel their rented accommodations fall short. Landlords found in breach will then be fined. This way, the financial burden will fall only to those who flout the rules.</i>	
<i>Regular drop in local surgeries for residents</i>	

<p><i>who have issues. Open line of communication, not just solely phone calls and emails. So, residents feel heard and issues can be assessed and quickly triaged</i></p>	<p>initiative by the Council and Citizen Advice, Enfield was established to raise standards within the private rented market. The Partnership holds annual landlord and tenant forums. The aim of the tenant forum is to inform tenants of their rights and responsibilities and educate tenants to know their rights and how to seek the appropriate redress. We will seek to build on this to provide more information and support for residents</p>
<p><b>Theme:</b> <i>The council should inspect all properties</i></p>	
<p><i>All properties rented out should be reviewed every 6 months for conditions as they genuinely are landlord who are not rogue</i></p>	<p>It is the landlord's responsibility to inspect the property regularly to ensure there is no disrepair and that the property has not become overcrowded or is causing issues.</p>
<p><i>By Annual Property MOTs, making sure the property is in reasonable state for the tenants to live in, specific consideration should be given for properties with children and elderly.</i></p>	<p>The council will inspect all properties before an additional licence is issued and will use intelligence-led and data-driven information to prioritise the inspection of properties that require a selective licence. The licence conditions will set out appropriate requirements for the management of properties.</p>
<p><i>The Council should inspect properties every 3-5 years and if there is any breach a fine should be imposed on the landlord/ tenant. Between £40 to £ 60 should be charged for the inspection. For antisocial behaviours and overcrowding, the tenant should be prosecuted.</i></p>	<p>This would not be possible without having the proposed licensing schemes in place to operate a large scale inspection programme.</p>
<p><b>Theme:</b> <i>Better educate tenants</i></p>	
<p><i>Better inform tenants (easily done with housing benefit tenants) and letting agencies to report disrepair issues against bad or criminal type landlords - council can then attend properties at tenants' invitation or request and help with proving property issues or disrepair, and assist tenant to get things done. Good landlords will not be penalised so they can focus and carry on without more stress, interference and precious time and energy being engaged unnecessarily and inefficiently with councils in endless phone calls, emails, letters etc – time which no one has to live a normal life – can you imagine what quality of life good</i></p>	<p>As above. We already visit at tenants' request, advise and enforce poor conditions. However, the large scale of the problems in the private sector means that this current enforcement is not enough on its own.</p> <p>There will be a range of ways that both tenants, residents and landlords will be given advice, information and guidance on the schemes. These will include:</p> <ul style="list-style-type: none"> <li>• Landlord forums</li> <li>• Guidance documents</li> <li>• New information on the web site</li> </ul>

<p><i>landlords have with all the work they have? Then those bad landlords can be placed on a communication/monitor/check list and eventually all bad landlords will be known as well as the council should work better with those bad landlords to carry out repairs. Licensing fees will be wasted on council attending all properties – most which will have no issues and so is a complete waste of landlord's monies and council resources, totally inefficient and ineffective in getting rid of bad landlords – who are no doubt repeat offenders as is always the case. There are more ways but the council needs to work with and invite ideas from landlords not make them pay for their failings/ineptness/slowness etc. Those that aren't familiar or aware of this shouldn't be telling others what's best.</i></p>	<ul style="list-style-type: none"> <li>• Tenants information</li> </ul>
<p><i>Council may continue to create awareness of landlord and tenant good practices. Encourage tenants to at least read how to rent guide. Once informed, tenants and landlords will take corrective action.</i></p>	
<p><b>Theme:</b> <i>Work with existing letting and estate agents</i></p>	
<p><i>If a property is rented through a Registered Estate Agent the relevant checks as to the good condition and safety checks on the property being rented should automatically in place. The council should work with them.</i></p>	<p>Not all landlords use letting agents.</p> <p>We recognise that there are good and reputable letting agents working in the borough and we look to work with these to encourage the best possible management practice for landlords.</p>
<p><i>Properties that are currently managed by and are regularly monitored by REPUTABLE licenced Property management /Letting agents who have meet council set criteria should be exempt. This scheme would mean that landlords/property owners who have Letting agents fully manage the property for them in their absence will end up having to pay twice or actually be taxed extra because they are reputable owners who want to a) have their property maintained to a good to very good standard and b) be responsible landlords responding to tenants needs. Yes, I do agree that rogue landlords or poorly managed tenanted properties need to be sorted by DON'T punish those doing</i></p>	<p>We are also aware that there are some disreputable agents working in the borough and we will be working to improve these, stop them carrying out bad practices and encouraging and educating landlords on how to choose a good letting agent.</p>

<p><i>the RIGHT thing by adding an extra tax that benefits .no-one. Focus your attention on properties that are not under management of reputable management agencies or those privately managed. This would then free up capacity to focus on problem Landlords especially with not having to deal with properties that are already managed and meet all the tenancy legislation requirements.</i></p>	
<p><b>Theme:</b> Create a register of all landlords in LBE</p>	
<p><i>Well first of all, you need a register of every landlord. It seems Enfield do not even know which properties are HMOS or rented out. Maybe ask everyone to report their neighbours as HMOs and also make it illegal not to declare your home as an HMO/rented out. This would also make sure that people are declaring their rental income with HMRC.</i></p>	<p>Voluntary registration schemes do not capture all landlords operating in an area. The licensing schemes would allow us to do exactly this. Whilst we have good predicted data of which properties are rented, we will be carrying out checks and enforcement activity to ensure properties are identified and landlords apply for a licence. Neighbours, tenants and residents will also be able to report an unlicensed property and it will be illegal not to declare your property is being rented.</p>
<p><i>A completely different strategy is needed. Abandon proposals for Licencing, but announce to all residents, businesses, tenants, landlords, and service providers that firstly the Council wants to build accurate data about the scale of PRS in the Borough and secondly it wants to establish exactly how well it serves the community, including positive factors, negative factors and what improvements are necessary. Develop a Rating and Category System with the help of all stakeholders. Ask Landlords and Tenants to jointly submit evidence in return for Free Registration. The above would be essential building blocks for a Quality System. Enfield could take a pioneering role instead of following the herd of Councils pursuing Licencing on the strength of weak evidence of any real widespread success. I strongly recommend the Council should study opinion provided by the Residential Landlords Association on such Licencing Schemes. RLA comments on Stoke's Licencing Proposals <a href="https://news.rla.org.uk/wp-content/uploads/2018/05/Stoke-on-Trent-">https://news.rla.org.uk/wp-content/uploads/2018/05/Stoke-on-Trent-</a></i></p>	<p>The Council have increasingly inspected and enforced within the existing legislation to try and combat the extent of the problems in the borough, but still large scale improvement in the private rented sector is needed, as evidenced in Appendix 3. Voluntary registration schemes do not capture all landlords operating in an area. Any system that is not obligatory has been shown in many other boroughs to have a poor take up and is therefore not a feasible option to resolve these issues.</p> <p>We propose to set up a landlord stakeholder group involving landlords and letting agents operating in the borough to work with us on setting the guidance and information we provide to landlords.</p> <p>We welcome suggestions and have read and considered the content of the RLA letter to Stoke on their selective licensing scheme proposal. We recognise that many of the points raised in that letter have also been raised during this consultation by respondents, and carefully considered and</p>

<a href="#">Selective-Licensing-consultation-response_-002.pdf</a>	responded to by this Council.
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## j) Responses concerning fees

We received a range of responses in relation to fees, including those respondents who considered that the licence fees should be lower and landlords should be offered discounts and those who expressed opposing views (commenting that they should be higher).

We have considered the representations and a summary of our response is as follows:

Our approach in respect of the proposed licensing schemes is that the grant of a licence would be subject to the payment of a fee. The proposal that was consulted on was to set fees for licence applications that took into account all of the council's costs in administering and carrying out its licensing functions and carrying out its functions under Chapter 1 of Part 4 Housing Act 2004. The proposed fee structure was calculated on the basis that the costs would be covered by the fee income from the estimated number of properties that would fall to be licensed under the schemes so as to be cost-neutral to the council.

The Government's recent 'Independent Review of the Use and Effectiveness of Selective Licensing' for the government noted that: "*Genuinely self-supporting (no subsidy) schemes are in the minority and typically have higher licence fees. The largest single cost of operating a scheme is staffing; setting a fee too low can have significant consequences – usually a reduction in the percentage of properties inspected, delays in issuing licences etc.*"

We have calculated the licence fees based on the Council's proposed schemes. However, for information only, we have compared our proposed fees with other London Boroughs that have large scale licensing schemes. We consider that our proposed fees compare favourably with these authorities.

London Borough	Selective Licence	Additional HMO Licence
Enfield	£600	£900
Redbridge	£604	£1,198
Waltham Forest	£650	£1,000
Newham	£750	£1,250

Taking all relevant factors into account,

we have decided not to make any changes to our proposed fee structure.

**Below is a sample representation of comments received that relate to the licence fee and the Council's response to the comment:**

Example comments from consultees	Council's response
<b>Theme:</b> <i>The fees are too high</i>	
<i>£600 is a lot of money. There is no need to penalise good landlords by charging them this fee. Bad landlords will not register anyway</i>	<p>The scheme is self-financing over the five-year period it is in force and the licence fees are set at a level which is estimated to cover the costs of implementing, administering, inspecting and enforcing the scheme. We are aware that there are many professional landlords in the borough and will be looking at ways we can support them, whilst focussing enforcement activity at unlicensed and non-compliant landlords. There are two proposed new schemes; selective licensing for single family dwellings with a licence fee of £600 for up to 5 years; additional licensing for small HMOs, with a licence fee of £900 for up to 5 years. A property will fall under one of these, not both, so only one licence fee is applicable.</p> <p>Licensing for larger HMOs is already in force under Mandatory HMO licensing as it is a statutory requirement of the council. The council proposes to adopt a two-stage fee structure;</p> <p>Part 1 – to cover the costs of setting up the schemes and processing and administering the licence application up to the point of granting or refusing a licence, and Part 2 to cover costs undertaken after the grant of a licence; such as compliance and enforcement of the scheme. Part 2 fee will not be payable if an application for a licence is refused.</p> <p>Case law has clarified that it is legal to cover enforcement costs in the licence fee.</p>
<i>£600 upfront fees are likely to increase the risk of landlords being evasive, trying to get around the fee, etc. and seems disproportional for an admin expense. A smaller annual fee would / could be more attractive optically and less likely to encourage avoidance.</i>	
<i>A lot of landlords will go underground due to this extra fee. Great idea but fee is too much.</i>	
<i>I would agree on licencing but with a fairer fee</i>	
<i>I recognise the need for such a scheme and appreciate that administering such would create cost, however the fee proposed is way too much. Halve the 600 proposed and then I think this would be justified. Until the council can demonstrate agile efficient working practices employed by many privately run organisations, it is ridiculous to expect these high costs to be covered by landlords.</i>	
<i>If a fee is charged it should be minimal. If the landlord has outstanding or recurrent tenant issues then they should be charge more. Just like an insurance policy and bonuses.</i>	
<i>You have stated that you are using these funds for enforcement action, my understanding it is illegal for you to do this. Any such action must be funded by the council and not by asking good landlords to remove bad landlords. The costs are also extremely steep for an administrative role in checking a form if an administrator is paid £15.00 an hour this is 17 .3 hours to check one selective licencing form, whilst I appreciate that a wage cost is not the only expensive the council need to justify the extend of these costs. To put this into context the government have recently set a cap of £50.00 for an estate agent to administer a tenancy swap which is a vast amount of information similar to that of a licensing form how is it justified that this is the cost to an letting agent but the council are able to charge effectually 5.2 times</i>	

<i>what the government feels is a fair cost for checking tenancy related forms for a letting agent?</i>	
<i>900 + 600 = £1500 per property every 5 years That's £300 per year, I don't even make that profit in a year on 1 property This is a joke. How do you justify that cost? This is only to benefit the council's pocket</i>	
<b>Theme:</b> <i>There should be an early bird discount scheme or a discount</i>	
<i>Please ensure you have an early bird discount scheme, and ensure it's well publicised.</i>	The fees for the licensing schemes have been carefully calculated to cover the costs of setting up the schemes, administration and enforcement. If an early bird discount was offered this would undermine the success of the schemes by reducing the costs and so the only way to ensure the schemes' viability to achieve the council's set objectives would be to raise the fee level after the early bird period. However, the fee levels will be kept under review during the lifetime of the schemes.
<i>The fee structure should provide discounts for portfolio landlords, paying £600 for 1 single property is one thing, but if you have a considerable number then there is no justification to charge a minimum of £600 for each</i>	
<i>There should be a clause in that scheme that landlords will introduce a rent cap.</i>	
<i>They should give some kind of incentive for early users of this license</i>	
<b>Theme:</b> <i>The fees are not high enough</i>	
<i>£500 per 5 year period for selective &amp; £1000 per 5 year period for additional seems fairer, as many multiple rental properties are alleged to be more open to abuse of the system &amp; subsequently letting their tenants down.</i>	The council must comply with the requirements of the legislation when setting fee levels in that the fees must be reasonable and proportionate to the cost of the schemes. The cost of an additional licence is higher than a selective licence based on the extra resource required to process and administer an additional licence. The fees will be kept under review.
<i>Additional License fee should be higher cause they receive a lot of rental income.</i>	
<i>I feel that the fees proposed are not enough - particularly for those landlords who have more than one property. I am sure that they would have more than enough money to pay for the licences as they charge their renters a high amount in rent. It is not fair to these people who struggle to pay an extortionate amount in rent.</i>	
<i>I welcome the proposed fees which will hopefully make the landlords think carefully about a: the type of tenants b: making the tenants aware of rubbish collection, antisocial behaviour and the possibility of a non-renewal if landlords breach the licence fees rules. The fees should be higher as often these landlord are making a major financial income from the tenants</i>	The fee levels are reasonable and proportionate, and have been set in relation to the cost of the schemes. The licence conditions have been prepared to address the issues that the licensing schemes aims to address and improve.
<i>If anything, these fees should be higher - and require renewal when there is a change of tenant to prevent high turnover, which leads to dumping of possessions around neighbourhoods.</i>	We welcome suggestions to help reduce the turnover of tenants, and provide secure, well maintained properties for residents. Whilst making landlords renew their licence every time a tenancy changes may reduce turnover, the council has no legal basis to



	<p>implement this.</p> <p>One of the scheme objectives is to reduce the kind of property-related ASB, including “dumping of possessions” in the streets and is addressed in the licence conditions. Persons found doing this will be subject to enforcement action.</p>
<p><b>Theme:</b> <i>The fees seem fair or the right amount</i></p>	
<p><i>Also essential is the introduction of rent controls. While I think the fees are appropriate given the current outrageous rents, I have no doubt that as it stands the fees will simply be passed on to tenants.</i></p>	<p>As above, the Council considers the licence fees to be reasonable and proportionate.</p> <p>Government research carried out by an independent company ‘<i>An independent review of the use and effectiveness of selective licensing</i>’, found that selective licensing did not result in an increase in rents in areas with a scheme.</p>
<p><i>As long as that fee will not pass in to the tenant, I am happy with it and it look reasonable to me.</i></p>	
<p><i>As long as they don't put it in our rent it's fine for us.</i></p>	
<p><i>As compare to their rent it's almost nothing.</i></p>	
<p><i>Bad landlords don't care, they want only their rent. So, it's a good net to catch them. This fee is quite reasonable and for 5 years it's not a big deal.</i></p>	
<p><i>They charge a lot of money as rent so it's affordable to them.</i></p>	
<p><i>As long as the fee is for 5 years and not payable every year that is ok. Consideration needs to be given to change of tenant during that time, otherwise short term lets will lead to excessive fees being paid</i></p>	
<p><b>Theme:</b> <i>The fee should be per landlord not per property</i></p>	
<p><i>1) If we have to have a licensing scheme, it should be per landlord and not per property; 2) The fee should relate to the typical market rent for the property. It is unfair to charge the same for all properties.</i></p>	<p>The Housing Act 2004 is clear. It is the property that is licensable, not the landlord.</p> <p>As above, the licence fee is also set based on the costs of the schemes. It cannot be set based on the number, size or rental value of the property.</p>
<p><i>Fees should be charged per landlord. Not per property as I'm sure from your analysis that a problem landlord will have multiple problem properties. And again, a good landlord will suffer from these fees if they have multiple properties. I feel we should have a licence per landlord not per property</i></p>	
<p><i>Perhaps the fee charge should depend on the number of properties you own rather than individually charged per property. Individually charged Enfield Council is making an awful lot of money out of people who do not rent property as a business i.e. own lots of rental properties</i></p>	
<p><b>Theme:</b> <i>The fee should change depending on the property (e.g. size or market rate)</i></p>	

<p><i>£600 for a studio flat is extortionate and suggests the council is very inefficient. The council is not considering affordability by not differentiating between a luxury large home which could be rented out for £5,000 per month versus a studio flat which could be rented out for £900 per month.</i></p>	<p>The Housing Act 2004 is clear. It is the property that is licensable, not the landlord.</p>
<p><i>Cost of this scheme should according to the size of a property.</i></p>	<p>As above, the licence fee is also set based on the costs of the schemes; setting it up, administering the licences, inspections and enforcement. The fee is not permitted to be set based on the number, size or rental value of the property.</p>
<p><i>Fee should reflect the rent of rented property.</i></p>	<p>The cost of administering an additional HMO licence is greater than for a selective licence as the intention is that all additional licence application will be inspected before determining the licence. Also, HMOs generally require greater resources for inspection and enforcement.</p>
<p><i>Fees are rather a blanket amount. A landlord renting out a studio flat to one person would be paying higher per cent age than HMO property owner with maybe 6+ tenants Landlords will look to recouping money through rents Some schemes just make a flat rate charge</i></p>	<p>It is the landlord's responsibility to ensure that their tenants are aware of and abide by their tenancy conditions, including disposal of household waste and any anti-social behaviour. If landlords have demonstrated that they have informed tenants of the refuse storage and disposal requirements and they flout them, enforcement action will be taken against the tenants.</p>
<p><i>Is the Council really going to ensure that some of the antisocial aspects are dealt with such as rubbish left outside of bins even when they are provided? Will there be procedures in place for the council to enforce licensing when landlord provides evidence that tenants are non-compliant?</i></p>	<p>As above – the fee has to be based on the costs of the scheme.</p> <p>If licence holders are not compliant with the licence conditions, then enforcement action can lead to a financial penalty.</p>
<p><i>Landlords should be charged in proportion to the number of properties under their management, not a set fee for everyone. Additionally, there should be an increase in fees when the council has to intervene to ensure compliance to one of the stated objectives of the scheme</i></p>	<p>As above – the fee has to be based on the costs of the scheme.</p>
<p><i>People who own one house should be charged less than the fee here. However, I believe that people who own more than one rental property should be charged a lot more. at least £1000 per additional property. Enfield residents do not want to live in a borough where every property is owned by a landlord, as such, everything should be done to make it as hard as possible for people to buy up properties in bulk to rent them. We want our younger people on the housing ladder and house prices to be reasonable. We want to live in a clean tidy borough where people stay.</i></p>	<p>As above – the fee has to be based on the costs of the scheme.</p> <p>The Council's Housing and Growth Strategy: 2020-2030 addresses the housing market in the borough and has its first priority for "More genuinely affordable homes for local people. Building more homes that are the right kind of homes, in the right locations and for local people. This means homes that are well-designed and are the right size, tenure and price that local people can afford."</p>
<p><i>Price should differ according to the number of families</i></p>	<p>As above – the fee has to be based on the costs of the scheme.</p>
<p><b>Theme:</b> <i>The licence lasts too long</i></p>	

<p><i>5 years is too long. Consideration should be given to a shorter term. May be 3yrs</i></p>	<p>The legislation states that the Council can designate licensing schemes for up to 5 years. We consider that 5 years is preferred rather than 3 years to bring about the large scale improvements needed.</p>
<p><i>I think it would be better to reduce the length of the licence and the cost proportionately.</i></p>	<p>We are not aware of any Council that has implemented a licensing scheme for less than 5 years.</p>
<p><i>Think it should be for 3 years.</i></p>	
<p><b>Theme:</b> <i>There should be a reduced fee for "good" landlords</i></p>	
<p><i>Agree with the majority. Think there should be some timescales included in which the landlord is expected to repair or sort out any issues in the property especially if they affect health. For good landlords, there should be some recognition. I believe in carrot not just stick, so maybe encouraging landlords to carry out certain tasks and ensuring all is kept well in their property, they should be an incentive, such as reduced fees, a recognition scheme which gives the landlord a star rating of some sort, encoring tenants their way. And then the stick to penalise landlords that misbehave!</i></p>	<p>The landlord will be required to comply with their repairing responsibilities and licence conditions. Failure to adhere to the licence conditions would result in enforcement action taken, and in serious cases may result in the licence being revoked.</p> <p>The rationale for the fee levels has been explained above.</p> <p>Properties that have been licensed are required to be published on a public register on the council's website. This informs prospective tenants of properties that are licensed and compliant with the minimum property standards required.</p>
<p><i>I have to do this from memory as link to the "Proposed fee structure" and "here" on this questionnaire did not work. Therefore, from memory, the administration of the scheme is costing significantly more than enforcing it. Surely this split can't be correct. All the properties need to be inspected. Where a LL has more than one property in the borough then the fee should be reduced to reflect the lower amount admin. Enfield council are concerned that some LL don't know their legal responsibilities. Some LL can prove they keep up with housing and legislation by being "Accredited". The cost of the licence should be reduced where the LL is Accredited.</i></p>	<p>The Council appreciates that there are responsible landlords and that some landlords are members of Landlord Accreditation schemes.</p> <p>The law is clear, and the fees for the licensing schemes have been carefully calculated to cover the costs of setting up the schemes, administration and enforcement. If a discount was offered for accredited landlords, this would undermine the success of the schemes by reducing the costs and so the only way to ensure the schemes' viability to achieve the council's set objectives would be to raise the fee level for non-accredited landlords.</p> <p>The council is required to structure the fee in two parts;</p> <p>Part 1 – to cover the costs of setting up the schemes and processing and administering the licence application up to the point of granting or refusing a licence.</p> <p>Part 2 to cover costs undertaken after the grant of a licence; such as compliance and enforcement of the scheme.</p>

	<p>The Part 1 split of the fee is generally higher as it incorporates the setup of the schemes. All additional HMO licence applications will be inspected under Part 1 of the fee (before the licence is issued). A targeted approach will be used for selective licence applications and so not all of these will be inspected before the licence is issued but will be inspected over the life of the scheme.</p>
<p><b>Theme: The fee should change with inflation/annually</b></p>	
<p><i>Both licence fees must be increased annually by the highest of the CPI or RPI rate of inflation applicable at the time. Landlords must realise that they are subject to the same inflationary pressures as everyone else.</i></p>	<p>The licence fee will be kept under review during the course of the five-year scheme to take account of any increased costs.</p>
<p><i>Raise them annually</i></p>	
<p><b>Theme: The fee should be charged in instalments</b></p>	
<p><i>Council shouldn't charge it in the start but it should be in instalments.</i></p>	<p>As above, the fee is required to be charged in two parts:</p> <p>Part 1 – to cover the costs of setting up the schemes and processing and administering the licence application up to the point of granting or refusing a licence.</p> <p>Part 2 to cover costs undertaken after the grant of a licence; such as compliance and enforcement of the scheme. Part 2 fee will not be payable if an application for a licence is refused.</p> <p>We are not aware of any Council that takes the fee payments in instalments.</p>
<p><i>Due to this fee many landlords will leave this field so it should be a smaller fee annually.</i></p>	<p>There is no evidence to support landlords leaving the market as a result of licensing schemes being introduced.</p>
<p><i>I they should introduce a monthly payment so that will be easy for landlords</i></p>	<p>The use of instalments automatically puts an additional administrative burden on to the scheme and would result in the fee level being raised. It was considered that this would be less acceptable to landlords.</p> <p>We are not aware of any Council that takes the fee payments in instalments.</p>
<p><i>I think it is too much for them.it should be around £100 annually</i></p>	
<p><i>It seems quite big chunk of money, so they should introduce annually instalments system.</i></p> <p><i>It would be great to have a scaling option or a way to refund if the property is sold within the term.</i></p>	
<p><i>Please review the fees and consider a reduction or payment plan for those who cannot pay the initial application fee</i></p>	
<p><i>The cost will be a big burden because there will be additional cost electrical / gas</i></p>	<p>It is already a legal requirement to get a gas safe certificate annually and for the electrics</p>

<p><i>certification requirements. The total cost of £500 charged by most boroughs would have been more considerate. Furthermore a 3 x instalment payment plan would be more helpful. Most of us rented our property to the council tenants and we are not making profit. I think council tenants should have separate classification or reduced rate.</i></p>	<p>of a property to be maintained in a safe condition.</p>
<p><i>The fee needs to be higher and charged annually, and enforced, to make renting more legalised.</i></p>	
<p><b>Theme:</b> <i>The fee should be pro-rated</i></p>	
<p><i>The fees should be for no less than 5 years from the start date of the license, not up to 5 years. This is because there will be a perception of unfairness based on the value of the License depending on how long it lasts for, unless the fee charged is pro-rated.</i></p>	<p>Licences will be issued for the period up to the end of the scheme. However, shorter licences may be issued is there are concerns about the licence applicant or the property. The licence holder would be required to apply for a new licence after the shorter period and pay the full fee.</p>

<b>k) Responses to the licence conditions</b>			
<b>Licence type</b>	<b>Licence condition</b>	<b>Comment from stakeholder interview</b>	<b>Council's consideration</b>
Additional	<p>1.4 The licence holder must ensure that<sup>*</sup>:</p> <p>a) the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;</p> <p>b) the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;</p> <p>c) the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;</p> <p>d) any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.</p>	<p>This will mean some people having to move out if their room is just a bit too small which is not fair on them if they want to stay. It will cause them stress and affect their mental health, as well as potentially cost them more in higher rent in their new place. This is just wrong if they are happy to stay.</p> <p>Under this scenario, a HMO room which is marginally below 6.51 metres, however with a tenant who is very happy there for many years, wishes to stay and who pays a reasonable rent, would be forced to move out and so completely uproot and disturb their lifestyle, with all the instability that that brings, causing them stress and affecting their mental health, just because the Council, an anonymous body who do not know these individuals, decided to bring in this ill-advised regulation. This person may have been paying a fair rent, but would now be forced to pay a market rent for the sake of a few centimetres. What is worse, the landlord would now have a room that 'regulation' says they could not use, so they would be forced to increase the rent for the remaining HMO tenants in their other rooms to make up</p>	<p>The lack of space and overcrowding (and affordability) is a serious problem which can cause a number of physical and psychological health problems.</p> <p>The Government recently introduced these new minimum space requirements for HMO lettings in a bid to reduce problems of overcrowding identified in many HMOs. This specified condition is a mandatory requirement of the HMO licence set by the Government.</p>

		the shortfall, as for many landlords, losing one lettable room means the difference between break-even and a loss.	
Additional and Selective	2.3 The licence holder shall protect any deposit taken under an assured short-hold tenancy by placing it in an authorised statutory tenancy deposit scheme. The licence holder must ensure compliance with the requirements of the tenancy deposit scheme as set out at Part 6 Chapter 4 and Schedule 10 of the Housing Act 2004. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council if requested.	The tenancy deposit scheme –this is incorrect.	It is a national legal requirement that if the landlord takes a deposit, the landlord must protect a tenancy deposit in one of the authorised tenancy deposit schemes and to provide the details of that scheme to the tenant.
Additional and Selective	2.4 The licence holder must provide to the tenant/occupier at the start of their tenancy, whether in the tenancy agreement or licence granted or otherwise: <ul style="list-style-type: none"> <li>· A copy of this licence and conditions attached to it</li> <li>· Provision of an emergency contact name and number (including out of hours)</li> <li>· A clause making it clear that the occupants of the house are responsible for both their behaviour and that of their household and visitors;</li> <li>· A copy of the current valid gas safety certificate</li> </ul>	Could the information that landlords are required to give tenants be given electronically rather than physically?  A copy of the information provided to the tenants/occupiers must be kept for five years and provided to the Council if requested"- this is too long; length of the tenancy or 6 months after termination.	The Housing Act 2004 and The Deregulation Act 2015 stipulate the prescribed documents that must be given to a tenant at the start of their tenancy or before, and in what format.  We request these documents and property inspection records are kept by landlords for the duration of the licence in the event of an enquiry by the council relating to the tenancy or management of the property.  The documents can be provided in hard copy or electronically so long as the tenant has acknowledged receipt of

	<ul style="list-style-type: none"> <li>- A copy of the Energy Performance Certificate (EPC), and</li> <li>- Written information about waste and recycling detailing: - <ul style="list-style-type: none"> <li>o The collection days for the refuse and recycling bins/sacks for the property and where to place the waste on the day of collection</li> <li>o Details on what they can and can't recycle (for more information, see the Council's website here)</li> <li>o How they can dispose of bulky waste (for more information, see the Council's website here)</li> <li>o General waste guidance from the Council's website (for more information, see the Council's website here)</li> </ul> </li> </ul> <p>A copy of the information provided to the tenants/occupiers must be kept for five years and provided to the Council if requested</p>		<p>them.</p>
Additional	<p>2.7 The licence holder shall ensure that inspections of the property are carried out at least every three months to identify any problems relating to the condition and management of the property. This must include evidence of checks that the property is being occupied by the level of occupancy specified in the licence. As a minimum requirement the records must contain a</p>	<p>Could the council provide landlords with an example, otherwise they could be breaching what the council requires</p> <p>3-month inspections of HMOs are too much for tenants – could be 6 months?</p> <p>Inspection every 3 months is too often. Tenants do not really like the landlord constantly trying to arrange meetings. I</p>	<p>Guidance will be provided by the council to support landlords with property inspections.</p> <p>It is recognised that inspections at three monthly intervals may be considered too frequent. However, this is not considered unreasonable given the risks associated particularly with HMOs and the need to check regularly to identify</p>



	log of who carried out the inspection, date and time of inspection, issues found and action(s) taken. The records of such inspections shall be kept for the duration of the licence. Copies of these must be provided to the Council if requested.	fully understand this, I would start to get annoyed if every 3 month someone wanted to visit the house! Why not when the contract is renewed?	any issues.
Additional and Selective	3.5 The licence holder must ensure that the exterior of the property is maintained in a reasonable decorative order and state of repair.	This cannot apply to selective licensing only additional licensing (about property conditions)	We have taken further legal advice on this licence condition. We are aware that licence conditions for selective licences should not be set for (property) 'conditions.' The case law is not yet clear on whether this licence condition would be considered 'management' or 'condition.' This being the case, we have therefore decided to remove this proposed licence condition.
Additional	3.11 The licence holder must ensure that a Fire Risk Assessment is undertaken in accordance with The Regulatory Reform (Fire Safety) Order 2005 and that action to minimise the risk of fire at the HMO is taken in accordance with the assessment. The licence holder must ensure that any fire detection equipment, fire alarms and emergency lighting at the HMO are maintained in good working order by competent persons. The licence holder must ensure that the Council is provided with, if requested, a copy of the Fire Risk Assessment, all periodical inspection reports and test certificates for any automatic fire alarm system, emergency	Condition queried	This is a condition specifically relating to fire safety in HMOs. We request a Fire Risk Assessment as means of assessing the adequacy of the fire safety measures in HMOs. Fire safety provisions in HMOs will be subject to the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005

	lighting and fire-fighting equipment provided in the HMO.		
Additional	<p>4.1 The licence holder shall display the following information in a prominent position in the common parts of the property:</p> <p>a) A copy of the licence and these conditions, particularly highlighting the occupancy limits</p> <p>b) The licence holder shall display a notice with the name, address and emergency contact number of the licence holder or managing agent</p>	How can landlords enforce this? Could they not give it electronically to them when they sign contracts?	<p>For HMOs due to the different households sharing, we consider this is an appropriate measure to take.</p> <p>The council will be offering guidance on how to comply with each of the licence conditions as part of the launch of the schemes.</p> <p>This information can also be provided to the tenants as well as being displayed.</p>
Selective	5.1 The licence holder must inform the Council if they no longer reside at the address given in their application form, and must provide the Council with their new address and contact details within 21 days.	There is too much responsibility put on the landlord to provide certain information to the council e.g. No 5.1 The landlord should advise the council of a forwarding address of the tenant to the council within 21 days. When tenants leave, a forwarding address is not always given to the landlord.	There seems to be a misunderstanding in this comment. The condition is to inform the council of the licence holder's change of address, not the tenants'.
Additional	<p>7.2 The licence holder shall if requested provide the Council with the following particulars as may be specified in the notice with respect to the occupancy of the house:</p> <ul style="list-style-type: none"> <li>· The names, dates of birth and numbers of individuals / households accommodated specifying the rooms they occupy within the property.</li> <li>· number of individuals in each household and/or property.</li> </ul>	Is it lawful (example is for children and giving names/addresses etc for all people – why would this be needed for children?)	<p>For HMOs due to the different households sharing, we consider this is an appropriate measure to take.</p> <p>The number of children in a property would contribute to whether the sleeping room and/or property is occupied by the permitted numbers and is not overcrowded.</p>
Additional	8.1 The Licence Holder must provide the	What information are they after or what is	The person liable for council tax on a

	Council with details in writing of the payment arrangements to settle the annual council tax account within 21 days of request	the purpose of it?	property let as an HMO is the owner rather than the occupier (Council Tax (Liability for Owners) Regulations 1992. We find that many landlords have been illegally passing their council tax liability onto tenants. However, we have decided to remove this licence condition from the additional licence conditions
Additional	8.2 Where the council tax account is in the name of the occupiers of the HMO, the licence holder must contact the Council Tax department to change the account into the licence holder's name within 21 days of request.	This may not reflect council tax legislation.	As above, Council tax legislation states that the owner will always be liable to pay council tax when the property is an HMO. However, The Valuation Office Agency (VOA) has different definitions for HMOs and they are valued for council tax bands as one or multiple dwellings depending on the extent of adaptations to the property and the degree of self-containment within the individual units. Therefore, due to these differing definitions of HMOs, we have decided to remove this licence condition from the additional licence conditions.

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# **London Borough of Enfield Selective and Additional Licensing**

## **Appendix 3 Evidence Pack**



# Evidence Report for Consultation on Private Rented Property Licensing Additional and Selective Licensing

## London Borough of Enfield

For more information email: [enfieldprs@melresearch.co.uk](mailto:enfieldprs@melresearch.co.uk)  
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## 1. Executive Summary

- 1.1 The Council is consulting about proposals to designate the borough, or a large part of it, as subject to two licensing schemes for private rented properties, under Parts 2 and 3 of the Housing Act 2004. It is proposed, subject to legislative requirements that these would both come into effect in the summer of 2020.
- 1.2 The first scheme is a proposal for selective licensing in 14 wards of the borough in two designations to regulate the management, use and occupation of privately rented properties that are not Houses in Multiple Occupation. The first designation of 13 wards has evidence of poor housing conditions, deprivation and anti-social behaviour. The second designation (Chase ward) has evidence of poor property conditions and deprivation. Both proposed designations meet the statutory criteria for selective licensing.
- 1.3 The Council has worked with a third-party specialist to review conditions in the private rented sector in the Borough. We have looked thoroughly and objectively and believe that there is sufficient evidence to support selective licensing in the 14 wards. These wards not only meet the minimum criteria that the government sets out for licensing, but have a combination of poor property conditions, property related anti-social behaviour and deprivation, which is having a negative impact on the lives of tenants and our local communities. The result is also that they are requiring the Council to intervene and deal with situations much more frequently than other tenures, and other areas.
- 1.4 The second scheme is a proposal to introduce a borough-wide additional licensing scheme to regulate the management, use, occupation and condition of Houses in Multiple Occupation (HMOs). The Council has evidence that a significant number of HMOs in the borough are managed ineffectively and that their mismanagement is contributing to social problems such as poor housing conditions and anti-social behaviour.
- 1.5 We consider that the proposed schemes are the most effective way to regulate the condition, management and occupation of privately rented properties in the borough. They will help us to:
- Improve housing conditions
  - Seek to reduce deprivation and inequalities, in conjunction with other key council strategies (e.g. homelessness prevention, housing strategy, corporate plan)
  - Tackle anti-social behaviour linked with the private rented sector as part of a broader tool kit, and
  - Contribute to an improvement in the health outcomes of residents in the most deprived areas by improving property conditions.
- 1.6 In summary the proposed scheme objectives documented in further detail in section 15 (page 43) are as follows:
- Ensure that at least 95% of licensable properties are licensed by the end of the scheme

- In at least 75% of licensed properties, compliance with licence conditions and improved property conditions has been achieved
- Reduction of housing hazards by at least 70%
- Reduction of overcrowding and fuel poverty in at least 90% of identifiable properties
- Enforcement action taken to reduce repeat anti-social behaviour by at least 70% in identified properties

1.7 The Council has increasingly used existing enforcement powers to deal with property conditions and management. This is mainly in a reactive way as the Council relies heavily on receipt of complaints from tenants and neighbours to identify which properties are privately rented and are in poor condition, overcrowded and are being badly managed. The continuing increase and high number of service requests and incidences of ASB in the private rented sector indicates that current enforcement measures are not sufficient on their own. Additional and selective licensing would be hugely beneficial in identifying which properties to target for inspection and to bring into compliance, and help us to raise standards and improve conditions in privately rented properties. Licensing provides clear guidance for landlords on the expected standards for property conditions and management.

1.8 The evidence shows that all wards in Enfield have a higher than average number of private rented properties with serious property issues (Category 1 hazards). However, the wards within the proposed designated areas also have the highest number of Council interventions relating to property issues, disrepair and property related ASB. These wards place the highest demands on council services and resources and would benefit from being brought into a more robust regulatory framework.

1.9 The Council appreciates that many landlords let their properties responsibly. However, the private rented sector is disproportionately affected by poor housing conditions and property-related ASB, especially when compared with other sectors. Council officers are frequently alerted to privately rented properties in very poor condition.

1.10 Enfield has growing problems in the private rented sector with extremely high levels of illegal evictions that often lead to homelessness. Whilst not completely eradicating the issue, a designation of selective licensing would provide greater protection to tenants from one of the biggest causes of eviction. Landlords cannot use Section 21 of the Housing Act 1988, a so-called “no-fault eviction notice”, to evict tenants from a property that is subject to licensing but has not licensed. Enfield also has the highest number of private renters on Housing Benefit in London, and the second highest level of Discretionary Housing Payment for Universal Credit in the country. The condition and issues with properties in this sector are only getting worse. A large-scale selective licensing scheme and additional HMO licensing are necessary and, we believe, are the most effective means by which we can address on-going problems highlighted by our review of housing conditions in the area under Part 1 of the 2004 Act.

1.11 As the largest growing housing sector in the borough, the private rented sector is hugely important to our local community, providing local people with decent, flexible accommodation and vital support for our local economy. The proposals in this document are integral to our strategy to raise the quality of life for Enfield residents and create safer, stronger and more cohesive local communities. We urge you therefore to consider our proposals carefully.

1.12 This consultation paper outlines our proposals and approach. Our consultation questionnaire seeks your views about these proposals, our objectives, our proposed licence conditions, our proposed licencing fees and the alternatives that you think we should consider. Our proposals are still at a formative stage and we will listen carefully and consider the results of the consultation before making a decision about how to proceed.

We look forward to hearing from you.

## 2. Borough Summary

- 2.1 Enfield is 12 miles from the centre of the capital, in the north east of London. Since the 1870s, Enfield has developed from a modest market town, surrounded by open country and small villages, to a pattern of suburbs on the edge of London. Whilst 40% of the borough is green belt land, with a number of parks, agricultural land and woodland, we also have large industrial and commercial areas due to the excellent road links and proximity to international airports.
- 2.2 Enfield is the 5th largest London Borough in terms of population<sup>1</sup>. The latest estimate is that we have a population of 332,705<sup>2</sup>. This is an increase of 4.9% or 15,500 people since 2012. This growth is slightly higher than the national average of 4%.
- 2.3 Enfield is the 11<sup>th</sup> most diverse borough in London<sup>3</sup>. Black African and Black Caribbean populations are the biggest non-white group in the borough. We also have a large Turkish and Cypriot population (4% each) and a growing number of newly arrived Romanians.
- 2.4 Enfield has a young population. 64% of our population is of working-age and there are proportionately more children and young people under 20 than in both London and England overall.
- 2.5 The borough has many of the challenges that other local authorities face, such as tackling crime, improving housing, creating more affordable housing and improving the environment, but the growing population and the underlying deprivation in the borough exacerbates these challenges. We are tackling these issues head on by working with the police, fire service and other partners to combat crime and anti-social behaviour and by taking direct action against those responsible. But we feel there is more we can do.
- 2.6 The Council is committed to developing more homes that are genuinely affordable to local people. Before 2030, we will deliver 3,500 new homes which will be owned by the Council, and many more that will be created through our current programmes which will be owned by partners and available to Enfield residents<sup>4</sup>.
- 2.7 You will find more information about each ward in our borough in the Ward Summaries. Please see Appendix B.

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<sup>1</sup> Enfield Borough Profile 2018, <https://new.enfield.gov.uk/services/your-council/borough-and-wards-profiles/borough-profile-2018-your-council.pdf>

<sup>2</sup> Enfield Borough Profile 2018, <https://new.enfield.gov.uk/services/your-council/borough-and-wards-profiles/borough-profile-2018-your-council.pdf>

<sup>3</sup> Enfield Borough Profile 2018, <https://new.enfield.gov.uk/services/your-council/borough-and-wards-profiles/borough-profile-2018-your-council.pdf>

<sup>4</sup> More and better homes for Enfield, Housing and Growth Strategy 2020 – 203

### 3. The Private Rented Sector in Enfield

3.1 The number of people living in Enfield's private rented sector has almost trebled since 2001 and renting from private landlords is now the fastest growing housing tenure.

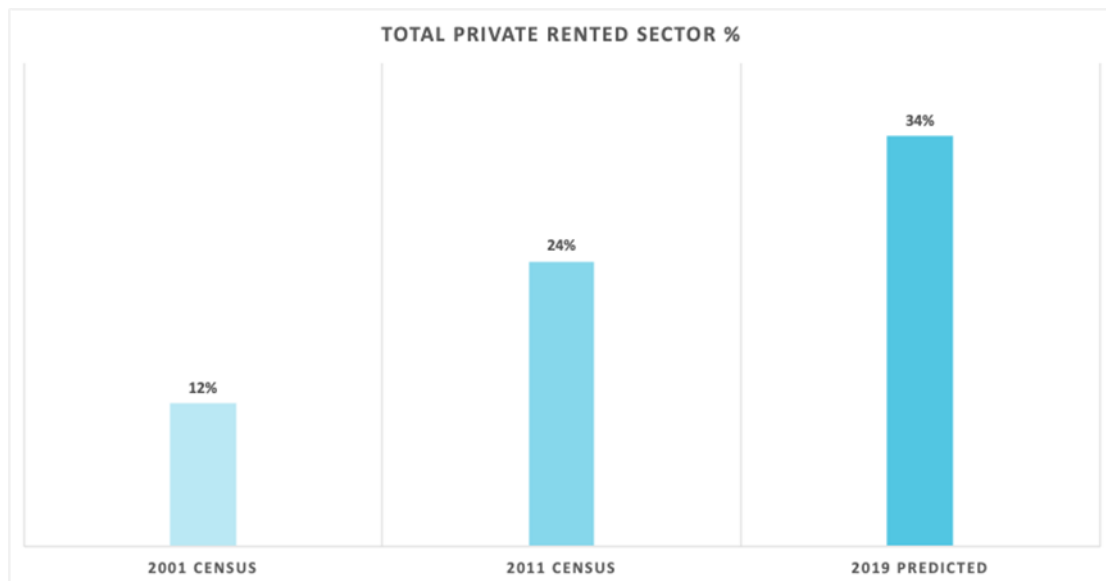


Figure 1 - Total % of Private Rented Sector since 2001

3.2 The increase in the level of the private rented sector is comparable to neighbouring boroughs and the general trend across London.

	Census 2011	Latest reported PRS level	Difference
Havering	10%	29%	+19%
Newham	35%	46%	+11%
<b>Enfield</b>	<b>24%</b>	<b>34%</b>	<b>+10%</b>
Waltham Forest	27%	37%	+10%
Brent	32%	41.5%	+9.5%

Table 1 - % PRS comparison with other North East London Boroughs

3.3 We recognise that privately rented properties play a valuable role in providing housing for residents of the borough. An estimated 34%<sup>5</sup> of Enfield's homes are now privately rented with a growing number of families with children living in the sector.

3.4 Many landlords operating in the borough take their responsibilities seriously and provide well managed rented homes that are maintained to a good standard. However, there are widespread issues of disrepair and housing hazards in the private rented sector and poorly managed properties that give rise to significant and persistent ASB compared to homes in other sectors.

<sup>5</sup> Metastreet 2019

3.5 Some of the headline issues in the private rented sector in the borough (in addition to poor property conditions, deprivation and ASB) are:

- High levels of evictions
- High levels of homelessness and temporary accommodation
- Overcrowding as people share with more tenants to make the rent affordable.
- Children living in HMOs

## Evictions

3.6 The eviction rate in the private rented sector in Enfield is the highest in London. In 2017/18, there were 20.4 evictions per 1,000 renting households. This was a reduction on the previous year's figure of 32/1,000 renting households but is a major cause for concern. The average for London was 16.5. Between 2011 and 2018, PRS rents in Enfield increased by 37%<sup>6</sup>. Increased levels of migration into the borough, deprivation, low incomes and the limited supply of affordable social rented homes means that vulnerable and migrant communities are increasingly reliant on finding accommodation in the private rented sector in Enfield and are exposed to these higher housing costs<sup>7</sup>. In addition, Enfield work with Cambridge House Safer Renting to support those faced with illegal eviction, but this will be enhanced with licensing as it gives tenants greater rights, especially against section 21 evictions.

3.7 The licensing schemes would help to support higher standards of professionalism amongst landlords, tenants will be more aware of their rights and there will be minimum standards set for all properties. This should contribute towards stabilising the rental market and encourage longer tenancies with less turnover.

## Temporary accommodation and homelessness

3.8 Enfield relies heavily on temporary accommodation in the private rented sector to home a large number of homeless households. In 2017, Enfield had the second highest number of households in temporary accommodation in London, with 3,244 households being housed, nearly double the London average of 1,696<sup>8</sup>.

3.9 Whilst most temporary accommodation is exempt from licensing, licensing does allow the Council to set a 'standard' that will help to ensure that the temporary accommodation in the PRS is fit for purpose. This would currently account for over two thousand properties.

3.10 One of our aims is to work with landlords to sustain tenancies and to reduce the prevalence of section 21s, leading to a more stable private rented community. Any new licensing scheme will be aligned with the Council's strategy on preventing homelessness.

## Renters on benefits

3.11 Enfield has the highest number of private renters on Housing Benefit in London, and the second highest in the UK. Of Housing Benefit claimants in work

<sup>6</sup> <https://new.enfield.gov.uk/consultations/the-right-home-for-everyone/enfield-draft-preventing-homelessness-and-rough-sleeping-strategy-for-public-consultation.pdf>

<sup>7</sup> Enfield Housing Strategy More and better homes for Enfield Housing and Growth Strategy 2020 – 2030

<sup>8</sup> Trustforlondon.org.uk 2017

– twice as many are living in the private renter sector. This shows that private renters are working, but their wages to rent ratio is too low, and they need to have support to cover the costs of their accommodation.

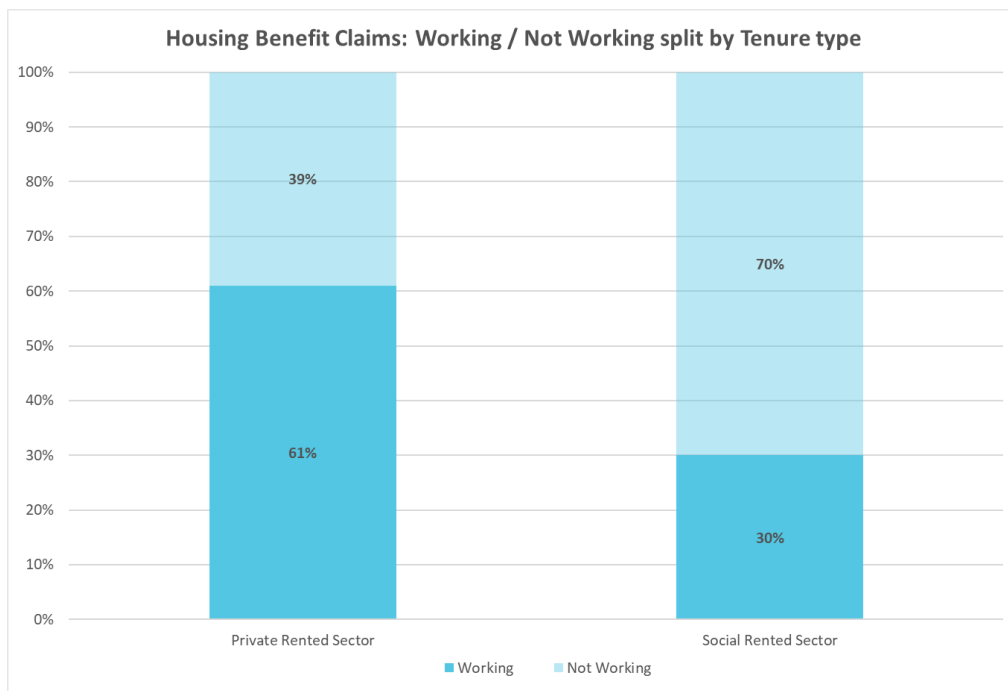


Figure 2- Housing Benefit Claims: Working / Not Working Split by Tenure<sup>9</sup>

3.12 The borough has the second highest level of Discretionary Housing Payment for Universal Credit in the country, after Birmingham. Discretionary Housing Payment is a payment you can receive at the discretion of your local authority which can help towards housing costs. It is available to people who are not receiving enough to cover their rent and is only paid to those who are entitled to Housing Benefit or the Housing Costs element of Universal Credit. The roll out of Universal Credit to replace Housing Benefit started in Enfield in 2017 and is ongoing.

## 4. Current housing enforcement in Enfield

### Rogue landlord project

4.1 Enfield has a good history of tracking down and enforcing against criminal landlords. We have previously received funding from central government to target criminal landlords and agents operating in the borough. The funding has enabled us to obtain a better insight to the extent of the issues affecting tenants living in the private rented sector; the negative impacts this has on the health and safety of the tenants living in dangerous and overcrowded properties and the environmental impacts, such property related ASB. This work has also uncovered criminality relating to modern day slavery, exploitation, and benefit fraud. This type of criminal activity has a direct impact on issues such as harassment, intimidation, threats and illegal evictions. These are not landlords who are unaware of their responsibilities or who are inexperienced. These

<sup>9</sup> Source: DWP reporting tool – Stat-Xplore 2019, LB of Enfield – Information & Research Team



criminal landlords have a disproportionate effect on the lives of residents and communities in Enfield.

4.2 Evidence from this project shows that poor regulation of privately rented homes results in the lowering of standards, often to the point where the safety of the occupants is at risk. This is particularly noticeable at the bottom end of the market where some of the most vulnerable members of the community, many of which are migrants, are forced to rent as they have no alternatives. It is only when the local authority intervenes that compliance is achieved.

4.3 Cases investigated as part of the Rogue landlord project, between 2017 and 2019, have uncovered a significant number of sub-standard and overcrowded accommodation, unlicensed HMOs and illegal outbuildings/beds in sheds. So far, the project has inspected 4,259 properties in which we have:

- Identified 104 outbuildings that are lived in
- Prohibited 118 buildings/rooms used as sleeping accommodation as they are either unsuitable for human habitation; below the minimum room size or access is situated in a high risk area, such as a kitchen.
- Reduced overcrowding in 137 properties.
- Identified and removed 3,267 hazards. The main hazards identified;
  - Electrical hazards
  - Fire risk (hazards associated with badly installed electrical installations and where escape routes are via high risk areas)
  - Damp and mould
  - Excess cold
  - Overcrowding
- Brought into licensing 173 HMOs, providing 1,007 rooms for sleeping accommodation for 1,016 households. It has been found that an increasing number of families with dependent children are now living in HMOs.
- 2,821 Notices served for housing and planning enforcement offences.
- 39 prosecutions and proceeds of crime amounting to £128,280.

4.4 In collaboration with an independent charitable organisation the project funding also assisted vulnerable tenants at risk of harassment and unlawful eviction by landlords who do not use the legal route to end a tenancy. So far, the project has helped to sustain 42 private rented tenancies; improving conditions in their homes and dealing with harassment and unlawful evictions.

4.5 In one case, the accommodation was in such poor condition that a prohibition order was served and the family was assisted with sourcing other housing options. An emergency injunction was sought against another landlord to prevent him from entering the property and harassing the tenant to leave because the housing benefit had been reduced. In another case involving an illegal eviction the landlord moved other occupiers into the tenants' flat to increase his rental income and threatened the tenant when they objected. An injunction was obtained against this landlord on behalf of the tenants.

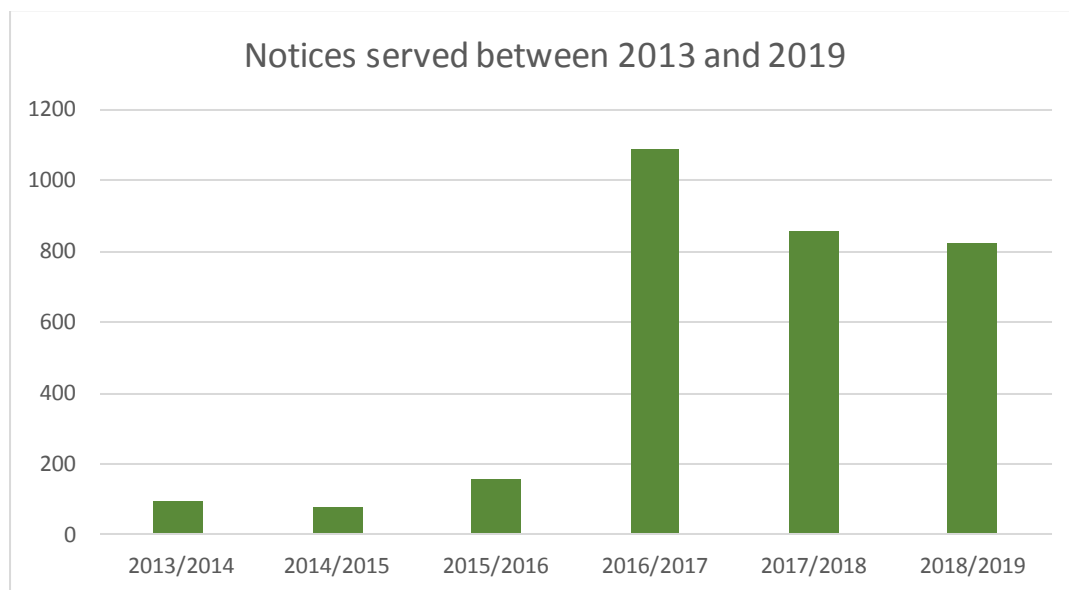
4.6 Whilst this project tackles the worst of the worst, this should not detract from the many properties across the borough that suffer from poor property conditions,

and have property-related ASB, which are affecting the lives of both tenants and neighbours in the borough.

## Overall Enforcement

4.7 The Council could decide to do nothing. However, poor housing conditions are significant and likely to increase further as the private rented sector continues to grow in the borough. The Council could continue to rely on Part 1 Housing Act 2004 enforcement powers and Public Health powers alone. The Council has undertaken significantly increased levels of enforcement to improve private rented properties in the last 3 years but despite this, large scale improvements are still needed in the sector.

4.8 The Council has increasingly used existing enforcement powers to deal with property conditions and management, but this response is mainly reactive. At the moment the council relies heavily on receipt of complaints to identify which properties are privately rented and are in poor condition, overcrowded and are being badly managed. The continuing increase and high number of service requests and incidences of ASB in the private rented sector indicate that current enforcement measures are not sufficient on their own. Additional and selective licensing will assist in identifying which properties to target for inspection and to bring into compliance, and help us to raise standards and improve conditions in the private rented sector. Licensing provides clear guidance for landlords on the expected standards for property conditions and management.



**Figure 3 - Housing Enforcement Notices served between 2013/14 and 2018/19**

## 5. Property Licensing – Regional Context

5.1 Enfield is bordered by boroughs that have property licensing already in place or are planning to introduce a scheme in the near future. Haringey, Newham, Redbridge, Barking & Dagenham have recently designated borough-wide or large areas as subject to licensing schemes. Waltham Forest and Havering have either recently consulted or are currently consulting on new schemes. Aside from the evidence to support the need for licensing schemes, contextually Enfield is potentially vulnerable to criminal landlords who operate across borough boundaries, transferring their operations into the borough.



Figure 4 - Map of London showing current selective licensing and additional licensing in other boroughs

London Borough	Existing Selective Licensing	Existing Additional Licensing	Proposed Licensing	Selective	Proposed Licensing	Additional
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London Borough	Existing Selective Licensing	Existing Additional Licensing	Proposed Selective Licensing	Proposed Additional Licensing
Barking and Dagenham	Yes	Yes	New borough wide scheme 1 <sup>st</sup> Sept 2019	Propose to consult in the near future (TBC)
Barnet	No	Yes		
Bexley	Yes	No		
Brent	Yes	Yes	Consultation closed on 25 <sup>th</sup> Aug- renewal in 3 wards and extend to further 10 wards	Consultation closed on 25 <sup>th</sup> Aug- renewal borough wide
Bromley	No	No		
Camden	No	Yes		
City of London	No	No		
Croydon	Yes	No		
Ealing	Yes	Yes		
Enfield	Proposed	Proposed		
Greenwich	No	Yes		
Hackney	Yes	Yes		
Hammersmith & Fulham	Yes	Yes		
Haringey	Yes	Yes		
Harrow	Yes	Yes		
Havering	No	Yes		
Hillingdon	No	Yes		
Hounslow	No	Expired May 2019		Consultation closed on 3 <sup>rd</sup> April 2019 to continue existing scheme
Islington	No	Yes	Consultation closes on 3 <sup>rd</sup> Nov 2019 to introduce in 1 ward	Consultation closes on 3 <sup>rd</sup> Nov 2019 for borough wide scheme
Kensington & Chelsea	No	No		
Kingston	No	Yes		
Lambeth	No	No		
Lewisham	No	Yes	Consultation closed on 21 <sup>st</sup> Aug 2019 for	Consultation closed on 21 <sup>st</sup> Aug 2019 for

London Borough	Existing Selective Licensing	Existing Additional Licensing	Proposed Selective Licensing	Proposed Additional Licensing
			borough wide scheme	borough wide scheme
Merton	No	No		
Newham	Yes	Yes		
Redbridge	Yes	Yes		
Richmond	No	No		
Southwark	Yes	Yes		
Sutton	No	No		
Tower Hamlets	Yes	Yes		
Waltham Forest	Yes	Yes	Consultation closed on 29 <sup>th</sup> April 2019 to continue in 18 wards	Consultation closed on 29 <sup>th</sup> April 2019
Wandsworth	No	No		
Westminster	No	No		

Table 2 - London Boroughs with Selective and Additional Licenses and proposing schemes

## 6. Property Licensing – Statutory provisions

6.1 Parts 2 and 3 of the Housing Act 2004 provide for the licensing of privately rented properties. There are three different licensing schemes under the Act. These are a national ‘mandatory’ scheme that applies to certain Houses in Multiple Occupation (HMOs) and two discretionary schemes (additional or selective) that local authorities can designate at a local level. A summary of these different schemes is set out below.

### Mandatory HMO Licensing

6.2 Under Part 2 of the 2004 Act, those who manage or have control of HMOs falling within a prescribed, statutory description must obtain a licence authorising their occupation. Most HMOs occupied by five or more persons forming two or more households, who share amenities such as kitchens or bathrooms, fall within the scope of mandatory HMO licensing. As the licensing of HMOs falling within the statutory description is mandatory, we are not consulting about it.

### Additional HMO Licensing (discretionary)

6.3 Part 2 of the 2004 Act also allows local authorities to designate an area as subject to additional licensing, requiring those managing or having control of HMOs, that are not subject to mandatory licensing but fall within a description set

by the local authority, to acquire a licence authorising their occupation. In order to make an additional licensing scheme, the local authority must consider that a significant proportion of the HMOs in the area are being managed ineffectively, so as to give rise to one or more particular problems, either for those occupying the HMOs or for the public. Before making a designation, the authority must also, among other matters:

- take reasonable steps to consult persons who are likely to be affected by the designation; and
- consider any representations made in accordance with the consultation and not withdrawn.

6.4 There are also HMOs defined under Section 257 Housing Act 2004; (a building converted into self-contained flats but does not meet the standards of conversion required by the Building Regulations 1991, and where less than two thirds of the flats are owner occupied). It is estimated that a very small number of HMOs will fall into this category and on this basis, Section 257 HMO's are not being considered in the proposed Additional licensing scheme.

### Selective Licensing (discretionary)

6.5 Under Part 3 of the 2004 Act, local authorities may also designate an area as subject to selective licensing, requiring those managing or having control of privately rented accommodation that does not have to be licensed under other licensing schemes, to obtain a licence to let their property. In order to designate an area as a selective licensing area, the local authority must be satisfied that certain, prescribed conditions are met.

6.6 In summary, the designated area must be experiencing one or more of the following:

- low housing demand (or likely low housing demand in the future);
- a significant and persistent problem caused by ASB;
- poor property conditions;
- high levels of migration;
- high levels of deprivation; and/or
- high levels of crime.

In addition, the area must have a high proportion of property in the private rented sector (PRS) that is let under either assured tenancies or licences.

6.7 Further, when considering whether to designate a selective licensing area the local housing authority must:

- take reasonable steps to consult persons who are likely to be affected by the designation, and,
- consider any representations made in accordance with the consultation

6.8 If a proposed designation covers more than 20% of an authority's geographical area or would affect more than 20% of the privately rented homes in the area, the local authority must apply to the Secretary of State for confirmation of the scheme.

6.9 Further, when considering whether to make an additional or selective licensing designation a local housing authority must identify the objective or objectives that a designation will help it to achieve. In other words it must identify whether the area is suffering problems that are caused by or attributable to any of the criteria for making the designation and how it expects the designation to help resolve them. The local authority must also consider whether there are any alternative courses of action that would meet its objectives without, or as well as, the need for a designation; and it must ensure that its approach is consistent with its housing strategy and its approach to empty properties, homelessness and anti-social behaviour.

## **7. About this consultation**

7.1 We are therefore proposing to licence privately rented properties in the 14 wards with the most issues with property conditions, deprivation and property-related ASB. Further, we propose to designate the whole borough as subject to additional licensing so that problems associated with HMOs in particular, are addressed directly and effectively. These licensing schemes will allow us to more effectively regulate and improve the management, use, occupation and condition of privately rented homes.

7.2 This consultation paper outlines our proposals and preferred approach. We will listen carefully and consider the results of the consultation before making a decision.

7.3 The consultation is open to all residents, tenants, landlords, agents, businesses and interested parties in Enfield and outside of the borough.

## **8. Proposed licensing designations**

8.1 The Council has compiled an evidence base that enables it to predict, on a ward by ward basis, the number of privately rented homes in an area and the likely incidence and spread of, for example, Category 1 housing hazards, deprivation and ASB. This evidence base, coupled with other available information from the Council's current enforcement, demonstrates that the borough would benefit from the following licensing schemes:

- Two selective licensing schemes covering 14 wards (Bowes, Chase, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton); and
- A borough-wide additional HMO licensing scheme.

## **9. The proposed Selective Licensing scheme**

9.1 Our predictive data shows that all the wards in the borough meet the criteria for selective licensing, in that they have over the national average of private rented sector and they meet at least one other criteria. However, we have used a

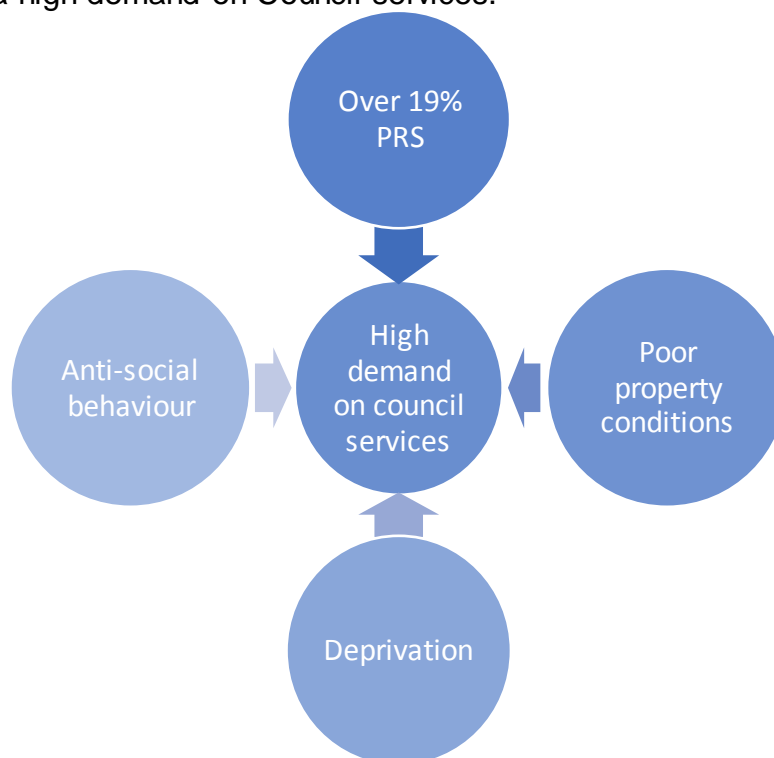
combination of data to select the wards that have the most issues in the private rented sector, and which, as a result, most affect the quality of life for tenants and residents, and make the most demands on council services. Instead of going for a borough-wide designation, we have used the evidence to select the 14 wards that have the highest levels of issues. The 14 wards that are being proposed for the selective licensing scheme:

- have a high proportion of privately rented homes compared with the national average of 19%<sup>10</sup>;
- have homes which are let on assured tenancies or licences;
- have high levels of poor property conditions in the area and the Council proposes to inspect in order to take any necessary enforcement action;
- are areas experiencing high levels of deprivation;

13 of the 14 wards are also:

- areas experiencing a *significant and persistent* problem caused by anti-social behaviour, that some or all of the private sector landlords who have let premises in the area are failing to take action to combat the problem that it would be appropriate for them to take.

9.2 The combination of these issues results in the rented properties in the 14 wards placing a high demand on Council services.



**Figure 5 - Factors in housing leading to high demand for council services**

9.3 The selective licensing scheme, comprising two designations, is proportionate, justifiable and based on evidence. The scheme will enable us to tackle the problems we are experiencing in the borough's housing and really help us to make an improvement to the quality of life for those privately renting in the borough.

<sup>10</sup> English Housing Survey, Headline Report 2017-18



9.4 The wards that are proposed to be included in the selective licensing scheme are:

**Designation 1** (light blue in Table 3) has poor property conditions, deprivation and ASB: Bowes, Edmonton Green, Enfield Highway, Enfield Lock, Haselbury, Jubilee, Lower Edmonton, Palmers Green, Ponders End, Southbury, Southgate Green, Turkey Street and Upper Edmonton.

**Designation 2** (dark blue in Table 3) has poor property conditions and deprivation: Chase

Ward	Above 19% PRS	Poor property Conditions	Deprivation – based on IMD ranking	Significant Anti-Social Behaviour	Designation 1	Designation 2
BOWES	✓	✓	12	✓	Yes	
BUSH HILL PARK	✓	✓	18			
CHASE	✓	✓	11			Yes
COCKFOSTERS	✓	✓	16	✓		
EDMONTON GREEN	✓	✓	1	✓	Yes	
ENFIELD HIGHWAY	✓	✓	8	✓	Yes	
ENFIELD LOCK	✓	✓	7	✓	Yes	
GRANGE	✓	✓	21			
HASELBURY	✓	✓	6	✓	Yes	
HIGHLANDS	✓	✓	15			
JUBILEE	✓	✓	9	✓	Yes	
LOWER EDMONTON	✓	✓	4	✓	Yes	
PALMERS GREEN	✓	✓	13	✓	Yes	
PONDERS END	✓	✓	5	✓	Yes	
SOUTHBURY	✓	✓	10	✓	Yes	
SOUTHGATE	✓	✓	17			
SOUTHGATE GREEN	✓	✓	14	✓	Yes	
TOWN	✓	✓	19			
TURKEY STREET	✓	✓	3	✓	Yes	
UPPER EDMONTON	✓	✓	2	✓	Yes	
WINCHMORE HILL	✓	✓	20			

Table 3 - Summary designation criteria by ward

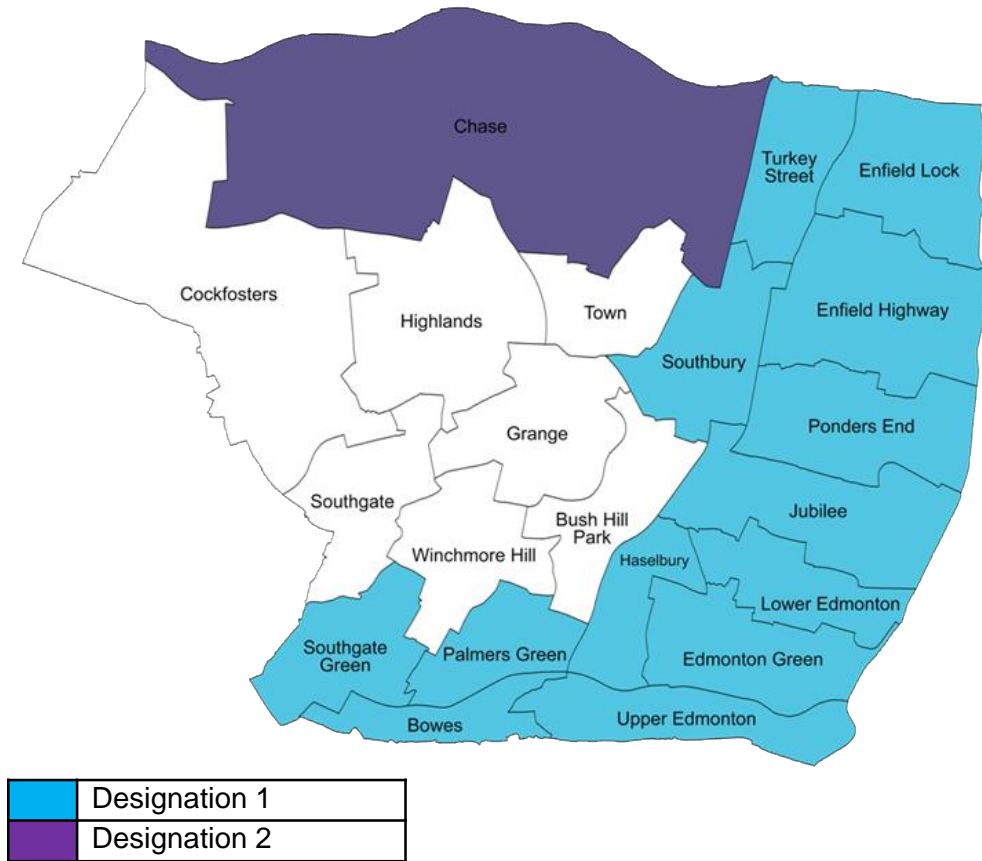


Figure 6 - Map showing the wards in the proposed selective licensing designations

9.5 We are satisfied that the private rented properties are, or are likely to be, let under assured tenancies or licences, not least because assured shorthold tenancies (ASTs) – a species of assured tenancy governed by the Housing Act 1988 – are the most common type of tenancy agreement by which privately rented properties are let. From our housing enforcement work, the vast majority of the properties are let under ASTs as opposed to licence agreements.

## 10. Qualifying criteria – Area has a high proportion of property in the private rented sector

10.1 In considering whether to designate an area for selective licensing the area must have a high proportion of property in the private rented sector. Nationally the private rented sector currently makes up 19% of the total housing stock in England<sup>11</sup>. In Enfield, the level is much higher with 34% of properties currently predicted to be privately rented. Whilst the levels vary across the borough, all wards have over the national average with Bowes having the highest percentage of rented properties at 44.4%. The level of private rented sector in each ward is shown in the graph below (Figure 7).

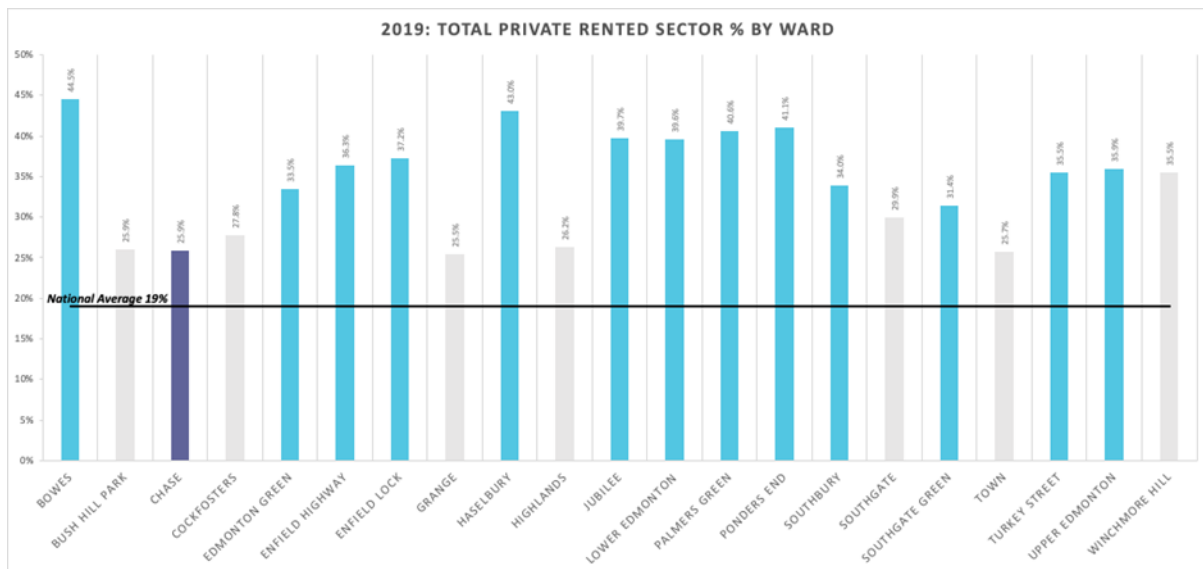


Figure 7 - Graph showing the predicted level of PRS by ward<sup>12</sup>

<sup>11</sup> English Housing Survey Headline Report, 2017-18

<sup>12</sup> Housing Stock Report, Metastreet 2019

## 11. Qualifying criteria – Area experiencing poor property conditions

11.1 Nationally, the condition of properties in the private rented sector continues to be worse than other housing sectors. Category 1 hazards are serious housing hazards, including significant damp and mould, electrical hazards, fire safety hazards and excess cold. These types of hazard require urgent remedy to protect tenants' health and safety.

11.2 A national survey showed that over a quarter (27%) of privately rented homes in England fell below the Decent Homes Standard in 2016; 20% had serious disrepair and 15% of privately rented dwellings had at least one serious Category 1 hazard, assessed using the Housing Health and Safety Rating system (HHSRS) under Part 1 of the 2004 Housing Act<sup>13</sup>. The rates of disrepair in the privately rented homes are approximately double that of socially rented homes (10%) and of owner-occupied homes (11%).

11.3 In Enfield, the situation is worse than the national picture. The following graph shows the percentage of predicted private rented sector with Category 1 Hazards. Every ward has over the national average of 15%, with the worst wards having 35-40% of rented properties with these serious hazards.

11.4 All of the wards in both designation one and designation two have over the national average of category 1 hazards.

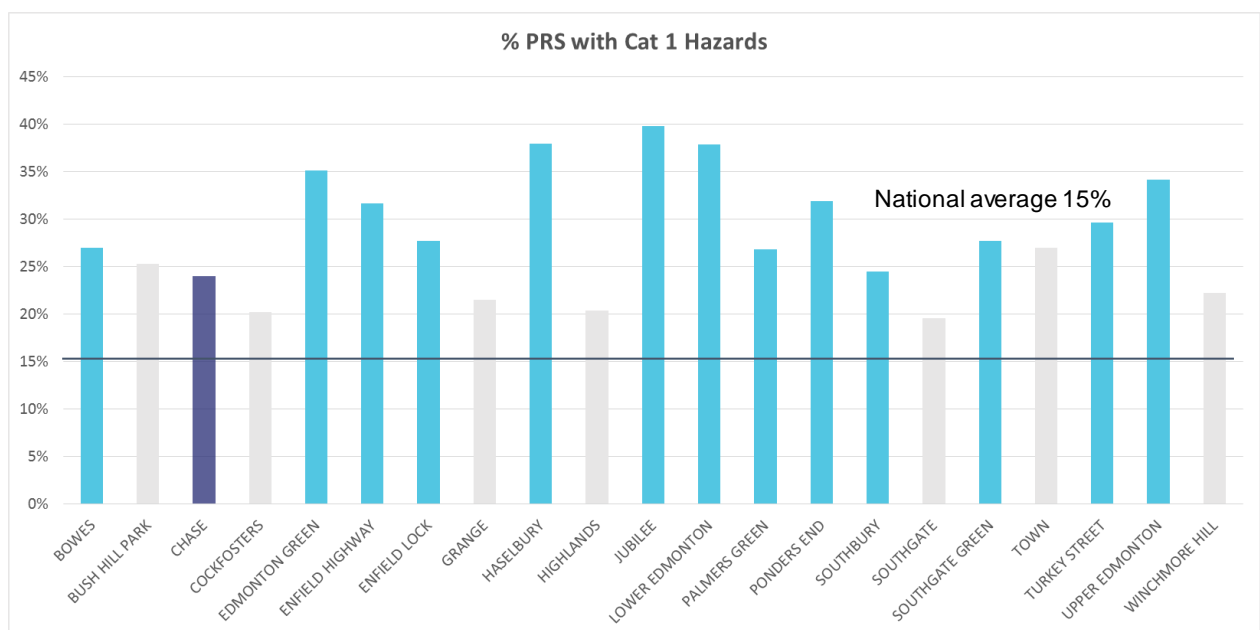


Figure 8 - Percentage of properties with Cat 1 hazards by ward<sup>14</sup>

11.5 Figure 8 uses data from the council database including complaints about property conditions, housing enforcement data and nationally available Energy Performance Certificates (EPC) data.

<sup>13</sup> English Housing Survey Private Rented Sector 2016/17

<sup>14</sup> Metastreet 2019

11.6 When compared to other nearby and comparable boroughs (Table 4), it is clear that the condition of privately rented properties in Enfield is not only worse than the national picture, but is worse than many other London boroughs.

Borough	% of rented properties with Cat 1 Hazards
<b>Enfield</b>	<b>28%</b>
Lewisham	23%
Waltham Forest <sup>15</sup>	22%
Barking & Dagenham	22%
Newham	20%
Havering	19%
Croydon	17%
Redbridge	16%
Hackney	11%

Table 4 - Level of Cat 1 Hazards in London boroughs

Ward	PRS Dwellings	% PRS	Cat 1 Hazards	% PRS with Cat 1 Hazards
BOWES	2,657	44.5%	716	27%
BUSH HILL PARK	1,497	25.9%	379	25%
CHASE	1,507	25.9%	362	24%
COCKFOSTERS	1,591	27.8%	321	20%
EDMONTON GREEN	2,387	33.5%	838	35%
ENFIELD HIGHWAY	2,217	36.3%	701	32%
ENFIELD LOCK	2,529	37.2%	700	28%
GRANGE	1,477	25.5%	317	21%
HASELBURY	2,573	43.0%	976	38%
HIGHLANDS	1,559	26.2%	317	20%
JUBILEE	2,164	39.7%	861	40%
LOWER EDMONTON	2,513	39.6%	952	38%
PALMERS GREEN	2,578	40.6%	691	27%
PONDERS END	2,480	41.1%	791	32%
SOUTHBURY	2,070	34.0%	506	24%
SOUTHGATE	1,909	29.9%	374	20%
SOUTHGATE GREEN	1,790	31.4%	496	28%
TOWN	1,670	25.7%	451	27%
TURKEY STREET	1,974	35.5%	585	30%
UPPER EDMONTON	2,386	35.9%	814	34%
WINCHMORE HILL	2,018	35.5%	448	22%
<b>BOROUGH TOTAL</b>	<b>43,546</b>	<b>34.1%</b>	<b>12,596</b>	<b>29%</b>
<b>BOROUGH AVERAGE</b>			<b>600</b>	<b>28%</b>

Table 5 - The predicted distribution of Cat 1 Hazards by ward<sup>16</sup>

11.7 Poor housing is known to have a detrimental effect on inhabitants' physical and mental health. Cold, overcrowding and damp are the three biggest factors affecting physical health causing respiratory problems, such as asthma, cardiovascular problems and a bigger risk of infectious diseases. The cost of

<sup>15</sup> <https://democracy.walthamforest.gov.uk/> Waltham Forest Selective and Additional Licensing, Appendix 3, Evidence Pack Used to Accompany the Consultation February 2019

<sup>16</sup> Metastreet 2019

poor housing to the NHS in England is estimated to be around £2bn/year<sup>17</sup>. In addition, people with mental health conditions are one and a half times more likely to live in rented housing, compared to the general population and mental ill health is frequently cited as a reason for tenancy breakdown. Housing problems are often given as a reason for a person being admitted, or readmitted, to inpatient care<sup>18</sup>.

11.8 The effect of poor housing is even more pronounced in children. Living with multiple housing problems increases children's risk of ill-health and disability by up to 25% during childhood and early adulthood<sup>19</sup>. We have a growing number of young families forced into living in the cheapest, poorest housing in the borough.

### *How licensing will help improve property conditions*

11.9 We want to work positively with landlords to ensure that they bring their properties up to standard. However, for those landlords who fail to comply with the licence conditions, licensing will provide a robust enforcement framework that will allow the Council to hold them to account for the condition of their properties. Licensing gives the Council a quicker and more robust means to enforce non-compliance with licence conditions, which acts as an incentive for landlords to comply with what is required.

The scheme objectives relating to the improvement of property conditions can be found on page 43.

## **12. Qualifying criteria – Area experiencing deprivation**

12.1 Enfield is the 12th most deprived borough in London and the 64th in England, based on the government's indices of deprivation. The levels of deprivation have got worse since 2010 when Enfield was the 14th most deprived borough in London. The wards included in the proposed selective licensing scheme are the most deprived 14 wards in the borough. They are all in the most deprived 50% of wards in England.

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<sup>17</sup> The Cost of Poor Housing to the NHS, BRE, 2014

<sup>18</sup> NHS Confederation, 2011, Issue 233

<sup>19</sup> Chance of a lifetime: The impact of bad housing on children's lives, Shelter 2006

Wards	Deprivation Rank	Deprivation Rank within Borough	Deprivation Rank within London	Deprivation Rank within England
Edmonton Green	1	1st most deprived	10% most deprived	10% most deprived
Upper Edmonton	2	2nd most deprived	10% most deprived	10% most deprived
Turkey Street	3	3rd most deprived	10% most deprived	10% most deprived
Lower Edmonton	4	4th most deprived	10% most deprived	10% most deprived
Ponders End	5	5th most deprived	20% most deprived	20% most deprived
Haselbury	6	6th most deprived	20% most deprived	20% most deprived
Enfield Lock	7	7th most deprived	20% most deprived	20% most deprived
Enfield Highway	8	8th most deprived	20% most deprived	20% most deprived
Jubilee	9	9th most deprived	30% most deprived	20% most deprived
Southbury	10	10th most deprived	30% most deprived	20% most deprived
Chase	11	11th most deprived	40% most deprived	30% most deprived
Bowes	12	12th most deprived	60% most deprived	40% most deprived
Palmers Green	13	13th most deprived	60% most deprived	40% most deprived
Southgate Green	14	14th most deprived	40% least deprived	50% most deprived
Highlands	15	15th most deprived	30% least deprived	50% most deprived
Cockfosters	16	16th most deprived	30% least deprived	50% least deprived
Southgate	17	17th most deprived	30% least deprived	50% least deprived
Bush Hill Park	18	18th most deprived	30% least deprived	50% least deprived
Town	19	19th most deprived	30% least deprived	50% least deprived
Winchmore Hill	20	20th most deprived	30% least deprived	40% least deprived
Grange	21	21st least deprived	20% least deprived	40% least deprived

Designation cut off

Table 6 - Deprivation ranking by ward<sup>20</sup>

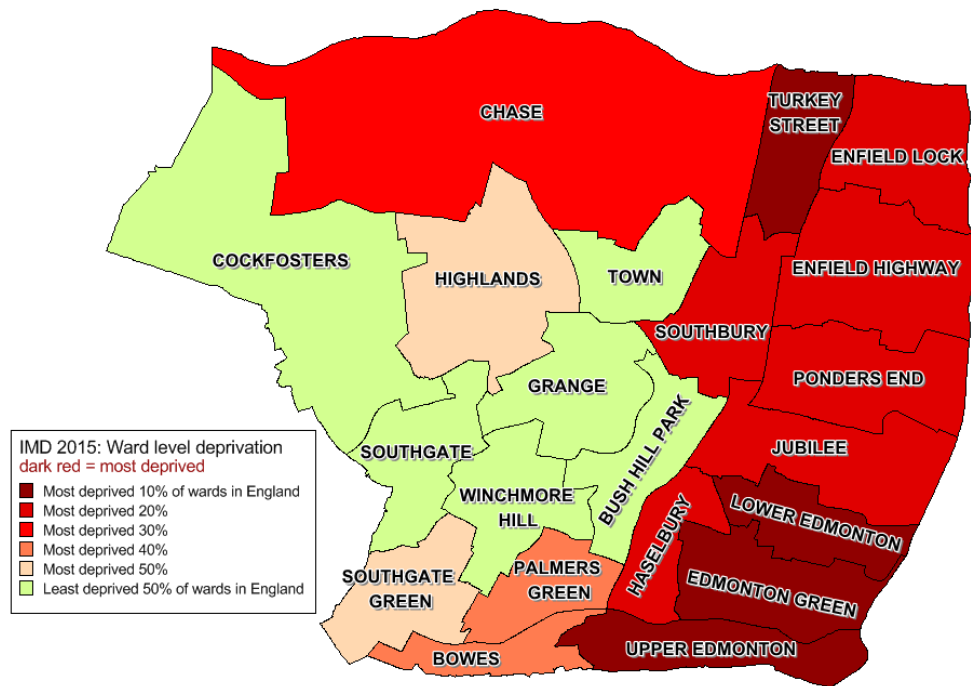


Figure 9 - Map of wards in Enfield showing deprivation levels

12.2 When assessing if an area suffers from a high level of deprivation, the following elements can be taken into consideration:

- the employment status of adults;
- the average income of households;

<sup>20</sup> IMD 2015

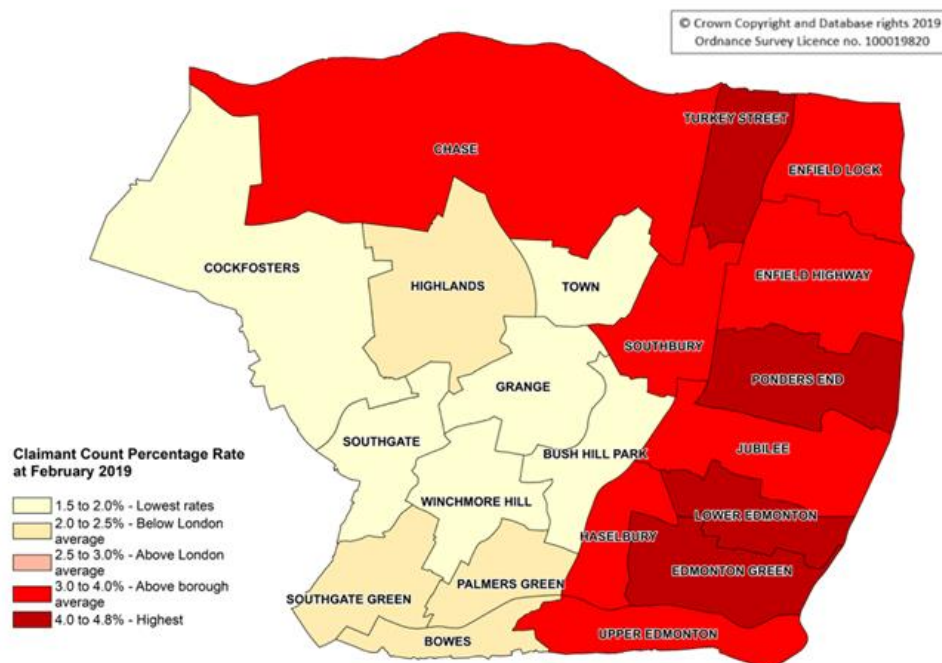
- **the health of households;**
- the availability and ease of access to education, training and other services for households;
- **housing conditions;**
- the physical environment;
- **levels of crime.**

12.3 The Council holds good data on the criteria in bold, and all of the wards in the designations have high levels of a combination of these factors.

### *Employment status*

12.4 The employment level of working age people in Enfield is below both the London and national averages. In the year to December 2018, only 69.6% of 16-64 year olds were employed compared to 74.3% in London and 75% across the UK. Of those who are considered 'economically inactive' in the borough, 27% want a job, compared to 21.7% in London and 20.8% in the UK.

12.5 This is backed up by the number of people claiming unemployment benefit in the borough. The map (Figure 10) shows the levels of unemployment benefit claims by ward. It clearly shows the majority of the wards in the proposed designations, which also have the highest private rented sector levels, have the highest levels of unemployed people claiming benefit.



**Figure 10- Unemployment benefit claimant count % rate by ward**

### *Average income of households*

12.6 Enfield is the 4th worst of the London boroughs for low pay. 31% of workers do not earn a living wage; this is 9 percentage points higher than the London average<sup>21</sup>. This is reflected in the number of households surviving on less than £15,000 per year (see below).

<sup>21</sup> <https://www.trustforlondon.org.uk/data/boroughs/enfield-poverty-and-inequality-indicators/>



12.7 The graph (Figure 11) shows that the wards included in the proposed selective licensing designations have the highest number of households living on an income of less than £15,000 per year. The black line represents the borough average showing those wards above and below the average.

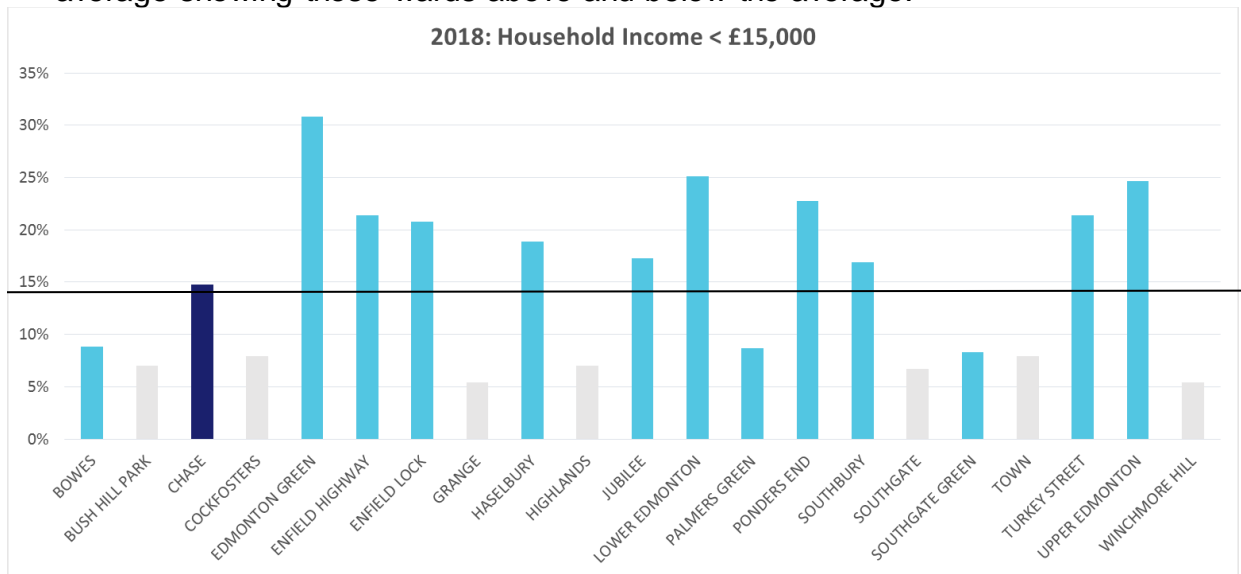


Figure 11 - % of households living on less than £15,000/year<sup>22</sup>

12.8 Figure 12 shows that the wards in the proposed designations have the highest percentage of children living in low income families.

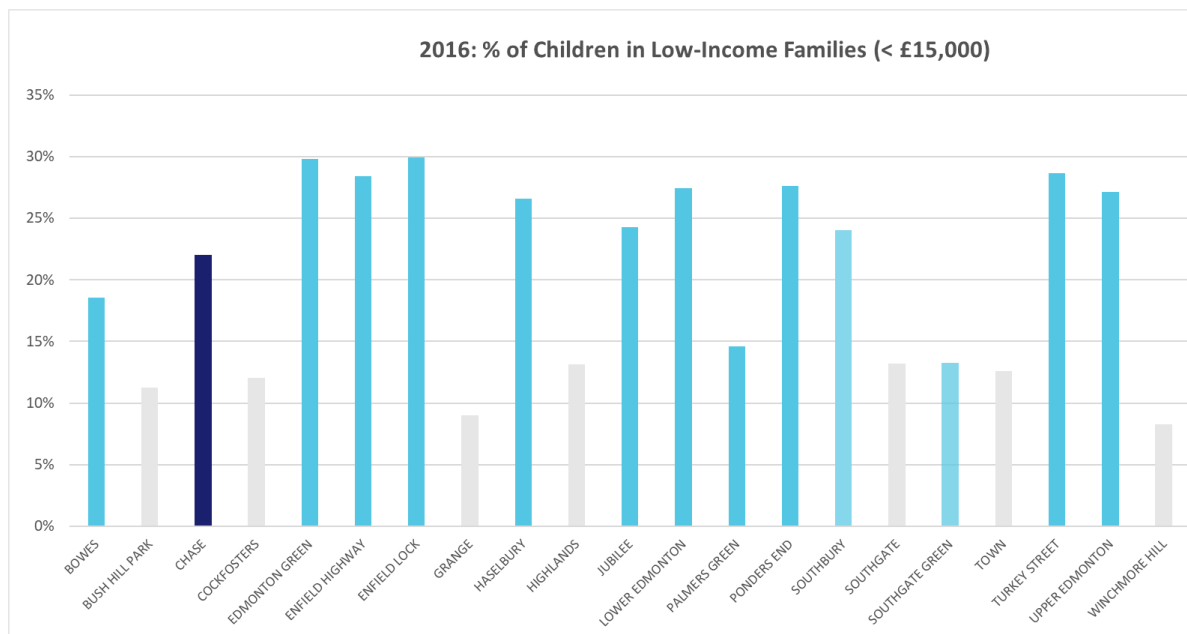


Figure 12 - % of children in low income families by ward<sup>23</sup>

12.9 The ward data gives a borough average of 20.1%. This compares to a UK figure of 18% for children living in households on absolute low income, before housing costs<sup>24</sup>. This shows that Enfield, on average, has more children living in poverty than the rest of the UK.

<sup>22</sup> CACI Paycheck, 2018

<sup>23</sup> HMRC 2016

<sup>24</sup> Households below average income: an analysis of the income distribution 1994/95 to 2017/18, DWP 2019

*The health of households*

12.10 Obesity in children can be viewed as a proxy for poor health outcomes related to deprivation. Enfield has one of the highest levels of childhood obesity in north London with 41.1% of Year 6 children being classed as obese in the borough. The wards with the highest levels of childhood obesity also have the higher levels of private rented sector.

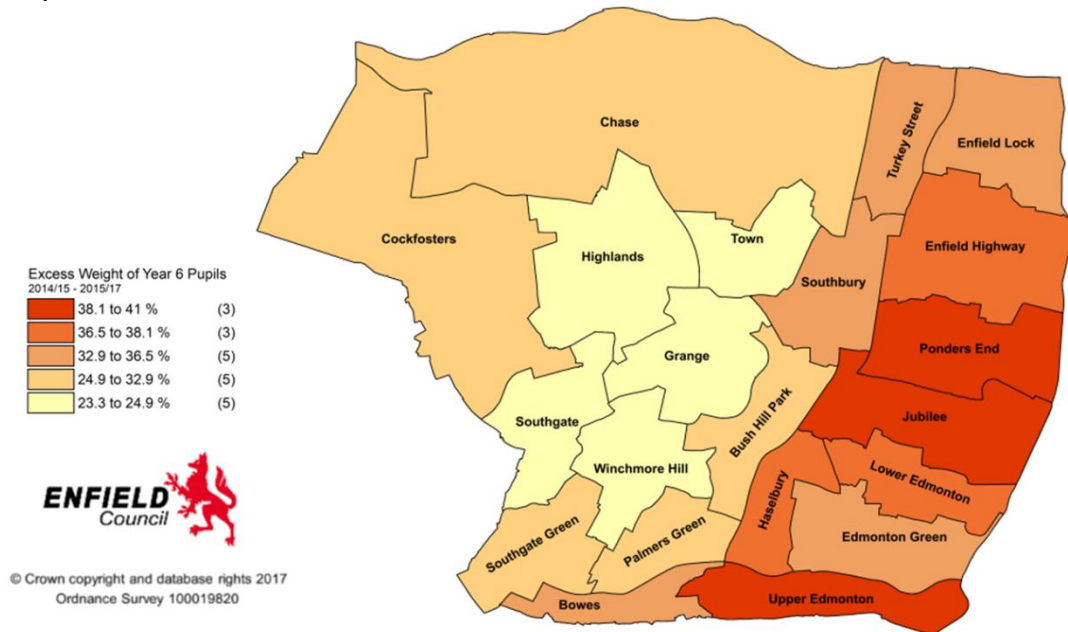


Figure 13 - Map of wards in Enfield showing rates of childhood obesity

North Central London STP	Reception Year Prevalence	Year 6 Prevalence
<b>Enfield</b>	<b>24.9%</b>	<b>41.1%</b>
Islington	21.4%	38.4%
Haringey	22.1%	37.8%
Camden	21.2%	36.1%
Barnet	20.0%	33.1%
London	21.8%	37.7%
England	22.4%	34.3%

Table 7 - Prevalence of childhood obesity in North London boroughs, London and England

*Housing conditions*

12.11 As shown above, all wards in the borough have poor property conditions with high levels of serious hazards. Figure 14 below shows the level of private rented properties that have presented to the Council with a property condition issue or have required the Council to intervene over an issue. The wards with the highest rate of issues are included in the designations.

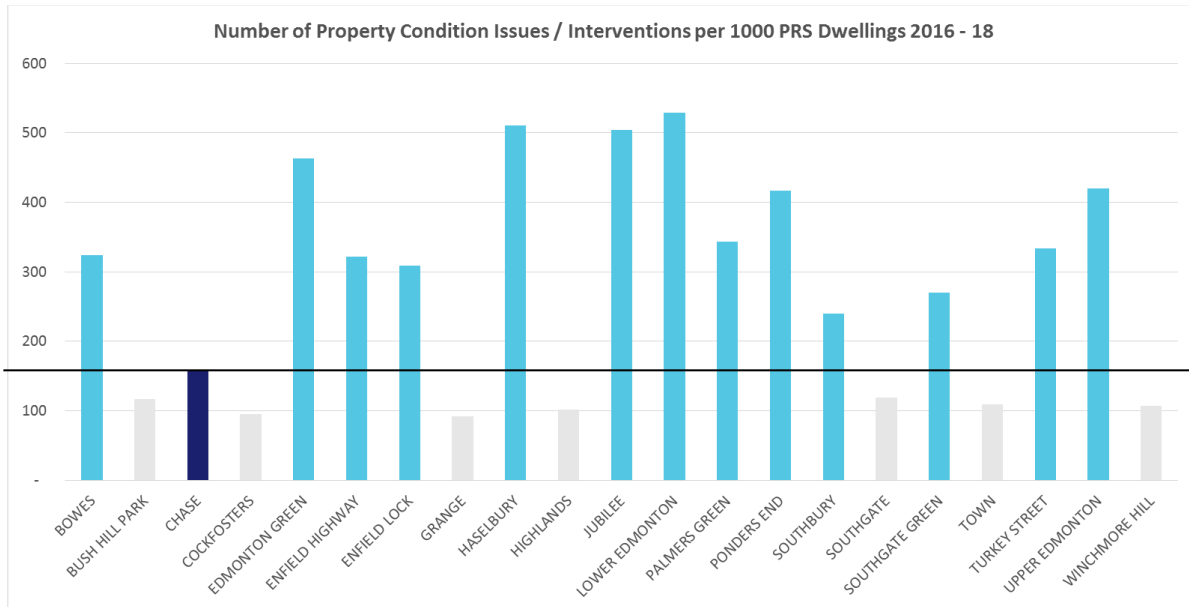


Figure 14 - The rate of private rented properties with property condition issues / interventions (measured per 1,000 dwellings)<sup>25</sup>

### Levels of Crime

12.12 The Police crime data (Figure 15: ASB-related crime only) shows that the wards with the highest PRS also have the higher incidence of crime.

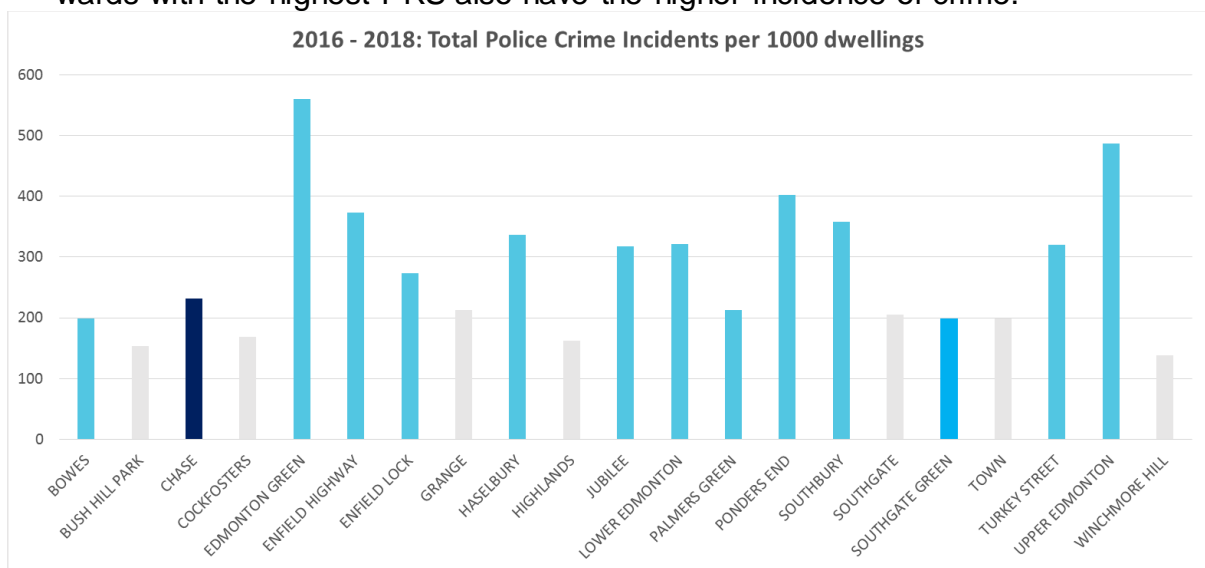


Figure 15 - Incidence of ASB crime by ward<sup>26</sup>

<sup>25</sup> Metastreet 2019

<sup>26</sup> Police Crime Data, Community Safety Unit

*How licensing will help with deprivation*

12.13 High levels of deprivation in Enfield are exacerbated by housing issues such as overcrowding, disrepair and ASB. Licensing can make a direct and tangible difference to this by:

- Reducing overcrowding that has an impact on the physical and mental health of residents, as well as affecting the academic development of children and young people who have no space to study;
- Reducing Category 1 and 2 hazards, specifically damp, mould and excess cold that affect health;
- Ensure there are adequate amenities for the size of the household;
- Address properties that have an EPC rating of F or G, to ensure they are brought up to a minimum legal standard, helping families who are in fuel poverty.

12.14 Poorer families have little choice about the quality and size of the home they rent, with more and more families being forced into cheaper HMO accommodation. Licensing helps us to set minimum standards for occupation, fire safety and property management. More importantly, it provides the resources to enforce those standards. The licence would clearly state the Maximum Permitted Occupancy of a property and the licence conditions will limit the number of people allowed to live in a property as well as limit the use of certain rooms, such as kitchens, for sleeping.

The scheme objectives relating to deprivation can be found on page 43.

### 13. Qualifying criteria – Area experiencing a significant and persistent problem caused by anti-social behaviour (ASB)

**Note: This criterion only applies to the wards in Designation 1 and does not include Chase ward in Designation 2.**

13.1 The types of ASB that we are referring to here are specifically related to the property and its occupants, or its immediate vicinity. When this type of ASB is carried out by tenants, we expect a landlord to address the issues with them. The types of ASB include<sup>27</sup>:

- intimidation and harassment of tenants or neighbours;
- noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity;
- animal related problems;
- vehicle related nuisance;
- anti-social drinking or prostitution;
- illegal drug taking or dealing;
- graffiti and fly tipping; and
- litter and waste within the curtilage of the property.

13.2 The private rented sector has much higher levels of ASB than properties owned by Housing Associations and the Council. Owner occupied homes have the lowest levels.

Tenure type	Levels of ASB (whole borough)
Private rented (PRS)	7,352
HMOs (subset of PRS)	2,384
Social housing (Housing Association and Council)	2,170
Owner occupied	696

Table 8 - Levels of ASB in Enfield by tenure type <sup>28</sup>

<sup>27</sup>Selective licensing in the private rented sector, A Guide for local authorities, 2015, Department for Communities and Local Government

<sup>28</sup>Metastreet Predictive Model, 2018

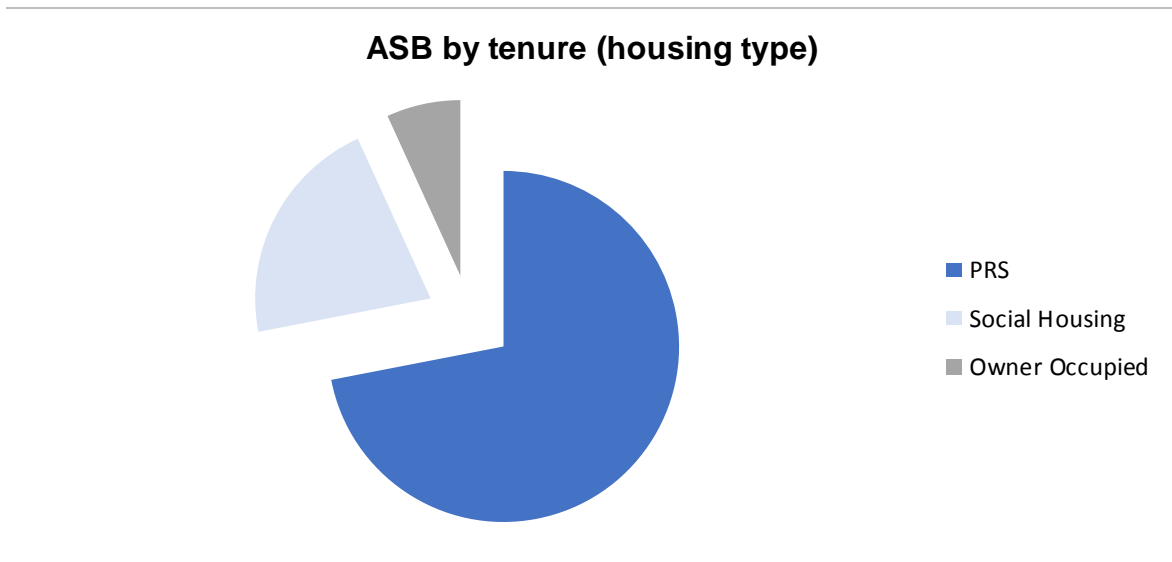


Figure 16 - ASB by tenure type

13.3 This graph (Figure 17) shows the combined levels of ASB events. Noise problems are the biggest cause of ASB complaints, with rubbish in gardens and other envirocrimes causing the next level of complaints. The summary clearly shows that the situation with ASB is worse in the wards in the proposed Designation 1.

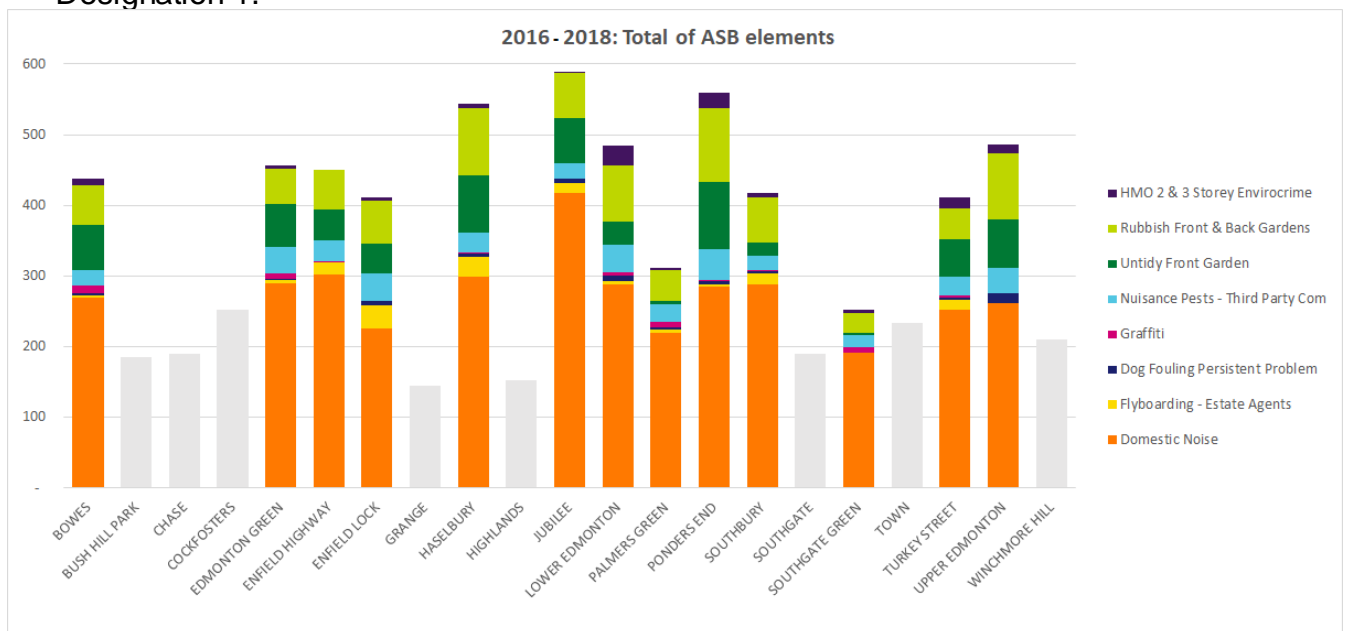


Figure 17 - The level of combined elements of ASB by ward <sup>29</sup>

13.4 We looked at the incidence of dirty front gardens as an example of property-related ASB (litter and waste within the boundary of the property). This type of ASB affects the street scene and can encourage vermin and further fly tipping. It not only affects the tenants but has an impact on the quality of life of the whole community, especially neighbours. Figure 18 includes a proactive exercise that was targeted in particular problem areas in the borough.

<sup>29</sup> Enfield Council 2016-18

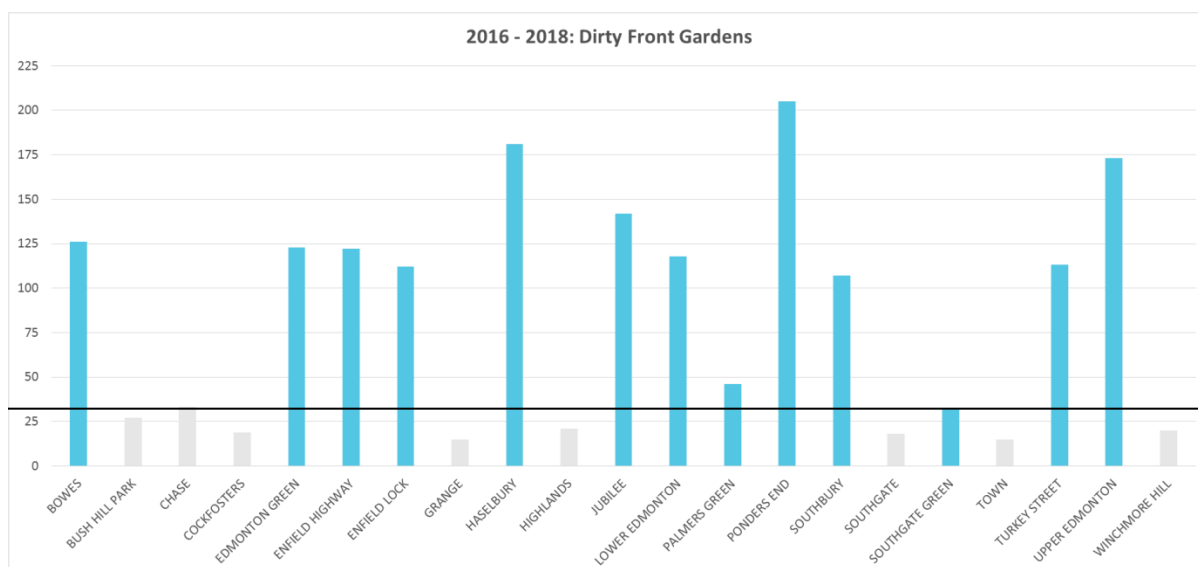


Figure 18 - The number of dirty front gardens by ward

13.5 These tables and graphs show that these areas are experiencing a significant and persistent problem caused by anti-social behaviour. The table below summarises the ASB issues by ward.

Ward	PRS Dwellings	% PRS	Total ASB, Nuisances & Envirocrime	% PRS with ASB, Nuisances & Envirocrime	Total PRS Interventions / Notices	% PRS with PRS Interventions / Notices	Total ASB Incidents per 1000 dwellings	Total PRS Interventions / Notices per 1000 dwellings
BOWES	2,657	44.5%	437	16%	1,152	43%	164	434
BUSH HILL PARK	1,497	25.9%	184	12%	253	17%	123	169
CHASE	1,507	25.9%	189	13%	234	16%	125	155
COCKFOSTERS	1,591	27.8%	251	16%	197	12%	158	124
EDMONTON GREEN	2,387	33.5%	456	19%	1,361	57%	191	570
ENFIELD HIGHWAY	2,217	36.3%	450	20%	1,010	46%	203	456
ENFIELD LOCK	2,529	37.2%	408	16%	960	38%	161	380
GRANGE	1,477	25.5%	143	10%	172	12%	97	116
HASELBURY	2,573	43.0%	543	21%	1,729	67%	211	672
HIGHLANDS	1,559	26.2%	153	10%	200	13%	98	128
JUBILEE	2,164	39.7%	587	27%	1,475	68%	271	682
LOWER EDMONTON	2,513	39.6%	485	19%	1,744	69%	193	694
PALMERS GREEN	2,578	40.6%	311	12%	1,115	43%	121	433
PONDERS END	2,480	41.1%	560	23%	1,338	54%	226	540
SOUTHBURY	2,070	34.0%	417	20%	566	27%	201	273
SOUTHGATE	1,909	29.9%	187	10%	310	16%	98	162
SOUTHGATE GREEN	1,790	31.4%	253	14%	606	34%	141	339
TOWN	1,670	25.7%	230	14%	272	16%	138	163
TURKEY STREET	1,974	35.5%	411	21%	885	45%	208	448
UPPER EDMONTON	2,386	35.9%	486	20%	1,101	46%	204	461
WINCHMORE HILL	2,018	35.5%	210	10%	341	17%	104	169
<b>BOROUGH TOTAL</b>	<b>43,546</b>	<b>34.1%</b>	<b>7,351</b>	<b>17%</b>	<b>17,021</b>	<b>39%</b>	<b>169</b>	<b>391</b>
<b>BOROUGH AVERAGE</b>		<b>34%</b>	<b>350</b>		<b>811</b>		<b>164</b>	<b>360</b>

Table 9 - Summary of ASB issues by ward

13.6 To designate an area as subject to Selective Licensing on grounds of ASB, the Council also has to be satisfied that some or all of the private sector landlords who have let premises in the area, whether under leases or licences, are failing to take action to combat the problem that it would be appropriate for them to take. Also that making a designation will, when combined with other measures taken by the Council, or by other persons together with the Council, lead to a reduction

in, or the elimination of ASB. The level of ASB issues in the wards shows that landlords are failing to take action when their tenants are causing ASB issues.

13.7 The level of ASB in the designation is significant. For example, Jubilee ward has the highest incidence with 587 (27%) of the 2,164 privately rented dwellings generating at least one record of ASB. This compares to a borough-wide level for owner occupied properties of 6.8%

13.8 The distribution of issues in the private rented sector that require some sort of intervention by the Council is greater in the wards in Designation 1. This can be seen clearly in the map below (Figure 19).

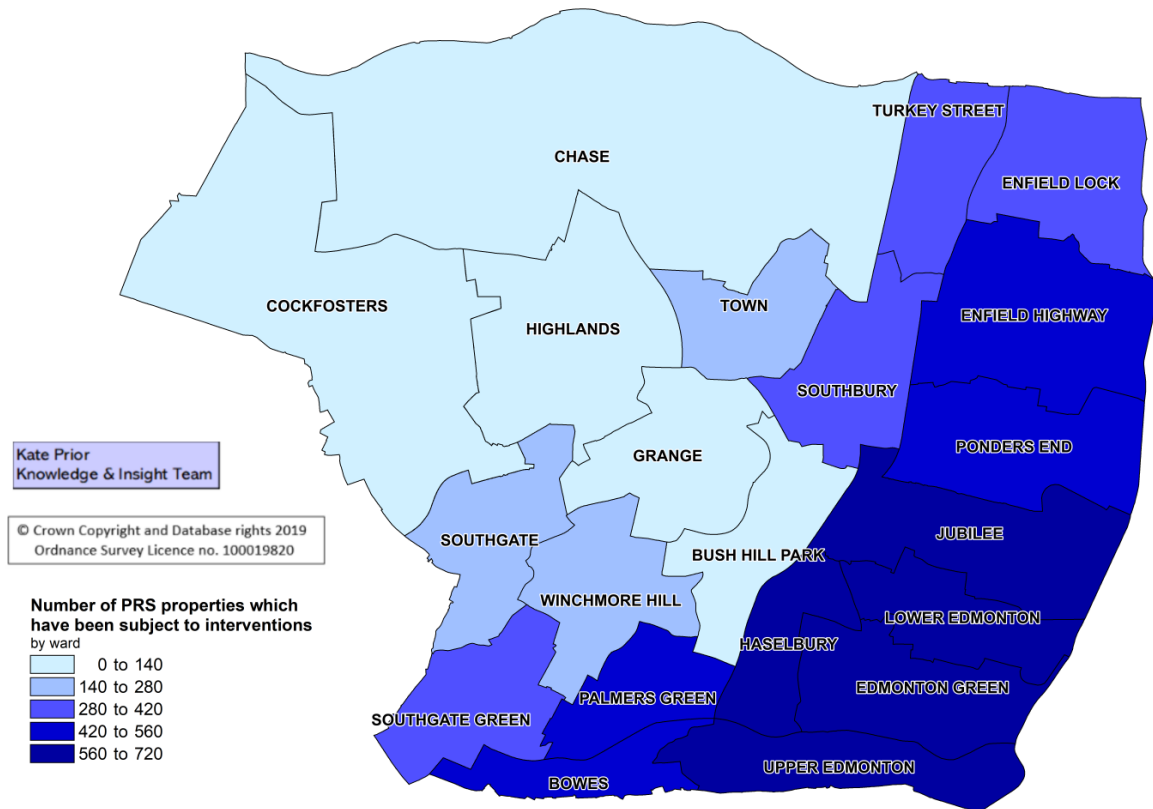


Figure 19 - Map of the borough showing the wards with the most council interventions



Ward	% PRS	Total PRS Interventions / Notices
BOWES	44.5%	1,152
BUSH HILL PARK	25.9%	253
CHASE	25.9%	234
COCKFOSTERS	27.8%	197
EDMONTON GREEN	33.5%	1,361
ENFIELD HIGHWAY	36.3%	1,010
ENFIELD LOCK	37.2%	960
GRANGE	25.5%	172
HASELBURY	43.0%	1,729
HIGHLANDS	26.2%	200
JUBILEE	39.7%	1,475
LOWER EDMONTON	39.6%	1,744
PALMERS GREEN	40.6%	1,115
PONDERS END	41.1%	1,338
SOUTHBURY	34.0%	566
SOUTHGATE	29.9%	310
SOUTHGATE GREEN	31.4%	606
TOWN	25.7%	272
TURKEY STREET	35.5%	885
UPPER EDMONTON	35.9%	1,101
WINCHMORE HILL	35.5%	341
<b>BOROUGH TOTAL</b>	<b>34.1%</b>	<b>17,021</b>
<b>BOROUGH AVERAGE</b>	<b>34%</b>	<b>811</b>

**Table 10 - % PRS and Total PRS Interventions / Notices by ward**

### *How licensing will help improve ASB*

13.9 Properties with high levels of anti-social behaviour are targeted by enforcement officers, and landlords are required to take responsibility for any problems with the properties they rent. The licence conditions will clearly state the responsibility of the landlord: “The licence holder shall effectively address problems of anti-social behaviour resulting from the conduct of occupiers, or visitors to the premises.”

The scheme objectives relating to ASB can be found on page 43

## 14. The proposed Additional Licensing scheme

14.1 The evidence demonstrates that the criteria for a borough-wide Additional Licensing scheme are met, in that a significant proportion of the borough's HMOs are being poorly managed and are giving rise, or are likely to give rise, to problems affecting their occupiers or members of the public.

14.2 Our predictive data shows that there are around 9,600 HMOs in Enfield<sup>30</sup>. These properties are associated with inadequate property management, high levels of ASB, poor property conditions, including serious Category 1 hazards, culminating in an increased demand on the Council's services.

14.3 HMOs are spread across the borough and poor management is evident in each ward.

Ward	% of HMOs with Cat 1 Hazards	% of HMOs with ASB, Nuisances & Envirocrime	% of HMOs with PRS Regulatory Interventions	% of HMOs with Statutory Notices served to PRS
BOWES	55%	23%	155%	12%
BUSH HILL PARK	34%	15%	52%	2%
CHASE	38%	17%	62%	3%
COCKFOSTERS	30%	17%	35%	2%
EDMONTON GREEN	56%	30%	170%	13%
ENFIELD HIGHWAY	48%	23%	146%	11%
ENFIELD LOCK	45%	19%	126%	9%
GRANGE	31%	7%	29%	1%
HASELBURY	59%	26%	183%	10%
HIGHLANDS	29%	11%	41%	3%
JUBILEE	59%	51%	190%	18%
LOWER EDMONTON	57%	32%	180%	13%
PALMERS GREEN	56%	17%	138%	6%
PONDERS END	55%	35%	184%	11%
SOUTHBURY	42%	38%	97%	6%
SOUTHGATE	29%	10%	48%	5%
SOUTHGATE GREEN	48%	19%	107%	7%
TOWN	42%	17%	64%	3%
TURKEY STREET	50%	32%	146%	10%
UPPER EDMONTON	53%	32%	126%	9%
WINCHMORE HILL	45%	13%	65%	4%
<b>BOROUGH TOTAL</b>	<b>48%</b>	<b>25%</b>	<b>125%</b>	<b>8%</b>
<b>BOROUGH AVERAGE</b>	<b>46%</b>	<b>23%</b>	<b>112%</b>	<b>7%</b>

Table 11 - Table showing the % of HMOs with Cat 1 Hazards, ASB and levels of regulatory interventions and statutory notices<sup>31</sup>

14.4 This graph shows that there are property management issues with HMOs across the borough, and in all wards to varying degrees.

<sup>30</sup> Housing Stock Report, Metastreet 2019

<sup>31</sup> Metastreet 2019

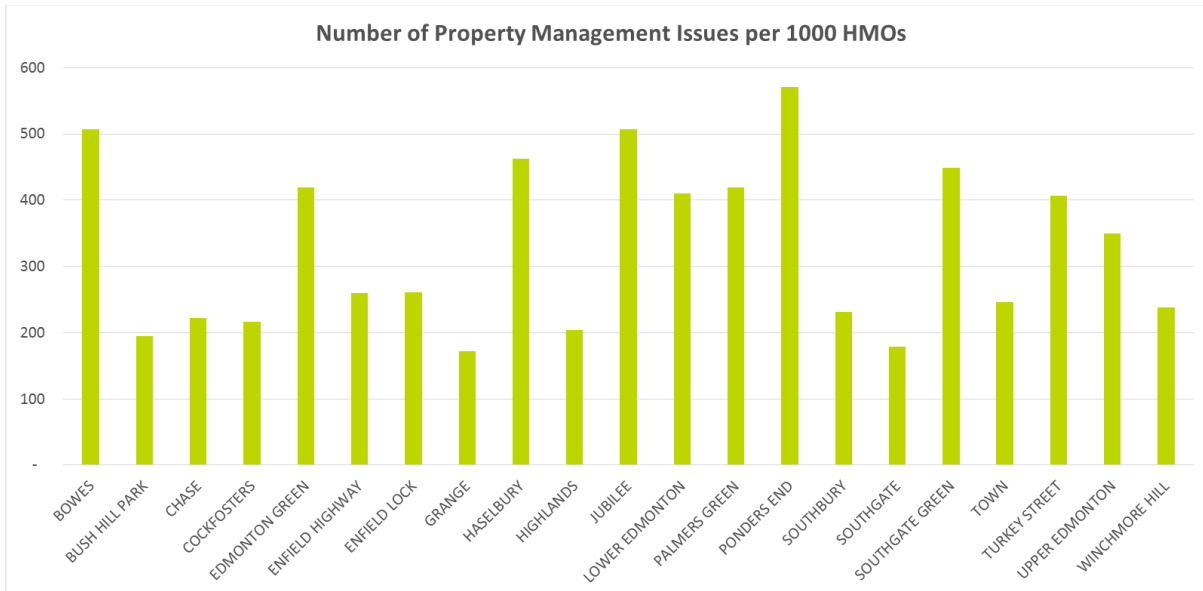


Figure 20 - The rate of property management issues in HMOs per 1,000 HMOs <sup>32</sup>

14.5 Based on the number of actual queries and complaints we receive about HMOs (Figure 21) we can also see that the situation is getting worse; the caseload for HMOs has increased dramatically in 2018.

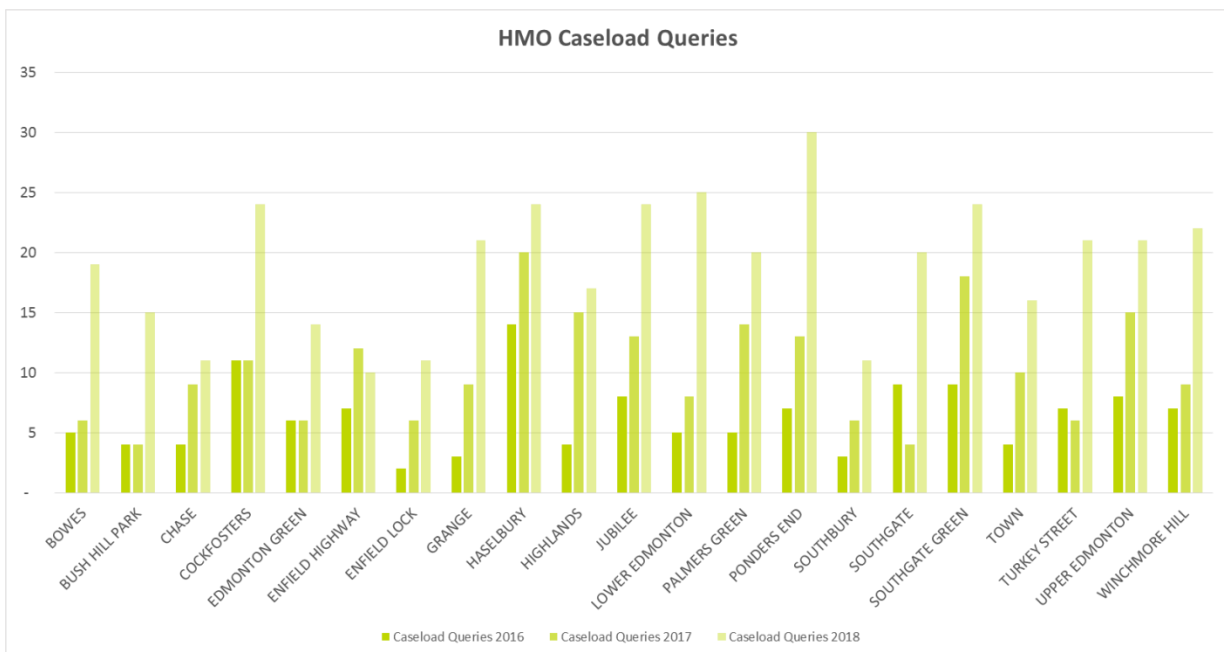
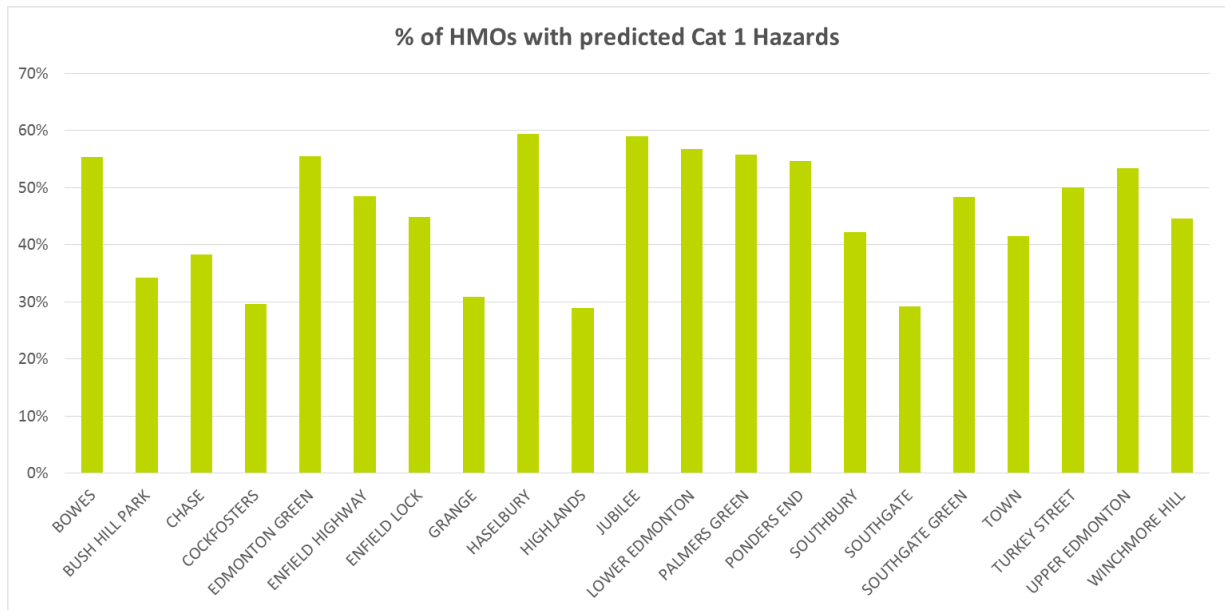


Figure 21 - The number of queries about HMOs as part of officers' caseload 2016-2018 (London Borough of Enfield database)

14.6 We have been able to predict the number of HMOs in the borough with Category 1 Hazards, as an example of poor property conditions. The average is between 29% and 59% and is an indication that property issues in HMOs are even worse than other privately rented accommodation.

<sup>32</sup> Metastreet, 2019



**Figure 22 -% HMOs with predicted Cat 1 Hazards<sup>33</sup>**

14.7 By law, all deposits for rented properties should be registered with a Deposit Protection Scheme. The absence of a registered deposit could mean that the landlord is either failing to take a deposit or is not registering the deposit with a scheme, hence an indication of the low level and poor quality of property management. In the experience of officers in the borough it is the latter; landlords are taking a, usually cash, deposit and not registering it. In the cases where deposits are not taken, this indicates that the landlord is dealing with the very lowest end of the market where tenants can't afford to pay a deposit. The levels we can see listed in Table 12 show that landlords and agents are not complying with the legal standards of property management, with wards such as Enfield Highway and Turkey Street only having 7% of HMOs with a registered tenancy deposit.

<sup>33</sup> Metastreet 2019

Ward	Total Registered Tenancy Deposits	% HMOs with Tenancy Deposits
BOWES	93	17%
BUSH HILL PARK	37	12%
CHASE	26	10%
COCKFOSTERS	54	16%
EDMONTON GREEN	65	12%
ENFIELD HIGHWAY	36	7%
ENFIELD LOCK	55	10%
GRANGE	31	9%
HASELBURY	64	9%
HIGHLANDS	29	10%
JUBILEE	56	10%
LOWER EDMONTON	84	12%
PALMERS GREEN	66	11%
PONDERS END	78	15%
SOUTHBURY	49	13%
SOUTHGATE	92	21%
SOUTHGATE GREEN	78	20%
TOWN	51	18%
TURKEY STREET	30	7%
UPPER EDMONTON	51	9%
WINCHMORE HILL	32	8%
<b>BOROUGH TOTAL</b>	<b>1,157</b>	<b>12%</b>
<b>BOROUGH AVERAGE</b>	<b>55</b>	<b>12%</b>

Table 12 - % of HMO properties with a registered deposit<sup>34</sup>

14.8 As described in Section 4, the Rogue Landlord project found that an increasing number of families with dependent children are now living in HMO's. Cases investigated as part of this project have uncovered a significant number of sub-standard and overcrowded accommodation and unlicensed HMO's. Currently the scheme has bought 173 HMO's into mandatory HMO licensing.

14.9 HMOs not only place extra demands on the Council but they create problems for their tenants and the community around them. We are therefore proposing a borough-wide additional licensing scheme on the basis that, we believe, a significant proportion of HMOs in Enfield are poorly managed and give rise to problems for residents or the general public. We further believe that the implementation of licensing will significantly assist us in dealing with these problems.

The scheme objectives for Additional Licensing can be found on page 43.

<sup>34</sup> Data from Tenancy Deposit Insured scheme (DPS) and My Deposit Insured Scheme 2019/19

## 15. Proposed Scheme Objectives

15.1 In general terms, we propose to use Selective and Additional Licensing to improve property conditions, tackle anti-social behaviour (ASB) and help reduce deprivation in the borough. We are committed to improving property conditions and management standards in the private rented sector, so that it provides good quality accommodation, helps us to achieve sustainable communities and continues to contribute positively to the local economy.

15.2 The objectives of our proposed schemes over the five-year scheme are:

Objective	Outcome	Output	Benefits
<b>Improve property conditions and management standards</b>	Ensure that at least 95% of licensable properties are licensed by the end of the scheme	Monitor compliance against predicted number of licensable addresses	The Council will gain extensive knowledge of the private rented sector in the borough. This will enable targeted enforcement and support for landlords.
	Ensure compliance with licence conditions and improve property standards in at least 75% of licensed properties	Carry out targeted desktop audit and compliance checks of properties licensed under the Selective Licensing Scheme and HMOs licensed under the additional licensing scheme.	A level playing field will be created; responsible landlords will not be undercut by an unscrupulous minority.  More professional landlords should bring about improvements in the quality and management of properties.
	Reduce Housing hazards by at least 70% in the designated area	Improve properties through a combination of informal and formal actions, including the service of Notices under the Housing Act and Public Health related legislation	Responsible landlords will receive information and support. Irresponsible landlords will be forced to improve their practices or be enforced against protection of vulnerable groups who are often occupiers of privately rented accommodation, which is poorly managed and maintained.
<b>Reduce the factors that make deprivation worse</b>	Reduce overcrowding in at least 90% of properties identified as being overcrowded	Overcrowding is reduced through a combination of informal and formal actions  Bring identified properties up from F and G to a minimum	Tenants could see economic benefits, reduced heating costs and improved likelihood of regaining any deposit paid.

Objective	Outcome	Output	Benefits
	Reduce fuel poverty in at least 90% of properties with a F and G EPC rating	of E rating Increase in the number of deposits in tenancy deposit schemes by 50% in wards in the designation.	
<b>Reduce ASB</b>	Take enforcement action to reduce repeat ASB incidents in PRS properties in the designated areas by at least 70%	ASB is reduced through the use of informal actions, enforcement notices and civil penalties in licensed properties	Reduced anti-social behaviour will improve problem areas, making these areas safer and more desirable places to live in.

**Table 13 - Objectives of the Selective and Additional Licensing scheme**

15.3 We strongly believe that selective and additional licensing schemes will provide the framework to enable us to achieve these objectives.

- It provides clarity on the required property standards for the majority of landlords who want to co-operate, enabling them to operate legally, effectively and professionally in the borough.
- It enables the Council to use data and intelligence to identify properties that have unsafe and sub-standard conditions and gives us the capability to undertake significant, proactive audits and inspections.
- It allows the Council to enforce standards at the earliest opportunity, against non-compliant landlords using a range of informal and formal enforcement actions, such as action under Part 1 Housing Act [HHSRS].
- Licensing applications can be monitored against the predicted number of licensable addresses and the Council will be able to enforce against those landlords who evade licensing.

## 16. Licensing and Wider Borough Strategies

16.1 Selective and additional licensing schemes are key to supporting the Council's strategies for Housing, Homelessness and Empty Properties.

### Housing

16.2 The Council is currently developing a new Housing strategy<sup>35</sup>, which sets out how we will deliver more and better homes to address inequality, create a more balanced housing market and help local people access a good home. This will make a significant contribution to delivering on our ambition to deliver a lifetime of opportunities for people in Enfield, by creating good homes in well-connected neighbourhoods. While still in early stages of development, Enfield's emerging Housing Strategy is made up of five ambitions. The third ambition relates specifically to the private rented sector – "Quality and variety in private sector housing."

<sup>35</sup> More and better homes for Enfield Housing and Growth Strategy 2020 – 2030

16.3 This strand focuses on the need to improve the private rented sector in the context of rising homelessness, high eviction rates and heavy reliance on the private rented sector. Licensing will significantly contribute to the Council's Corporate Plan to 'deliver initiatives to improve standards in the private rented sector and tackle rogue landlords' and the overarching aim to deliver 'good homes in well-connected neighbourhoods' and to 'increase the supply of affordable, quality housing options'.

## Homelessness

16.4 Alongside the new Housing Strategy, the Council is also developing a Preventing Homelessness Strategy. The vision is to end homelessness in Enfield. This means ensuring that everyone has a safe, stable place to live. Whilst homelessness is rising significantly across the country, in Enfield this is particularly stark with 3,466 households currently in Temporary Accommodation, the second highest number nationally.

16.5 The Council sees its relationship with private rented landlords as key to achieving a reduction in homelessness. Loss of private rented accommodation is the main reason for households becoming homeless, accounting for nearly half of all cases. Reducing evictions from the private rented sector is a key priority. This involves supporting, empowering, and educating tenants regarding their rights and responsibilities, as well as working with landlords. Enfield Council's priorities include both improving standards of management through effective support, information, advice and guidance for landlords; whilst also taking a strong approach to tackling poor conditions and stopping rogue landlords and managing/letting agents.

## ASB

16.6 The objectives of the proposed licensing schemes will be strongly linked to reducing ASB connected to private rented homes. This will be done in conjunction with the Council's Corporate Plan 2018 - 2022 'Creating a lifetime of opportunities in Enfield', which promises to tackle 'all types of crime and anti-social behaviour'; the emerging Homelessness Prevention strategy, which will look at tackling ASB in relation to tenancy sustainment; the new Housing strategy, which aims to prevent ASB by an improvement in interventions with private rented sector; and the Safer and Stronger Communities Board, which deals with a range of ASB behaviours as one of the five priorities in the Community Safety Plan 2021.

## Empty Properties

16.7 The Council's Empty Property Team investigates residential homes which have become empty and are attracting anti-social behaviour. There is a specific 'Private Sector Empty Homes Approach', which has been developed to reduce ASB and nuisance caused by empty homes and to help increase affordable housing supply in the borough. The Council initiates compulsory purchase orders when required to induce an empty property owner into doing something with their property. It is expected that the increased level of enforcement activity during the licensing schemes, with officers out in the community on tasking days and inspections, will unearth more empty homes that can potentially be returned to the private rented market.



## Deprivation

16.8 Enfield Council launched the Enfield Poverty and Inequality Commission (EPIC) on 7th June 2019. This independent commission, facilitated on our behalf by the Smith Institute, will help us to understand the forces driving poverty and inequality in the borough and point the way to potential solutions locally. Following a period of engagement with local people, the Commission will publish recommendations in December 2019. Poverty and housing are closely linked, and the results of this commission will help inform our approach in the proposed licensing schemes.

16.9 The Enfield Corporate Plan, 2018-2022 demonstrates three key principles reflecting poverty and housing informing our approach in the proposed licensing scheme:

- Good Homes in well-connected communities
  - By improving standards in the private rented sector and tackling rogue landlords, this will improve the neighbourhood as a whole and encourage regeneration and much needed housing in the borough to deliver decent and safe housing that meets the residents needs
- Sustain strong and healthy communities
  - Improving the management and maintenance of properties will encourage residents to stay in Enfield, in turn creating sustainable communities
- Build our economy to create a thriving place
  - Poor property conditions are borne by the most vulnerable and economically disadvantaged in the community so, by improving housing conditions these schemes will help us to reduce the inequalities in the borough.

## 17. Alternative Options Considered

17.1 Both the Housing Act 2004 and guidance issued by the Department for Communities and Local Government requires the Council to consider whether any alternative means would be effective, as well as or instead of licensing, to address the problems the Council has identified. The guidance - Selective licensing in the private rented sector: *A guide for local authorities* (March 2015) - states:

*“The local housing authority must show:*

- *it has considered whether there are any other courses of action available to them that might provide an effective method of achieving the objectives that the designation is intended to achieve, and;*
- *how the making of the designation will significantly assist the local housing authority in achieving its’ objectives (whether or not in conjunction with those other measures)”.*

17.2 We have considered a number of other courses of action or alternatives to selective and additional licensing, but do not believe that, individually or collectively, they provide an effective, or as effective a means of tackling poor housing conditions and ASB in the borough, or of delivering the scale of

improvement that we believe is required in the private rented sector to have an impact on deprivation. This table shows the alternatives that we have considered and explains why they are not sufficient to meet our objectives.

Number	Alternative Measure	Strengths	Weaknesses
1	Do nothing		This is not a viable option. If no action is taken, the significant problems with poor housing conditions will continue and are likely to increase further as the private rented sector continues to grow in the borough.
2	Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers	Formal notices can be served that require improvements to be carried out. Councils can carry out work in default if a notice is not complied with. Landlords also risk being prosecuted if they do not comply with the notice	The Council has undertaken significantly increased levels of enforcement to improve private rented properties in the last 3 years. However, despite this, large scale improvements are still needed in the sector. Formal action is slow with appeal provisions against most types of notices served, which can significantly delay the time period for compliance. Work in default (where a local authority carries out works to a property when the landlord fails to and the landlord is then billed for it) can be effective but is expensive and time consuming for the Council, with the risk that costs are not recovered. In addition, the Council's powers under Part 1 do not enable it to regulate the management of property as licensing schemes do. The Part 1 provisions are currently available to the Council but have not provided the necessary large-scale improvements in the sector. The Council can only respond reactively to complaints or reports of disrepair, overcrowding etc. on individual properties, but is not able to raise standards in a specific area. These powers do not address the volume or scale of the issues in the borough.
3	Voluntary Accreditation schemes facilitate improvement in management practices and standards	For those landlords who take part, accreditation can improve the ability to effectively manage a property	This requires voluntary landlord engagement. Our experience is that attendance/membership is usually only by a relatively small proportion of landlords. Rogue operators are unlikely to

Number	Alternative Measure	Strengths	Weaknesses
			attend/engage.
4	Rely on prosecutions and civil penalties for housing offences	Provides a disincentive to keep properties in poor condition	These powers do not place any obligation on landlords to be proactive in improving property conditions. Successful prosecutions, or the imposition of civil penalties, do not themselves secure improvements in property conditions. The absence of licensing means that the Council cannot enforce against unlicensed properties or breaches in licence conditions which are needed to improve property conditions
5	Improvement grants to improve sub-standard properties	Grants subsidise improvement works, improving standards and deriving benefits for landlords and tenants	Generally, there are few grants available and the Council has very limited scope to offer grants through successful external funding bids. In the most part, grant awards would fund improvements that the landlord should in any event be carrying out to meet their legal obligations. Any grant scheme would be discretionary and would rely on voluntary landlord engagement
6	ASB powers	Formal notices can be served that address ASB identified at individual properties which, if complied with, would remedy ASB at that location	Action would generally be taken against the tenant in occupation. These powers do not place any obligation on landlords to be proactive in managing their properties to prevent or reduce the likelihood of ASB occurring

**Table 14 - Alternative Measures to introducing selective and additional licensing**

17.3 Each of the above powers or measures supports the Council in achieving the objectives of selective and additional licensing, but it is our opinion that, none of them, either individually or collectively, is capable of achieving the objectives that we intend to deliver through the proposed licensing schemes.

## 18. Proposed Licence Conditions

18.1 The conditions that the Council proposes to include in licences granted under the Selective and Additional Licensing schemes can be seen in the documents downloadable from the consultation web page.

18.2 The proposed licence conditions include both 'mandatory' conditions that the Council is obliged to include under the Housing Act 2004, and other conditions,

that the Act allows us to include to regulate the management, use, occupation and condition of private rented properties for licences granted in Enfield.

18.3 As part of the consultation process, respondents are able to give us their views about the proposed conditions for the Selective and Additional Licensing schemes. The mandatory conditions are not under consultation.

## 19. Licence Fees

### Fee proposal

19.1 The application for and grant of a licence will be subject to the payment of a fee. Article 13(2) of the EU Services Directive (2006/123/EC) requires that the licence fee paid by the applicant must be reasonable and proportionate to the cost of the authorisation (licensing) procedure and shall not exceed the cost of the authorisation (licensing) procedure. This means that the costs of the proposed licensing schemes must be cost neutral whereby the total licensing fee income does not exceed the expenditure over the five-year duration of the scheme. The fees will be reviewed throughout the scheme and the council may adjust the fees to reflect changes in costs.

19.2 The proposal is to set fees for licence applications taking into account all of the Council's costs in administering and carrying out its licensing functions and carrying out its functions under Chapter 1 of Part 4 Housing Act 2004 (where steps are necessary to make Interim and Final Management Orders) so far as they are not recoverable under or by virtue of any provision of Chapter 1 of Part 4. We have not included costs we can recover directly from landlords when undertaking those functions.

19.3 Licences will be granted for the duration of the scheme (up to five years) unless we have concerns about the management, use, condition or occupation of the property, in which case we may grant a licence for a shorter period and a new application and fee will have to be paid on its expiry.

19.4 Where we take enforcement action, the licence may be revoked, varied to a shorter term or additional conditions will be added to the licence. If this happens, and the property continues to be rented out, a new application will have to be made and a new licence fee paid.

19.5 Licences are not transferable. If a person wants to become the new licence holder for a property, they must apply for a new licence, and pay a new licence fee.

19.6 Payment of Part 1 of the fee must be received when the application is made to the Council and, if the licence application is granted, Part 2 of the fee must be received and cleared before a licence is issued.

### Split fee

19.7 The fee is levied in two parts. Part 1 of the fee is for the application for a licence and covers the costs of processing, administration and validation of the

application. Part 2 of the fee comprises a contribution towards the running costs of the scheme and exercising our other licensing functions, including enforcement.

19.8 We propose to require the Part 1 fee to be paid when the licence application is made, and Part 2 to be paid at the point at which we decide to grant the licence. In the event that we decide to refuse a licence application, only the Part 1 fee will have been paid.

## Proposed Licence fees

Type of Licence	Part 1 element (application & processing)	Part 2 element (running costs and enforcement)	Total fee payable [on successful application]
Selective Licence	260	340	£600
Additional HMO licence	550	350	£900

Table 15 - Proposed License fees

## How we calculated the fees

19.9 The proposed fees have been calculated on the basis that the licence fee income will cover the costs of administering and enforcing the schemes. A significant proportion of the licence fee income will meet the necessary staffing costs to deliver the scheme outcomes, but the fees will also meet other running costs, such as IT expenditure, with appropriate allowances made for inflationary increases during the life of the scheme. The Licence fees have been calculated so that the schemes will be cost-neutral to the Council.

19.10 The proposed fees are underpinned by our estimations about the level of income the fees will generate, based upon the number of properties that we expect to be licensed during the life of the schemes, and the estimated costs of running the scheme, including IT, communications and staffing.

19.11 Staffing and other resources necessary to administer, run and enforce the proposed schemes have been split between the various licence types as follows in order to calculate the proposed fees:

	Selective Licence	Additional HMO Licence
Estimated income	£13,829,000	£5,965,000
Estimated staffing costs	£10,122,041	£4,857,801
Estimated other operating costs	£3,349,545	£1,465,484
Total estimated costs	£13,471,586	£6,323,285

Table 16 - Selective and Additional Licensing estimated income and costs

*How does this compare with other London Boroughs with similar schemes?*

19.12 Each local authority determines their licence fees dependant on their proposed licensing schemes, their scope and costs. For comparison only, the proposed fees for Selective Licensing and Additional Licensing are on the lower end of the scale overall compared to other London boroughs. We have kept the fee as low as possible whilst ensuring that it covers the cost of the licensing schemes. We therefore are not proposing a discount for early licence applications.

<b>London Borough</b>	<b>Selective Licence</b>	<b>Additional HMO Licence</b>
<b>Enfield</b>	<b>£600</b>	<b>£900</b>
Redbridge	£604	£1,198
Waltham Forest	£650	£1,000
Newham	£750	£1,250

**Table 17 - Selective and Additional Licensing in other London Boroughs**

## 20. Exemptions

20.1 Under the Housing Act 2004 certain tenancies and licences are exempt from property licensing requirements. The statutory references are set out below by way of background information. It is not proposed to exempt further categories of property or tenancy under the proposed licensing schemes, but we will consider any alternative views arising from the consultation exercise.

## 21. Legislation

### **Exempt tenancies or licences for the purposes of Part 3 of the Housing Act 2004 [Selective Licences]**

A tenancy or licence of a house or a dwelling contained in a house is an exempt tenancy or licence for the purposes of Part 3 of the Housing Act 2004 (“the Act”) if it falls within any of the following descriptions—

- (a) a tenancy or licence of a house or dwelling that is subject to a prohibition order made under section 20 of the Act whose operation has not been suspended in accordance with section 23 of the Act;
- (b) a tenancy described in any of the following provisions of Part 1 of Schedule 1 to the Housing Act 1988, which cannot be an assured tenancy by virtue of section 1(2) of that Act—
  - (i) paragraph 4 (business tenancies);
  - (ii) paragraph 5 (licensed premises);
  - (iii) paragraph 6 (tenancies of agricultural land); or
  - (iv) paragraph 7 (tenancies of agricultural holdings etc);
- (c) a tenancy or licence of a house or a dwelling that is managed or controlled by —
  - (i) a local housing authority;
  - (ii) a police authority established under section 3 of the Police Act 1996;
  - (iii) the Metropolitan Police Authority established under section 5B of the Police Act 1996;
  - (iv) a fire and rescue authority under the Fire and Rescue Services Act 2004;
 or
  - (v) a health service body within the meaning of section 4 of the National Health Service and Community Care Act 1990;
- (d) a tenancy or licence of a house which is not a house in multiple occupations for any purposes of the Act (except Part 1) by virtue of—
  - (i) paragraph 3 of Schedule 14 to the Act (buildings regulated otherwise than under the Act); or
  - (ii) paragraph 4(1) of that Schedule (buildings occupied by students);
- (e) a tenancy of a house or a dwelling where—
  - (i) the full term of the tenancy is more than 21 years;
  - (ii) the lease does not contain a provision enabling the landlord to determine the tenancy, other than by forfeiture, earlier than at end of the term; and

- (iii) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or any members of such person's family;
- (f) a tenancy or licence of a house or a dwelling granted by a person to a person who is a member of his family where—
  - (i) the person to whom the tenancy or licence is granted occupies the house or dwelling as his only or main residence;
  - (ii) the person granting the tenancy or licence is the freeholder or the holder of a lease of the house or dwelling the full term of which is more than 21 years; and
  - (iii) the lease referred to in sub-paragraph (ii) does not contain a provision enabling the landlord to determine the tenancy, other than by forfeiture, earlier than at end of the term;
- (g) a tenancy or licence that is granted to a person in relation to his occupancy of a house or a dwelling as a holiday home; or
- (h) a tenancy or licence under the terms of which the occupier shares any accommodation with the landlord or licensor or a member of the landlord's or licensor's family.

**Buildings which are not HMOs for purposes of Part 2 Housing Act** [Additional and mandatory HMO licensing]

The following paragraphs list buildings which are not HMOs for any purposes of this Act other than those of Part 1 [HHSRS].

1. Buildings controlled or managed by public sector bodies etc. A building where the person managing or having control of it is:
  - a. a local housing authority
  - b. a non-profit registered provider of social housing
  - c. a body which is registered as a social landlord under Part 1 of the Housing Act 1996
  - d. a police and crime commissioner
  - e. the Mayor's Office for Policing and Crime
  - f. a fire and rescue authority under the Fire and Rescue Services Act 2004, or
  - g. a health service body within the meaning of [F3section 9 of the National Health Service Act 2006].
2. A building
  - a. which is social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and
  - b. where the person managing or having control of it is a profit-making registered provider of social housing.]
3. A building where
  - a. the person managing or having control of it is a co-operative society whose rules are such as to secure that each of the conditions set out is met, and
  - b. no person who occupies premises in the building does so by virtue of an assured tenancy, a secure tenancy or a protected tenancy.



- c. For a) above, the conditions are—
  - i. that membership of the society is restricted to persons who are occupiers or prospective occupiers of buildings managed or controlled by the society,
  - ii. that all management decisions of the society are made by the members (or a specified quorum of members) at a general meeting which all members are entitled to, and invited to, attend,
  - iii. that each member has equal voting rights at such a meeting, and
  - iv. that, if a person occupies premises in the building and is not a member, that person is an occupier of the premises only as a result of sharing occupation of them with a member at the member's invitation.
- d. “co-operative society” means a body that—
  - i. is registered as a co-operative society under the 2014 Act or is a pre-commencement society (within the meaning of that Act) that meets the condition in section 2(2)(a)(i) of that Act, ]and
  - ii. is neither a non-profit registered provider of social housing, nor registered as a social landlord under Part 1 of the Housing Act 1996.
- e. Definitions
  - i. “the 2014 Act” means the Co-operative and Community Benefit Societies Act 2014;
  - ii. “assured tenancy” has the same meaning as in Part 1 of the Housing Act 1988;
  - iii. “protected tenancy” has the same meaning as in the Rent Act 1977;
  - iv. “secure tenancy” has the same meaning as in Part 4 of the Housing Act 1985.]

#### 4. Any building

- a. which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at a specified educational establishment or at an educational establishment of a specified description, and
- b. where the person managing or having control of it is the educational establishment in question or a specified person or a person of a specified description.
- c. “specified ” means specified for the purposes of this paragraph in regulations made by the appropriate national authority.
- d. Sub-paragraph ‘e’ applies in connection with any decision by the appropriate national authority as to whether to make, or revoke, any regulations specifying—
  - i. a particular educational establishment, or
  - ii. a particular description of educational establishments.
- e. The appropriate national authority may have regard to the extent to which, in its opinion
  - i. the management by or on behalf of the establishment in question of any building or buildings occupied for connected educational

purposes is in conformity with any code of practice for the time being approved under section 233 which appears to the authority to be relevant, or

- ii. the management of such buildings by or on behalf of establishments of the description in question is in general in conformity with any such code of practice, as the case may be.
  - iii. “ occupied for connected educational purposes ”, in relation to a building managed by or on behalf of an educational establishment, means occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at the establishment
5. Any building which is occupied principally for the purposes of a religious community whose principal occupation is prayer, contemplation, education or the relief of suffering.

This paragraph does not apply in the case of a converted block of flats to which section 257 applies.

6. Any building which is occupied only by persons within the following paragraphs—
- a. one or more persons who have, whether in the whole or any part of it, either the freehold estate or a leasehold interest granted for a term of more than 21 years;
  - b. any member of the household of such a person or persons;
  - c. no more than such number of other persons as is specified for the purposes of this paragraph in regulations made by the appropriate national authority.

This paragraph does not apply in the case of a converted block of flats to which section 257 applies, except for the purpose of determining the status of any flat in the block.

7. Any building which is occupied only by two persons who form two households.

# **London Borough of Enfield Selective and Additional Licensing**

## **Appendix 4 Selective Licensing Scheme Designation**

*Designation and map of area covered by proposed selective licensing designation*

## PUBLIC NOTICE

London Borough of Enfield

### NOTICE OF DESIGNATIONS OF AREAS FOR SELECTIVE LICENSING

Section 80 Housing Act 2004

The London Borough of Enfield Designations of Areas for Selective Licensing 2020.

The London Borough of Enfield in exercise of its powers under section 80 of the Housing Act 2004 ("the Act") hereby designates for selective licensing the areas described in paragraph 4.

#### CITATION, COMMENCEMENT AND DURATION

1. This Designation shall be known as the London Borough of Enfield Designations for Areas for Selective Licensing 2020. All privately rented residential accommodation situated within the designated areas must be licensed with the Council unless subject to statutory exemption as set out in paragraph 5.
2. The Designations have been made on 22 January 2020. The Designations fall within a description of designations for which confirmation is required by Secretary of State. On [date] the Secretary of State confirmed that the designations and the Designations shall come into force on [date].
3. The Designations shall cease to have effect on [date] (not more than 5 years) or earlier if the Council revokes the scheme under section 84 of the Act.

#### AREAS TO WHICH THE DESIGNATION APPLIES

4. This Designation shall apply to the following areas of the London Borough of Enfield. Designation One is delineated and edged in red on the map, and Designation Two is delineated and edged in blue on the map in Annex A.

##### **Designation One:**

- (i) Bowes  
Edmonton Green  
Enfield Highway  
Enfield Lock  
Haselbury  
Jubilee  
Lower Edmonton  
Palmers Green  
Ponders End  
Southbury  
Southgate Green  
Turkey Street

Upper Edmonton.

**Designation Two:**

- (ii) Chase

## APPLICATION OF THE DESIGNATION

5. This designation applies to any house<sup>1</sup> which is let or occupied under a tenancy or licence within the area described in paragraph 4 unless:
- the house is a house in multiple occupation [HMO] that falls within the nationally prescribed category of HMO that is required to be licensed as a 'mandatory HMO' under section 55(2)(a) Part 2 of the Act<sup>2</sup>;
  - the house is a house in multiple occupation that falls within the prescribed category of HMO that is required to be licensed under the London Borough of Enfield Designation of an Area for Additional Licensing of Houses of Multiple Occupation 2020 made on 22 January 2020 under Section 56 of the Housing Act 2004<sup>3</sup>;
  - the tenancy or licence of the house has been granted by a registered social landlord<sup>4</sup>;
  - the house is subject to an Interim or Final Management Order under Part 4 of the Act;
  - the house is subject to a temporary exemption under section 86 of the Act; or
  - the house is occupied under a tenancy or licence which is exempt under the Act or the occupation is of a building or part of a building so exempt as defined in Paragraph 5(f): Exempted tenancies or licences, Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006.

## EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (f) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.<sup>5</sup>
7. The London Borough of Enfield will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.<sup>6</sup>

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<sup>1</sup> For the definition of "house" see sections 79 and 99 of the Act

<sup>2</sup> Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)

<sup>3</sup> Additional Licensing covers HMOs that are not within the scope of Mandatory HMO Licensing where tenants share one or more 'basic amenities' i.e. a WC, personal washing facilities or cooking facilities. 'Section 257' HMO buildings would need a selective licence assuming they are occupied by a single household. If an individual flat was itself multiply occupied, it would need an additional or mandatory HMO licence depending on the number of persons accommodated.

<sup>4</sup> Section 79 (3) of the Act. For the definition of a Registered Social Landlord see Part 1 of the Housing Act 1996

<sup>5</sup> Section 232 of the Act and paragraph 11 of SI 373/2006

<sup>6</sup> See the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 SI 370/2006

If you are a landlord, managing agent or a tenant, or if you require information regarding this designation, or to apply for a licence, further information and assistance is available from the Council's Private Rented Property Licensing Team by telephone on 020 8379 xxxx or by email to xxxx@enfield.gov.uk, or by writing to Private Rented Property Licensing Team, London Borough of Enfield, Civic Centre, Silver Street, Enfield, Middx, EN1 3XH. The Designation may be inspected at the above address during office hours.

All landlords, managing agents or tenants within the designated area should obtain advice to ascertain whether their property is affected by the Designation by contacting the Council's Private Rented Property Licensing Team.

Any person who operates a licensable property without a licence or allows a licensed property to be occupied by more households or persons other than as authorised by a licence, is liable to prosecution and upon summary conviction is liable to an unlimited fine. A person who breaches a condition of a licence is liable upon summary conviction to a maximum fine of £5,000 per breach.

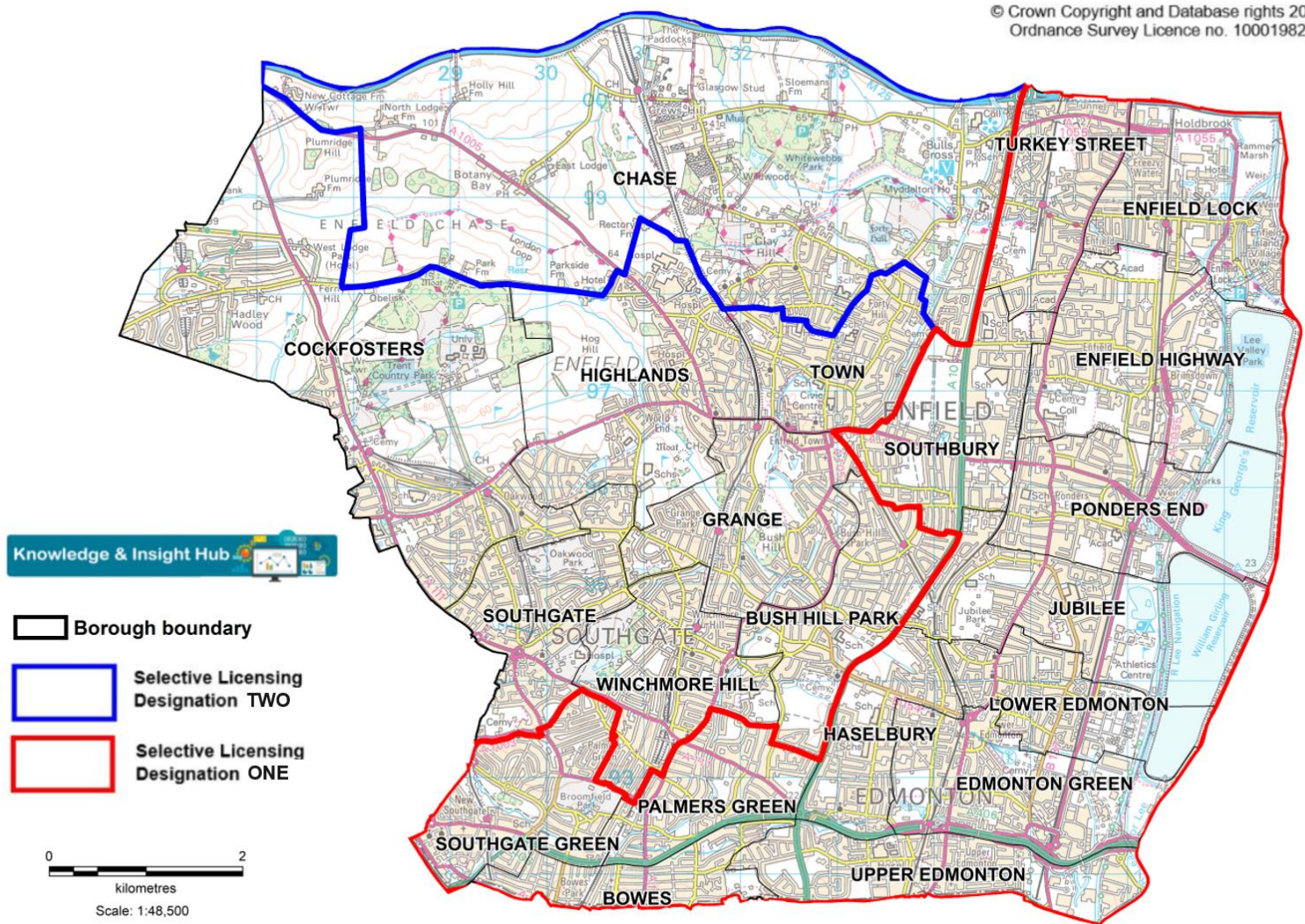
Signed

Portfolio holder and elected Cabinet

For and on behalf of London Borough of Enfield,

22 January 2020

**Annex A:** Map of the selective licensing designations showing the boundary of Designation One in RED and the boundary of Designation Two in BLUE.



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# **London Borough of Enfield Selective and Additional Licensing**

## **Appendix 5 Additional HMO Licensing Scheme Designation**

*Designation and map of area covered by proposed additional licensing designation*

## **PUBLIC NOTICE**

London Borough of Enfield

### **NOTICE OF DESIGNATION OF AN AREA FOR ADDITIONAL LICENSING**

Section 56, Housing Act 2004

The London Borough of Enfield (“The Council”) in exercise of its powers under section 56 of the Housing Act 2004 (“the Act”) hereby designates the entire area of its district, as subject to Additional Licensing as described at paragraph 4. The designation applies to all Houses in Multiple Occupation (“HMOs”) that are occupied under a tenancy or a licence as described at paragraph 5

#### **CITATION, COMMENCEMENT AND DURATION**

1. This designation will be known as The London Borough of Enfield Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2020. The Designation is made on 22 January 2020 and shall come into force on 1 September 2020.
2. The designation shall cease to have effect on 31 August 2025 (not more than five years) or earlier if the Authority revokes the scheme under section 84 of the Act.

#### **AREA TO WHICH THE DESIGNATION APPLIES**

3. This designation shall apply to the entire area of the London Borough of Enfield as delineated and edged red on the map annex A below.

#### **APPLICATION OF THE DESIGNATION**

4. The designation applies to all Houses in Multiple Occupation (“HMOs”) as defined by section 254 of the Act that are occupied by 3 or more persons comprising 2 or more households as defined in Annex B, within the area described at paragraph 1 unless:
  - a. the house is an HMO that falls within the nationally prescribed category of HMO that is required to be licensed as a ‘mandatory HMO’ under section 55(2)(a) Part 2 of the Act<sup>1</sup> ;
  - b. the house is subject to an Interim or Final Management Order under Part 4 of the Act;
  - c. the house is subject to a temporary exemption under section 62 of the Act;

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<sup>1</sup> Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)

- d. The house is an HMO that is a building or part of a building that is not an HMO for the purposes of licensing under Part 2 of the Act<sup>2</sup> as defined in Annex C/ Schedule 14 of the Act; or.
- e. it is a building converted into self-contained flats but does not meet the standards of conversion required by the Building Regulations 1991, and where less than two thirds of the flats are owner occupied to which Section 257 of the Housing Act 2004 applies

## EFFECT OF THE DESIGNATION

- 5. Subject to sub paragraphs 4(a) to (e) above, every HMO of the description specified in that paragraph in the area specified in paragraph 3 shall be required to be licensed under section 61 of the Act.
- 6. The designation falls within a description of designations in relation to which the Secretary of State has issued a General Approval under section 58 of the Act, namely, The Housing Act 2004: Licensing of Houses of Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 which came into force on 1 April 2015.
- 7. The London Borough of Enfield will comply with the notification requirements contained in Section 29 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.<sup>3</sup>

If you are a landlord, managing agent or a tenant, or if you require information regarding this designation, or to apply for a licence, further information and assistance is available from the Council's Private Rented Property Licensing Team by telephone on 020 8379 xxxx or by email to xxxx@enfield.gov.uk, or by writing to Private Rented Property Licensing Team, London Borough of Enfield, Civic Centre, Silver Street, Enfield, Middx, EN1 3XH. The Designation may be inspected at the above address during office hours.

All landlords, managing agents or tenants within the designated area should obtain advice to ascertain whether their property is affected by the Designation by contacting the Council's Private Rented Property Licensing Team.

Any person who operates a licensable property without a licence or allows a licensed property to be occupied by more households or persons other than as authorised by a licence, is liable to prosecution and upon summary conviction is liable to an unlimited fine. A person who breaches a condition of a licence is liable upon summary conviction to a maximum fine of £5,000 per breach.

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<sup>2</sup> Schedule 14 Housing Act 2004 describes the buildings that are not HMOs other than for the purpose of Part 1 [HHSRS]

<sup>3</sup> Section 232 of the Act and paragraph 11 of SI 373/2006

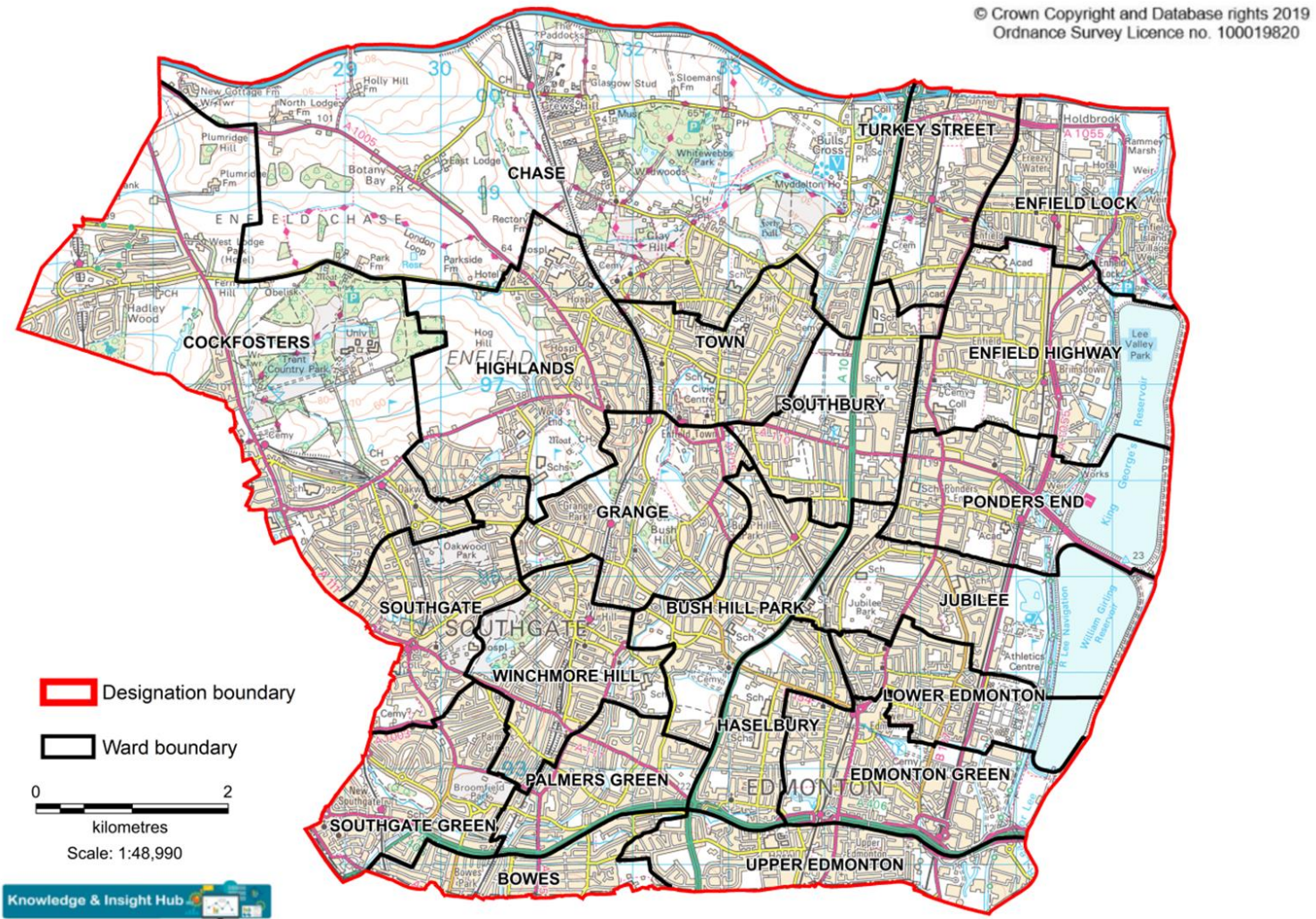
Signed

Portfolio holder and elected Cabinet Member

For and on behalf of London Borough of Enfield

22 January 2020

**Annex A:** Map of additional licensing designation showing boundary in RED



**Annex B: HMOs to which this designation applies [subject to paragraph 4 above]**

**A building or a part of a building meets the standard test if—**

- (a) It consists of one or more units of living accommodation not consisting of a self-contained flat or flats;
- (b) The living accommodation is occupied by persons who do not form a single household<sup>4</sup>;
- (c) the living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it<sup>5</sup>;
- (d) Their occupation of the living accommodation constitutes the only use of that accommodation;
- (e) Rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation; and
- (f) Two or more of the households who occupy the living accommodation share one or more basic amenities or the living accommodation is lacking in one or more basic amenities.

**A part of a building meets the self-contained flat test if—**

- (a) It consists of a self-contained flat; and
- (b) Paragraphs (b) to (f) of standard test definition above apply (reading references to the living accommodation concerned as references to the flat).

**A building or a part of a building meets the converted building test if—**

- (a) It is a converted building;
- (b) It contains one or more units of living accommodation that do not consist of a self-contained flat or flats (whether or not it also contains any such flat or flats);
- (c) The living accommodation is occupied by persons who do not form a single household<sup>6</sup>;
- (d) The living accommodation is occupied by those persons as their only or main residence or they are to be treated as so occupying it<sup>7</sup>;
- (e) Their occupation of the living accommodation constitutes the only use of that accommodation; and
- (f) Rents are payable or other consideration is to be provided in respect of at least one of those persons' occupation of the living accommodation.

**“Basic amenities” means—**

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<sup>4</sup> For the definition of “persons not forming a single household” please see Section 258 Housing Act 2004

<sup>5</sup> For the definition of “persons treated as occupying premises as only or main residence” please see Section 259 Housing Act 2004

<sup>6</sup> For the definition of “persons not forming a single household” please see Section 258 Housing Act 2004

<sup>7</sup> For the definition of “persons treated as occupying premises as only or main residence” please see Section 259 Housing Act 2004

- (a) A toilet,
- (b) Personal washing facilities, or
- (c) Cooking facilities

**“Converted building”** means a building or part of a building consisting of living accommodation in which one or more units of such accommodation have been created since the building or part was constructed;

**“Enactment”** includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30));

**“Self-contained flat”** means a separate set of premises (whether or not on the same floor)—

- (a) which forms part of a building;
- (b) either the whole or a material part of which lies above or below some other part of the building; and
- (c) in which all three basic amenities are available for the exclusive use of its occupants

### **HMO declarations**

If a local housing authority are satisfied that a building or part of a building in their area meets either:

- the standard test; or
- the self-contained flat test; or
- the converted building test

they may serve a notice under this section (an “HMO declaration”) declaring the building or part to be a house in multiple occupation.

**Annex C:** Buildings which are not HMOs for purposes of this designation

*In the following paragraphs “building” includes a part of a building.*

**Buildings controlled or managed by public sector bodies etc**

A building where the person managing or having control of it is

- (a) a local housing authority,
- (b) a non-profit registered provider of social housing,
- (c) a body which is registered as a social landlord under Part 1 of the Housing Act 1996,
- (d) a police and crime commissioner,
- (e) the Mayor's Office for Policing and Crime,
- (f) a fire and rescue authority, or
- (g) a health service body [within the meaning of section 9 of the National Health Service Act 2006].

**“fire and rescue authority”** means a fire and rescue authority under the Fire and Rescue Services Act 2004

A building—

- (a) Which is social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and
- (b) Where the person managing or having control of it is a profit-making registered provider of social housing.]

**Buildings controlled or managed by a co-operative society**

A building where—

- (a) The person managing or having control of it is a co-operative society whose rules are such as to secure that each of the conditions set out in sub-paragraph (2) is met, and
  - (b) No person who occupies premises in the building does so by virtue of an assured tenancy, a secure tenancy or a protected tenancy.
- (2) The conditions are—
- (a) That membership of the society is restricted to persons who are occupiers or prospective occupiers of buildings managed or controlled by the society,
  - (b) That all management decisions of the society are made by the members (or a specified quorum of members) at a general meeting which all members are entitled to, and invited to, attend,
  - (c) That each member has equal voting rights at such a meeting, and
  - (d) That, if a person occupies premises in the building and is not a member, that person is an occupier of the premises only as a result of sharing occupation of them with a member at the member's invitation.



(3) For the purposes of sub-paragraph (a) “co-operative society” means a body that—

(a) Is registered as a co-operative society under the 2014 Act or is a pre-commencement society (within the meaning of that Act) that meets the condition in section 2(2)(a)(i) of that Act, and

(b) Is neither—

(i) A non-profit registered provider of social housing, nor

(ii) Registered as a social landlord under Part 1 of the Housing Act 1996.

(4) In this paragraph—

- “the 2014 Act” means the Co-operative and Community Benefit Societies Act 2014;]
- “assured tenancy” has the same meaning as in Part 1 of the Housing Act 1988;
- “protected tenancy” has the same meaning as in the Rent Act 1977;
- “secure tenancy” has the same meaning as in Part 4 of the Housing Act 1985.]

### **Buildings regulated otherwise than under this Act**

Any building whose occupation is regulated otherwise than by or under this Act and which is of a description specified for the purposes of this paragraph in regulations made by the appropriate national authority.

### **Buildings occupied by students**

Any building—

- (a) which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at a specified educational establishment or at an educational establishment of a specified description, and
- (b) where the person managing or having control of it is the educational establishment in question or a specified person or a person of a specified description.

(2) In sub-paragraph (a) “specified” means specified for the purposes of this paragraph in regulations made by the appropriate national authority.

(3) Sub-paragraph (4) applies in connection with any decision by the appropriate national authority as to whether to make, or revoke, any regulations specifying—

(a) A particular educational establishment, or

(b) A particular description of educational establishments.

(4) The appropriate national authority may have regard to the extent to which, in its opinion—

- (a) the management by or on behalf of the establishment in question of any building or buildings occupied for connected educational purposes is in conformity with any code of practice for the time being approved under section 233 which appears to the authority to be relevant, or
  - (b) the management of such buildings by or on behalf of establishments of the description in question is in general in conformity with any such code of practice, as the case may be.
- (5) In sub-paragraph (4) “occupied for connected educational purposes”, in relation to a building managed by or on behalf of an educational establishment, means occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at the establishment.

### **Buildings occupied by owners**

Any building which is occupied only by persons within the following paragraphs—

- (a) one or more persons who have, whether in the whole or any part of it, either the freehold estate or a leasehold interest granted for a term of more than 21 years;
- (b) any member of the household of such a person or persons;
- (c) No more than such number of other persons as is specified for the purposes of this paragraph in regulations made by the appropriate national authority.<sup>8</sup>
- (d) This paragraph does not apply in the case of a converted block of flats to which section 257 applies, except for the purpose of determining the status of any flat in the block.

### **Buildings occupied by two persons**

Any building which is occupied only by two persons who form two households.

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<sup>8</sup> The number of persons specified for the purposes of paragraph (c) under ‘Buildings Occupied by owners’ in The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 is two.

# **London Borough of Enfield Selective and Additional Licensing**

## **Appendix 6 Licensing Schemes Objectives**

It is intended that Selective and Additional Licensing will improve property conditions and management, tackle anti-social behaviour (ASB) and help reduce deprivation in the borough. We are committed to improving property conditions and management standards in the private rented sector, so that it provides good quality accommodation, helps us to achieve sustainable communities and continues to contribute positively to the local economy.

The objectives of our proposed schemes over the five-year scheme are:

**1. *Improve property conditions and management standards in single household dwellings:***

- Ensure that at least 95% of licensable properties are licensed by the end of the scheme - Monitor compliance against predicted number of licensable addresses
- Ensure compliance with licence conditions and improve property standards in at least 75% of licensed properties - Carry out targeted desktop audit and compliance checks of properties licensed under the Selective Licensing Scheme
- Reduce Housing hazards by at least 70% in the designated area - Improve properties through a combination of informal and formal actions, including the service of Notices under the Housing Act and Public Health related legislation

**2. *Improve property conditions and management standards in HMOs:***

- Ensure that at least 95% of licensable properties are licensed by the end of the scheme - Monitor compliance against predicted number of licensable addresses
- Ensure compliance with licence conditions and improve property standards in at least 75% of licensed properties - Inspect all HMOs prior to determining a licence application and identify necessary improvement works. Carry out audit checks to ensure that required works are completed
- Reduce Housing hazards by at least 70% in the designated area - Improve properties through a combination of informal and formal actions, including the service of Notices under the Housing Act and Public Health related legislation

**3. *Improve factors that make deprivation worse***

- Reduce overcrowding in at least 90% of properties identified as being overcrowded - Overcrowding is reduced through a combination of informal and formal actions
- Reduce fuel poverty in at least 90% of properties with a F and G EPC rating - Bring identified properties up from F and G to a minimum of E rating

**4. *Reduce ASB***

- Take enforcement action to reduce repeat ASB incidents in PRS properties in the designated areas by at least 70% over the life of the scheme - ASB is reduced through the use of informal actions, enforcement notices and civil penalties in licensed properties.

**London Borough of Enfield  
Selective and Additional Licensing**

**Appendix 7  
Fee structure for Licence Applications**

## ***Licence Fees, Income and Expenditure for the Selective and Additional HMO licence schemes***

### **Proposed Licence Fees**

The licence fees are set out in the table below.

<b>Type of Licence</b>	<b>Part 1- Processing and determining the application</b>	<b>Part 2 – administration, management and enforcement of the licensing schemes</b>	<b>TOTAL</b>
<b>Selective Licence (14 wards)</b>	£260	£340	<b>£600</b>
<b>Additional HMO licence (borough wide)</b>	£550	£350	<b>£900</b>

Where a building qualifies for a single selective licence (where there are multiple rented flats in the same block or building and are owned or managed by the same person), the Part 1 fee will be payable at the full rate for the first flat, but the Part 1 fee will be reduced by £100 in respect of the 2nd, 3rd etc. flat within the building. The Part 2 fee is the full fee for all flats.

Licences will be granted for the duration of the scheme (up to five years) unless we have concerns about the management, use, condition or occupation of the property, in which case we may grant a licence for a shorter period and a new application and fee will have to be paid on its expiry. If we revoke a licence and the property continues to be rented out, a new application will have to be made and a new licence fee paid.

Licences are not transferable. If a person wants to become the new licence holder for a property, they must apply for a new licence and pay a new licence fee.

The fees will be reviewed throughout the scheme and the Council may adjust the fees to reflect changes in costs.

## **How the Licence Fees were set**

Article 13(2) of the EU Services Directive (2006/123/EC) requires that the licence fee paid by the applicant must be reasonable and proportionate to the cost of the authorisation (licensing) procedure and shall not exceed the cost of the authorisation (licensing) procedure. This means that the costs of the proposed licensing schemes must be cost neutral whereby the total licensing fee income does not exceed the expenditure over the five-year duration of the scheme.

The licence fees for licence applications were set taking into account all of the Council's costs in administering and carrying out its licensing functions and carrying out its functions under Chapter 1 of Part 4 Housing Act 2004 (where steps are necessary to make Interim and Final Management Orders) so far as they are not recoverable under or by virtue of any provision of Chapter 1 of Part 4. We have not included costs we can recover directly from landlords when undertaking those functions.

The proposed fees are underpinned by assumptions about the level of income the fees will generate, based upon the number of properties that we expect to be licensed during the life of the schemes. For example, we have assumed that 45% of licence applications will be received in the first year, and that 64% of IT costs will be attributable to the receipt and processing of licence applications (Part 1 of the fees). A significant proportion of the licence fee income (75%) is met from the staffing costs needed to deliver the licensing schemes. Staffing and the other resources necessary to administer, run and enforce the scheme have been split between the two licence types to calculate the proposed fees.

## **Licence fees - Split fee**

The fee is levied in two parts.

Part 1 of the fee is for the application for a licence and covers the costs of processing, administration and validation of the application. Part 2 of the fee comprises the running costs of the scheme and exercising our other licensing functions, such as the inspections and enforcement.

Payment of Part 1 of the fee must be received when the application is made to the Council and, if the licence application is granted, Part 2 of the fee must be received and cleared before a licence is issued. In the event that we decide to refuse a licence application, only the Part 1 fee will have been paid.

### **Other Fees and Charges:**

These fees are applicable as appropriate in relation to licensing applications, or where properties are already licensed.

### **Licensed Premises - Proposed Licence Variation Fees**

<b>Proposed Licence Variation Fees</b>	<b>Fee</b>
1 year licence and renewal: Landlords with previous management contraventions or who are of concern with regards to the 'Fit and Proper' test (eg: a person who has or is being investigated for fraud relating to tenancies or is subject to enforcement action or prosecution relating to contraventions under the Housing Acts and associated regulations) will be charged the full fee for a 1 year licence or renewal.	New Licence Application Fee
Change of address details of any existing licence holder, manager, owner, mortgagor, freeholder, leaseholder etc.	No fee
Change of mortgagor, owner, freeholder, and leaseholder (unless they are also the licence holder or manager)	No fee
Reduction in the number of maximum occupiers and/or households for licensing purposes	No fee
Variation of licence instigated by the council	No fee
Change of licence holder	New Licence Application Fee
Change of manager (unless they are also the licence holder)	No fee
Increase in the number of maximum occupiers and/or households for licensing purposes, through increasing the number of habitable rooms, change in room sizes, and/or amenity provision	No fee
Printing of lost licence	£10



<b>Action</b>	<b>Applicable Fee</b>
Revocation of licence	No refund of Licence Application Fee
Application to licence following revocation of a licence	New Licence Application Fee
Application refused by the council	Part 1 Licence Application fee not refunded
Application withdrawn by the applicant	Part 1 Licence Application fee not refunded
Application made in error and not granted (e.g. duplicate or exempt)	No fee, and a refund of the Part 1 fee will be made
Properties that cease to be licensable during the licensing process	No refund of Licence Application Fee
Temporary Exemption Notice (TEN)	No Fee

### **Total Income and Expenditure:**

The table below shows the estimated total income and expenditure for the schemes over the 5 year duration.

<b>Selective (14 Wards) and Additional HMO licencing (Borough Wide) – 5 Year schemes</b>		
<b>SCHEME</b>	<b>INCOME - FROM FEES</b>	<b>OPERATING COSTS - EXPENDITURE</b>
Selective (est. 22,997 x £600)	13,798,200	£13,471,000
Additional (est. 6,662 x £900)	5,995,800	£6,323,000
<b>Total</b>	<b>£19,794,000</b>	<b>£19,794,000</b>

Some assumptions have been made in estimating the income. For example, on application/inspection for additional HMOs it is likely that some properties will actually be found to be either mandatory HMOs or selective licensable properties and so will fall into those regimes, which reduces the total estimated number of additional HMOs. Also, it is assumed in estimating the income that a small number of licensable properties might not be found, or be exempt tenancies/properties (ie temporary accommodation operated by other Councils in Enfield Borough), or bad debt.

**Expenditure:**

The table below shows the estimated total expenditure for the schemes over the 5 year duration.

<b>Selective (14 Wards) and Additional HMO licencing (Borough Wide) – 5 Year schemes</b>	
<b>EXPENDITURE COST ELEMENTS</b>	
Staffing (Employee Costs)	£14,979,842
Staffing (Indirect Employee Costs)	£332,685
Implementation and Research Costs	£633,000
Communication Costs	£28,645
IT & Equipment Costs	£516,900
Legal Costs	£478,800
Other Operational Costs	£26,499
Overhead and Management Costs	£2,797,629
<b>Total</b>	<b>£19,794,000</b>

**Income:**

The table below shows the estimated total income from licence fees for the schemes over the 5 year duration.

<b>Year</b>	<b>Estimated income</b>
Year 1	£8,907,000
Year 2	£4,948,800
Year 3	£1,979,400
Year 4	£1,979,400
Year 5	£1,979,400
<b>Total</b>	<b>£19,794,000</b>

# **London Borough of Enfield Selective and Additional Licensing**

## **Appendix 8**

### **Licence Conditions for Additional Licensing Scheme**

Housing Act 2004

January 2020

## ***Proposed Licence Conditions***

### **1. Occupation of the House in Multiple Occupation**

- 1.1 A new resident must not be permitted to occupy the property or any part of the property if that occupation exceeds the maximum numbers specified in the licence. A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence.
- 1.2 The licence holder will be required to ensure that the numbers of households and/or persons residing in the property do not exceed the maximum numbers specified in the licence. These numbers will relate to the amenities that are, or can be, provided and/or to the size and layout of the units of accommodation available.
- 1.3 If numbers exceed the specified maximum levels at the time of licence issue, the licence holder will be expected to ensure that the numbers are reduced at the earliest opportunity. Existing tenancies must be allowed to run their full tenancy term, unless agreed with tenant/s, an earlier termination that complies with the correct statutory procedure.
- 1.4 The licence holder must ensure that\*:
- a) the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
  - b) the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;
  - c) the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;
  - d) any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.
- 1.5 The licence holder must ensure that\*:
- a) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;
  - b) where any room in the HMO is used as sleeping accommodation by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;
  - c) where any room in the HMO is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.

*The maximum number of persons who may occupy the HMO and the maximum number of persons who may occupy each room are specified in the*

*licence documentation. Both elements of these occupancy requirements must be met; please note that the (overall) maximum number of persons permitted to occupy the HMO may be lower than the sum of the total numbers of persons allowed to occupy the HMO on a room by room basis.*

- 1.6 In the event that the Council has notified the licence holder of a breach of licence condition 1.4 or 1.5 above, the licence holder must ensure that all necessary steps are taken to remedy the breach within a specified period, not exceeding 18 months from the date of notification of that breach\*.
- 1.7 The licence holder must ensure that the Council is notified of any room in the HMO with a floor area of less than 4.64 square metres.\*

## 2. Tenancy management

- 2.1 The licence holder shall provide each and every occupier of the property with a written statement of the terms on which they occupy the property\* and details of the arrangements in place to deal with repairs and emergency issues. The licence holder must ensure that the Council is provided with a copy of any such written statement if requested.
- 2.2 The licence holder shall obtain references from persons who wish to occupy the property before entering into any tenancy, licence or other agreement with them to occupy the accommodation.
- 2.3 The licence holder shall protect any deposit taken under an assured short-hold tenancy by placing it in an authorised statutory tenancy deposit scheme. The licence holder must ensure compliance with the requirements of the tenancy deposit scheme as set out at Part 6 Chapter 4 and Schedule 10 of the Housing Act 2004. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council if requested.
- 2.4 The licence holder must provide to the tenant/occupier at the start of their tenancy, whether in the tenancy agreement or licence granted or otherwise:
- A copy of this licence and conditions attached to it
  - Provision of an emergency contact name and number (including out of hours)
  - A clause making it clear that the occupants of the house are responsible for both their behaviour and that of their household and visitors
  - A copy of the current valid gas safety certificate
  - A copy of the Energy Performance Certificate (EPC) if applicable, and
  - Written information about waste and recycling detailing:-
    - The collection days for the refuse and recycling bins/sacks for the property and where to place the waste on the day of collection
    - Details on what they can and can't recycle (for more information, see the [Council's website here](#))
    - How they can dispose of bulky waste (for more information, see the [Council's website here](#))
    - General waste guidance from the Council's website (for more information, see the [Council's website here](#))

A copy of the information provided to the tenants/occupiers must be kept for five years and provided to the Council if requested.

- 2.5 The licence holder shall take reasonable and practicable steps to prevent or address problems of anti-social behaviour resulting from the conduct of occupiers or visitors to the property.
- 2.6 The licence holder must provide to the Council, if requested, details in writing of the tenancy management arrangements to prevent or address anti-social behaviour by persons occupying or visiting the property.
- 2.7 The licence holder shall ensure that inspections of the property are carried out at least every three months to identify any problems relating to the condition and management of the property. This must include evidence of checks that the property is being occupied by the level of occupancy specified in the licence. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection, issue(s) found and action(s) taken. The records of such inspections shall be kept for the duration of the licence. Copies of these must be provided to the Council if requested.

### **3. Property Management**

- 3.1 If the licence holder appoints a person to manage the property during the period of the licence, the licence holder must before or upon the manager's appointment, obtain from the manager a written declaration that they have been provided with the licence conditions and that they will ensure are complied with. A copy of this declaration must be provided to the Council if requested.
- 3.2 The Licence Holder must ensure that prompt action is taken to investigate and effectively address complaints about disrepair or housing conditions at the property.
- 3.3 If gas is supplied to the property, to produce to the Council annually for its inspection a gas safety certificate obtained from a Gas Safe Registered Engineer, in respect of the property within the last 12 months.\*
- 3.4 The licence holder shall ensure that the electrical installation and all electrical appliances made available by him or her in the property are in a safe condition and to supply to the Council, if requested, a declaration by him or her as to the safety of such appliances.\*
- 3.5 The licence holder must ensure that any gardens, yards and other external areas within the boundary of the house are kept in reasonably clean and tidy condition and free from pest infestation.
- 3.6 The licence holder must ensure that they comply with the refuse and recycling scheme provided by the Council to the licence holder and which relates to the storage and disposal of household waste at the HMO pending collection\*. The Licence holder must ensure that suitable and adequate provision is made for the storage of household refuse and recycling. Any receptacles provided by the Council for storage must be available to the tenants/occupiers.



- 3.7 The licence holder shall ensure that any refuse furniture or other household contents discarded at a time of tenancy changes is not left on or outside the property.
- 3.8 The licence holder must ensure that a smoke alarm is installed on each storey of the premises on which there is a room used wholly or partly as living accommodation, and to keep each such alarm in proper working order. For the purpose of this condition, bathrooms and lavatories are treated as rooms used as living accommodation. To provide to the Council, if requested, a declaration by him or her as to the condition and positioning of any such alarms\*.
- 3.9 The licence holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and to keep each such alarm in proper working order. For the purpose of this condition, bathrooms and lavatories are treated as rooms used as living accommodation. To provide to the Council, if requested, a declaration by him or her as to the condition and positioning of any such alarms\*.
- 3.10 The licence holder must ensure that a Fire Risk Assessment is undertaken in accordance with The Regulatory Reform (Fire Safety) Order 2005 and that action to minimise the risk of fire at the HMO is taken in accordance with the assessment. The licence holder must ensure that any fire detection equipment, fire alarms and emergency lighting at the HMO are maintained in good working order by competent persons. The licence holder must ensure that the Council is provided with, if requested, a copy of the Fire Risk Assessment, all periodical inspection reports and test certificates for any automatic fire alarm system, emergency lighting and fire-fighting equipment provided in the HMO.
- 3.11 The licence holder shall ensure that all furniture made available by him or her in the property are in a safe condition and to supply to the Council, if requested, with a declaration by him or her as to the safety of such furniture\*.

#### **4. Documents to be displayed**

- 4.1 The licence holder shall display the following information in a prominent position in the common parts of the property:
- a) A copy of the licence and these conditions, particularly highlighting the occupancy limits
  - b) The licence holder shall display a notice with the name, address and emergency contact number of the licence holder or managing agent

#### **5. Security**

- 5.1 If previous occupants have not surrendered keys to the house door, or to the doors of dwellings within the house, the licence holder must ensure that the relevant locks are changed, before new occupants move in.

#### **6. Notification of Material Changes of circumstances**

- 6.1 The licence holder must inform the Council if they no longer reside at the address given in their application form, and must provide the Council with their new address and contact details within 21 days.

- 6.2 The licence holder must advise the Council in writing of any proposed changes to the construction, layout, fire precautions, amenity or change in the type of occupation of the property house that would affect the licence or licence conditions.
- 6.3 The licence holder shall inform the Council within 21 days of any change in ownership or management of the property, and any material change in the circumstances of any person managing or involved in the management of the property, such as:
- details of any unspent convictions not previously disclosed to the Authority that may be relevant to the licence holder or the property manager
  - the status of either of them as a 'fit and proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003
  - practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business
  - Details of any contravention on the part of the licence holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.

## 7. General

- 7.1 The licence holder must allow for access to the property by authorised officers at any reasonable time for the purpose of carrying out inspections of the property, and must not obstruct council officers carrying out their statutory duty to ensure compliance of licence conditions and any relevant legislation.
- 7.2 The licence holder shall if requested to provide the Council with the following particulars as may be specified in the notice with respect to the occupancy of the house:
- The names, dates of birth and numbers of individuals/households accommodated specifying the rooms they occupy within the property.
  - number of individuals in each household and/or property.

**\*The Council is obliged to impose these conditions under Schedule 4 of the Housing Act 2004**

# **London Borough of Enfield Selective and Additional Licensing**

## **Appendix 9**

### **Licence Conditions for Selective Licensing Scheme**

Housing Act 2004

January 2020

## Proposed Licence Conditions

### 1. Occupancy

- 1.1 The licence holder must not allow the property to become overcrowded. A new resident must not be permitted to occupy the property. A new resident means a person who was not an occupier of the house at the date of the issue of the licence.
- 1.2 The licence holder or their appointed managing agent listed on the licence may create a new tenancy to occupy the property.

### 2. Tenancy management

- 2.1 The licence holder shall provide the tenant/occupier of the property with a written statement of the terms on which they occupy the property\* and details of the arrangements in place to deal with repairs and emergency issues. The licence holder must ensure that the Council is provided with a copy of any such written statement if requested.
- 2.2 The licence holder shall obtain references from persons who wish to occupy the property \* before entering into any tenancy, licence or other agreement with them to occupy the accommodation.
- 2.3 The licence holder shall protect any deposit taken under an assured short-hold tenancy by placing it in an authorised statutory tenancy deposit scheme. The licence holder must ensure compliance with the requirements of the tenancy deposit scheme as set out at Part 6 Chapter 4 and Schedule 10 of the Housing Act 2004. The tenant must be given the prescribed information about the scheme being used at the time the deposit is taken. This information must be provided to the Council if requested.
- 2.4 The licence holder must provide to the tenant/occupier at the start of their tenancy, whether in the tenancy agreement or licence granted or otherwise:
  - A copy of this licence and conditions attached to it
  - Provision of an emergency contact name and number (including out of hours)
  - A clause making it clear that the occupants of the house are responsible for both their behaviour and that of their household and visitors;
  - A copy of the current valid gas safety certificate
  - A copy of the Energy Performance Certificate (EPC), and
  - Written information about waste and recycling detailing:-
    - The collection days for the refuse and recycling bins/sacks for the property and where to place the waste on the day of collection
    - Details on what they can and can't recycle (for more information, see the [Council's website here](#))
    - How they can dispose of bulky waste (for more information, see the [Council's website here](#))
    - General waste guidance from the Council's website (for more information, see the [Council's website here](#))

A copy of the information provided to the tenant/occupier must be kept for five years and provided to the Council if requested.

- 2.5 The licence holder shall take reasonable and practicable steps to prevent or address problems of anti-social behaviour resulting from the conduct of occupiers or visitors to the property.
- 2.6 The licence holder must provide to the Council, if requested, details in writing of the tenancy management arrangements to prevent or address anti-social behaviour by persons occupying or visiting the property.
- 2.7 The licence holder shall ensure that inspections of the property are carried out at least every six months to identify any problems relating to the condition and management of the property. This must include evidence of checks that the property is being occupied by a single household. As a minimum requirement the records must contain a log of who carried out the inspection, date and time of inspection, issues found and action(s) taken. The records of such inspections shall be kept for the duration of the licence. Copies of these must be provided to the Council if requested.

### **3. Property Management**

- 3.1 If the licence holder appoints a person to manage the property during the period of the licence, the licence holder must before or upon the manager's appointment, obtain from the manager a written declaration that they have been provided with the licence conditions and that they will ensure are complied with. A copy of this declaration must be provided to the Council if requested.
- 3.2 The Licence Holder must ensure that prompt action is taken to investigate and effectively address complaints about disrepair or housing conditions at the property.
- 3.3 If gas is supplied to the property, to produce to the Council annually for its inspection a gas safety certificate obtained from a Gas Safe Registered Engineer, in respect of the property within the last 12 months.\*
- 3.4 The licence holder shall ensure that the electrical installation and all electrical appliances made available by him or her in the property are in a safe condition and to supply to the Council, if requested, with a declaration by him or her as to the safety of such appliances.\*
- 3.5 The licence holder must ensure that any gardens, yards and other external areas within the boundary of the house are kept in reasonably clean and tidy condition and free from pest infestation.
- 3.6 The licence holder must ensure that suitable and adequate provision is made for the storage of household refuse and recycling. Any receptacles provided by the Council for storage must be available to the tenants/occupiers.
- 3.7 The licence holder shall ensure that any rubbish, furniture or other household contents discarded at a time of tenancy changes is not left on or outside the property.

- 3.8 The licence holder must ensure that a smoke alarm is installed on each storey of the premises on which there is a room used wholly or partly as living accommodation, and to keep each such alarm in proper working order. For the purpose of this condition, bathrooms and lavatories are treated as rooms used as living accommodation\*.
- 3.9 The licence holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and to keep each such alarm in proper working order. For the purpose of this condition, bathrooms and lavatories are treated as rooms used as living accommodation.\*
- 3.10 The licence holder shall ensure that all furniture made available by him or her in the property are in a safe condition and to supply to the Council, if requested, with a declaration by him or her as to the safety of such furniture. \*

#### **4. Security**

- 4.1 If previous occupants have not surrendered keys to the house door, or to the doors of dwellings within the house, the Licence Holder must ensure that the relevant locks are changed, before new occupants move in.

#### **5. Notification of Material Changes of circumstances**

- 5.1 The licence holder must inform the Council if they no longer reside at the address given in their application form, and must provide the Council with their new address and contact details within 21 days.
- 5.2 The licence holder must advise the Council in writing of any proposed changes to the construction, layout, fire precautions, amenity or change in the type of occupation of the property that would affect the licence or licence conditions.
- 5.3 The licence holder shall inform the Council within 21 days of any change in ownership or management of the property, and any material change in the circumstances of any person managing or involved in the management of the property, such as:
- details of any unspent convictions not previously disclosed to the Authority that may be relevant to the licence holder or the property manager
  - the status of either of them as a 'fit and proper person', including in particular a conviction in respect of any offence involving fraud or dishonesty, violence, drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003
  - practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business
  - Details of any contravention on the part of the licence holder or property manager relating to housing, public health, environmental health, or landlord and tenant law, which has led to civil or criminal proceedings and a judgment or finding being made against him or her.

## 6. General

- 6.1 The licence holder must allow for access to the property by authorised officers at any reasonable time for the purpose of carrying out inspections of the property, and must not obstruct council officers carrying out their statutory duty to ensure compliance of licence conditions and any relevant legislation.
- 6.2 The licence holder shall, if requested to, provide the Council with the following particulars as may be specified in the notice with respect to the occupancy of the house:
- The names, dates of birth and numbers of individuals within the household specifying the rooms they occupy within the property.

**\*The Council is obliged to impose these conditions under Schedule 4 of the Housing Act 2004**

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# Enfield Council Predictive Equality Impact Assessment

**NB if there is likely to be an impact on different groups of staff as a result of this proposal, please also complete a restructuring predictive EQIA form**

<b>Department:</b>	Regeneration & Environment	<b>Service:</b>	Regulatory Services
<b>Title of decision:</b>	Proposal to introduce Additional and Selective Licensing Schemes in the Private Rented Property Sector	<b>Date completed:</b>	
<b>Author:</b>	Martin Rattigan	<b>Contact details:</b>	Martin.rattigan@enfield.gov.uk

**1 Type of change being proposed:** (please tick)

Service delivery change/ new service/cut in service		Policy change or new policy	✓	Grants and commissioning		Budget change	
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**2 Introduction**

Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty (PSED) which requires the Council to have “due regard” in the performance of its functions to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and,
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the PSED. Due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

The duty covers the following eight protected characteristics:

- age,
- disability,
- gender reassignment,
- pregnancy and maternity,
- race,
- religion or belief,
- sex and
- sexual orientation.

Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic, but that the other arms (advancing equality and fostering good relations) do not apply.

### 3 Describe the change, why it is needed, what is the objective of the change and what is the possible impact of the change:

The licensing proposal is part of a wider strategy to improve the quantity and quality of accommodation in the borough and supports the Council's Housing Strategy. The Council is proposing to introduce:

- Additional HMO licensing to all 21 wards (borough wide). This applies to HMOs not covered by the mandatory HMO licensing scheme, and
- Selective licensing, which applies to privately rented properties occupied by one household (e.g. one family, one person or two persons) into the 14 wards in the borough listed below:

Bowes	Edmonton Green	Enfield Highway
Enfield Lock	Haselbury	Jubilee, Lower Edmonton
Palmers Green	Ponders End, Southbury	Southgate Green
Turkey Street	Upper Edmonton	Chase.

The introduction of additional and selective licensing will supplement the Council's current mandatory licensing obligations in relation to houses in houses in (HMO's).

For the purpose of the mandatory HMO licencing scheme<sup>1</sup> a house in multiple occupation is defined as a building or part of a building (e.g. a flat) which has:

- Five or more persons in more than one household residing as their only or main residence and who share one or more amenities e.g. kitchen or bathroom/shower room/toilet (Section 254)
- A block of flats where it has been converted into self- contained flats and the conversion does not meet Building Regulations 1991 and where less than two thirds of the flats are owner occupied (Section 257)

<sup>1</sup> [Housing Act 2004](#)

Private rented sector (PRS) properties that are not subject to Mandatory HMO licensing can also be licensed through either a selective licensing scheme and/or an additional HMO licensing scheme under the Housing Act 2004 Parts 2 and 3. This would mean that every home in the designated areas that is rented out privately must be licensed by the Council.

The report in Appendix 3(evidence report) shows that significant numbers of private rented properties in the borough:

- Have category one hazards (poor housing conditions) and are inadequately managed,
- Are in areas of high deprivation
- Have significant and persistent levels of antisocial behaviour (ASB).

The Council recognises that the private rented sector in Enfield can offer good accommodation to people who want to live in the Borough, but also that significant numbers of the private rented sector properties are badly managed, in poor condition, and in many cases, unsafe.

The Council aims to support good landlords in the borough and will use additional and selective licensing to further improve the conditions in the private rented sector (PRS) and enhance housing management standards. A licensing scheme will give the Council additional means to tackle anti-social behaviour, poor property conditions and help the Council to work with landlords, tenants and businesses, and with our internal and external partners to drive up standards in the sector.

Mandatory licence conditions will be attached to each licence to ensure that Landlords are clear about the standards required, and these will include matters such as:

- Annual gas safety certificates, if gas is supplied to the house;
- Keeping electrical appliances and furniture (supplied under the tenancy) in a safe condition;
- Keeping smoke alarms in proper working order;
- Supply the occupier with a written statement of the terms of occupation;
- Require references from persons wishing to occupy the property
- Ensuring sleeping room sizes meet minimum standards
- Ensuring adequate waste storage and disposal provisions

The Council can also attach other conditions to licensing for the proper management, occupation and use of the property, and for the condition also in relation to additional HMOs.

### **Fit and proper person**

The council must consider whether the landlord is a 'fit and proper' person before granting a licence. (Section 89 HA 2004) and must have

regard to:

- any previous convictions relating to violence, sexual offences, drugs or fraud;
- whether the proposed license holder has contravened any laws relating to housing or landlord and tenant issues; and
- whether the person has been found guilty of unlawful discrimination practices.

If the Council decides that a landlord is not 'fit and proper' a licence will not be granted. The local authority can also withdraw a license after issue if the licensee is no longer considered a 'fit and proper' person. Appeal rights are attached to both decisions.

The Council must also satisfy itself that the person to whom the licence is granted is the most 'appropriate' person – having regard to local residence and management responsibility for the property in question. This is to ensure that landlords that are not 'fit and proper' persons cannot apply for licences using a third party.

The Council must confirm that satisfactory management arrangements are in place, having regard to the competence of the manager; management structures; and soundness of the financial arrangements.

Licences are issued for a period of up to 5 years, although local authorities may issue licences for shorter periods where certain requirement(s) have not been met. Landlords will be required to pay a licence fee. Landlords that fail to comply with any license conditions can be prosecuted. Operating a property without a licence in a designated area can attract an unlimited fine if prosecuted.

### ***Who is affected by the proposal?***

Private sector landlords and their tenants within the wards in scope will be directly affected by the proposals.

### **Demographic profile**

Enfield is characterised by significant inequalities between the east and west of the Borough. The A10 separates the two areas and represents both a physical and social boundary between communities, with outcomes for several domains worse for people living in the east of the Borough.

East Enfield contains the 10 most deprived wards in the Borough, which lie (either wholly or partially) to the east of the A10: Edmonton Green; Lower Edmonton; Jubilee; Haselbury; Ponders End; Turkey Street; Enfield Lock and Enfield Highway; Upper Edmonton; and Southbury.

These wards are among the 20% most deprived wards in England (2015 Indices of Multiple Deprivation) and include nine of the wards in which we propose to introduce additional selective licencing.

- Household income in nine of the 10 wards are below the UK median household income (the exception being Southbury). (Based on data from CACI, 2018) which has a negative impact on the ability to find good quality affordable housing.
- More adults claim out of work benefits in East Enfield compared to the west of the borough. Every ward in East Enfield is above the Enfield average of 2.5% and the GB average of 2.1% (ONS Claimant Count July 2018)
- Life expectancy for men in East Enfield is 7.3 years lower than life expectancy for men in the west and 8.5 years lower for women (life expectancy at birth, ONS 2009-2013).
- 178 different languages are spoken in Enfield. The 2011 Census estimates indicate that Enfield has the largest proportion of Greek and Turkish speaking people in the country. The estimates show the top five non-English languages were:

Turkish	6.2%
Polish	2.0%
Greek	1.6%
Somali	1.1%
Bengali	0.9%

Other languages spoken in Enfield are Lingala, Kurdish, British Sign Language and Romanian.

Enfield is home to a diverse population and the table below shows the proportion of different ethnic groups in the borough.

White UK	40.5%
Other White' group <sup>2</sup>	18.2%
Black groups	17.2%

Source 2011 Census

According to official HMRC statistics (31st August 2013) 24.9% of all dependent children under the age of 20 in Enfield are in low-income families compared to 18.2% nationally and 21.7% in London. This figure rises to 25.5% (21,135) for children under the age of 16. Low income' is defined as a family receiving 60% or less of median income The majority of children under 16 live in families where the adults are receiving Income Support, Job Seekers Allowance or Child Tax Credit only. However, a small proportion (around 1%) of children in low-income families have working parents.

<sup>2</sup> The 'Other White' group is composed largely of Greek and Turkish Cypriots and Turkish. Enfield has the largest Cypriot, Greek, Turkish and Albanian population in England & Wales.

At Mid-2014, Edmonton Green Ward was estimated to have the highest population of the 0-15 age band. Highlands Ward has had the complete opposite with the smallest population estimate. The male population has always been higher than the female population across all the wards in this demographic. Highlands has the smallest male population in this demographic than anywhere else in Enfield and Grange has the smallest female population.

#### 4 Do you carry out equalities monitoring of your service? If No, please state why?

This is a new policy/service and current equality data is not available. We will collect equalities data as the scheme is implemented and Landlords make licence applications to the Council.

#### 5. Equalities Impact

Indicate Yes, No or Not Known (N/K) for each  
Or Not Applicable (N/A)

	Disability	Gender	Age	Race	Religion & Belief	Sexual Orientation	Gender reassignment	Pregnancy & Maternity	Marriage & Civil Partnerships
1. Does equalities monitoring of your service show people from the following groups benefit from your service? (recipients of the service, policy or budget, and the proposed change) N/A as new proposed service	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2. Does the service or policy contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between different groups in the community?	Y	Y	Y	Y	N/K	N/K	N/K	N/K	N/K
3. Could the proposal discriminate, directly or indirectly, these groups?	N/K	N/K	N/K	N/K	N	N	N	N	N
4. Could this proposal affect access to your service by different groups in the community?	N	N	N	N	N	N	N	N	N

5. Could this proposal affect access <u>to information</u> about your service by different groups in the community?	Y	N	N	Y	N	N	N	N	N
6. Could the proposal have an adverse impact on relations between different groups?	N	N	N	N	N	N	N	N	N

If Yes answered to questions 3-6 above – please describe the impact of the change (including any positive impact on equalities) and what the service will be doing to reduce the negative impact it will have.

\*If you have ticked yes to discrimination, please state how this is justifiable under legislation.

### Overall impact

We anticipate that the impact on the majority of residents in the borough will be positive. The licencing scheme will:

- Provide a more strategic approach to regulating the sector
- Identify private rented properties and landlords operating in Enfield
- Introduce greater volumes of proactive inspections to assess living conditions and advise landlords, managing agents and tenants about their obligations
- Ensure a minimum letting standard in Enfield
- Ensure that a proper standard of management of privately rented property is maintained and that properties do not become overcrowded
- Reduce the incidence of anti-social behaviour in the borough and facilitate action against landlords whose properties or tenants cause persistent ASB
- Reduce enviro-crime and improving waste management in the borough
- Strengthen enforcement action to tackle non-compliant properties and landlords in the sector

### Community Cohesion

Improved standards of accommodation and property management will help to reduce some of the problems in the PRS, such as untidy front gardens, noise and neighbour nuisance and therefore have a positive impact on relations within the community and between



neighbours.

The introduction of additional and selective licencing is also likely to increase community cohesion across the borough as more settled and secure tenancies in better quality accommodation should reduce tenant turnover resulting in increased tenant connection and investment in the local area.

Those who depend on the PRS tend to be more socially and economically vulnerable. A licensing scheme should help those that are most disadvantaged through ensuring that proper tenancy arrangements are in place, it should help to reduce discrimination. The elimination of overcrowding within the PRS will help disadvantaged groups through improving their health outcomes. All properties that are granted a licence will be expected to comply with the Housing Health and Safety Rating System standards. This system is designed to protect occupiers from harm.

### ***The impact on tenants***

Tenants in the private rented sector will benefit from an improvement in their property condition(s) and better standards of management. Feedback from public consultation on the scheme shows that tenants are strongly in support of the proposed licensing schemes. However, some tenants and tenant organisations are concerned that

- Licence fee costs will be passed onto them through increased rents and
- there will be an increase in the number of tenants evicted as landlords leave the sector.

A recent MHCLG report “An Independent Review of the Use and Effectiveness of Selective Licensing” (June 2019) found no evidence to suggest that the licence fee costs are transferred to the tenants. The review concluded that rent increases are determined by supply and demand within the rental market and not by licence fees.

When enforcement action is taken against a Landlord, we will support and signpost tenants to relevant agencies for advice and work with Landlord’s to prevent any breach of current legislation protecting tenants from harassment and illegal eviction and act to prevent homelessness arising from any intervention.

### ***Landlords***

Landlords will be required to licence their property and comply with the licence conditions, at a cost.

Consultation feedback suggests that landlords are strongly opposed to the proposed licensing scheme for the following reasons:

- good landlords will be penalised

- it will impose an additional financial burden on landlords
- that licence fee costs will be passed onto tenants in rent increases
- Landlords will withdraw from the market and reduce the supply of private rented housing

### **Financial Burden**

We accept that some Landlords are already seeing the impact of changes to taxation rules and the scheme will mean additional costs, potentially reducing the return on their investment. However, Enfield's Licence fees are lower than some neighbouring boroughs and we believe the fees to be reasonable and proportionate.

### **Rent increases**

Concerns about rent increases are discussed above. In addition, respondents reported that rents in Waltham Forest have reduced despite licensing schemes in the borough.

### **Reduced supply**

There is no evidence from other councils that additional or selective licensing has reduced private rented housing supply, although it does appear that rogue landlords have been driven out/displaced from boroughs with licensing schemes.

We will monitor during implementation where landlords share a protected characteristic and face demonstrable hardship in paying the licence fee.

### **Impact on staff**

Some Council employees may see an increase in their workloads as a result of the licencing scheme. New additional staffing will be recruited in order to deliver the scheme. The implications for staff will be considered as part of Council's internal policies and processes.

### **Equality Impact**

The policy will apply to all landlords in the designated areas, irrespective of any protected characteristic and will be administered fairly, in accordance with the Council's Enforcement Policy.

We do not know the equality profile of the landlords in the areas affected by the scheme and cannot say for certain that it will not have a disproportionate impact on some groups and result in indirect discrimination.

However, there is an objective justification for any indirect discrimination associated with the policy.

- The policy has a legitimate aim - to improve conditions in the private rented housing market for all sections of the community and

associated positive impacts

- This is a proportionate means of achieving improved conditions for tenants in the private rented sector and residents, and overall the positive impact of the policy outweighs the negative impact on Landlords
- There is no feasible alternative measure available to the authority to regulate and improve the private rented sector on the large scale necessary.

**Positive impacts**

The scheme will apply to all private rented properties in the proposed designated areas irrespective of the occupants’ background or any shared protected characteristic. It is anticipated that the promotion of the licensing schemes and more information about appropriate behaviour, of both landlords and tenants, will increase contact from private tenants and disadvantaged groups housed in poor quality accommodation, seeking advice and assistance from the Council. Landlords will benefit from increased support from statutory agencies.

Improved housing conditions will bring improvements to the quality of life for tenants<sup>3</sup> and neighbouring residents. These include a reduction in overcrowding, compliance with the Housing, Health and Safety Rating Scheme (HHSRS, which sets minimum standards of health and safety), and licence conditions. These changes will improve health outcomes for private tenants by tackling excess cold, dampness and other factors that are detrimental to good health.

It is anticipated that access to information about housing services will increase as a result of this proposal. Will we make information available in different formats/languages/on the web – read aloud/translations etc to meet the needs of different groups in the community – will we have a programme of engagement with different community groups representing people sharing protected characteristics.

It is anticipated that landlords will benefit through the provision of advice and information to help them improve the condition of properties offered for rent, an improved reputation for the profession and fewer incidents of ASB, will help to increase the return on their property investment.

Age	<p>Private rented sector tenants are typically younger than residents in other tenures, with more than 50% of all private tenants under the age of 35.</p> <p>Families with children account for a third of the increase in PRS households in the past</p>
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<sup>3</sup> The evidence that good-quality housing is critical to health is well established – (Public Health England 2017) <https://www.gov.uk/government/publications/improving-health-through-the-home/improving-health-through-the-home>

	<p>decade and many of these families will be lone parent households. The implementation of the licencing schemes will raise the standard of their housing conditions and help them to feel more safe.</p> <p>The HHSRS assessment protects vulnerable groups, such as the 0-5's and over 60 years of age.</p> <p>There may be some older residents living in old Protected tenancies properties in Enfield that are likely to be in a poor condition and these residents will benefit from improvements to the quality of their accommodation.</p> <p>Compliance with licence conditions and HHSRS standards will help to improve the conditions for older people by reducing trip hazards, for example, which can result in serious injury from a fall.</p> <p>Students and young professionals can be exploited in the current rental market tend to live the private rented sector and HMOs</p> <p>The licensing fee will be set at a self-funding level to cover the cost of administering and ensuring compliance of the scheme only.</p>	
Sex	<p>Women tend to be over-represented on the Housing Register and are likely to benefit from improvements in the private rented sector.</p>	
Disability	<p>We will seek to encourage landlords to allow disability adaptation via Disabled Facilities Grants.</p>	
Race	<p>In our experience, White Residents from EU accession countries are the most likely group to rent privately and so should benefit from improvements in this sector.</p> <p>New migrant households tend to have difficulty securing private rented sector. With less choice over the type of accommodation they can access, these households tend to be concentrated in the HMO sector in Enfield, where a room to rent is the only affordable form of accommodation available, which is characterised by poorer quality housing, lack of privacy and less security.</p>	

Religion or belief	It is unlikely that the proposed licensing schemes will have an impact on religion or belief.
Sexual Orientation	We do not hold information about the sexual orientation of residents in the private rented sector but Stonewall estimates that one in 10 LGBT people (10 per cent) who were looking for a house or flat to rent or buy in the last year were discriminated against because of their sexual orientation and/or gender identity and one in five LGBT people (21 per cent) have experienced a hate crime or incident due to their sexual orientation and/or gender identity in the last 12 months <sup>4</sup> Additional and Selective licensing aims to reduce antisocial behaviour which is likely to benefit people who suffer homophobic crime and incidents.
Pregnancy and Maternity	It is unlikely that the proposed licensing schemes will have an impact.
Gender reassignment	It is unlikely that the proposed licensing schemes will have an impact.
Marriage or Civil Partnership	It is unlikely that the proposed licensing schemes will have an impact.

<b>6. Tackling Socio-economic inequality</b> Indicate Yes, No or Not Known for each group	Communities living in deprived wards/areas	People not in employment, education or training	People with low academic qualifications	People living in social housing	Lone parents	People on low incomes	People in poor health	Any other socio-economic factor Please state;
Will the proposal specifically impact on communities disadvantaged through the following socio-economic factors?	Y	Y	Y	N/A	Y	Y	Y	
Does the service or policy contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between	Y	Y	Y	N/A	Y	Y	Y	

<sup>4</sup> <https://www.stonewall.org.uk/lgbt-britain-hate-crime-and-discrimination>

different groups in the community?								
Could this proposal affect access to your service by different groups in the community?	N	N	N	N/A	N	N	N	
<p>If Yes answered above – please describe the impact (including any positive impact on social economic inequality) and any mitigation if applicable.</p> <p>Whilst the scheme will not tackle the cause of socio-economic inequality, it will address some of the consequences. Improved housing conditions will improve health outcomes and begin to address the health inequality across the borough. Income inequality has a significant impact on housing choice, with poorer households concentrated in the private rented housing, in the most deprived wards in the Borough. The scheme will drive up housing conditions in some of the poorest areas in Enfield and improve the management of private rented housing to address the factors that make deprivation worse (e.g. overcrowding and fuel poverty).</p> <p>The consequences of poor housing on the health and educational attainment of children<sup>5</sup> is well documented; improved housing conditions will have a positive impact on the educational attainment and future life chances of children.</p> <p>Applying the HHSRS will promote energy efficiency, for example, for new tenancies we feel that this will benefit low income groups, which is likely to include young people. People on low incomes are more likely to reside in the PRS, rather than being owner occupiers due to the prohibitive cost of owner occupation. Thus, the implementation of licencing should have positive impacts for this group.</p>								
<p><b>Public Consultation feedback</b></p> <p>The Council appointed an Independent Social Research provider to conduct a comprehensive programme of public consultation in order to seek views amongst stakeholders on the proposed additional and selective licensing schemes within Enfield. Our public consultation with stakeholders sought to engage with all sectors of the community.</p> <p>We publicised the public consultation on the proposed licensing schemes widely using various media including ethnic newspapers and</p>								

<sup>5</sup> [https://england.shelter.org.uk/\\_data/assets/pdf\\_file/0016/39202/Chance\\_of\\_a\\_Lifetime.pdf](https://england.shelter.org.uk/_data/assets/pdf_file/0016/39202/Chance_of_a_Lifetime.pdf)

voluntary and third sector organisations.

The ethnicity breakdown of Enfield's population was taken account of in determining the same size for the 1,067 face to face surveys across the borough. Stratified random sampling was undertaken for each ward in order to take account of the age and gender profile in each ward. We collected equality monitoring information as part of the public consultation process (please refer to Appendix 1A Page 51 -54). This showed that the age and gender of respondents were broadly representative of the Enfield population, as were disability and work status. Ethnicity was broadly representative amongst respondents for many groups, although 'White - English' was overly represented and some groups were slightly under represented amongst respondents; 'White – Other', Greek Cypriot, Turkish, Black Somali and Black African and 'Black – Other'.

Analysis of all comments provided during the public consultation was also undertaken (please see Appendix 2), and those relevant to the impact on equalities were and considered and fed into this Equalities Impact Assessment and action plan.

## 7. Review

### How and when will you monitor and review the effects of this proposal?

We will monitor the impact on equalities during the implementation of these licensing schemes (if approved) and conduct a review 12 months after implementation.

## Action plan template for proposed changes to service, policy or budget

Title of decision:...Proposal for the introduction of Additional and Selective Licencing.....  
.....

Team:.....Housing Enforcement Team..... Department:...Place.....  
.....

Service manager: Sue McDaid.....

Identified Issue	Action Required	Lead Officer	Timescale/ By When	Costs	Review Date/ Comments
------------------	-----------------	--------------	-----------------------	-------	--------------------------

<p>Potential for a lack of engagement with stakeholders and hard to reach communities during the public consultation.</p>	<p>Good design and implementation of a robust consultation to reach all sectors, using various methods. Keep engagement under review and target areas where there are any gaps to encourage greater engagement.</p>	<p>Martin Rattigan</p>	<p>Throughout the 3 month consultation period</p>		<p>There have been no changes to the planned strategy for the consultation and communications channels as all areas of diverse engagement have been met. With our robust communications and media plan, each channel has been reviewed at periodic intervals ensuring that we have encouraged target audiences. Performance metrics to assess the breakdown of these target audiences has undertaken weekly to ensure if any changes to engagement was needed</p>
<p>If there is a predominance of one or more ethnic group amongst landlords, negative publicity about standards in the PRS could cause disharmony/ negative view of Enfield or in the wider community in Enfield.</p>	<p>Publicity to emphasise that there are responsible landlords who comply with requirements, and that licensing is designed to deal with those properties and landlords who are not currently meeting their obligations.</p>	<p>Martin Rattigan</p>	<p>Throughout the 3 month consultation period</p>		<p>During all public meetings there has been promotion of working with good landlords and an offer from Enfield to provide Landlord support and training throughout the proposal. The licensing proposal promotes joint working with good landlords</p>



					with landlord advocates. The licensing proposal and consultation publicised the engagement with landlords with consistent and open dialogue to increase compliance.
If licensing is introduced, some landlords may decide to leave the private rented market, particularly if they do not want to adhere to the standards that are required. This could result in evictions and homelessness which could have an adverse effect on some groups with protected characteristics.	Provide advice and support through the landlord/tenants forum and on the website regarding services that are available for vulnerable people and how they can be accessed plus legal protection routes.	Tina Fasi/Sue McDaid	During the implementation of the licensing schemes		A recent report from the MHCLG, An Independent Review of the Use and Effectiveness of Selective Licensing, June 2019 provides evidence that there is limited evidence to suggest that landlords leave a borough due to licensing. The Licensing Team will work closely with our Housing and Homelessness teams to intervene early to prevent homelessness, deal with illegal evictions/harrassment and to monitor numbers of evictions.
Impact of the Licence Fee on landlords with	Monitor feedback from landlords with	Tina Fasi/Sue McDaid	During implementation of the schemes and		

protected characteristics	protected characteristics and extreme demonstrable hardship		ongoing		
Information and support to landlords in the requirements of the licensing schemes; licence applications, rights and responsibilities	Continue with an active landlord forum, and  Dedicated website information, dedicated email and telephone line	Tina Fasi/Sue McDaid	During implementation of the schemes and ongoing		
Information and support to private renters in the requirements of the licensing schemes; rights and responsibilities	Continue with an active private renting tenants' forum, and  Dedicated website information, dedicated email and telephone line and 'report it' form online	Tina Fasi/Sue McDaid	During implementation of the schemes and ongoing		
Difficulties accessing online licence application form due to protected characteristic	Will provide free assistance with application form (paper based if need based on equalities if justified)	Tina Fasi/Sue McDaid	During implementation of the schemes and ongoing		

**Date to be Reviewed:** ...If the Licensing Schemes are approved, review will take place 12 months after implementation

**APPROVAL BY THE RELEVANT DIRECTOR -** ...Doug Wilkinson..... **SIGNATURE**.....

**This form should be emailed to [joanne.stacey@enfield.gov.uk](mailto:joanne.stacey@enfield.gov.uk) and be appended to any decision report that follows.**

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London Borough of Enfield

Private Rented Sector: Housing Stock Condition and Stressors Report

March 2019

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## Executive Summary

Metastreet were commissioned by the London Borough of Enfield to review housing stock in the borough and assess housing stressors related to key tenures, particularly the private rented sector.

The detailed housing stock information provided in this report will facilitate the development and delivery of Enfield's housing strategy and enable a targeted approach to tackling poor housing.

The main aim of this review was to investigate and provide accurate estimates of:

- Current levels of private rental sector (PRS) properties and tenure change since 2011.
- Information on the number of Houses in Multiple Occupation (HMOs) as a subset of the PRS.
- Levels of serious hazards that might amount to a Category 1 hazard (HHSRS).
- Other housing related stressors, including antisocial behaviour (ASB), service demand, population and deprivation linked to the PRS.
- Assist the council to make policy decisions, including the possible introduction of property licensing schemes under Part 2 and Part 3 of Housing Act 2004.

Metastreet has developed a stock-modelling approach based on metadata and machine learning to provide insights about the prevalence and distribution of a range of housing factors. This approach has been used by several councils to understand their housing stock and relationships with key social, environmental and economic stressors.

The housing models are developed using unique property reference numbers (UPRN), which provide detailed analysis at the property level.

Data records used to form the foundation of this report include:

Council tax	Electoral register	Other council interventions records	Experian Mosaic Public Sector records
Housing benefit	Private housing complaints and interventions records	ASB complaints and interventions records	Energy Performance data

## **Key Findings**

- Enfield faces a number of significant interconnected private rented housing challenges.
- Enfield's private rented sector (PRS) continues to grow, from 23% (2011) to 34% (2019).
- There are a total of 127,855 residential properties in Enfield, 34% (43,546) of which are PRS, 48.3% (61,793) are owner occupied and 17.6% (22,516) socially rented.
- Poor housing conditions and high rates of ASB are prevalent in the PRS.
- Evictions, homelessness, deprivation and child poverty are strongly linked with Enfield's PRS.
- The private rented sector in Enfield is distributed across all 21 wards. Bowes (44.4%) and Haselbury (43.1%) have the highest proportion of PRS.
- 12,596 PRS properties are predicted to have at least 1 serious hazard (Category 1). This represents 28.9% of the PRS stock. Haselbury and Lower Edmonton have the highest predicted levels of serious hazards.
- There are high rates of ASB linked to private rented properties across the borough. PRS properties are 15 times more likely have an ASB incident compared to owner occupied properties.
- 9,661 PRS properties are predicted to be HMOs. HMO are distributed across all wards. HMO as a subset of the PRS in Enfield, have high rates of ASB.
- 29% of PRS properties in Enfield have an E, F and G rating. 4.8% of PRS properties have an F and G hazard rating.

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## **Introduction & Project Objectives**

Metastreet were commissioned by the London Borough of Enfield to review its housing stock with a focus on the following key areas:

- Residential property tenure changes since 2011
- Housing profile
- Distribution of the PRS and HMO
- Condition of housing stock in the PRS
- Housing related stressors, including Anti-Social Behaviour (ASB), service demand, population change and deprivation

The report provides the council with the evidence base for developing housing policy and service interventions. The report also satisfies the council's responsibility to review its housing stock as set out under Part 1, Section 3 of the Housing Act 2004.

The first section of the report details the findings of the stock and tenure modelling, including an introduction to the methodology. A combination of Enfield's data warehouse, machine learning and modelling techniques have been used to pinpoint tenure and predict property conditions within its PRS housing stock. An advanced property level data warehouse has been used to facilitate the analysis.

For the purposes of this review, it was decided that a ward-level summary is the most appropriate basis to assess housing conditions across Enfield, built up from property level data.

Four separate predictive tenure models (Ti) have been developed as part of this project which are unique to Enfield, they include:

- Private rented sector (PRS)
- Houses in Multiple occupation (HMO)
- Owner occupiers
- PRS Housing hazards (Category 1)

The second section provides a short private housing policy overview for the region to determine if characteristics exist in the Borough to support any specific action.

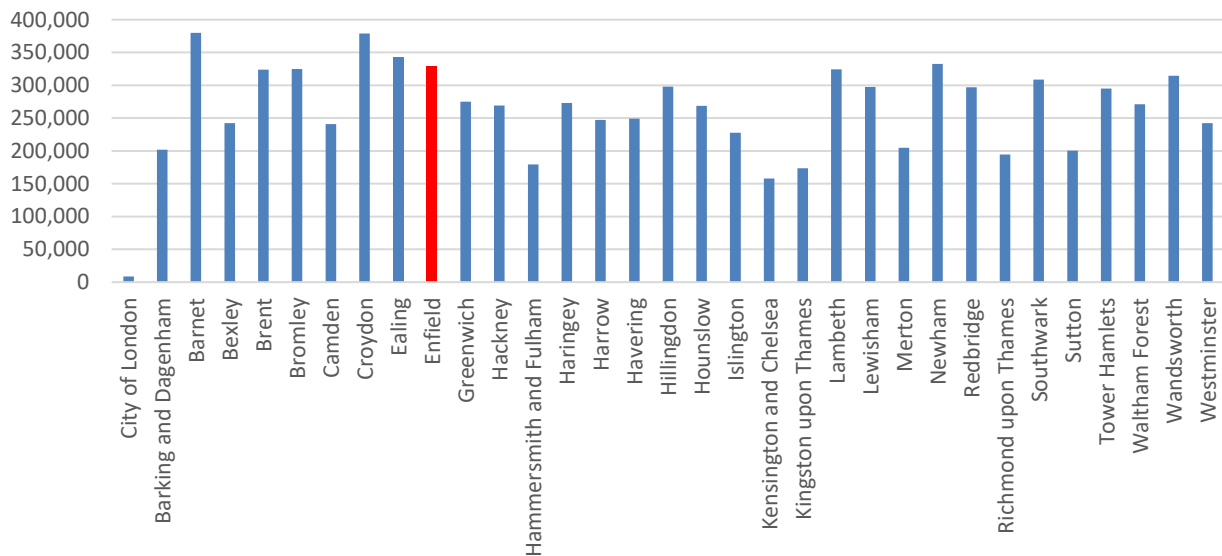
The appendices to the report contain a summary of the data and a more detailed report methodology.

## 1 London Borough of Enfield Overview

Enfield is a borough in outer north London. It borders the London Boroughs of Barnet (to the west), Haringey (to the south) and Waltham Forest (to the southeast), the districts of Hertsmere (to the northwest).

### 1.1 Population

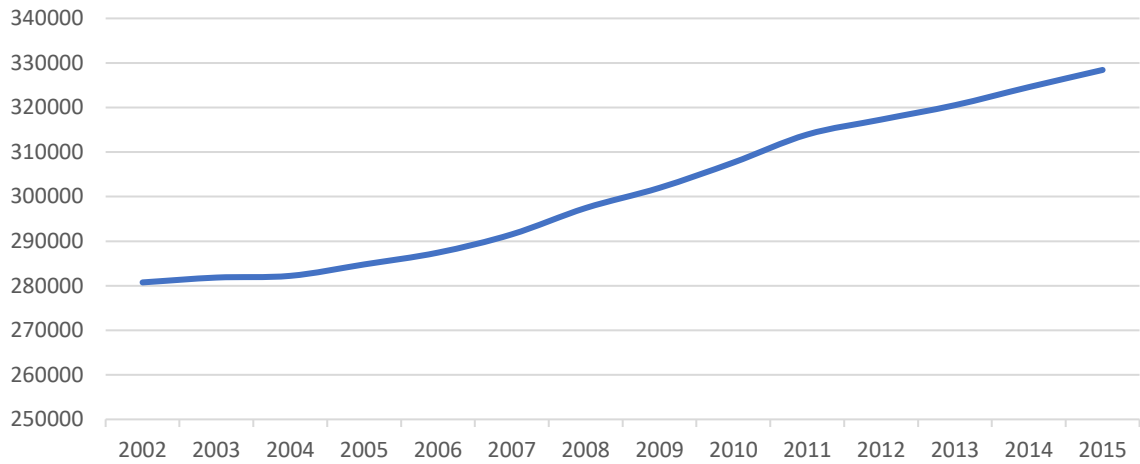
The Office of National Statistics (ONS) population estimate for Enfield (2017) was 328,433. This makes Enfield the 5<sup>th</sup> most populous London borough (Figure 1)<sup>1</sup>.



**Figure 1. Population estimates by London boroughs (Source: ONS 2015).**

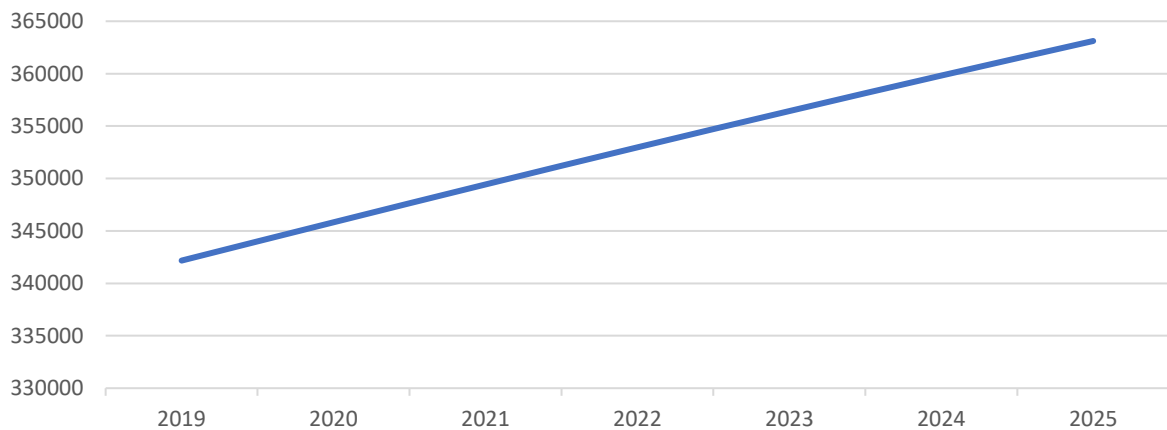
Enfield's population has grown considerably since the early 2000's (Figure 2).

<sup>1</sup> Population estimates 2017 ONS



**Figure 2. Population growth 2002-2015 (Source: ONS 2015).**

Enfield’s population is expected to grow significantly over the next decade based on central trend projections (Figure 3)<sup>2</sup>. This will increase pressures on housing and services.



**Figure 3. Population projections 2019-2025.**

## 1.2 International Migration

Net international migration into Enfield in 2015 was 3,164 (Figure 4). The largest migrant population originates from Turkey (4.7%), the second and third largest originates from Cyprus (3.7%) and Poland (1.9%) (ONS 2011).

<sup>2</sup> London data store, Demography 2017 mid-year estimate,

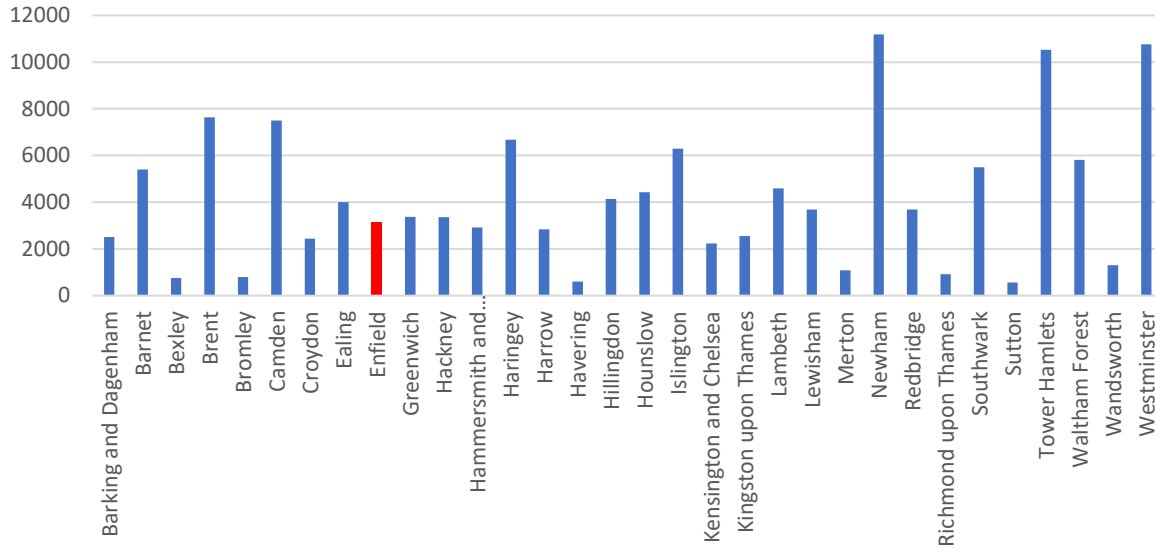


Figure 4. Net international migration by London boroughs (2015).

### 1.3 Deprivation

The Indices of Multiple Deprivation 2015 (IMD2015) provide a set of relative measures of deprivation for LSOAs (Lower-layer Super Output Areas) across England, based on seven domains of deprivation (Figure 5).

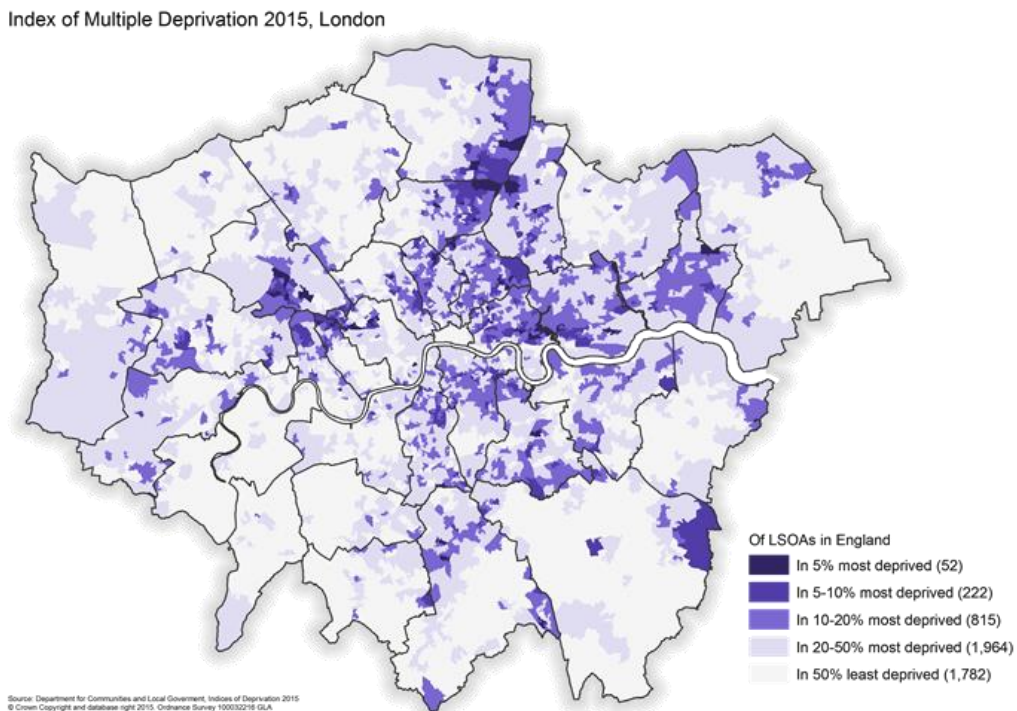
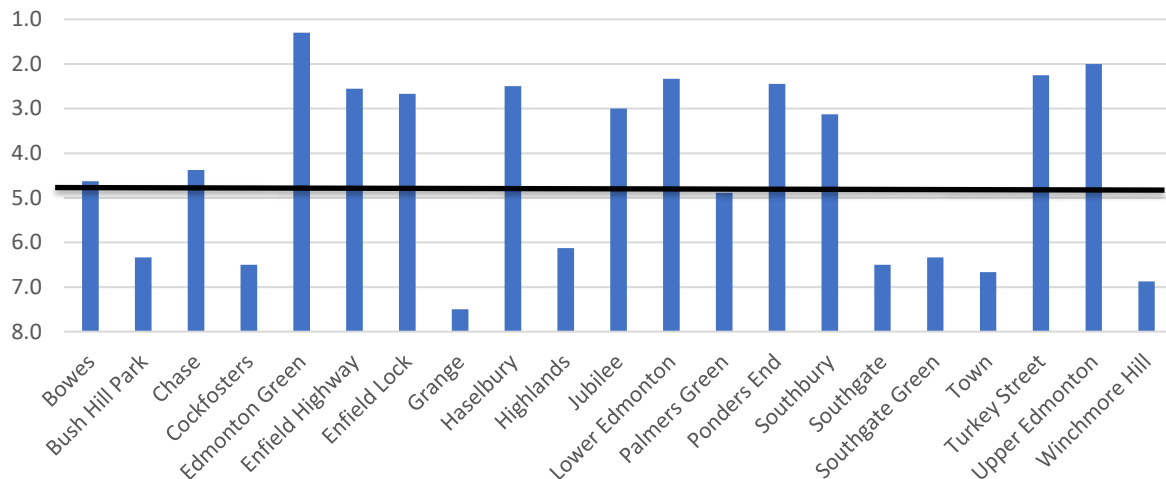


Figure 5. Distribution of deprivation across London (Source: GLA 2016).

The darker shades are the most deprived areas. Enfield ranks as the 64<sup>th</sup> most deprived borough in England. Enfield is now the 12<sup>th</sup> most deprived London Borough, whereas it was 14<sup>th</sup> in 2010.

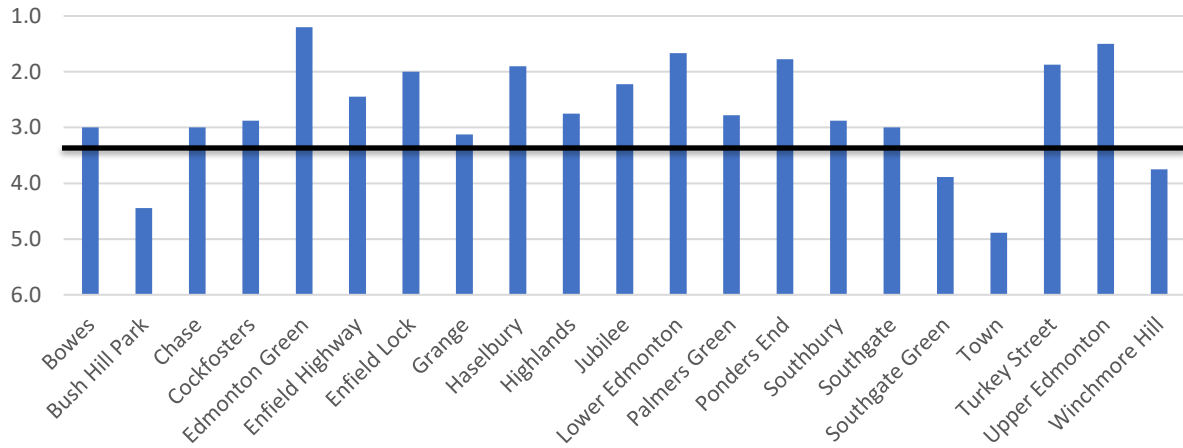
Enfield, like many London boroughs, has a mixture of high and low deprivation wards. Average IMD2015 decile aggregated at ward level reveals a clear picture (Figure 6). 1.0 on the graph represents the most deprived 10% areas and 5.0 represents 50% most deprived. The London average 4.8.



**Figure 6. Average IMD (2015) decile by ward (Source: IMD 2015). Horizontal line shows London average (4.8%).**

Enfield faces significant challenges relating to housing. This is signalled by the fact 17 of 21 wards are worse than the London average (3.3) for barriers to housing and services measure (Figure 7). The barriers to housing domain include indicators such as; overcrowding, homelessness and housing affordability.

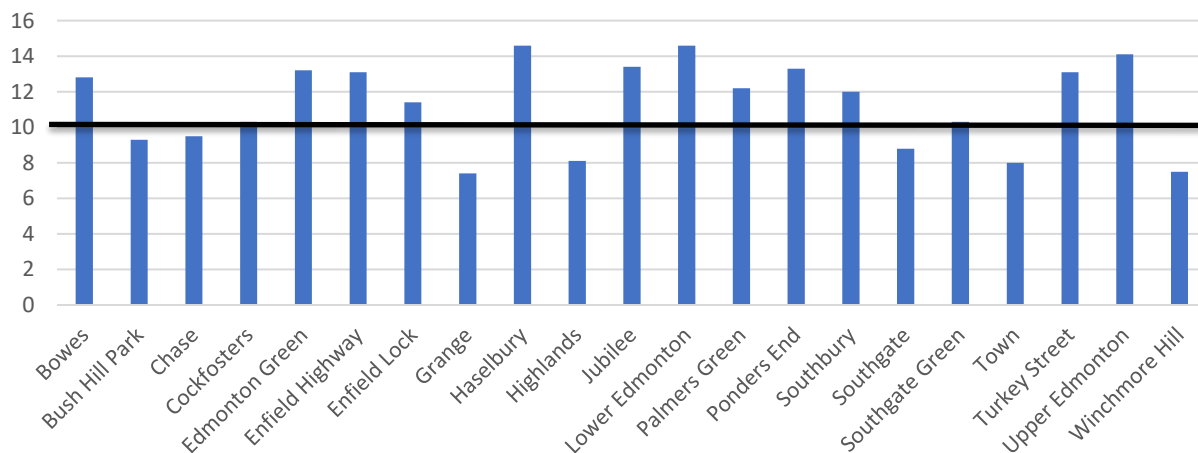




**Figure 7. Average barriers to housing and services decile by ward (IMD 2015). Horizontal line shows the London average (3.3).**

### 1.4 Fuel Poverty

Fuel poverty is defined by the Warm Homes and Energy Conservation Act as: “a person is to be regarded as living "in fuel poverty" if he/she is a member of a household living on a lower income in a home which cannot be kept warm at reasonable cost”. The fuel poverty score produced by Department for Business, Innovation & Skills (BEIS) in 2016 measure risk of fuel poverty based on 12 indicators. The score represents a percentage of households that are of risk from fuel poverty. Most wards in Enfield have a worse score than the London average (Figure 8).

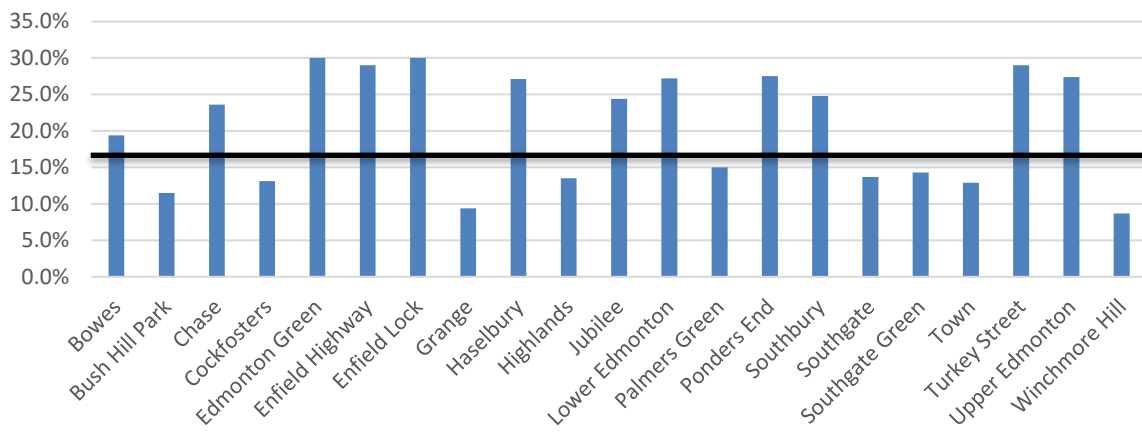


**Figure 8. Proportion of households in fuel poverty (%) by ward (BEIS 2016). Horizontal line shows London average (10%).**

## 1.5 Child Poverty

PRS rents have been identified as a key driver of poverty. With greater numbers of children living in the PRS, understanding child poverty rates at a ward level help us to understand the wider impacts of the PRS in Enfield<sup>3</sup>.

Children in low-income households measures the proportion of children living in families in receipt of out-of-work benefits or in receipt of tax credits where their reported income is less than 60 per cent of UK median income<sup>4</sup>. Most wards in Enfield are worse than the national and London average (Figure 9).



**Figure 9. Child poverty score by ward (Source: HMRC 2016). Horizontal line shows England average (17%)**

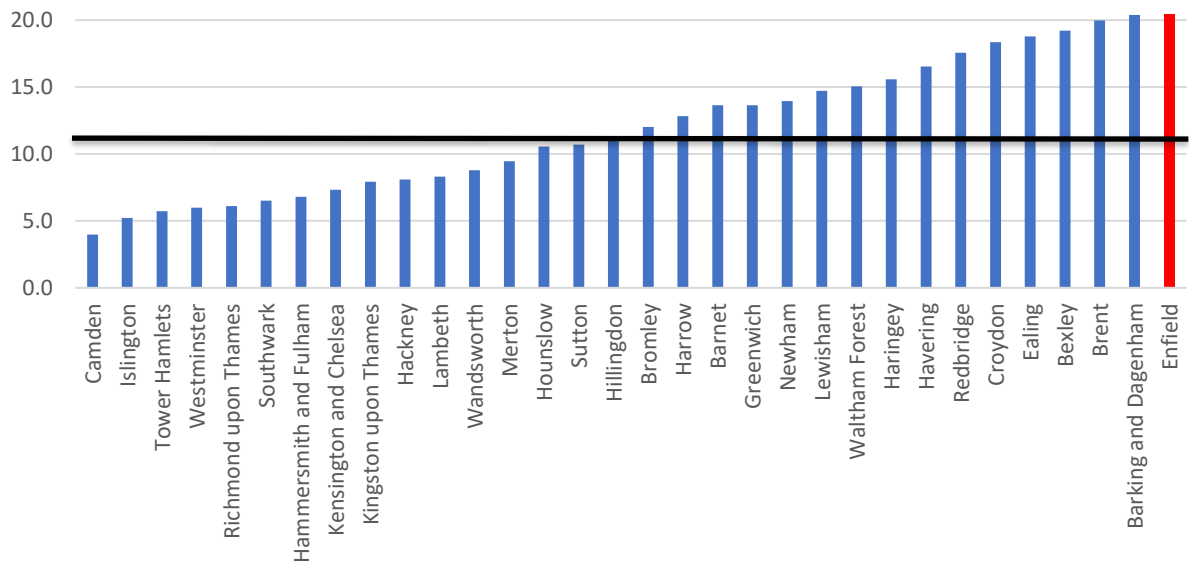
## 1.6 Possession order rates

Enfield has the **highest possession order rate in London**, with 20.4 orders per every 1,000 renting households<sup>5</sup> (Figure 10). The average possession order rate for London is 11.5 per every 1,000 households (2017/18).

<sup>3</sup> JRT, Housing costs and poverty: private rents compared to local earnings 2018

<sup>4</sup> HM Revenue & Customs 2016

<sup>5</sup> MOJ Possession order rates across London (2017/18)



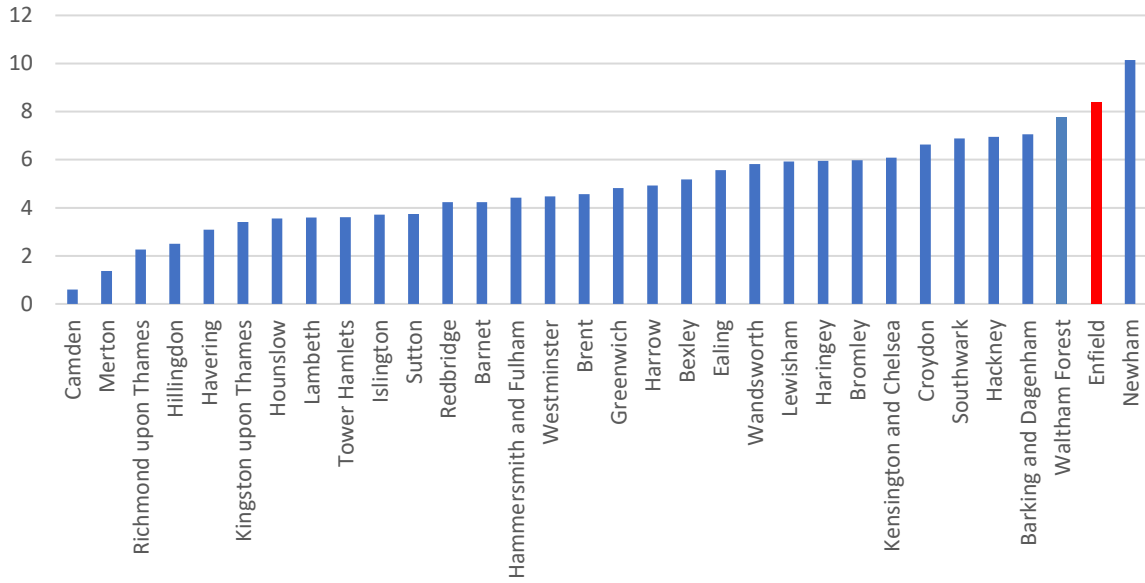
**Figure 10. Possession order rates for renters by London boroughs (2017/18).** Horizontal line shows London average (11.5%)

## 1.7 Homelessness

Statutory homelessness acceptance includes those who the local authority has determined are legally entitled to assistance. To be accepted as statutorily homeless by the local authority you must be found legally and unintentionally homeless, be eligible for assistance and in priority need.

Homelessness returns to government in the 2016/17 financial year show **Enfield has the second highest homelessness acceptance rates** in London (Figure 11)<sup>6</sup>.

<sup>6</sup> London data store, original source MHCLG 2016/17

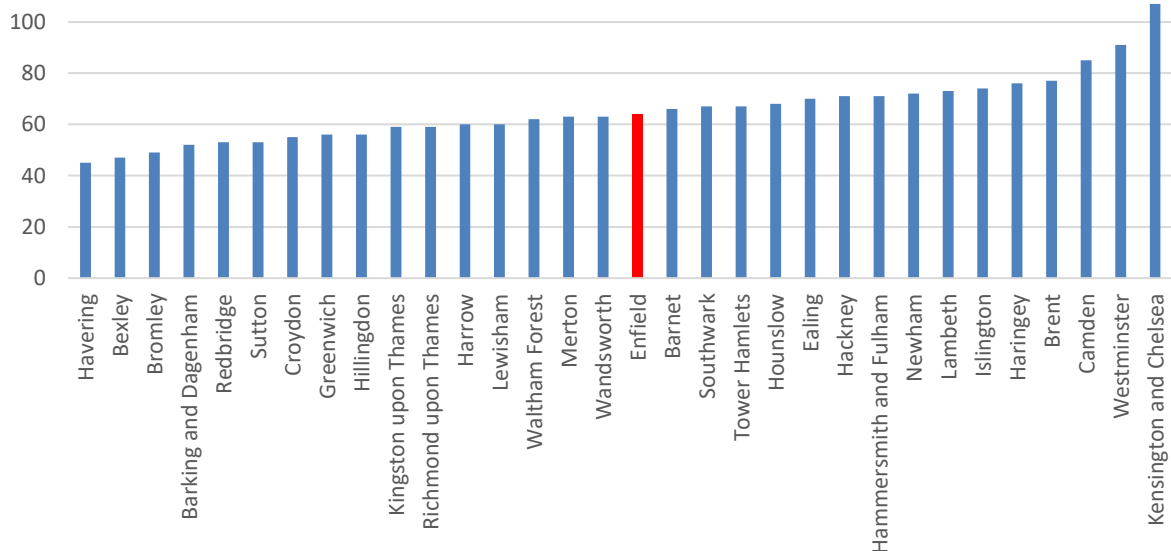


**Figure 11. Homelessness acceptances per 1,000 households by London borough (Source: MHCLG 2016/17)**

### 1.8 Rents and Affordability

Private rents vary by borough. As this report is concerned with housing conditions and other housing stressors, we have looked at the lower quartile (bottom 25%) of earnings as a percentage of rents.

**64% of earnings for the lowest quartile of workers is used to pay rent (Figure 12)<sup>7</sup>.**



**Figure 12. Rent as a proportion of lower quartile monthly gross earnings (Source: VOA 2016).**

<sup>7</sup> Valuation Office Agency (VOA), Private rental market summary statistics: 2018

## **2 Results of housing stock and stressor modelling**

### **2.1 Methodology**

Tenure Intelligence (Ti) uses council held data and publicly available data to identify tenure and analyse property stressors, including property conditions and ASB.

Data trends at the property level are analysed using mathematical algorithms to help predict the tenure of individual properties using factors such as occupant transience and housing benefit data. Metastreet have worked with the council to create a residential property data warehouse. This has included linking millions of cells of council and externally held data to 127,855 unique property references (UPRN).

Machine learning is used to make predictions for each tenure and property condition based on a sample of known tenures and outcomes. Results are analysed to produce a summary of housing stock, predictions of Category 1 hazards (HHSRS) and other stressors. To achieve the maximum accuracy, unique models are built for each council, incorporating individual borough data and using known outcomes to train predictive models.

Once the data warehouse was created, statistical modelling was used to determine tenure using the methodology outlined below. All council held longitudinal data is for three consecutive years, from January 2016 – December 2018.

Different combinations of risk factors were systematically analysed for their predictive power in terms of key outcomes. Risk factors that duplicated other risk factors but were weaker in their predictive effect were systematically eliminated. Risk factors that were not statistically significant were also excluded through the same processes of elimination.

For each UPRN a risk score was calculated using logistic regression. The selected risk factors have a better or worse than evens chance of being predictive

A number of predictive models have been developed as part of this project which are unique to Enfield Council. Known stressors linked to individual properties have been modelled to calculate population level incidences and rates.

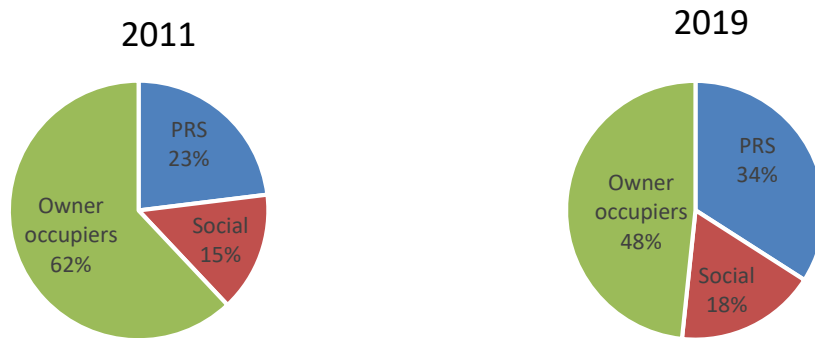
It is important to note that this approach can never be 100% accurate as all statistical models include some level of error. A more detailed description of the methodology and the specific factors selected to build bespoke predictive models for this Enfield project can be found in Appendix 2.

## 2.2 Results - Private Rented Sector

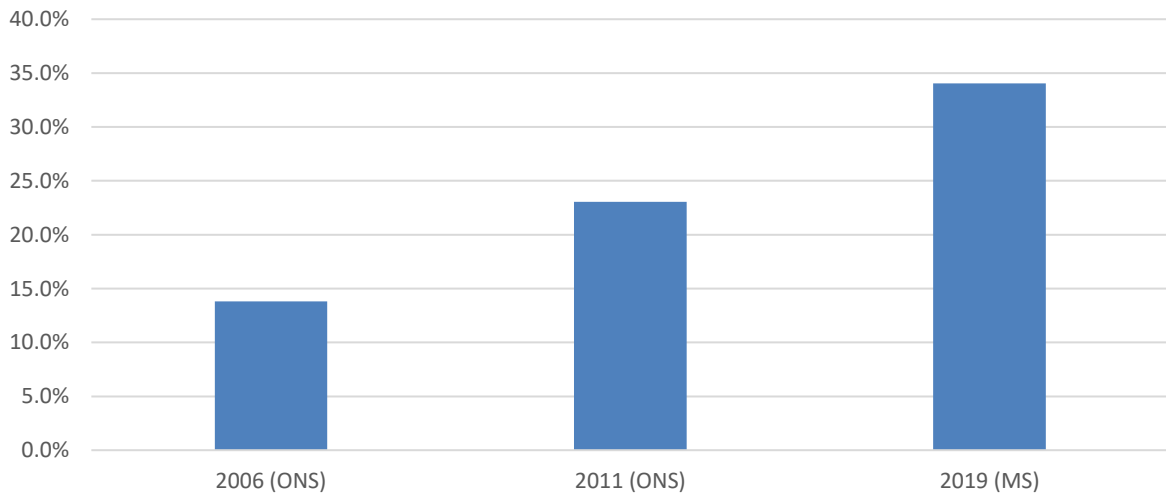
### 2.2.1 Population and distribution

The private rented sector (PRS) in Enfield has grown significantly since 2006.

Based on tenure modelling (March 2019), Enfield’s PRS is now calculated to be 34.1% of housing stock (Figure 13). This compares to 14% of households in 2006 and 23% in 2011 (ONS). This represents a 142% increase over the last 17 years with approximately 21,000 properties transferring from owner occupation to PRS (Figure 14).



**Figure 13. Tenure profile 2011 and 2019 (Source: ONS & Metastreet Ti model).**



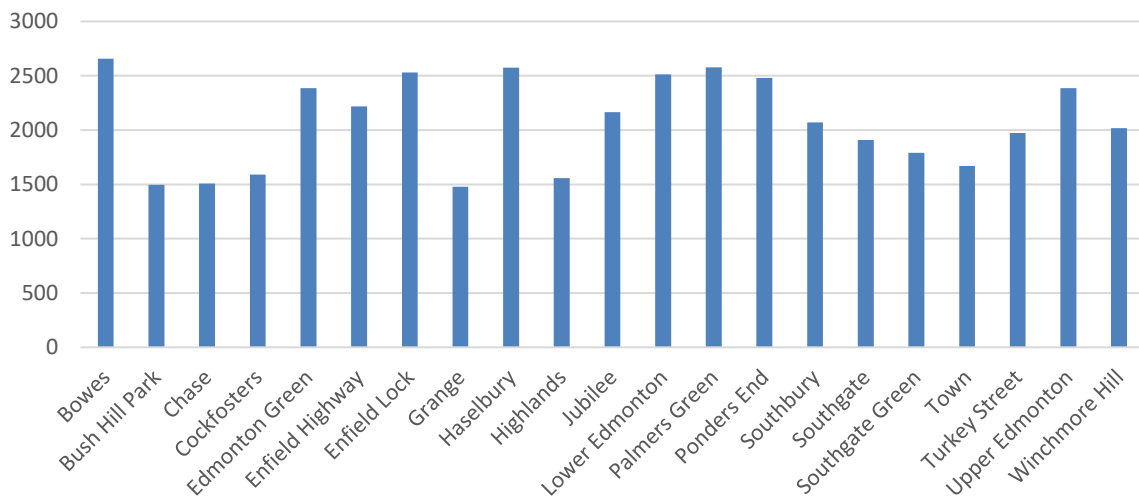
**Figure 14. PRS as a percentage of total housing stock, 2006 – 2019 (Source: ONS & Metastreet).**

This increase is part of a nationwide and regional trend. The PRS in the UK has grown from 9.4% of housing stock in 2000<sup>8</sup>, and now accounts for approximately a fifth of all households in England –

<sup>8</sup> The profile of UK private landlords Scanlon K & Woodhead C CML research. LSE London. December 2017 [www.cml.org.uk](http://www.cml.org.uk)

with a significantly higher proportion of the PRS in many urban areas<sup>9</sup>. It is now the second largest housing tenure in England, with a growing number of households renting from a population of around 1.5 million private landlords<sup>10</sup>.

The PRS in Enfield is distributed across all 21 wards (Figure 15). The number of PRS per ward ranges from 2,657 (Bowes) to 1,477 (Grange).

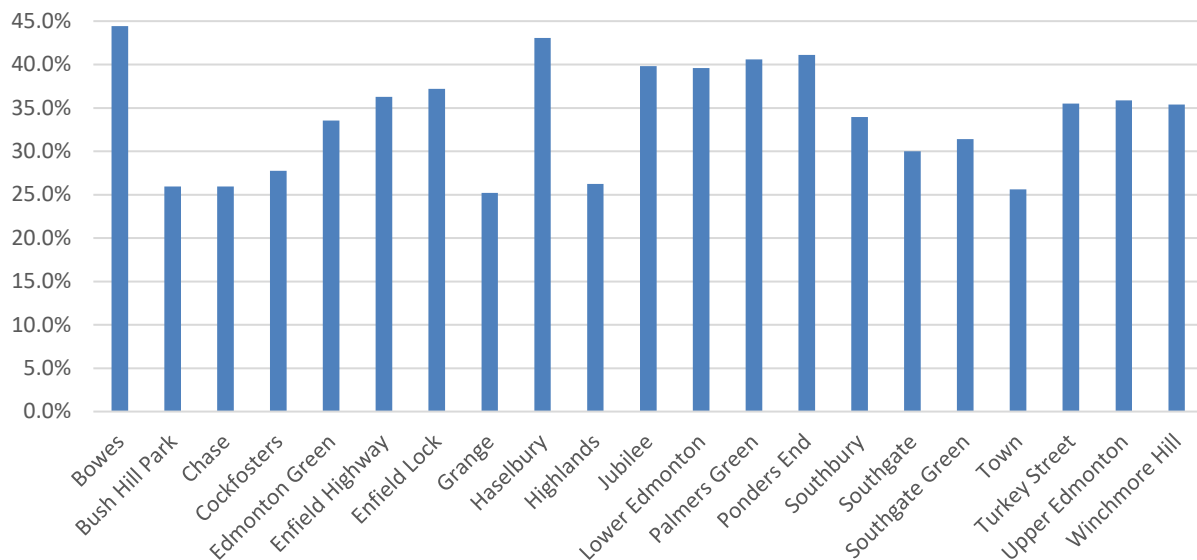


**Figure 15. Number of PRS dwellings by ward (Source: Ti 2019).**

The percentage of PRS properties in each ward ranges between 44% (Bowes) and 25% (Grange, Figure 16). Therefore, all Enfield wards have a higher percentage of PRS than the national average (19% in 2018).

<sup>9</sup> Department for Communities and Local Government (DCLG) (2016) English housing survey 2014 to 2015: headline report.

<sup>10</sup> Landlord Licensing. Interim report-overview of the incidence and cost of HMO & discretionary schemes in England. February 2015. [www.landlords.org.uk](http://www.landlords.org.uk)



**Figure 16. Percentage of PRS dwellings by each ward (Source Ti 2019).**

Table 1 shows the total predicted PRS in each ward and the percentage PRS against the total housing stock.

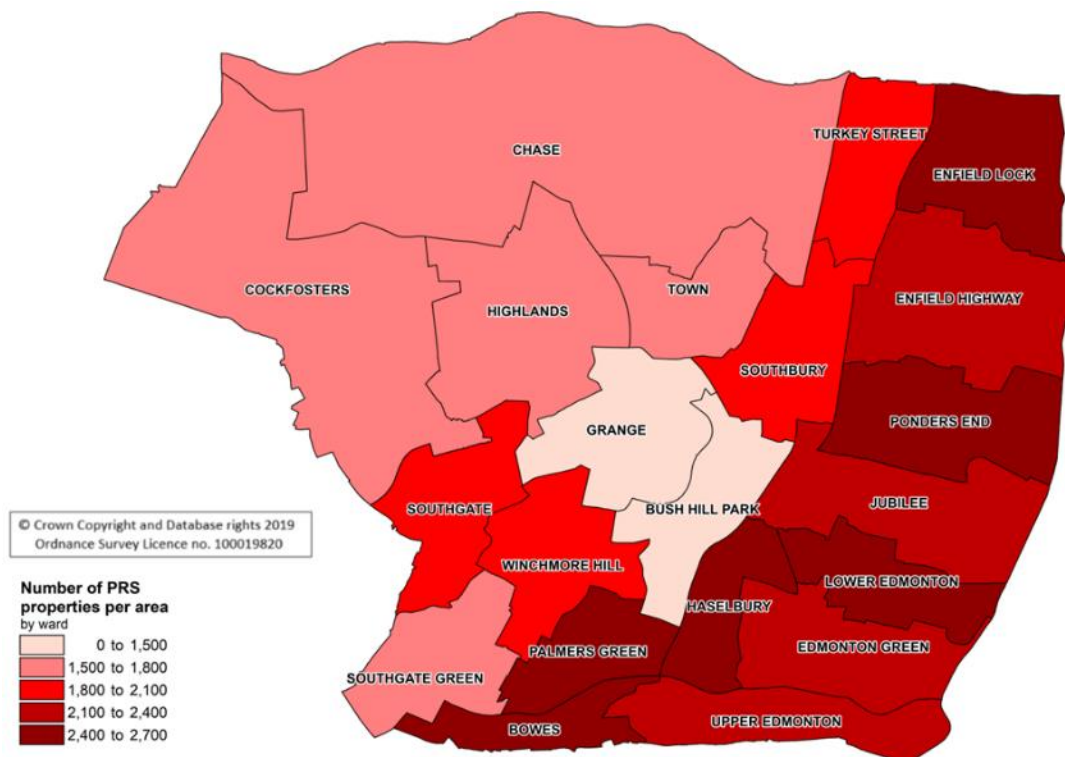
**Table 1. Percentage and number of PRS properties by ward (Source Ti 2019).**

Wards	Total PRS	% PRS
Bowes	2,657	44.40%
Bush Hill Park	1,497	25.90%
Chase	1,507	25.90%
Cockfosters	1,591	27.80%
Edmonton Green	2,387	33.60%
Enfield Highway	2,217	36.30%
Enfield Lock	2,529	37.20%
Grange	1,477	25.20%
Haselbury	2,573	43.10%
Highlands	1,559	26.20%
Jubilee	2,164	39.80%
Lower Edmonton	2,513	39.60%
Palmers Green	2,578	40.60%
Ponders End	2,480	41.10%
Southbury	2,070	34.00%
Southgate	1,909	30.00%
Southgate Green	1,790	31.40%
Town	1,670	25.60%



Turkey Street	1,974	35.50%
Upper Edmonton	2,386	35.90%
Winchmore Hill	2,018	35.40%

PRS properties are widely distributed across the Borough, with concentrations in the southern and eastern wards (Map 1).



**Map 1. Distribution of PRS properties in Enfield (Source: Ti 2019, map by L.B. Enfield).**

## 2.2.2 Housing conditions

Housing conditions are affected by the level of maintenance and quality of repair, the age of the property, thermal efficiency and type of construction.

Category 1 hazards have a physiological or psychological impact on the occupant and may result in medical treatment.<sup>11</sup>

In 2016, 15% (750,000) of private rented dwellings in England had at least one Category 1 hazard; this was a higher proportion than owner occupied (13%) and social rented homes (6%)<sup>12</sup>.

<sup>11</sup> Housing Health and Rating System, Operation Guidance, 2006

<sup>12</sup> MHCLG Private rented sector 2016-17 English Housing survey

A council's property age profile can have an impact on housing conditions. Enfield has a high proportion of residential properties built between the world wars (Figure 17). House building since the 1945 has generally tracked the London average. It is notable that there is a gradient of risk with age of the property, the risk being greatest in dwellings built before 1850, and lowest in the more energy efficient dwellings built after 1980<sup>13</sup>.



**Figure 17. Age profile of Housing stock for all tenures (Source: VOA 2018).**

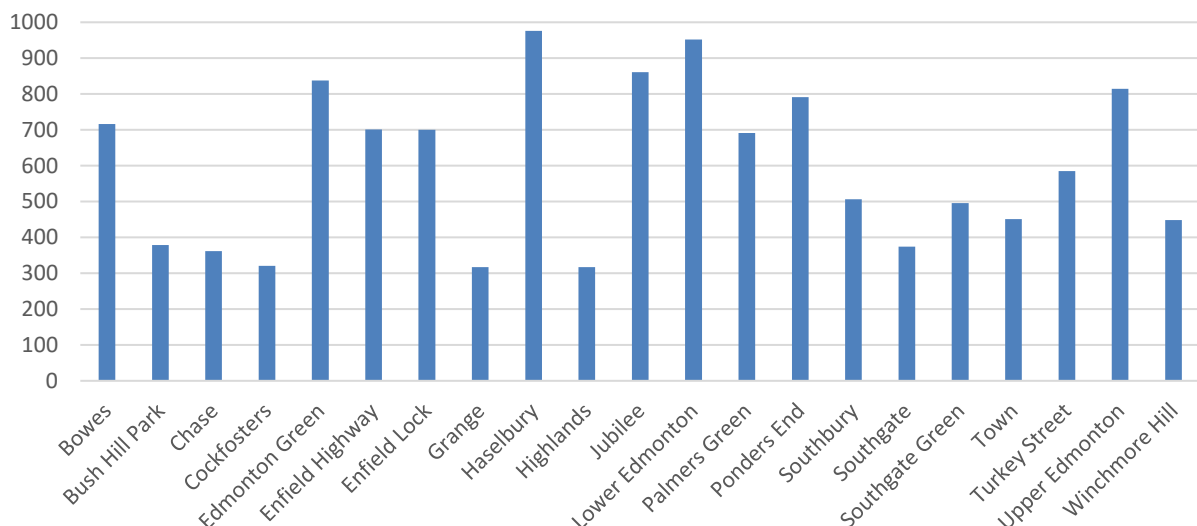
A borough's property profile gives an indication of housing density, construction type and other social economic indicators. Edmonton Green has the highest proportion of flats (58%), while Cockfosters has the highest proportion of detached houses (22%, Figure 18).

<sup>13</sup> Housing Health and Rating System, Operation Guidance, 2006



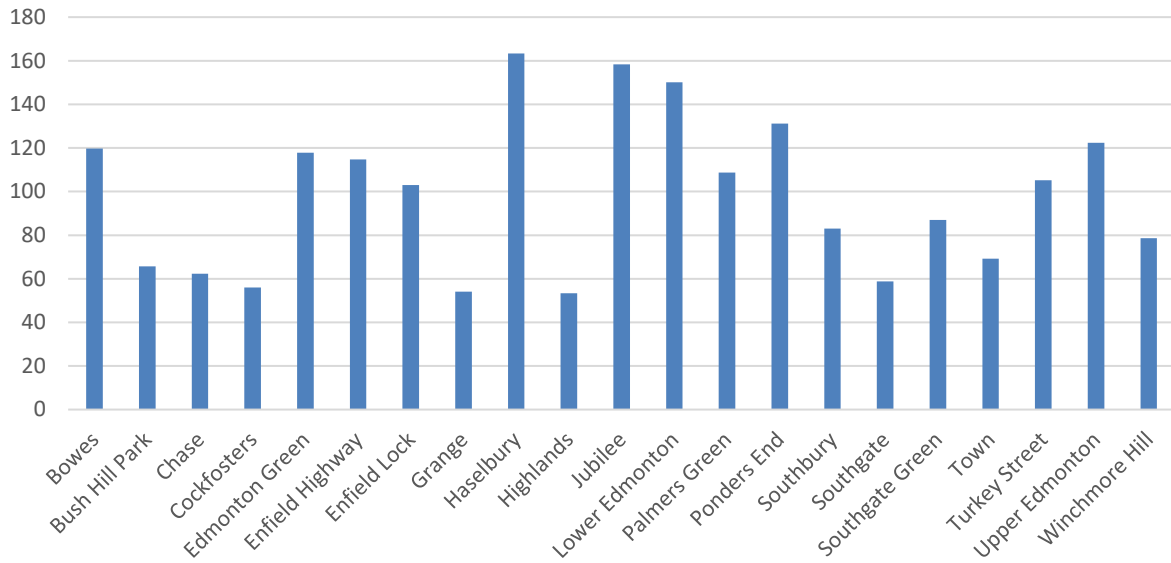
**Figure 18. Property type as a percent of ward total (Source: VOA 2018).**

Using a sample of properties that are known to have at least 1 serious housing hazard (Category 1, HHSRS), it is possible to predict the number of PRS properties with at least 1 serious hazard across the borough (Figure 19). There are 12,596 private rental properties in Enfield that are likely to have a serious home hazard (Category 1, HHSRS)



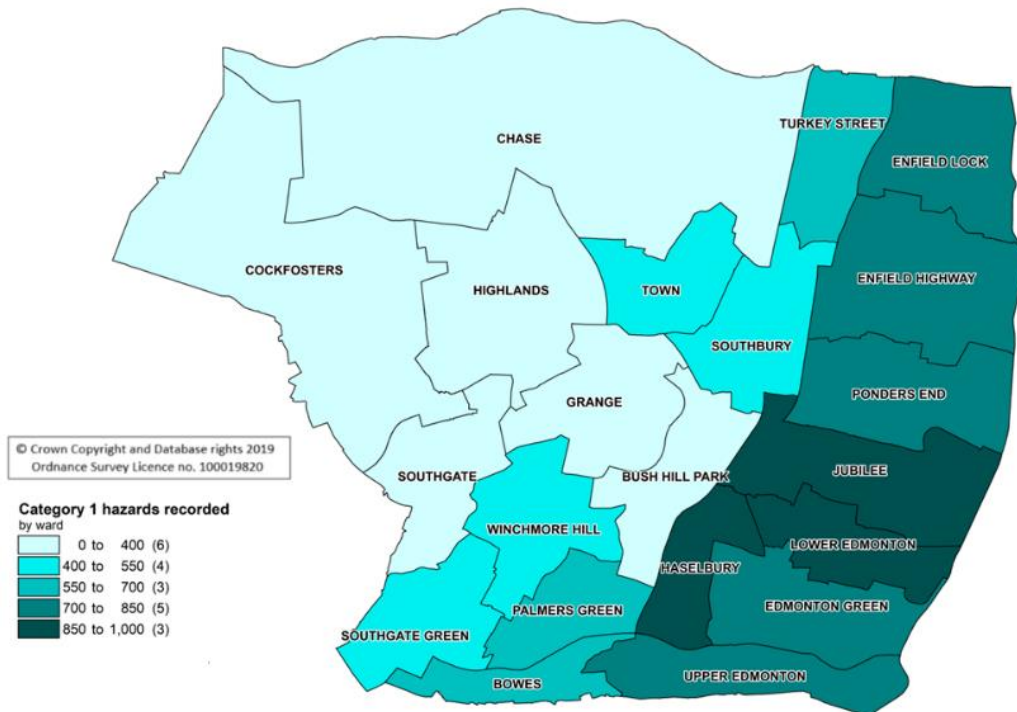
**Figure 19. Predicted number of Category 1 hazards by ward (Source: Ti 2019).**

The rates of Category 1 hazards per 1,000 PRS properties reveal a similar distribution (Figure 20).



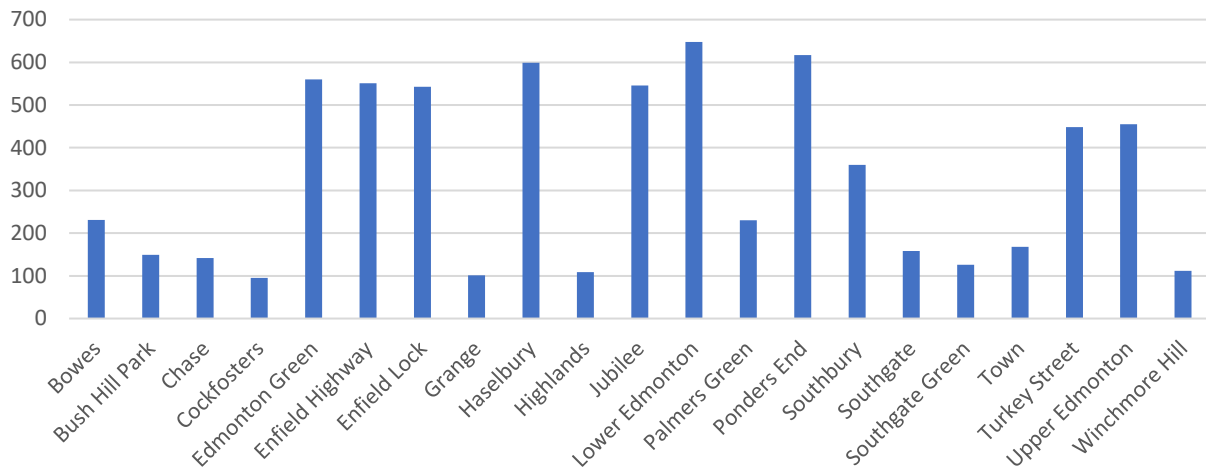
**Figure 20. Rates per 1000 PRS properties of predicted Category 1 hazards by ward (Source: Ti 2019).**

Haselbury and Lower Edmonton wards are predicted to have the largest number of properties with Category 1 hazards, followed by Jubilee, Edmonton Green and Upper Edmonton. Grange and Highlands have the lowest levels of predicted Category 1 hazards (Map 2).



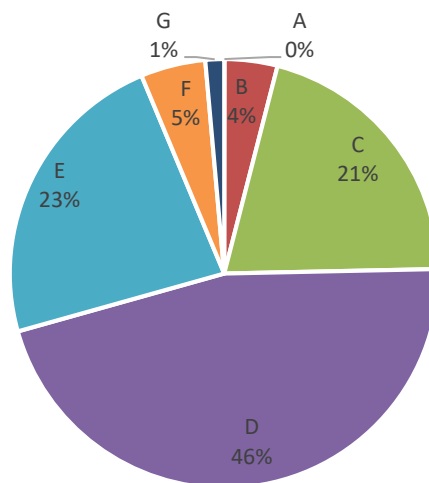
**Map 2. Distribution of PRS properties with category 1 hazards (Source: Ti 2019, map by L.B. Enfield).**

Tenants can be reluctant to make a complaint about disrepair in the PRS for fear of revenge eviction<sup>14</sup>. Notwithstanding this, Enfield received 6,948 complaints over a 3-year period relating to 4,372 properties (Figure 21).



**Figure 21. PRS disrepair complaints made by private tenants to the Council (2016-18) (Source Ti 2019).**

Energy performance data matched to PRS properties reveals the distribution of Energy Performance Certificate ratings. 21,751 ratings were matched to predicted PRS UPRNs (Figure 22). All figures have been modelled from this this group.



**Figure 22. Distribution of Energy Performance Certificate ratings in PRS (Rating A-G) (Source: Ti 2019).**

<sup>14</sup> Which, Private renters fear complaining could get them evicted; <https://www.which.co.uk/news/2018/04/private-renters-fear-complaining-could-get-them-evicted/>

The Minimum Energy Efficiency Standard (MEES) came into force in England and Wales on 1 April 2018. The regulation applies to PRS properties and mandates that all dwellings must have an EPC rating of E and above to be compliant. It has been calculated that 29% of PRS properties in Enfield have an E, F, and G rating. 6.3% of PRS properties have an F and G rating (Figure 22). Extrapolated to the entire PRS, 2,743 PRS properties are likely to fail the MEES statutory requirement.

The energy efficiency of a dwelling depends on the thermal insulation of the structure, on the fuel type, and the size and design of the means of heating and ventilation. Any disrepair or dampness to the dwelling and any disrepair to the heating system may affect their efficiency. The exposure and orientation of the dwelling are also relevant<sup>15</sup>.

The statistical evidence shows that there is a continuous relationship between indoor temperature and vulnerability to cold-related death<sup>16</sup>. The colder the dwelling, the greater the risk. The percentage rise in deaths in winter is greater in dwellings with low energy efficiency ratings. There is a gradient of risk with age of the property, the risk being greatest in dwellings built before 1850, and lowest in the more energy efficient dwellings built after 1980<sup>17</sup>. Therefore, the sizeable number of F and G properties present a serious risk to the occupants' health, particularly if over the age of 65.

### **2.2.3 PRS enforcement interventions by council**

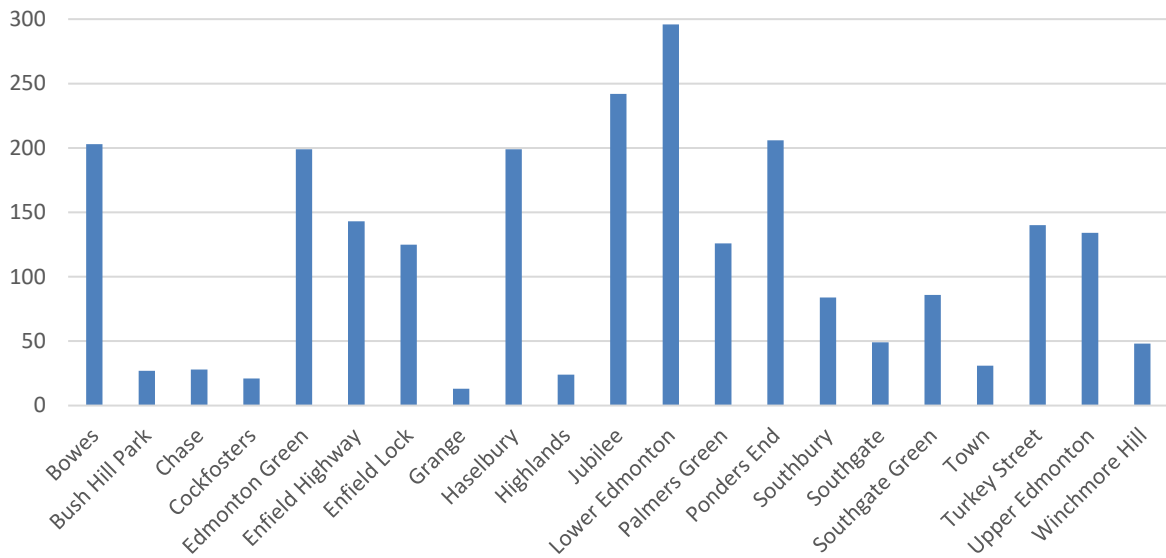
Enfield uses a range of statutory housing and public health notices to address housing standards in the PRS. These are often as a result of a complaint being made by a tenant about their accommodation. They also include proactive visits made to properties where offences are suspected. Over a 3-year period (2016-18) this resulted in 17,021 interventions by the council, this included 2,424 housing and public health notices (Figure 23).

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<sup>15</sup> Housing Health and Rating System, Operation Guidance, 2006

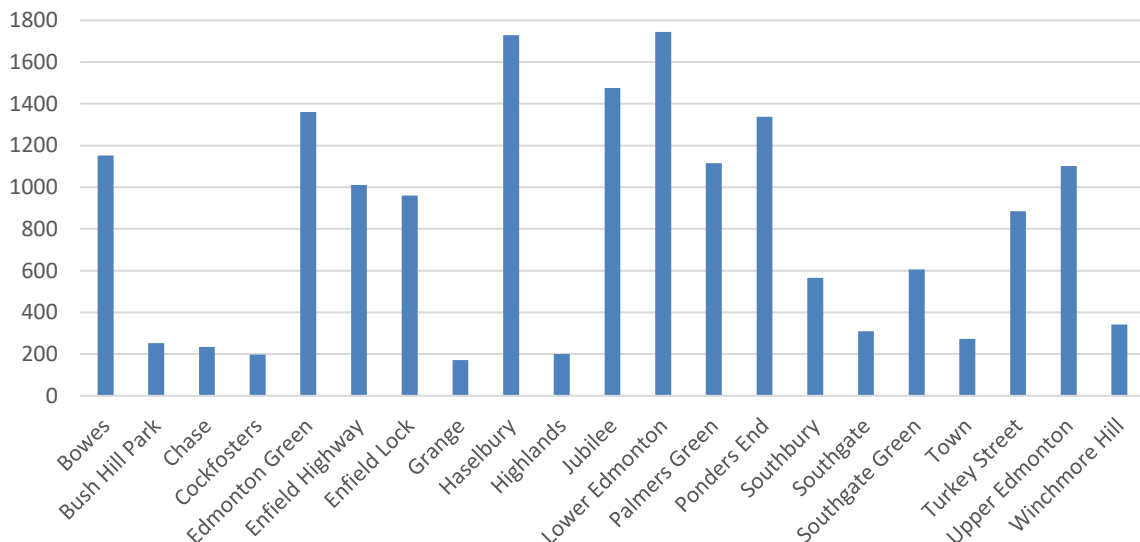
<sup>16</sup> Housing Health and Rating System, Operation Guidance, 2006

<sup>17</sup> Housing Health and Rating System, Operation Guidance, 2006

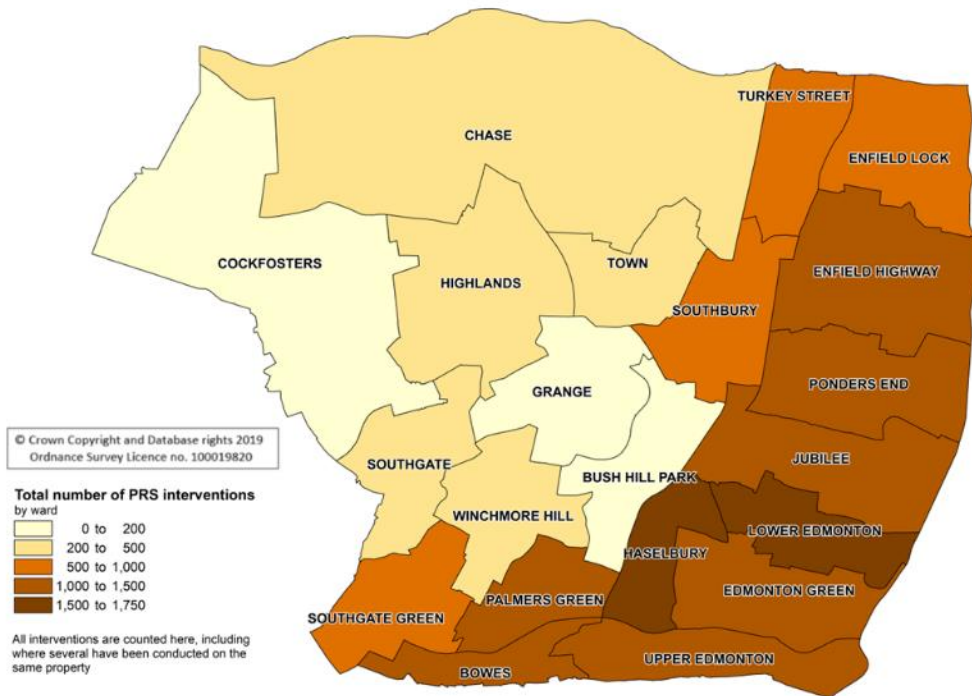


**Figure 23. Housing and public health notices served on PRS properties by ward (Source: Ti 2019).**

Part of the housing conditions review is to report on council intervention in the private rented sector. Interventions include proactive and reactive inspections of residential properties by council officers to identify poor housing standards. Haselbury and Lower Edmonton have received the highest level of council visits and interventions to address PRS housing standards (Figure 24).



**Figure 24. Proactive and reactive PRS visits and interventions by ward (Source: Ti 2019).**



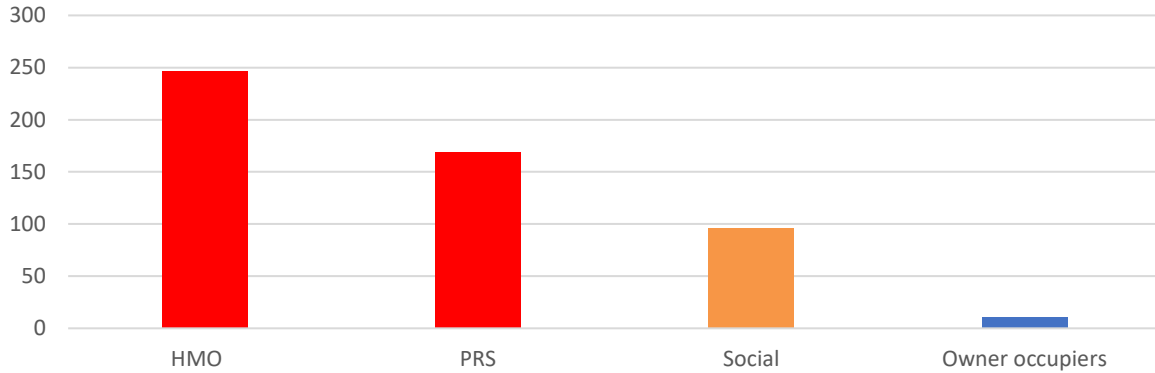
**Map 3. Distribution of PRS interventions by Enfield (Source: Ti 2019, Map by LB Enfield).**

### 2.2.4 Anti-social behaviour (ASB)

The number of ASB incidents shown below relate to ASB associated with PRS premises only. For example, ASB incidents recorded on a street corner that cannot be linked to a residential property are excluded.

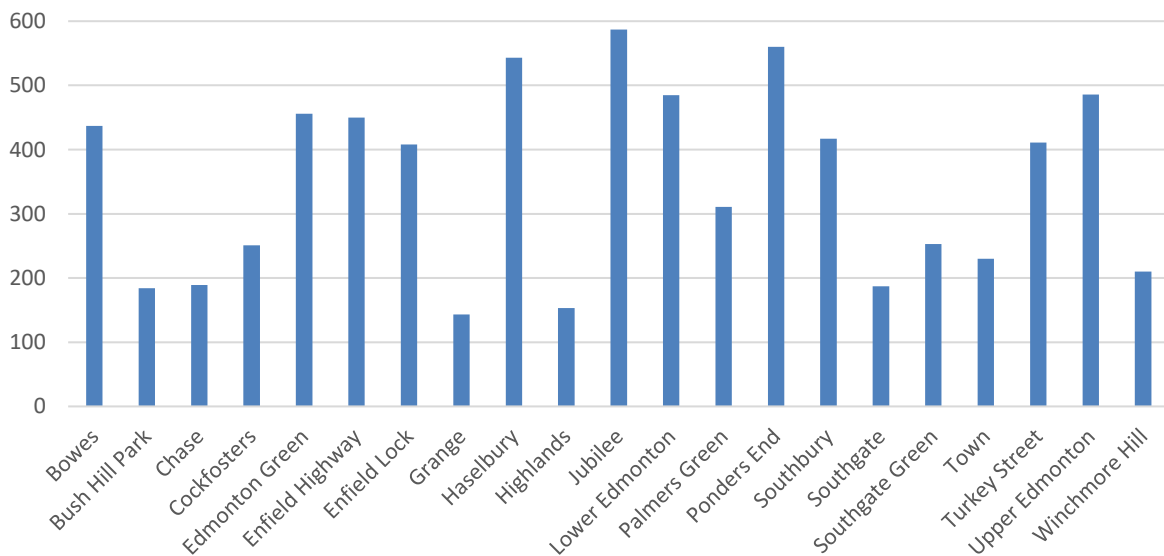
Rates of ASB in the PRS are significantly higher than other tenures (Figure 25). PRS properties are 15 times more likely have an ASB incident compared to owner occupied properties. HMOs (as a subset of PRS) have the highest rates of all tenures.





**Figure 25. ASB rates per 1000 dwellings by tenure (Source: Ti 2019).**

There are high levels of ASB linked to private rented properties across the borough (Figure 26). Over a 3-year period (2016-19), 7,351 ASB incidents have been recorded. Jubilee (587), Ponders End (580) and Haselbury (543) have the highest levels of PRS ASB.



**Figure 26. Number of ASB incidents linked to PRS by ward (Source Ti 2019).**

ASB in the PRS expressed as incidents per 1000 dwellings, shows a similar distribution across all wards (Figure 27). Using this measure, Jubilee and Ponders End wards have the greatest number of ASB incidents proportional to the size of the PRS.

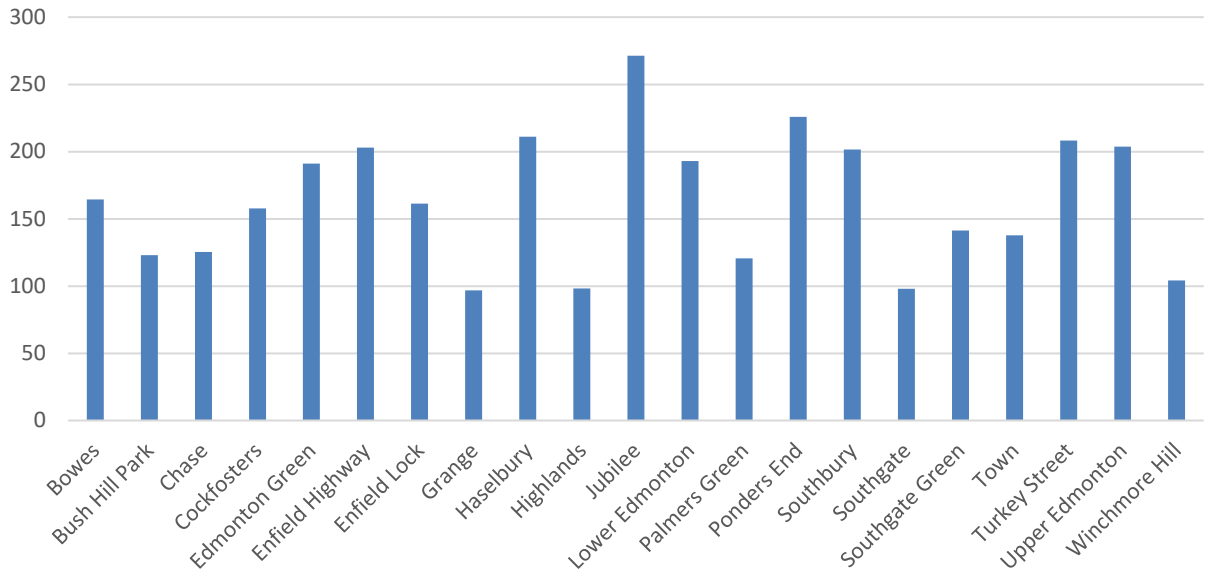
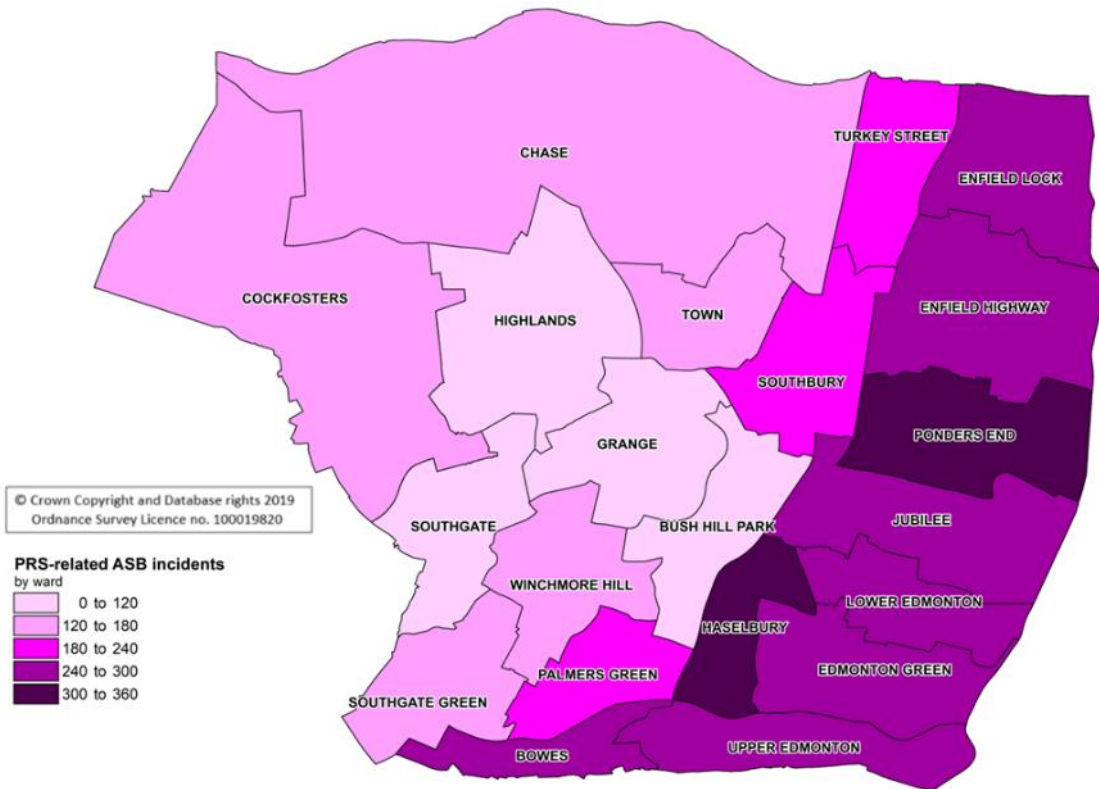


Figure 27. ASB incidents linked to PRS per 1000 properties by ward (Source: Ti 2019).



Map 4. Distribution of ASB linked to PRS properties (Source: Ti 2019, Map by LB Enfield).

Recorded ASB in the PRS can be split into several types. Noise (77%) and rubbish in front garden (10%) represent the majority of ASB incident types (Figure 28).

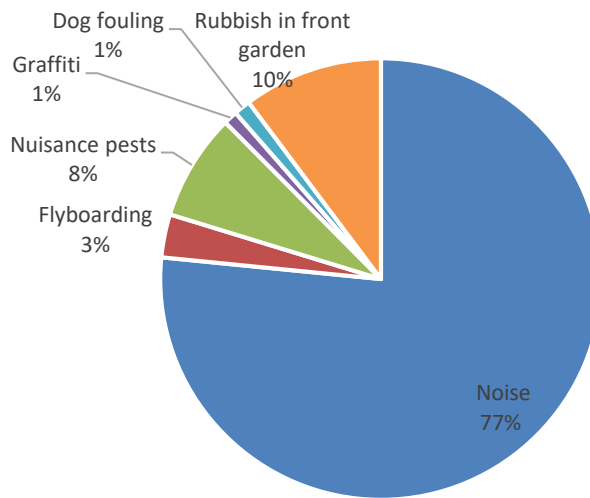


Figure 28. Types of ASB linked to PRS properties (Source: Ti 2019).

### 2.2.5 PRS and financial vulnerability

Housing benefit payments in the PRS can be an indicator of financially vulnerable households and deprivation. Enfield administered 15,244 concurrent housing benefit payments to PRS households in 2018 (Figure 29). This represents 1 in 3 PRS properties.

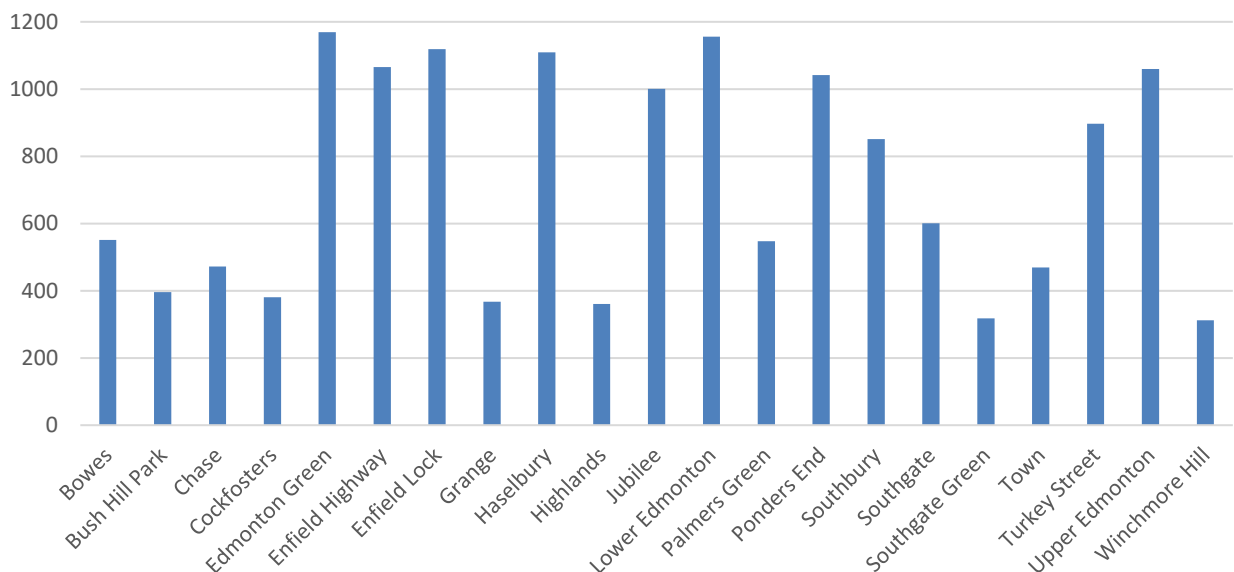
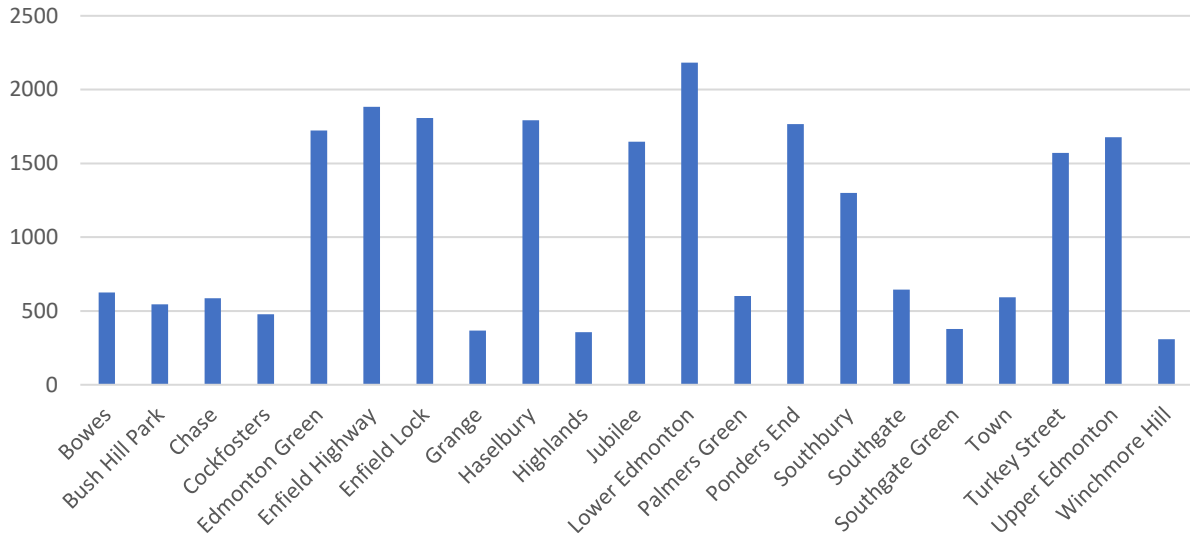


Figure 29. PRS housing benefit payments by ward (Source: Ti 2019).

**There are 22,831 dependants** (mostly children) living in PRS households subject to housing benefit support. 91% (13,945) of the total housing benefits dependant households have at least 1 dependant. The average number of dependants per PRS property receiving housing benefit is 1.49. 9 of 21 wards have more than 1500 dependants living in the PRS receiving housing benefit (Figure 30).



**Figure 30. Dependants (children) living in PRS receiving housing benefit (Source: Ti 2019).**

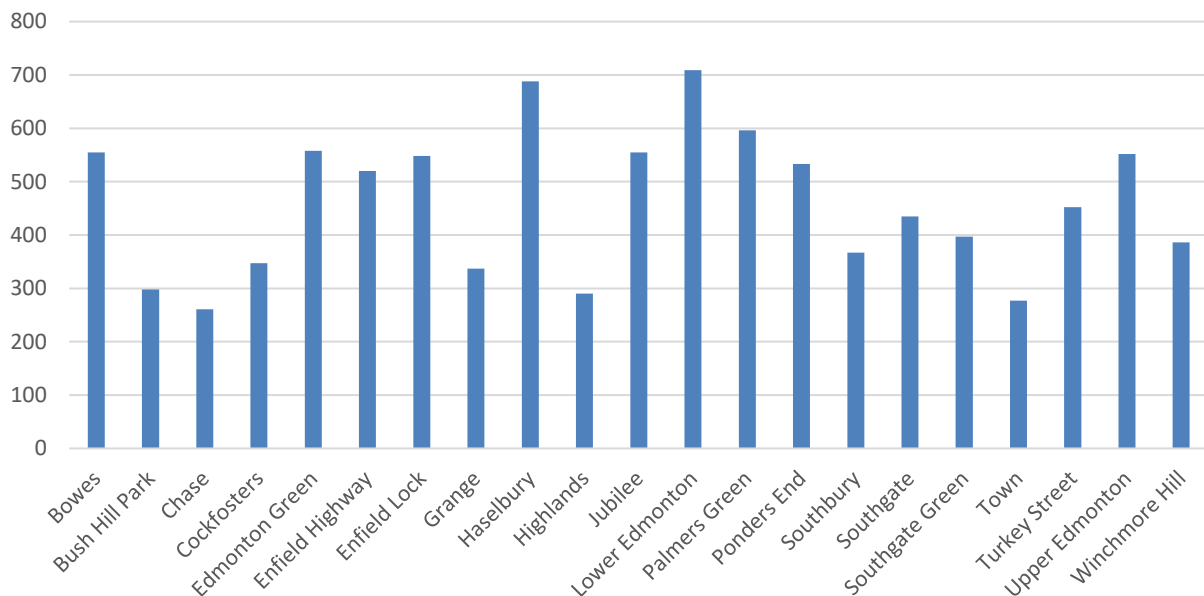
## 2.3 Results - Houses in Multiple Occupation

Houses in Multiple Occupation (HMO) are a sub-set of properties within the PRS and represent the cheapest rental accommodation; rented by room with the sharing of amenities (usually kitchen/bathroom). The Housing Act 2004 defines HMOs as a “dwelling of 3 or more persons not forming a single household”. This definition has been used for the purposes of this report.

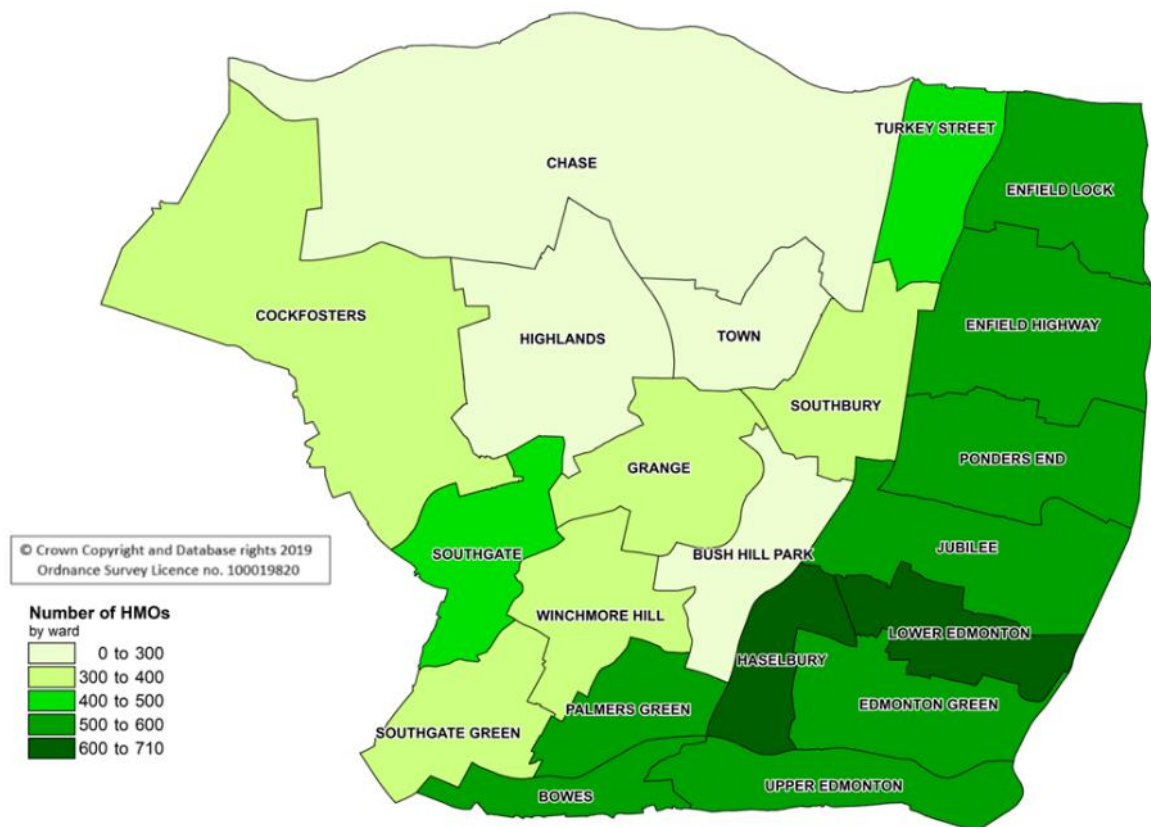
### 2.3.1 Population and distribution

HMOs are the cheapest form of housing available and have traditionally been occupied by single adults. Pressure on affordable housing and higher rates of homelessness has driven up demand for this type of dwelling. Greater demand has resulted in growth in this sector across London over the last decade.

The total number of predicted HMOs across 21 wards equates to up to 9,661 properties (Figure 31).



**Figure 31. Number of HMOs by ward (Source Ti 2019)**

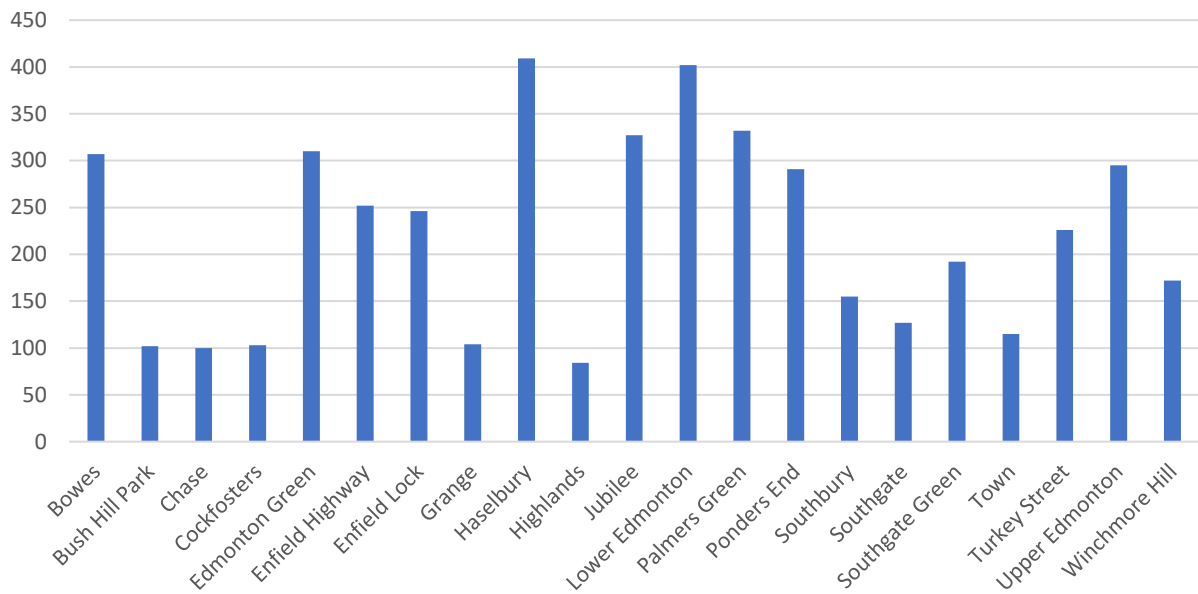


**Map 5: Distribution of HMOs (Source Ti 2019, map by L.B. Enfield)**

### 2.3.2 HMO & Housing conditions

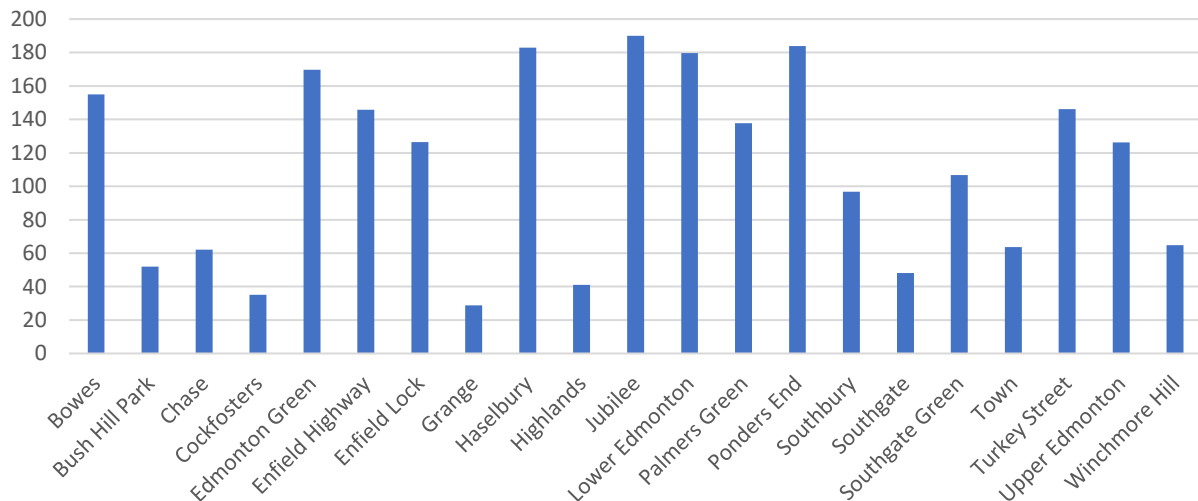
HMOs have some of the poorest housing conditions of any tenure. Analysis shows that 4,651 of 9,661 (48.1%) HMOs in Enfield are predicted to have serious hazards (Category 1 HHSRS). HMOs are generally at higher risk of fire, disrepair and overcrowding.

The number of Category 1 hazards is highest in HMOs in Haselbury and Lower Edmonton (Figure 32) All wards have HMOs with Category 1 hazards.



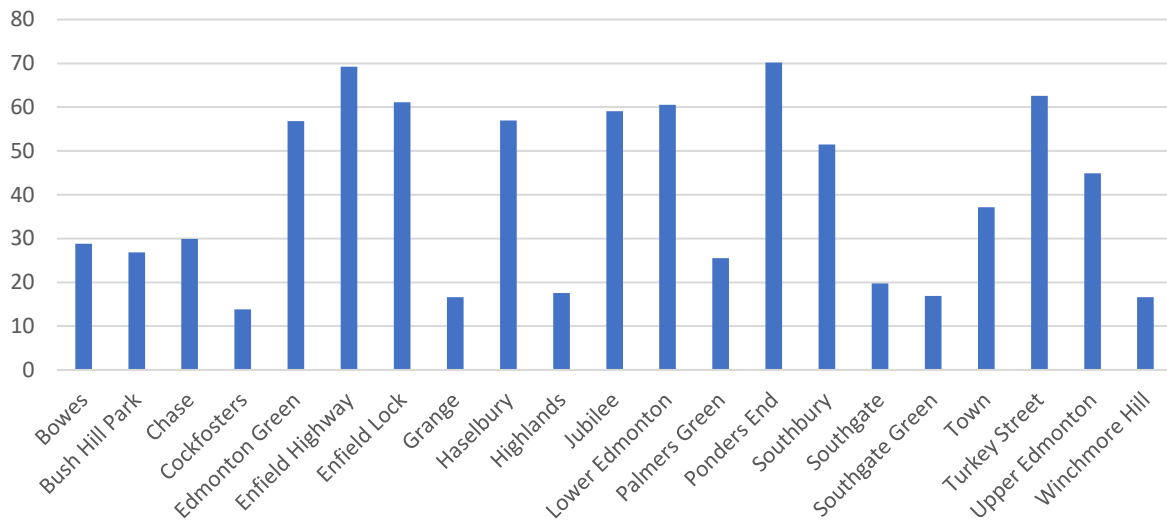
**Figure 32. Predicted number of HMO serious hazards by ward (Source Ti 2019).**

Figure 33 shows the level of service demand that HMOs place on the council by ward, including pest treatments, inspections and enforcement interventions to tackle housing hazards. This illustrates the large demand and costs that HMOs can place upon the public purse.



**Figure 33. Rates of council services and interventions linked to HMOs by ward per 100 properties (Source Ti 2019).**

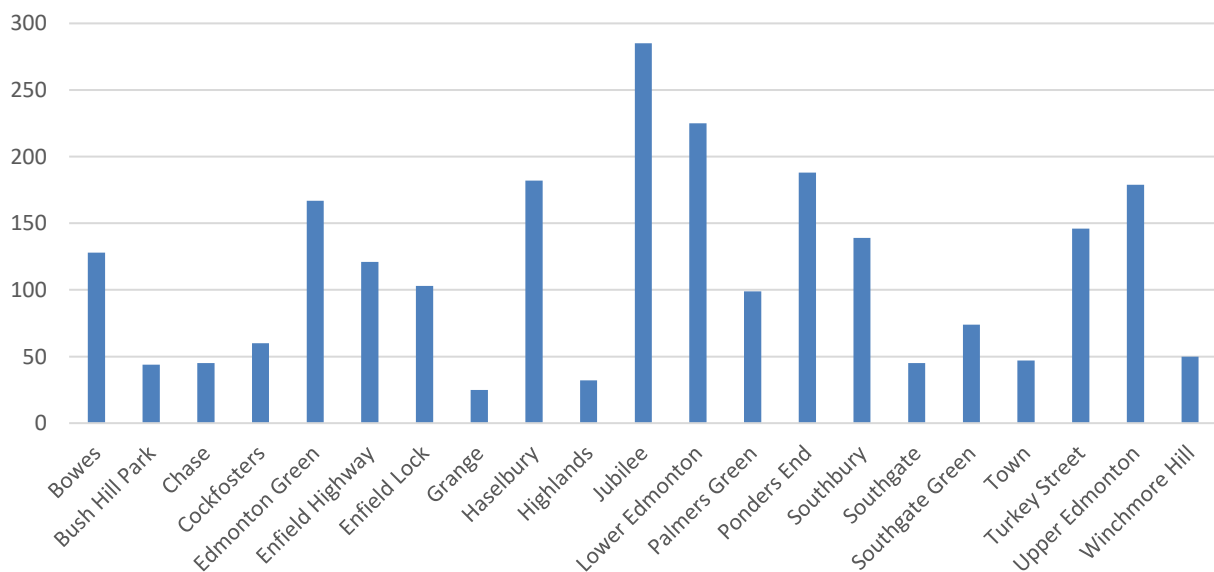
Disrepair complaints at HMOs vary widely between wards but can reach 70 incidents per 100 properties (Figure 34). HMO disrepair complaints are distributed across all wards.



**Figure 34. Rates of HMOs disrepair complaints made by tenants to council by ward per 100 properties (Source Ti 2019).**

### 2.3.3 HMO & Anti-Social Behaviour

Figure 35 shows the number of ASB incidents associated with HMO premises (commercial and ASB incidents not linked to residential premises are excluded from these figures). These are reported ASB incidents e.g. noise, rubbish accumulations etc.

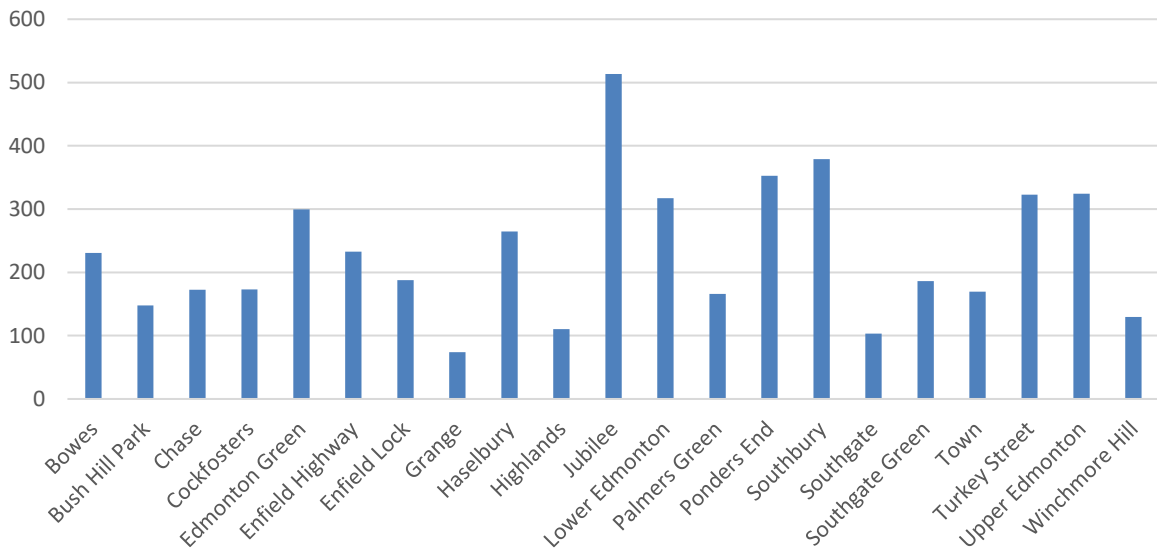


**Figure 35. Number of ASB incidents linked to HMOs by ward (Source Ti 2019).**



High level of ASB can be used as a proxy indicator of poor property management. HMO properties often have higher levels of transience which can result in higher waste production and ASB by tenants.

ASB incidence rates in HMOs show a large range exists between the highest rates (514) and the lowest rates (74). However, it also shows that ASB is linked to HMOs occurs across all wards (Figure 36).



**Figure 36. ASB linked to HMOs per 1000 properties by ward (Source Ti 2019).**

### 3 Policy Context

#### 3.1 PRS Strategy across North and East London

Rapid PRS growth has been seen across north and east London over the last 15 years. The policy response has generally been for greater regulation of the market through property licensing to mitigate some of the concerns that accompany large and growing PRS populations, including HMOs (Table 2).

**Table 2. Overview of the PRS and property licensing across the region.**

Borough	No. PRS	% PRS	Selective Licensing (Y/N)	Additional Licensing (Y/N)	Notes
L.B. Haringey	36,000	34%	No	Yes	Additional licensing introduced in 2019 borough wide
L.B Newham	52,000	47%	Yes	Yes	Borough wide additional and selective licensing introduced in 2013, renewed in 2017 excluding Olympic Park area.
L.B. Havering	30,215	29%	No	Yes	Additional licensing introduced in 2018 in 12 of 18 wards
<b>L.B. Enfield</b>	<b>43,500</b>	<b>34%</b>	<b>No</b>	<b>No</b>	<b>Currently no discretionary property licensing</b>
L.B Barking and Dagenham	21,000	28%	Yes	Yes	Borough wide licensing introduced in 2014, Renewed in 2019.
L.B. Waltham Forest	38,000	39%	Yes	No	Borough wide licensing introduced in 2015, currently under renewal process
L.B. Redbridge	30,000	30%	Yes	Yes	Borough wide additional and 78% Selective introduced in 2016
L.B. Hackney	34,000	30%	Yes	Yes	Additional licensing borough wide, Selective licensing in 3 wards

\*Additional licensing - relates to small HMOs only (3&4 person) \*\*Selective licensing - related to all private single-family dwellings

#### **4 Conclusions**

Enfield faces a number of significant interconnected private rented housing challenges. They currently show no signs of improvement despite large numbers of traditional interventions by the council.

There are a total of 127,855 residential properties in Enfield, 34% (43,546) of which are PRS, 48.3% (61,793) are owner occupied and 17.6% (22,516) socially rented (Figure 13). The PRS in Enfield is distributed across all 21 wards (Figure 15 & Map 1).

Poor housing conditions and high rates of ASB are prevalent in the PRS. 12,596 PRS properties are predicted to have at least 1 serious hazard (Category 1, HHSRS). This represents 28.9% of the PRS stock. Haselbury and Lower Edmonton have the highest predicted levels of serious hazards (Figure 19).

There are significant levels of ASB linked to private rented properties across the borough (Figure 26). Over the last 3 financial years, 7,351 ASB incidents have been recorded. PRS properties are 15 times more likely have an ASB incident compared to owner occupied properties. Most ASB incidents are domestic noise and rubbish in front gardens.

Enfield has 9,661 properties predicted to be HMOs (Figure 31 & Map 5). HMOs are distributed across all wards. HMOs as a subset of the PRS in Enfield have higher rates of ASB.

Possession orders, evictions, homelessness, deprivation and child poverty are linked with the growth of the PRS. Enfield has some of the highest rates in London for evictions from rented properties as a result of a possession order (ranked 1, Figure 10) and statutory homelessness (ranked 2, Figure 11). It is reasonable to make a link between these stressors.

Deprivation and child poverty are also high in many wards. This is correlated with high numbers of children living in the PRS supported by housing benefit (Figure 30). Enfield administered 15,244 housing benefit payments to PRS households in 2018 (Figure 29). This represents 1 in 3 PRS properties. 22,831 dependants (mostly children) live in PRS households receiving some level of housing benefit support.

Enfield receives large numbers of complaints from private tenants (Figure 21). Over a 3-year period Enfield received 6,948 complaints relating to 4,372 properties. In response, Enfield uses a range of proactive and statutory interventions to address housing standards and public health issues in the PRS. This includes proactive visits made to properties where offences are suspected and the use of

statutory housing and public health notices. Over a 3-year period this resulted in 17,021 interventions, including 2,424 housing and public health notices (Figure 24 & Map 3).

Notwithstanding Enfield Council's effort to proactively intervene in the PRS to tackle a range of issues over recent years, there are no signs that the PRS challenges facing Enfield residents are abating.

**Appendix 1 – Ward summaries****Table 3. Ward summary overview (Source Ti 2019).**

Ward	Summary (All council data is 3 consecutive years, January 2016 – December 2018)	
Bowes	Total residential stock	5,978
	% PRS	44.4%
	No. PRS	2,657
	No. Statutory Notices served	203
	No. ASB incidents	437
	No. Category 1 hazards	716
	No. HMOs	555
Bush Hill Park	Total residential stock	5,774
	% PRS	25.9%
	No. PRS	1,497
	No. Statutory Notices served	27
	No. ASB incidents	184
	No. Category 1 hazards	379
	No. HMOs	298
Chase	Total residential stock	5,810
	% PRS	25.9%
	No. PRS	1,507
	No. Statutory Notices served	28
	No. ASB incidents	189
	No. Category 1 hazards	362
	No. HMOs	261
Cockfosters	Total residential stock	5,730
	% PRS	27.8%
	No. PRS	1,591
	No. Statutory Notices served	21
	No. ASB incidents	251
	No. Category 1 hazards	321
	No. HMOs	347
Edmonton Green	Total residential stock	7,114
	% PRS	33.6%
	No. PRS	2,387
	No. Statutory Notices served	199
	No. ASB incidents since 2014	456
	No. Category 1 hazards	838
	No. HMOs	558
Enfield Highway	Total residential stock	6,109

	% PRS	36.3%
	No. PRS	2,217
	No. Statutory Notices served	143
	No. ASB incidents	450
	No. Category 1 hazards	701
	No. HMOs	520
Enfield Lock	Total residential stock	6,798
	% PRS	37.2%
	No. PRS	2,529
	No. Statutory Notices served	125
	No. ASB incidents since 2014	408
	No. Category 1 hazards	700
	No. HMOs	548
Grange	Total residential stock	5,863
	% PRS	25.2%
	No. PRS	1,477
	No. Statutory Notices served	13
	No. ASB incidents	143
	No. Category 1 hazards	317
	No. HMOs	337
Haselbury	Total residential stock	5,973
	% PRS	43.1%
	No. PRS	2,573
	No. Statutory Notices served	199
	No. ASB incidents since 2014	543
	No. Category 1 hazards	976
	No. HMOs	688
Highlands	Total residential stock	5,941
	% PRS	26.2%
	No. PRS	1,559
	No. Statutory Notices served	24
	No. ASB incidents	153
	No. Category 1 hazards	317
	No. HMOs	290
Jubilee	Total residential stock	5,437
	% PRS	39.8%
	No. PRS	2,164
	No. Statutory Notices served	242
	No. ASB incidents	587
	No. Category 1 hazards	861
	No. HMOs	555
Lower Edmonton	Total residential stock	6,344

	% PRS	39.6%
	No. PRS	2,513
	No. Statutory Notices served	296
	No. ASB incidents since 2014	485
	No. Category 1 hazards	952
	No. HMOs	709
Palmers Green	Total residential stock	6,352
	% PRS	40.6%
	No. PRS	2,578
	No. Statutory Notices served	126
	No. ASB incidents	311
	No. Category 1 hazards (predicted)	691
	No. HMOs	596
Ponders End	Total residential stock	6,032
	% PRS	41.1%
	No. PRS	2,480
	No. Statutory Notices served	206
	No. ASB incidents since 2014	560
	No. Category 1 hazards	791
	No. HMOs	533
Southbury	Total residential stock	6,096
	% PRS	34%
	No. PRS	2,070
	No. Statutory Notices served	84
	No. ASB incidents since 2014	417
	No. Category 1 hazards	506
	No. HMOs	367
Southgate	Total residential stock	6,366
	% PRS	30%
	No. PRS	1,909
	No. Statutory Notices served	49
	No. ASB incidents	187
	No. Category 1 hazards	374
	No. HMOs	435
Southgate Green	Total residential stock	5,701
	% PRS	31.4%
	No. PRS	1,790
	No. Statutory Notices served	86
	No. ASB incidents	253
	No. Category 1 hazards	496
	No. HMOs	397
Town	Total residential stock	6,522

	% PRS	25.6%
	No. PRS	1,670
	No. Statutory Notices served	31
	No. ASB incidents	230
	No. Category 1 hazards	451
	No. HMOs	277
Turkey Street	Total residential stock	5,558
	% PRS	35.5%
	No. PRS	1,974
	No. Statutory Notices served	140
	No. ASB incidents since 2014	411
	No. Category 1 hazards	585
	No. HMOs	452
Upper Edmonton	Total residential stock	6,654
	% PRS	35.9%
	No. PRS	2,386
	No. Statutory Notices served	134
	No. ASB incidents since 2014	552
	No. Category 1 hazards	814
	No. HMOs	336
Winchmore Hill	Total residential stock	5,703
	% PRS	35.4%
	No. PRS	2,018
	No. Statutory Notices served	48
	No. ASB incidents since 2014	210
	No. Category 1 hazards	448
	No. HMOs	386

**Table 4. Ward PRS summary data (Source Ti 2019).**

Wards	Total residential dwellings	No. PRS	% PRS	Serious hazards (Category 1) (predicted)
Bowes	5,978	2,657	44.4%	716
Bush Hill Park	5,774	1,497	25.9%	379
Chase	5,810	1,507	25.9%	362
Cockfosters	5,730	1,591	27.8%	321
Edmonton Green	7,114	2,387	33.6%	838
Enfield Highway	6,109	2,217	36.3%	701
Enfield Lock	6,798	2,529	37.2%	700
Grange	5,863	1,477	25.2%	317



Haselbury	5,973	2,573	43.1%	976
Highlands	5,941	1,559	26.2%	317
Jubilee	5,437	2,164	39.8%	861
Lower Edmonton	6,344	2,513	39.6%	952
Palmers Green	6,352	2,578	40.6%	691
Ponders End	6,032	2,480	41.1%	791
Southbury	6,096	2,070	34.%	506
Southgate	6,366	1,909	30%	374
Southgate Green	5,701	1,790	31.4%	496
Town	6,522	1,670	25.6%	451
Turkey Street	5,558	1,974	35.5%	585
Upper Edmonton	6,654	2,386	35.9%	814
Winchmore Hill	5,703	2,018	35.40%	448

**Table 5. Ward HMO summary data (Source Tf 2019).**

Ward	No. HMOs	ASB incidents	Serious hazards (Category 1) (predicted)
Bowes	555	128	307
Bush Hill Park	298	44	102
Chase	261	45	100
Cockfosters	347	60	103
Edmonton Green	558	167	310
Enfield Highway	520	121	252
Enfield Lock	548	103	246
Grange	337	25	104
Haselbury	688	182	409
Highlands	290	32	84
Jubilee	555	285	327
Lower Edmonton	709	225	402
Palmers Green	596	99	332
Ponders End	533	188	291
Southbury	367	139	155
Southgate	435	45	127
Southgate Green	397	74	192
Town	277	47	115
Turkey Street	452	146	226
Upper Edmonton	552	179	295
Winchmore Hill	386	50	172

## **Appendix 2 - Tenure Intelligence (Ti) – stock modelling methodology**

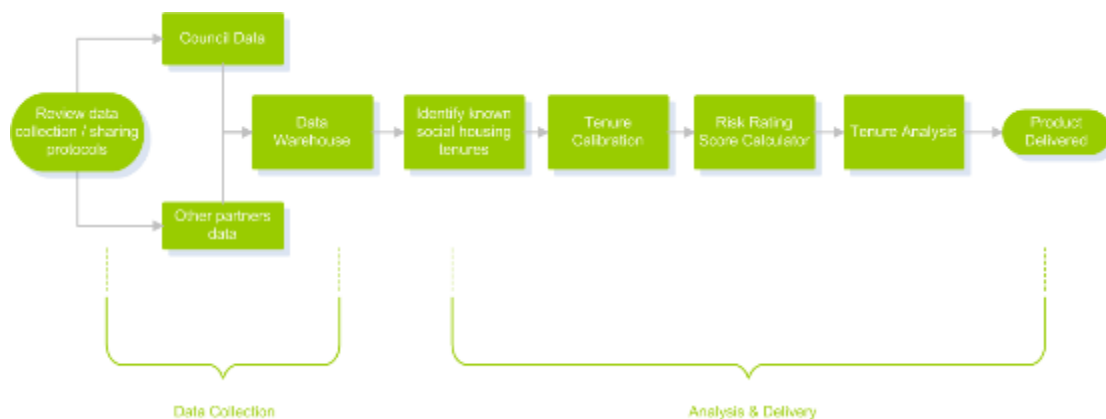
This Appendix explains at a summary level Metastreet’s Tenure Intelligence (Ti) methodology (Figure 37).

Ti uses a wide range of data to spot trends at the property level. Machine learning is used in combination with expert housing knowledge to accurately predict a defined outcome at the property level.

Council and external data have been assembled as set out in Metastreet’s data specification to create a property data warehouse.

Machine learning is used to make predictions of defined outcomes for each residential property, using known data provided by Enfield.

Results are analysed by skilled practitioners to produce a summary of housing stock, predictions of levels of property hazards and other property stressors. The results of the analysis can be found in the report findings chapter.



**Figure 37. Summary of Metastreet Tenure Intelligence methodology.**

### **Methodology**

Metastreet has worked with Enfield to create a residential property data warehouse based on a detailed specification. This has included linking approximately 8 million cells of data to 127,000 unique property references, including council and externally sourced data. All longitudinal council held data is 3 consecutive years, from January 2016 – December 2018

Once the property data warehouse was created, the Ti model was used to predict tenure and stock condition using the methodology outlined below.

Machine learning was utilised to develop predictive models using training data provided by the council. Predictive models were tested against all residential properties to calculate risk scores for each outcome. Scores were integrated back into the property data warehouse for analysis.

Many combinations of risk factors were systematically analysed for their predictive power using logistic regression. Risk factors that duplicated other risk factors but were weaker in their predictive effect were eliminated. Risk factors with low data volume or higher error are also eliminated. Risk factors that were not statistically significant are excluded through the same processes of elimination. The top 5 risk factors for each model have the strongest predictive combination.

Four predictive models have been developed as part of this project. Each model is unique to Enfield; they include:

- Owner occupiers
- Private rented sector (PRS)
- Houses in Multiple occupation (HMO)
- PRS housing hazards

Using a  $D^2$  constant calculation it is possible to measure the theoretical quality of the model fit to the training data sample. This calculation has been completed for each model. The  $D^2$  is a measure of “predictive capacity”, with higher values indicating a better model.

Based on the modelling each residential property is allocated a probability score between 0-1. A probability score of 0 indicates a strong likelihood that the property tenure type is *not* present, whilst a score of 1 indicates a strong likelihood the tenure type *is* present.

Predictive scores are used in combination to sort, organise and allocate each property to one of 4 categories described above. Practitioner skill and experience with the data and subject matter is used to achieve the most accurate tenure split.

It is important to note that this approach cannot be 100% accurate as all mathematical models include error for a range of reasons. The  $D^2$  value is one measure of model “effectiveness”. The true test of predictions is field trials by the private housing service. However, error is kept to a minimum through detailed post analysis filtering and checking to keep errors to a minimum.

A continuous process of field testing and model development is the most effective way to develop accurate tenure predictions.

The following tables include detail of each selected risk factors for each model. Results of the null hypothesis test are also presented as shown by the Pr(>Chi) results. Values of <0.05 are generally considered to be statistically significant. All the models show values much smaller, indicating much stronger significance.

### **Owner occupier model**

The owner occupier model shows each of the 5 model terms to be statistically significant, with the overall model showing a “predictive capacity” of around 84% (Table 6).

**Table 6. Owner occupier predictive factors.**

<b>Risk factors selected</b>	<b>Pr(&gt;Chi)*</b>
Mosaic Experian Category	3.938e-05
Council tax balance	8.793e-07
Housing benefit type	5.750e-15
No. of accounts linked to property	8.068e-05
Total environmental records	2.2e-16
Training data, n= 550	
D <sup>2</sup> test = 0.844 **	

\* Pr(>Chi) = Probability value/null hypothesis test

\*\* D<sup>2</sup> test = Measure of model fit

### **PRS predictive model**

The PRS model shows that each of the 5 model terms is statistically significant, with the overall model having a “predictive capacity” of around 81% (Table 7).

**Table 7. PRS predictive factors.**

<b>Risk factors selected</b>	<b>Pr(&gt;Chi)</b>
Housing benefit type	2.579e-10

Mosaic Experian Category	3.938e-05
Tenancy Deposits Registrations	0.0008775
No. of accounts linked to property	8.068e-05
Total environmental records	2.2e-16
Training data, n= 804	
D <sup>2</sup> test = 0.809	

### **HMO (House in Multiple Occupation) model**

This model predicts the likelihood that a UPRN will be a HMO (Table 8). Each of the 5 model terms is statistically significant and the overall model has a “predictive capacity” of around 72%.

**Table 8. HMO predictive factors.**

<b>Risk factors selected</b>	<b>Pr(&gt;Chi)</b>
Council Tax Balance	0.0002256
No. of accounts linked to property	0.0209245
EPC, number of habitable rooms	0.0077491
PRS regulatory intervention	6.458e-14
Total environmental records	6.458e-14
Training data, n= 555	
D <sup>2</sup> test = 0.723	

### **Category 1 (HHSRS) hazards model**

Numerous properties where the local housing authority has taken action to address serious hazards were sampled for training data, including poor housing conditions. Specifically, this included Housing Act 2004 Notices served on properties to address Category 1 hazards. The model results show that each of the model terms is statistically significant, with the overall model having a “predictive capacity” of around 96% (Table 9).

**Table 9. Category 1 (HHSRS) hazard predictive factors.**

Risk factors selected	<u>Pr (&gt;Chi)</u>
EPC, Current Energy Consumption	0.0051228
Total environmental records	2.2e-16
No. of accounts linked to property	0.0074925
PRS regulatory intervention	2.2e-16
Mosaic Public Sector Category	0.0074925
Training data, n= 453	
D <sup>2</sup> test = 0.962	

Version, Final

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## MUNICIPAL YEAR 2019/2020 REPORT NO. **166**

**MEETING TITLE AND DATE:**

Cabinet: 22.01.20

Full Council: 29.01.20

**REPORT OF:**Joanne Drew, Director of  
Housing and Regeneration

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Agenda – Part: 1

Item: 6

**Subject: Housing and Growth Strategy****Wards:** ALL**Key Decision No:** KD 4841**Cabinet Member consulted:**Cllr Caliskan, Leader of the Council; and Cllr  
Needs, Cabinet Member for Social Housing**1. EXECUTIVE SUMMARY**

The Housing and Growth Strategy sets out the overarching vision and direction of the Council in relation to delivering housing growth and balanced housing markets in Enfield for the benefit of all residents.

A leading aim of this bold strategy is to deliver more affordable homes and better places for Enfield, using the Enfield model for regeneration, so that everyone benefits from the opportunities that growth can bring.

It also recognises the need to invest in Council housing and services, to improve the private rented sector and to ensure a wide range of housing products are provided, including for people who have specific housing needs.

The strategy also sets out the Council's key asks of Government. This includes fairer and more sustainable funding, which would allow us to build more affordable homes with increased grant levels and to address the negative impact that welfare reform has had on residents. The strategy also calls on Government to reverse welfare reforms, such as changes to the London Housing Allowance, and to end the Right to Buy in London.

The report details the wide engagement that has taken place during 2019 as part of the consultation process and summarises the feedback which has been incorporated into the Strategy.

## 2. RECOMMENDATIONS

2.1 Recommend the approval of the Housing and Growth Strategy to Full Council.

2.2 Delegate authority to the Leader, as the portfolio for new housing supply and regeneration, to approve measurable targets to deliver the strategy

2.3 Note that key metrics will also be monitored in the 2020 Corporate Performance Report submitted quarterly to Cabinet.

2.4 Note that the targets will be published as an appendix to the strategy once these are finalised, with a planned date for publication being April 2020

## 3. BACKGROUND

Housing Strategies are intended to provide the overall direction for the Council's work to deliver the housing that current and future residents will need. Our strategy is written at a time which many describe as a national housing crisis, both in terms of affordability and accessibility of the right kind of housing for people at every stage of their lives.

The national crisis is also played out in Enfield. For this reason, the Council has set out on a path to develop, in collaboration with residents and a wide range of partners, an ambitious plan to tackle these challenges. This report outlines the conclusion of this work and commends the new strategy for approval by Council.

## 4. AIMS OF THE GOOD GROWTH HOUSING STRATEGY

Through the new strategy, the Council is aiming to deliver transformation through five bold ambitions, outlined below, with examples of the rapid progress the Council is already making to deliver these ambitions.

- **More affordable homes for local people:** Building more homes that are the right kind of homes, in the right locations and for local people. This means homes that are well-designed and are the right size, tenure and price that local people can afford. In January, Cabinet will receive a report outlining the Council's direct delivery housing development programme of at least 3,500 homes over the next 10 years plus many more it will enable through partnerships.
- **Invest in and be proud of our council homes:** Investing in our existing council homes to make sure they provide safe and secure

homes for future generations and offer high-quality management services. In February, Cabinet will consider the model for the Council's in-house repairs service to improve this important service for Council tenants and leaseholders.

- **Quality and variety in private housing:** Taking action to create high-quality, fairer, more secure and more affordable homes in the private sector. Cabinet will also be receiving a report on proposals for a licensing scheme following consultation.
- **Inclusive placemaking:** Working together with local organisations and communities to design, deliver and maintain good homes in quality places and promoting the Enfield model for regeneration. In November 2019, Cabinet agreed plans to transform the Joyce and Snells Estates as part of a multimillion-pound scheme to dramatically improve residents' lives. The plans, which reflect the residents' vision for their estate, are underpinned by extensive engagement and form part of the wider investment and development in Upper Edmonton.
- **Accessible housing pathways and homes for everyone:** Providing access to housing and support for people with specific needs, so that everyone can reach their full potential. A senior officer Board leading the delivery of this part of the strategy has been established and strategy for housing for later living will be brought forward to Cabinet during the first part of 2020.

The strategy also sets out some clear principles for good growth, which will guide future decisions about housing, in our role as developer, commissioner, partner or planning authority. This means in everything we do our vision is for homes and places which are:

- Affordable for Enfield residents
- Safe and good for people's health and wellbeing
- Child, age and disability friendly
- Environmentally sustainable
- Digitally connected

The strategy outlines key asks of Government that we will lobby for to help maximise the outcomes to be delivered for Enfield residents:

- Fairer funding with grants awarded over a longer time period, to help us plan for the medium and long term, for example in homelessness services.
- Restoration of London Housing Allowance (LHA) rates to the median market rate.

- Legislating to end discrimination from private landlords and lettings agents against those claiming benefits.
- Ending Right to Buy in London, so that councils and Housing Associations can develop sound business plans for more new affordable housing.
- Increasing funding available for building safety, so that essential improvements do not restrict us from building more affordable homes at the scale and pace need.

## **5. OUTCOME OF THE CONSULTATION**

In delivering the Housing Strategy, the Council will need to work with a wide range of partners, as well as taking direction action. Consultation has been a critical part of shaping a strategy that will deliver maximum outcomes.

Therefore, we have carried out extensive engagement with stakeholders, including with residents, voluntary and community sector, registered providers, the private sector and elected members.

The public consultation on the draft strategy launched on 26<sup>th</sup> July and ran for 12 weeks until 21<sup>st</sup> October. This comprehensive consultation programme included an online survey, distribution of paper copies at community events, discussion on the strategy at community forums, stakeholder committees and Boards. The consultation was promoted in civic buildings, GP surgeries, on social media and in the press.

We also wrote directly to key stakeholder organisations, inviting discussion on the draft, including all Registered Housing Providers with stock in the borough; development partners, our three local NHS Trusts; Enfield Clinical Commissioning Group; Enfield and Haringey Borough Command Unit; Public Health England; the Greater London Authority (GLA); and neighbouring authorities.

There were 295 responses to the consultation including the online questionnaire and direct responses via email. This included responses from 242 residents, 7 registered providers and 11 voluntary sector groups.

There was broad support for the vision and ambitions of the strategy. There was particular support from Registered Providers and private developers, who supported our approach to housing and growth in Enfield and expressed their interest in helping Enfield deliver on this strategy through increased partnership working. Several organisations approached Enfield to have further discussions on the draft strategy and how they could support the delivery of the strategy, including Transport for London (TfL), Places for People and London Community Rehabilitation Company (CRC).

Respondents also suggested where further detail and clarification was needed to strengthen our approach, and the strategy was further developed as a result of this feedback. This included greater prioritisation on place-making as a key part of the delivery of the strategy; committing to high-density development being of a high quality, in keeping with the surroundings and being well managed; and clearer commitments to action to make sure all our buildings meet requirements including lobbying for funding to meet new legislative requirements.

The consultation highlighted the importance that residents place on development and growth benefiting local communities. The strategy vision supports this and commits us to delivering not only good housing, but for good growth, where everyone in Enfield can benefit. This includes commitments for increasing the supply of a variety of affordable housing products, and raising standards in the private rented sector, where a large proportion of residents in the borough live. We have included case studies in the strategy illustrating which type of housing products households of different incomes could access. We have also strengthened ambition four of the strategy, to deliver 'inclusive placemaking,' making more explicit commitments to infrastructure delivery, in particular transport infrastructure.

The consultation showed strong support for long-term council house building which supports our position in the strategy and strengthens our calls on Government to provide adequate funding to enable us to build council housing at the scale that is needed. We will use the headroom in the Council's Housing Revenue Account to maximise the delivery of affordable homes, but we also require subsidy from Government to deliver on the scale that is needed and if we are to deliver more homes for new lets at social housing rent levels as opposed to London Affordable Rent Levels. We will continue to work proactively with the Greater London Authority (GLA) and national Government to maximise the opportunities available for Enfield.

The full list of who we consulted, details of how we promoted the consultation, information on who responded, and how we developed the strategy as a result of the feedback is included in the Consultation report in appendix II.

## **6. ALTERNATIVE OPTIONS CONSIDERED**

As the Housing and Growth Strategy is not a statutory document, an option considered was to not replace our existing strategy. However, in the context of the national housing crisis, rising homelessness in Enfield and significantly increased housing targets, it is unlikely that the Council would be able to address the scale of this challenge without a renewed strategy setting out a clear approach to address new challenges and new ambitions.

## **7. REASONS FOR RECOMMENDATIONS**

Increasing homelessness; a growing private rented sector which in many cases is offering sub-standard accommodation; a growing population and ambitious new housing targets mean that we require a bold new approach to deliver more and better homes in Enfield.

This new strategy sets out our approach for guiding future housing decisions, giving an overarching vision and guiding principles that will channel efforts across relevant council departments and set out how we will work in partnership to achieve our vision. The strategy provides the opportunity for new ways of working and increased partnership across the Council, with stakeholders and with local people in our communities.

## **8.COMMENTS FROM OTHER DEPARTMENTS**

### **8.1 Financial Implications**

The Housing and Growth strategy is a high-level objectives document and does not detail specific budget requests. However, the impact of this strategy to the HRA 30-year Business Plan will affect the capacity and borrowing requirements.

This strategy has driven a review of the HRA business plan to ensure it can sustain its ambitions. An updated business plan will be reported and agreed at January Cabinet (KD4969). Part of this report recommends the implementation of financial metrics to ensure the plan remains financially viable and within affordable limits. These measures are Interest cover ratio (ICR) and Loan to Value (LTV).

The strategy sets out the need to increase affordable housing within the borough and the ambition to increase this level by direct delivery to 3,500 new homes in the next 10 years. A pipeline programme has been developed and has been built into the HRA 30-year business plan.

The strategy also sets out the need to invest in our existing council homes to ensure the Council is providing safe and secure homes for future generations and offer high-quality management services. A stock condition survey has recently been completed showing that the overall level of budget is adequate to cover the costs of works required. By investing in our stock and building new homes it will ensure asset life and reduce long term repairs and major works costs.

Some aspects of the Housing Strategy delivery will have implications for General Fund and will need to be considered in the Council's 5-year Medium Term Financial Plan and agreed on an annual basis, as well as the Council's 10 year Capital Programme. The Council should benefit from the creation of 3,500 new homes in the borough for

example, through the additional income generated as a result of an increase in the Council Tax base and the impact of additional specialised housing on Social Care delivery. However, other areas will also need to be considered such as the implications on the number of school places required and general infrastructure demands for example.

## **8.2 Legal Implications**

The Deregulation Act 2015 abolished the statutory requirement for English authorities to produce a housing strategy as previously required. However, section 333D of the Greater London Authority Act 1999 provides that any local housing strategy of any London borough has to be in general conformity with the Mayor's London housing strategy.

## **8.3 Property Implications**

The Housing and Growth Strategy refers to the Council's intention to expand current housing delivery programmes by optimising the Council's property holdings. The Council's Strategic Asset Management Plan, which applies to the Council's non-housing assets, supports this approach.

Further property implication may arise following implementation of the strategy and these will be reported on separately in any subsequent operational reports.

## **9. KEY RISKS**

Uncertainty in the housing market, as well as the cross-subsidy model required to fund affordable housing, means that the Council and registered providers are facing considerable challenges in delivering affordable housing at the pace and scale required.

This includes uncertainty around how the housing market will react to Britain leaving the EU and the impact this may have on housing construction, including the potential for skills shortages if falls in net migration are not met by an increase in other skilled workers. This would make delivery of our housing delivery targets increasingly challenging.

For this reason, we are supporting London Councils and the G15 housing associations in their calls for greater funding and support for local government and registered providers. We will also continue to work proactively with partners to deliver affordable homes.

Robust programme management will be in place on each scheme development, led by the Council's Place Department.

Delivery of good growth is also dependent on the delivery of supporting infrastructure, without which delivery of housing at the scale required will not be possible. We are working closely with strategic partners, including Transport for London, and are continuing to support the delivery of Crossrail 2 and other transport infrastructure to manage this risk.

The Council's commitment to becoming zero carbon by 2030, as set out in the Cabinet's Climate Emergency Pledge, and the fast-changing national regulatory framework in relation to this, may also add further challenges to achieving viability of new housing schemes and delivering housing to the scale required. The Council has set up a Climate Change Taskforce to oversee the development of our strategy for zero carbon, and along with the Housing Delivery Board, will be overseeing the council approach to manage this risk and respond to both the housing targets and the zero carbon targets.

We will need to take a proactive approach and be prepared to flex our strategy if, as a result of changing risks in the national economic and legislative climate, it is appropriate to do so. A risk register will be created and monitored to manage and respond to the risks associated with the delivery of the strategy, which will be owned by the Housing Delivery Board.

## **10. IMPACT ON COUNCIL PRIORITIES - CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**



### **10.1 Good Homes in Well-Connected Neighbourhoods**

The Housing and Growth Strategy sets out how we propose to deliver this priority over the next ten years using good growth principles.

### **10.2 Sustain Strong and Healthy Communities**

The Housing and Growth strategy is guided by five principles, one of which is to build homes and places that are good for people's health and wellbeing. The vision is to build places that are affordable and child, age and disability friendly – all of which will contribute to sustaining strong and healthy communities. The strategy takes a 'Health in all Policies' (HiAPT) approach by setting proposed principles for how we will improve health and wellbeing through housing and good growth.

### **10.3 Build our Local Economy to Create a Thriving Place**

Our vision is to build more homes and better homes through good growth principles. This means that any new housing must bring benefits to the local economy through regeneration and renewal.

## **11. EQUALITIES IMPACT IMPLICATIONS**

We have completed an Equalities Impact Assessment for the strategy and anticipate that the strategy will have a positive impact on equalities.

In order to develop a strategy which reflects the diverse needs of communities, including people of all protected characteristics, we undertook an extensive consultation on the draft strategy, and used the results of this to finalise our approach.

The equalities impact assessment is included in appendix I.

## **12. PERFORMANCE AND DATA IMPLICATIONS**

The Council has established a Housing Delivery Board as a response to the high priority the Council is placing on increasing the delivery of new and quality homes for the borough, and to ensure we effectively oversee and monitor the delivery of our housing targets. This Board will play a key role in delivering on the vision and ambitions of the Housing and Growth Strategy.

The Housing Delivery Board is in the process of agreeing a suite of measures and targets that will provide the framework for the Council to monitor housing delivery in order that we achieve the delivery of the targets in our Local Plan, and the target of delivering 3,500 new Council homes through our Housing Revenue Account (HRA) Business Plan. These measures will be agreed and monitored by relevant

cabinet members and the key metrics will also be monitored in the 2020 Corporate Performance Report. Once agreed, these targets will be published as an appendix to the Housing and Growth Strategy, with an anticipated date of publishing this appendix being April 2020.

Further data implications may arise following implementation of the strategy and these will be reported on separately in any subsequent operational reports.

### **13. PUBLIC HEALTH IMPLICATIONS**

The strategy will help to embed Health in All Policies (HiAP) principles. We have proposed an Enfield Housing Test which sets out guiding principles to achieving good growth. This includes questioning whether any plan for housing renewal or a new development is good for people's health and wellbeing. This includes helping people to be smoke free, be physically active, eat well, be socially connected and live in thermal comfort.

#### **Background Papers – None**

#### **Appendices**

Draft Housing and Growth strategy  
Appendix I: Equalities Impact Assessment  
Appendix II: Consultation Report

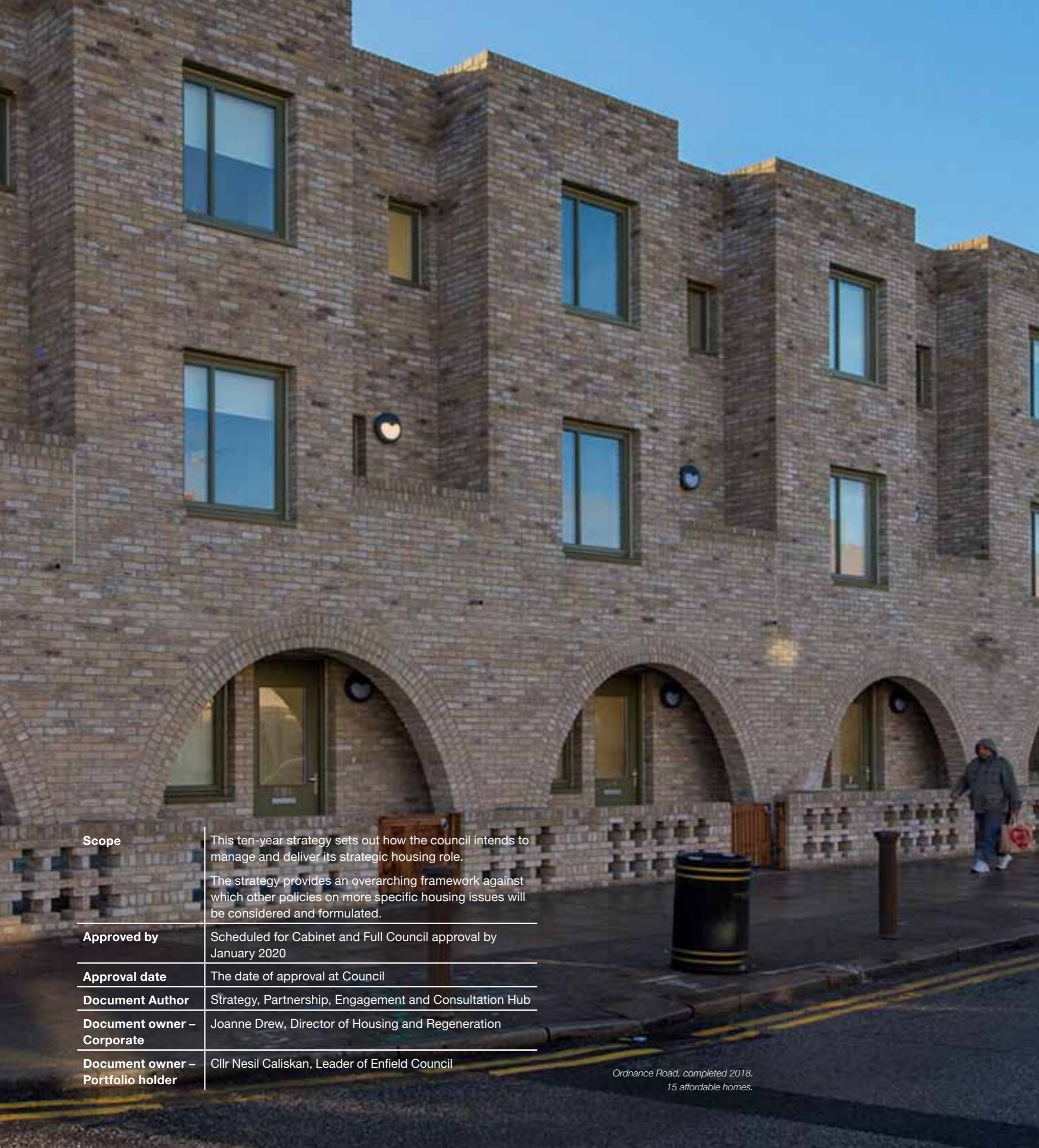
# More and better homes for Enfield

Housing and Growth Strategy 2020-2030



**DRAFT STRATEGY**

[www.enfield.gov.uk](http://www.enfield.gov.uk)



<b>Scope</b>	<p>This ten-year strategy sets out how the council intends to manage and deliver its strategic housing role.</p> <p>The strategy provides an overarching framework against which other policies on more specific housing issues will be considered and formulated.</p>
<b>Approved by</b>	Scheduled for Cabinet and Full Council approval by January 2020
<b>Approval date</b>	The date of approval at Council
<b>Document Author</b>	Strategy, Partnership, Engagement and Consultation Hub
<b>Document owner – Corporate</b>	Joanne Drew, Director of Housing and Regeneration
<b>Document owner – Portfolio holder</b>	Cllr Nesil Caliskan, Leader of Enfield Council

*Ordnance Road, completed 2018.  
15 affordable homes.*

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# INTRODUCTION

**This strategy sets out how we will deliver more and better homes to address inequality, create a more balanced housing market and help local people access a good home. This will make a significant contribution to delivering on our ambition to deliver a lifetime of opportunities for people in Enfield, by creating good homes in well-connected neighbourhoods.**

Our bold house building programme will create homes that local people on a range of different incomes can afford to live in at different stages of their lives. This will include delivery in partnership with registered providers as well as with developers and the private sector, where partnership working can deliver more homes. This means creating a place where anyone born in the borough has a home to grow up in, where they can choose to stay in and age in, to benefit from the great city which is London.

The ambition to massively increase housing supply is an opportunity for us to develop homes and neighbourhoods that are balanced with mixed incomes, are health-promoting, environmentally sustainable, child-friendly, age-friendly and accessible for people throughout their lifetime. Our vision for placemaking will put public spaces at the heart of the community, strengthening the connection between people and the places they live and recognising the value this brings. We want to grow our borough in a way which means no one will be left behind, and this means developing a new model for housing delivery and a diversity of housing products to meet those needs. The Enfield Model for Regeneration, embodied in our plans for the Joyce and Snells estate renewal, sets the principles for delivering with and for Enfield residents. We will take the lead as a housing authority to make sure that we and our partners deliver good quality homes, in well-designed places, at scale and pace.

This strategy isn't just about creating new homes. It is also about how we improve existing housing in the borough, ensuring it is used for the benefit of local people. This includes how we work with our communities to maintain and improve

council homes that we can all be proud of. It is about how we work in partnership with registered housing providers so that they invest in their existing stock and create new homes in the borough. Importantly, it is also about how we work with tenants, landlords and owner occupiers to improve the condition and use of private sector homes, which make up the majority of homes in Enfield.

While this is a strategy about homes, at its heart are the lives of residents and our ability to help people realise their potential to live happy and fulfilling lives in our borough. As well as helping us to live in a more environmentally sustainable way, our homes need to be age, child and disability friendly, safe and health-promoting. This means the right amount of specialised and supported housing for those that need it; and helping people to adapt their homes as their needs change. It means people living in inclusive homes and neighbourhoods where people of all ages and backgrounds can interact in a way that strengthens communities. It means empowering people to support each other so that everyone lives as independent, fulfilling and healthy lives as possible.

Our intention in this new strategy is to deliver a transformation in the local housing market for Enfield. We welcome the positive steps that Government has taken to begin to address the national housing crisis, such as lifting the Housing Revenue Account Borrowing cap so that councils will be better able to build more social homes that are desperately needed. However, we believe there is more that Government can do to truly unlock the potential we have in Enfield to significantly contribute to London and the South East's housing

targets and achieve good growth. This includes fairer funding to be awarded over the long term, and measures to address the negative impact of the current welfare system. It also includes increasing housing development grant rates and ending the Right to Buy in London, so that councils and housing associations can develop sound business plans for more new social and affordable housing.

We believe this new strategy will bring about transformational change across Enfield over the next ten years. We have engaged widely during the development of this strategy, and are grateful for these responses which have been crucial in creating the final strategy. By working with the local community and partners locally, regionally and nationally, we will develop more and better homes together.



**Cllr Nesil Caliskan**  
Leader of Enfield Council



**Cllr Gina Needs**  
Cabinet Member for Housing

# OUR VISION

Our Corporate Plan makes clear that 'good homes in well-connected neighbourhoods' is a critical strategic ambition for Enfield. We will deliver this goal using good growth principles. This will mean more homes and better homes for Enfield where everyone benefits from the opportunities that growth can bring.



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Meridian Water CGI

# 5 OUR FIVE PRIORITIES

We have five priorities to achieve our vision of good homes in well-connected neighbourhoods:

- 
**More affordable homes for local people**  
 Building more homes that are the right kind of homes, in the right locations and for local people. This means homes that are well-designed and are the right size, tenure and price that local people can afford.
- 
**Invest in and be proud of our council homes**  
 Investing in our existing council homes to make sure they provide safe and secure homes for future generations and offer high-quality management services.
- 
**Quality and variety in private housing**  
 Taking action to create high-quality, fairer, more secure and more affordable homes in the private sector.
- 
**Inclusive Placemaking**  
 Working together with local organisations and communities to design, deliver and maintain good homes in quality places.
- 
**Accessible housing pathways and homes for everyone**  
 Providing access to housing and support for people with specific needs, so that everyone can reach their full potential.

# 5 OUR FIVE PRINCIPLES

In everything we do, our vision is for homes and places that are:

- 
**Affordable to Enfield residents**  
 This means creating developments where different people on different incomes can live together in a mixed community.
- 
**Safe and good for health and wellbeing**  
 This means helping people to eat well, be smoke free, physically active, socially connected and live in thermal comfort.
- 
**Child, age and disability friendly**  
 This means providing inclusive and accessible homes and public realm that include places for people of all ages to meet and connect, providing safe outside play provision for children and young people, and helping all residents to stay safe in their communities.
- 
**Environmentally sustainable**  
 This means reducing our carbon footprint, using renewable heat and power sources, creating safe and attractive travel routes by foot and bicycle and creating community gardens and green spaces.
- 
**Digitally connected**  
 This means creating homes that will be fit for future technology, like providing Fibre-to-the-Premises (FTTP) and smart homes/meters that help people with disabilities or health conditions.

## A HOUSING MARKET IN CRISIS

**There is wide acknowledgement of the national housing crisis. There are no easy or quick-fix solutions, and this is not something that local authorities can resolve on their own. Opportunity for change lies in national housing policy and investment, in local government partnerships, and in the responsible practice of the private sector. We will play our part to deliver on the priorities in this strategy and by influencing and working with others, where we cannot enact change ourselves.**

The challenge locally is significant. We have too few social and affordable rented homes in Enfield and a growing number of people on low incomes living in the private rented sector. The unaffordability and insecurity of the local private rented market is illustrated by growing numbers of people becoming homeless and too many people living in homes that do not meet their needs.

Our population is rising, with increasing numbers of households on low incomes. At the same time, private sector rents and the number of private rented homes in the borough is rapidly rising. This means that increasing numbers of people on low incomes are living with unsecure tenancies, and in many cases, experiencing housing standards which are not acceptable. In Enfield, 25% of low-income households living in the private rented sector have outgoings that are greater than their income, which is mainly driven by housing costs.<sup>1</sup>

As a result of considerable rent increases in outer London, boroughs like Enfield have felt the biggest impacts of the Local Housing Allowance freeze and have seen the largest reductions in affordability in recent years. For many private rented sector homes, even those which are lower quartile rents, the Local Housing Allowance is less than the rent being charged, causing affordability challenges to any renter who is reliant on Housing Benefit for all or part of their rent.<sup>2</sup> Less than 15% of properties in Enfield are 'affordable' on Local Housing Allowance rates (LHA).

Over half of all Housing Benefit claimants in Enfield live in the private rented sector and nearly two-thirds of these are working. Many of these residents will not have priority need for social or affordable housing. For this reason, this strategy seeks to find solutions in the Private Rented Sector and urges Government to increase LHA rates to reflect the true cost of living in the Private Rented Sector.

The increasing numbers of people becoming homeless in Enfield, as a result of these challenges means too many people are living in temporary accommodation. Temporary accommodation is not a good or stable housing option, and represents a significant cost pressure to the Council.<sup>3</sup> In most cases, the route out of temporary accommodation is into the private rented sector.

People hoping to own their own home face challenges too. Local people aspiring to buy a home close to their family are finding local market sale prices prohibitive. Homes for outright sale are often unaffordable and out of reach for many residents. This means

people working in essential local services, such as teachers, social workers, occupational therapists, nurses, police officers or utility workers, and particularly those with families, are having to make difficult decisions. This often means choosing whether to stay locally, in overcrowded accommodation, or move out of the borough, away from local support networks and local employment.

We are aiming to re-balance the market by setting and supporting delivery of good standards, delivering a wider variety of housing products and creating sustainable communities with mixed income levels, where everyone can benefit from the opportunities that growth can bring.



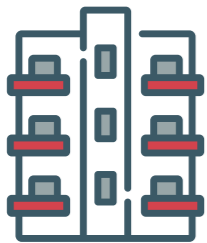
# ENFIELD HOUSING MARKET FACTS AND FIGURES



There are circa **125,370** homes in Enfield, of which:



**10,080** are local authority owned homes (8%)



**8,440** are registered provider homes (7%)

**106,830** are private sector homes (owner occupied and private rented sector) (85%)<sup>4</sup>

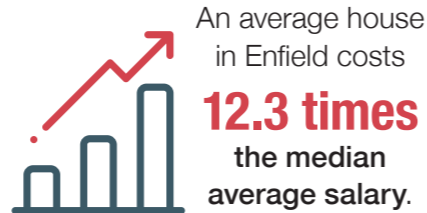
Homes to **purchase on the market** are unaffordable to people on median average salaries in Enfield, unless they are supported by family members to get a step on the housing ladder.



The UK House Price Index shows that as at March 2019, **the average house price in Enfield was £393,237**. This is 15% lower than London as a whole, but 62% higher than England.



As at November 2018, **first-time buyers in Enfield paid an average of £347,077** for their home, as opposed to £443,390 for former home owners.



First time buyers are purchasing homes which are, on average, **10.8 times the median average salary**.<sup>5</sup>

**Less than 15%** of properties in Enfield are 'affordable' on LHA rates.



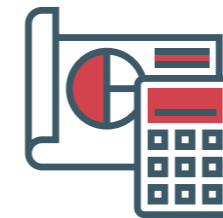
As at March 2019, there were **3,410** households in **temporary accommodation**.



**11.2%** of households in Enfield are in **overcrowded accommodation**.



Enfield is the **2nd highest** provider of temporary accommodation in England



In 2018/19, Enfield spent over **£66m** on the temporary accommodation service, with a net cost of **£7m**



**Eviction from the Private Rented Sector** is the biggest cause of homelessness in Enfield



The most **overcrowded** wards are **Edmonton Green, Upper Edmonton** and **Ponders End**

Latest data on **weekly rent levels** for Enfield across tenures is set out in the table below.

Bedroom Size	Enfield Social Rent 2019/20 <sup>i</sup>	Enfield Target Social Rent 2019/20	London affordable rent 2019/20 <sup>ii</sup>	Lower quartile private rented sector	Median private rented sector <sup>iii</sup>	Local Housing Allowance 2019/20
1 bed	91.24	92.13	155.13	231	242	212.42
2 bed	101.17	115.65	164.24	288	300	263.72
3 bed	111.39	134.82	173.37	340	368	325.46
4 bed	117.51	131.86	182.49	404	462	389.72

<sup>i</sup> Based on average rent levels. There is the ability to charge up to 5% more on social rent levels for specific reasons, for example, a new build council house.  
<sup>ii</sup> Subject to agreement at Cabinet, December 2019.  
<sup>iii</sup> Private rented sector rents from private rented market statistics from Government Valuation Office, March 2019.



# AMBITION 1

## MORE AFFORDABLE HOMES FOR LOCAL PEOPLE

**Over the next ten years, we will be massively increasing the supply of housing in Enfield to deliver more homes for local people. We are doing this to deliver on the targets set for us in the adopted London Plan and Core Strategy and the even more ambitious targets set for us in the emerging London Plan and our own emerging Local Plan.<sup>8</sup> We will do this by taking a direct role in delivering and enabling the provision of new homes that meet evidenced local need.**

The priority is not just more homes. It is more of the right kind of homes, in the right locations, for local people. This means a wider variety of affordable housing products and well-designed homes of the right size, tenure and price that local people can afford. It also means equitable growth across Enfield, with new homes in both the east and the west of the borough.

### AFFORDABLE HOMES

National research suggests that spending a third of net household income (33%) is a reasonable measure of housing affordability. Spending over 40% of net income, particularly for those on median and lower incomes, could signal serious affordability issues.<sup>9</sup> These households are far more likely to struggle to make housing payments, resulting in arrears and defaults. Research has found they are also far more likely to experience material hardship because the effort required to prioritise their housing commitments creates problems elsewhere in their budgets.<sup>10</sup>

Many households in Enfield on median and lower incomes are having to spend more than 40% of their disposable income on housing rent or mortgage repayments. This is pushing many people into poverty and in some cases forcing people to move away, when they would prefer to stay.

Those living in private rented homes on lower and median incomes are particularly affected by this unaffordability. For many households, their housing benefit or housing element of their universal credit award does not meet their housing costs. The majority of these people are unlikely to have priority for social or affordable and our strategy seeks to find housing solutions for these residents through the private rented sector.

One consequence of this is a rising number of people becoming homeless, in many cases because they are evicted from their private rented home and they cannot find an alternative affordable home without assistance. An increase in LHA for local people is one way the Government could address this, which is why we, along with others, such as Crisis, are urging Government to increase LHA to reflect the real cost of living in the private rented sector.

People feeling the effects of the affordability crisis also include those living in overcrowded homes, and young adults who want to move out of their family home but are unable to do so. These pressures are likely to increase, given our population profile and expected future growth.

We want to develop more homes that are genuinely affordable to local people, so that more people can live in a home where they spend a more reasonable proportion of their household income on housing costs.

This means they will be more financially resilient and be less vulnerable to homelessness.

Whilst increasing the supply of affordable homes, we must also create mixed income communities that create the environment for sustainable places. In driving an increase in housing supply in Enfield, we must address the housing need of households on different income levels through a variety of affordable housing products and by using an evidenced-based approach

### CASE STUDY



Nadia is a full-time nurse in Enfield, earning £37,000 per year.

She has one son, Max, who is 13 years old.

Nadia could afford to rent a 2-bed flat on London Affordable Rent (LAR), which would be 28.6% of her net income\*.

Nadia could also afford to rent a 2-bed flat on an intermediate rent, which would be a maximum of 37% of her net income.

\*Subject to eligibility as set out in our allocations policy.

to local housing need. This includes products for quality homes for people who are unlikely to be eligible for Council allocated housing but are also unable to afford to buy locally. Due to recent house price growth and our limited social housing stock, the largest group of households (60%) fall into this category.

A mix of affordable products will address the spectrum of need and create sustainable and mixed communities. By mixed communities, we mean housing across different tenures and residents on different income levels, with homes delivered by both the Council and registered provider partners. This mix of products is also necessary to make new housing schemes viable, as intermediate housing products require a smaller

amount of subsidy.<sup>11</sup> We recognise there is a balance between the rent level or purchase price of homes and the number of affordable homes that can viably be provided.

We can only create more affordable homes through capital subsidy. We will use the headroom in the Council's Housing Revenue Account to maximise the delivery of affordable homes, but we also require subsidy from Government to deliver on the scale that is needed and if we are to deliver more homes for new lets at social housing rent levels as opposed to London Affordable Rent Levels. We will continue to work proactively with the Greater London Authority (GLA) and national Government to maximise the opportunities available for Enfield.

Market sale is still an important tenure to increase in the borough, given the unaffordability of market sale for many residents. We will deliver market housing products in order to cross-subsidise discounted rental homes and affordable housing, depending on housing market conditions. We will also prioritise the development of homes through Build to Rent schemes meeting the emerging demand for this tenure.

Build to Rent will be delivered in partnership with the Council, to provide new, decent quality, private rented housing on longer term tenancies. This means that developments will be built especially with the needs of renters in mind, with high standards of design and management and tenure security.



Ladysmith Park, Summer 2018





## DESIGNING HEALTH-PROMOTING, SAFE AND INCLUSIVE HOMES

We want people to be happy where they live. We will seek out innovative and creative ways to increase the supply of affordable homes, but in all cases the quality and safety of the homes is paramount. When we use new and innovative methods, such as modular homes, we will only do so when they have the **highest standards of quality, design, safety and environmental impact**. Driving our innovation will be an understanding of community needs, which means delivering the right project in the right area.

In the right locations, well designed taller building will have a role to play in contributing to development and regeneration. We will be vigilant in the quality of design of **tall buildings** (buildings of 6 storeys or above) in relation to their impact on the skyline, their impact on the communities in which they are located, and in consideration of who homes within tall buildings are for. For example, we recognise that they can work well for young occupiers, but could work less well for families.<sup>12</sup>

We will closely monitor the design and quality of the construction and refurbishment of new and existing homes, to ensure they are safe for occupation, throughout their lifespan.

We want to ensure that the quality, size and design of homes and places support **good health and wellbeing** for our residents. This means designing homes which provide sufficient light and space and good levels of thermal comfort, with affordable warmth.

It is important that these homes are part of health-promoting neighbourhoods, which help people to eat healthily and be smoke-free, physically active and socially connected.

One of the ways we will achieve this is by designing mixed income neighbourhoods which reduce social isolation. We will work with local people to shape and develop neighbourhoods where people feel a sense of belonging, and part of a community where they feel safe and empowered. There is more about how we will do this in ambition four of this strategy.

### CASE STUDY



Mo is a full-time teacher who lives with his partner, Amy, who works as a nurse part-time. Together, they earn £58,000 per year.

They have three children, the youngest is still in nurse.

Mo and Amy could afford to rent a 4-bed house on an intermediate rent, which would be 27.8% of their net income.

They could also afford to rent a 4-bed house in the Private Rented Sector (median private rent), which would be 34.2% of their net income.

With a 5% deposit of £6,500, they could also consider a shared ownership flat (25% share), which would be around a third of their net income.

Underpinning this approach to community empowerment and cohesion is our commitment to **building truly mixed, sustainable communities**. Our developments will be 'tenure blind,' which means that people will not be able to differentiate between homes based on whether they are owner occupied, rented at market rent, or at affordable rents. It also means that there will be high quality public spaces around homes (the public realm) that will be accessible to everyone.

We will design the public realm in the borough so that there are attractive communal areas and public spaces for people to meet, collaborate, share, connect and play – integrating greenery and ensuring these are accessible to everyone, including people of all ages and people with disabilities. We will also ensure homes are well connected to safe and attractive walking, cycling and public transport networks that help promote physical activity through active travel, and which connect homes to other people, employment, education and culture and leisure services.

As part of our priority to reduce social isolation and ensure connectivity, our aim is for all new and regenerated homes that we build to be **Fibre-to-the-Premises ready**, to connect to the fastest possible broadband facilities. Fast and reliable digital connectivity is vital for both a modern economy and society. It underpins the innovative and growing sectors of the economy and is an important component in facilitating renewal.

Our homes and neighbourhoods will be **inclusive places for children and families**. We will design and build homes which allow children and young people to thrive. We will include safe, accessible outside play provision in all council-led developments of new homes and will work with our partners to encourage them to take the same approach. This will either mean ensuring safe access to existing high-quality play provision or creating new play spaces as part of new neighbourhoods.

We will take measures to keep children and young people free from traffic and pollution through how we design and locate homes and play provision, and by taking measures across the council to improve air quality and reduce carbon emissions, connecting new homes to Community Heating Networks, such as Energetik, the Council's energy company.

We recognise that households benefit from security, certainty and stability in their home, particularly families with children and vulnerable households, such as people with disabilities requiring adaptations. We will continue to offer **lifetime tenancies** for our affordable rented homes and will proactively work with registered providers also adhering to the value of longer-term tenancies.

Our homes need to provide for a lifetime of opportunities and will be accessible and adaptable for **people as they age**, and for people with **disabilities**. We will include accessible

homes, including wheelchair accessible homes in new housing developments, basing decisions on the quantity of adapted accessible homes on the evidence of need in our local Housing Needs Assessment. People aged 65 and over make up 13% of our population, and we will provide suitable housing that meets their needs.

Homes will be designed so that the people living in them are **secure and keep safe**. This means using smart design that will help deter crime and antisocial behaviour. For people who are vulnerable due to mental ill-health or learning disabilities, we will facilitate the provision of person-centred security features and adjustments to meet individual needs. We will design new homes and neighbourhoods so that people can move around their local area and access accessible transport if they are partially sighted, or if they need to use a wheelchair.

There is a more about how we will develop accessible housing pathways and inclusive homes in ambition 5 of this strategy.

### CASE STUDY



Eve and Jordan live in Enfield with their two sons.

Eve works in a shop, earning the minimum wage and Jordan cares for their children.

The family could afford to rent a 2-bed flat on London Affordable Rent (LAR), which would be 29% of their net income\*.

\*Subject to eligibility as set out in our allocations policy.





## BUILDING SUSTAINABLE HOMES FOR THE FUTURE

In July 2019, Enfield Council declared a climate emergency, establishing a new taskforce to tackle this issue and pledging to become carbon neutral by 2030. In meeting our targets for new housing in Enfield, it is vital that we do so in a way that helps us to create a more environmentally sustainable borough. We will lead the way by setting exemplar standards on sustainability in how we design and build new homes.

This means we will develop our use of sustainable construction methods, setting the standards for a more sustainable approach to how we build. This will include adhering to the Unite Construction Charter, which Cabinet signed in December 2018.

We will design homes with high energy efficiency standards of EPC level C or above, and will increase the provision of decentralised energy, such as provision of solar panels to provide residents with low cost electricity generated locally. We have set up our own energy company, Energetik, to provide better value, reliable and environmentally friendly heat and hot water to 15,000 private and social residents in Enfield over the next 40 years. As the Council is the sole shareholder, any profits that the company makes, once operating

costs are covered, will be reinvested in the borough for local benefit, such as measures to address fuel poverty, which is a key commitment in the Energetik Business Plan.

We will design and develop homes and neighbourhoods which encourage and facilitate sustainable forms of travel, by providing cycle lanes connected to the wider cycle network and cycle storage, the provision of well-lit footpaths connecting to the wider pedestrian movement network, and access to car-sharing schemes.

We will enhance and increase green infrastructure by maximising opportunities for tree planting and taking other measures to incorporate green design principles, such as including green roofs and by creating community gardens.

We will also design homes and neighbourhoods which minimise waste creation by promoting re-use and recycling and by providing sustainable methods of waste disposal.

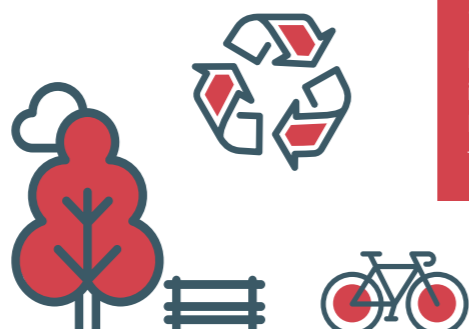
### PASSIVHAUS PRINCIPLES

'Passive Principles' is an approach to low energy housing design that significantly reduces wasted energy and heat loss through building fabric and construction. Certified Passivhaus buildings typically use up to 90% less energy for heating compared to new homes built to current UK Building Regulation standards.

#### Benefits of Passive Principles:

- Better Construction Quality
- Protection Against Fuel Poverty
- Improved Comfort and Wellbeing

Bury Street West Housing Scheme is considered an exemplar, Passivhaus certified scheme, a first for Enfield Council.



## PROVIDING LEADERSHIP, DEVELOPING PARTNERSHIPS AND DIRECTLY INVESTING IN GROWTH TO SAFEGUARD BENEFITS FOR LOCAL PEOPLE

We are setting ourselves ambitious targets for building high quality and exemplar new homes across the borough. We are taking the lead to directly deliver new homes and neighbourhoods on council land and by optimising council assets.

More council homes in our borough is a crucial part of providing more affordable homes for local people. By council homes, we mean homes owned by the council which meet the Greater London Authority (GLA) definition of affordable housing. This includes social rented; affordable rented and intermediate housing.<sup>13</sup>

We currently have far fewer council rented homes than are needed, which has been exacerbated as a result of the 806 homes lost through Right to Buy since 2012 – with up to half of these now being privately rented for profit. This is why we are urging Government to stop Right to Buy in London, whilst also delivering on an ambitious Council-led programme of new housing delivery over the next ten years.

Under current programmes, **we will deliver a minimum of 3,500 new homes** which will be owned by the Council, and many more that will be created through our current programmes which will be owned by Registered Providers and be available to Enfield residents.

We will seek to expand our current programmes by optimising our Council property holdings to deliver our vision for housing and good growth. The Council's Strategic Asset Management Plan, which applies to the Council's non-housing assets, supports this approach. In addition, we will enable the delivery of new homes across the Borough including through our proactive work to support all players to bring forward and deliver new homes on small sites.

This is going to make a huge contribution to the much-needed additional supply of more affordable homes for the borough, to create neighbourhoods that will be sustainable in the long term.

Partnership working to maximise supply will continue to be important throughout the life of this strategy. We will unlock opportunities and **build partnerships with registered providers, other public sector organisations** such as the NHS, TfL and **private developers**. Strengthening our approach to taking a proactive role in such partnerships will ensure that we collectively meet the challenge of delivering homes at the scale and pace needed, that meet the standards set out in this strategy. We will work across the public sector to identify all suitable land and develop homes that meet evidenced local need.

We recognise the vital role that the social sector plays in helping us to reach our targets for affordable housing. Rising market prices, uncertainty in the market and difficulties in using a cross-subsidy model, registered providers, like the Council, are facing considerable challenges in delivering affordable housing at the pace and scale required. We support the G15 and London Councils in their calls for greater funding and support for registered providers and we will continue to work proactively with these partners to deliver affordable homes.<sup>14</sup>

We will work together with Transport for London (TfL) to unlock key housing growth areas through improved transport infrastructure and continuing to call on national and regional governments to support these shared aims.

### CASE STUDY



Ray works part time in a café and has a son and daughter. Ray could afford to rent a 3-bed flat on London Affordable Rent (LAR), which would be 35.5% of his net income\*.

\*Subject to eligibility as set out in our allocations policy.





We will take forward a **New Local Plan** that will provide a spatial framework that plans to meet a minimum housing need of **19,000** new homes in the borough over the next 10 years of which we are targeting 50% to be affordable housing tenures, based on local evidence.

Of this 50%, current policy requires 70% will be social and affordable rents at London affordable rents or below.

To contribute to this, we will deliver a minimum of **3,500** new Council owned homes which will meet the Greater London Authority (GLA) definition of affordable housing. This includes social rented; affordable rented and intermediate housing.<sup>15</sup>

We will also work proactively with **registered providers, public sector organisations** and the **private sector** to maximise their delivery under our own programmes and to help them play their part in developing new homes for Enfield, meeting both our housing needs and the standards set out in this Strategy.

*Electric Quarter, completion estimated 2021. 52 affordable homes.*

## AMBITION 1 MORE GENUINELY AFFORDABLE HOMES FOR LOCAL PEOPLE



### OUR PRIORITIES

- 1** To maximise housing delivery, we will use council assets and partner with other public sector organisations and registered providers to increase the supply of affordable homes.
- 2** We will prioritise rented homes as part of mixed income communities, as evidence shows this is where we have the greatest and most immediate demand. These will be of the size and type that local people need, as informed by our housing needs register and Housing Needs Assessment.
- 3** We will increase the supply of intermediate housing products, which currently makes up less than 1% of housing in Enfield. Intermediate housing provides homes that the majority of local people can afford, prioritising access for people working in essential services such as nurses, social workers, occupational therapists, police officers, teachers and utility workers. These will be of the size and type that local people need, as informed by our Housing Needs Assessment, and in locations where these 'key workers' require homes.
- 4** We will consider how we can make best use of our land and assets, alongside modular construction and short-term, meanwhile housing, as a way to build homes faster to address our homelessness pressures.
- 5** We will cross-subsidise affordable housing through market sale and market rented homes, promoting Build to Rent offered at a range of rent levels. We will simultaneously call on Government to increase grant rates to assist us build more homes rented at the London affordable rent level and below.
- 6** We will apply our 'Enfield Housing Test for Good Growth' in the decisions we make regarding the design of new and renewed homes and neighbourhoods.
- 7** Undertake further research to better understand the demand for affordable housing from single people on low incomes and further develop solutions which meet their needs. This includes both those who are eligible for council and housing association homes, and those who need to find solutions in the private rented sector. This research will result in the design of a housing offer that is affordable to these residents or where the solutions are outside our direct control, the lobbying of Government for policy change to create the conditions to enable this group to access and sustain the housing they need.
- 8** We will use our powers as the local planning authority – through planning policies and development management processes – to ensure that all new homes, of all tenures, are built to the highest standards of quality and design and where there is no differentiation in quality or communal areas between market sale, market rent or affordable housing products.

## AMBITION 2

# INVEST IN AND BE PROUD OF OUR COUNCIL HOMES

**We write this housing strategy in the 100th year of Council Housing. We are proud to be directly providing these homes for our residents, with the safety, security, affordability and standards that they offer.**

Alongside our ambition to increase the supply of council-owned homes, it is crucial that we look at the council homes that we already have in the borough and make sure that these provide quality, safety and security, now and for the future.

We will do this by delivering a housing investment programme, as part of a new council housing asset management strategy. In 2019/20 we launched a £41m investment programme to improve the condition of our housing stock. This includes investing in our homes so that they are compliant with consumer standards, with the safety of our homes being a key priority for us, and have improved energy efficiency. We will work with residents to implement the emerging regulatory framework for building safety.

We have undertaken a comprehensive stock condition survey to inform our future programme of investment and will also take action so that our homes are safe and support people's health and wellbeing; child, age and disability

friendly; environmentally sustainable; and digitally connected. Whilst we support a review of the Government's Decent Homes Standard, we urge them to help us to achieve increased standards for all our homes by providing us with adequate levels of funding.

We will deliver a mixed tenure housing management service which ensures quality services in our new build places and which also helps us to deliver better outcomes for our residents through more effective investment, management and service delivery, enabled by technology and informed by engagement with our residents and partners. We will review the service models in our existing regeneration schemes with a view to bringing these under the council's control over time.



*Above: Montagu Road estate, August 1977; Building the Barbot estate; Hoe Lane estate*

*Above: Delhi Road prefabs; Angel Road prefabs; Hyde estate; Cuckoo Hall Lane, 1949; Edmonton Green tower blocks, March 1979*



## AMBITION 2 INVEST IN AND BE PROUD OF OUR COUNCIL HOMES



### HOW WILL WE DO IT?

- 1 To bring all our existing homes up to a standard fit for now and for the future, incorporating new standards from Government, we will take a balanced approach between investing to keep our existing housing stock; and replacing stock where this is the most financially viable option to bring homes up to the desired standard.
- 2 We will take control of our council housing repairs by establishing an in-house service, to ensure quality, social value and value for money. We will also work with tenants and leaseholders to develop programmes which encourage and empower them to look after the upkeep of their own homes.
- 3 We will work with residents to implement the emerging regulatory framework for building safety and will seek to apply lessons learnt across our seven pilot schemes, being completed in 2019-20, across our remaining high rise stock, to ensure our buildings are safe, not merely compliant.
- 4 We will make best use of all council homes by supporting and incentivising under-occupiers to move into smaller properties and free up larger homes; effectively managing voids and dealing with illegal occupation and sub-letting.
- 5 We will make sure that all newly available council and registered provider homes are allocated fairly to people who need them the most through a revised Allocations Policy, prioritising people with a local connection and with a long term need for council housing including those who work with us to prevent homelessness.
- 6 We will deliver our Better Council Homes Programme, enabled by technology and underpinned by a commitment to delivering social value in everything we do and making every contact count. This will be based on the following principles:
  - Predict – people's needs
  - Target – effectively to those needs
  - Prevent – failure/complaints
  - Deliver – a quality service

## AMBITION 3

# QUALITY AND VARIETY IN PRIVATE SECTOR HOUSING

**Most homes in Enfield are in the private sector, either owner-occupied or privately rented. While our priority is to increase the proportion of social and affordable homes, alongside this we are taking action to deliver high-quality, fairer, more secure and more affordable homes in the private sector. This is vital so that people receiving welfare benefits currently living in temporary accommodation, and those at risk of homelessness, have somewhere decent to live, in recognition that they may never qualify for a council or housing association home.**

The private sector plays a pivotal role in how we can deliver good homes, and, as the Council, we have a vital role in improving and shaping it. This means we will use all the tools at our disposal to engage and support landlords to deliver better housing, to tackle poor practice and increase new supply of better private rented homes which can offer security and stability for tenants. This means we will engage proactively with private rented sector landlords and offer more support to them, so they are able to develop their knowledge and confidence in offering accommodation to homeless households, by providing advice and guidance on tenancy sustainment. We will also increase the advice and support given to tenants, so that they develop their understanding of both their rights and responsibilities and will proactively engage with the whole community in regard to tenancy sustainment, through a new 'housing academy' model.

We will seek to improve the stability of the private rented sector market by offering landlords more support to feel confident in issuing tenancies to residents on welfare benefits and in

assistance when there are concerns about the conduct of the tenancy. We will seek to move away from offering incentives to landlords to rent to homeless tenants, and instead working with tenants to provide assistance with deposits and the month's rent in advance which is required for many private rented homes.

Our aim is to end the use of long-term temporary accommodation for homeless households, instead supporting people to transition quickly into more permanent and secure housing; for most people, this will be a private rented home. While we are in the process of working toward this ambition, we will ensure the quality of the homes we utilise for temporary accommodation through adopting the Pan London Setting the Standards regime.

Along this, we will drive up standards in the private rented market, both through directly providing high quality private rented homes through our Council owned company, Housing Gateway, and also through proposals to implement an additional and selective licensing scheme, subject to results of the public consultation.

As well as new developments, we will increase supply of good quality, private sector housing by bringing as many empty homes as possible back into use. Empty homes are a blight on neighbourhoods and can attract crime and anti-social behaviour. Bringing empty homes back into use will improve the quality of homes and neighbourhoods and contribute to increasing housing supply to meet the needs of local people. This also plays a particularly important role for families who are overcrowded, as many homes have three or more bedrooms.

### BUILD TO RENT



**Build to Rent** is an innovative new approach to providing new, decent quality, private rented housing. Instead of a large development being built, then sold off individually to owner-occupiers, the developer keeps hold of all the properties to rent out itself. Developments are built especially with the needs of renters in mind – quality design, decent management and tenure security. This will be a feature in our regeneration schemes going forward.



## AMBITION 3 QUALITY AND VARIETY IN PRIVATE SECTOR HOUSING



### HOW WILL WE DO IT?

- 1 We will lead standards of quality housing management and lettings in the private sector through exemplar standards set by Housing Gateway, with an increasing portfolio of homes in Enfield, delivering a range of products to meet local need.
- 2 We will explore how we can improve standards of local estate agents by researching options to deliver a Council-owned venture which can deliver a trusted, ethical and value service for local people looking to find a home to rent in the private market.
- 3 We will support and work with landlords to improve standards of management within Enfield's private rented sector, whilst also taking a strong approach to tackling poor conditions and stopping rogue landlords and managing/letting agents. This will include taking enforcement action if landlords do not bring properties up to the minimum legal Minimum Energy Efficiency Standard (MEES).
- 4 We propose to implement an additional and selective licensing scheme for private landlords to drive up standards and reward good practice in the sector, subject to the results of our public consultation on this matter.
- 5 We will ensure all housing used for temporary purposes meets appropriate quality standards including those set by the Pan London Setting the Standards regime.
- 6 We will develop proactive relationships with developers to increase the quality and affordability of the private rented sector through Build to Rent housing products offered at a range of rental levels. We will directly let and manage our own Build to Rent schemes on regeneration sites and work with Build to Rent partners to ensure that the first opportunity to rent their homes is given to people living or working Enfield.
- 7 We will use our powers as the local planning authority to set quality standards in the private housing sector. This will include adopting new policies in our emerging Local Plan and providing a positive and responsive service to support people making planning applications. It will also involve proactive enforcement against people who breach planning permission or develop without the necessary approvals, and through considered use of 'Article 4 direction' to control substandard housing delivered without the need for planning permission using 'Permitted Development' rights.<sup>16</sup>

## AMBITION 4

# INCLUSIVE PLACEMAKING

**We view the process of designing, building, creating and maintaining vibrant and inclusive neighbourhoods as a joint endeavour between the Council, other local organisations and the community. The Council has a key role in ensuring these things happen. We want the community to play an active role in the design of their homes and neighbourhoods and will encourage local people to develop community-led housing, where there is an appetite from communities to do so.**

While we will involve and empower local people in the design and creation of the built environment, we will also involve communities in the way we look after the local environment over time. We recognise the important role that good design plays in creating a sense of ownership for residents, which in turn, helps communities to grow and thrive. We will deliver homes and public spaces that are thoughtfully designed, taking guidance from the National Design Guide. It is also important that we set the strategy for coherent, quality management and directly deliver services in our neighbourhoods, as appropriate. This will help to maintain the quality of places over time and deliver social value through a community-orientated approach where the local area is the key beneficiary of all that we do.

Where we deliver housing growth, we will make sure that people, and their homes, are connected to facilities, leisure, culture, employment and education. We recognise the necessity in providing proportionate growth in infrastructure to support ambitious housing building in the borough.

We will take a strategic and evidence-based approach, recognising where key growth sites could be unlocked

through the right transport infrastructure whilst also identifying key transport and infrastructure hubs that already exist that could support housing growth. At the same time, we will also support people to choose active travelling, by improving pedestrian routes, cycle routes and safe and convenient bicycle storage.

We will continue to work closely with regional and national partners to secure the future investment that we need to achieve this. This will include working hard to successfully influence a future Crossrail 2 programme that will unlock long term growth in the East of the borough and address issues of road transport links and connectivity in the borough. There needs to be a much greater focus on orbital transport networks in outer London boroughs, such as Enfield, to deliver inclusive growth. We know that long term solutions require us to gain the underlying infrastructure that can sustainably support Enfield as it grows into the medium and long term.

We know the opportunities that growth can bring for the borough and how it can benefit every resident. We are calling on Government to support us in this joint ambition for Enfield and be a champion for growth and for our residents.

### THE ENFIELD MODEL FOR REGENERATION: JOYCE AVENUE AND SNELLS PARK

In November 2019, Enfield Council agreed plans to transform the Joyce and Snells Estates as part of a multimillion-pound scheme to dramatically improve residents' lives. The scheme, reflecting residents' vision for their estate, aims to provide more than 2000 new homes, with hundreds of council-owned homes for rent at various levels, all built and maintained by the council. The homes will provide more security and stability for residents privately renting, through the availability of longer-term tenancies, and a portion of the homes will be aimed at key workers, such as nurses and doctors. The project will focus on the quality of housing, community spaces and investment for the area.

Whilst plans are still underway for the next stage of development, a ballot for residents to help progress designs towards a planning application, the Joyce and Snells estate will embody all the principles of the Enfield Model for Regeneration. This exemplar scheme will involve tenants only being required to move once and residents of all housing tenures being offered a new home on the estate. The plans for renewal are underpinned by extensive resident engagement including exhibitions, workshops, coffee mornings, estate walkabouts and initial polling of the renewal options.



## AMBITION 4 INCLUSIVE PLACEMAKING



### HOW WILL WE DO IT?

- 1** We will develop an overarching place management strategy and take greater control over its direct delivery to secure the quality of neighbourhoods over time. We will deliver and maintain high quality public realm as part of our own schemes and will expect private developers to do the same – consistent with the overall strategy.
- 2** We will directly deliver high quality, responsive and community-orientated services on our council estates and mixed tenure neighbourhoods across the borough.
- 3** We will develop and protect communal play areas and communal meeting spaces in all new developments and when we are renewing and improving our existing estates and neighbourhoods.
- 4** We will develop models of community stewardship, facilitating and encouraging community champions and encouraging community collaboration to create attractive neighbourhoods, organise community events such as play streets, and create community-run spaces.
- 5** We will promote community-led housing through supporting Community Land Trusts (CLTs), cooperatives, cohousing, self-help housing and group self-build.
- 6** We will work with local businesses and community groups so that they can access local neighbourhood buildings to deliver community-orientated services and facilities which help people be smoke-free, be physically active, and eat healthily.
- 7** We will support and encourage tenant and resident associations to become a powerful local voice that represents local people and are a force for positive change and active communities in their local area.

Enfield has secured £156m from the Housing Infrastructure Fund to unlock the potential of Meridian Water and the building of 10,000 new homes, with new road infrastructure, environmental improvements and a high frequency rail service.



## AMBITION 5

# ACCESSIBLE HOUSING PATHWAYS AND HOMES FOR EVERYONE

We want to build homes and communities where everyone can achieve their full potential. To achieve this, it is critical that we do all that is necessary to provide quality homes for people with additional needs.

The population of the borough is increasing, and people are living for longer. The overall population is projected to increase from 342,993 in 2020 to 361,176 by 2030.<sup>17</sup> In this context, the number of people with additional and specific housing needs is also increasing. These people are at greater risk of poor housing conditions and have specific challenges when seeking safe, secure housing where they can protect and improve their health and wellbeing.<sup>18</sup> For this reason, we are committed to improving and developing specific housing pathways for these people:

- Care leavers and young people
- People fleeing violence or abuse
- Ex-armed forces
- People with physical disabilities
- People with learning disabilities
- People with mental health needs
- People leaving prison
- Rough sleepers

People aged 65 and over make up 13% of our population and this is forecasted to increase to 16% by 2030 – from 45,148 to 57,647.<sup>19</sup> We know that much of the accommodation in Enfield for older people does not currently meet local need. The GLA London Plan target (Policy H15), also sets us targets of delivering circa 2,376 units by 2029.

In this context, we need an ambitious programme that delivers an attractive housing offer for older people, across all tenures, that is flexible, high-quality and developed to HAPI standards.

We want to provide options and support for older residents who may want to down size their property and move into accommodation that might be more suitable for their changing needs. We also want to provide a flexible service that enables people to stay in their own home for as long as possible before they need extra care and prevent unnecessary admissions to hospital. We are carrying out a review of our housing offer, including our existing stock, to see how we can meet the needs of our older residents; beginning with implementing a Council-led demolition, design and redevelopment of the Reardon Court site for the provision of modern, accessible, self-contained Extra Care Housing provision.

As well as increasing the supply of housing for older people with assessed support and care needs, we will improve housing pathways for these people to make this accommodation more accessible by providing timely information and advice so that our residents are informed and can plan for their lifetime housing needs.

There are over 3,000 people over 65 who are living in our social rented stock. By providing an attractive and high-quality housing offer for older people, we are not only providing housing options that might better meet their needs, we also have the opportunity to provide more social housing to families on our Housing Register.

The numbers of people with learning disabilities is also predicted to increase to more than 1,250 people who will require health, care and support services by 2030.<sup>20</sup> We will develop tailored housing solutions for people with additional needs, working across health, social care and housing services to make homes and neighbourhoods in Enfield inclusive for everyone. We will work proactively with registered housing providers to achieve this, recognising that they are a trusted housing provider for vulnerable people.

Through our regeneration and housing development programmes, we will maximise opportunities to make sure that new housing in the borough reflects the needs of people with care and support needs.

## AMBITION 5 ACCESSIBLE HOUSING PATHWAYS AND HOMES FOR EVERYONE



### HOW WILL WE DO IT?

- 1 We will work across the Council and with partners to secure the delivery of supported housing for vulnerable people and continue to understand the needs of these people.
- 2 We will increase the provision of appropriate and safe accommodation for people fleeing violence and abuse.
- 3 We will improve the housing offer and housing pathways for children and young people, ensuring we continue to meet the housing needs of young people leaving care, and increasing the availability of good quality semi-independent housing for young people.
- 4 We will increase access to high quality, flexible and specialist housing options for older people in the borough including retirement and extra care housing, across tenure type, in line with borough need. This will include facilitating market development of high-quality retirement housing across tenures as well as delivery through a proposed 300 new homes in an Enfield Care Village, consisting of new nursing home provision, extra care and a wider housing offer for later years living.
- 5 We will modernise and increase our sheltered housing service to ensure that it meets the needs and expectations for residents. We will review the existing sheltered housing schemes to ensure that they are fit for purpose and replace or upgrade where necessary.
- 6 We will increase high quality, flexible and accessible specialist housing with care options for adults with physical disabilities in line with borough need. This will include commissioning specialist housing for younger adults with complex needs, including those with brain injury; and commissioning specialist housing with care for adults (45+) with physical and/or sensory disabilities.
- 7 We will increase local access to high quality, flexible and affordable housing options for adults with mental health support needs, in line with borough need. This will include increasing specialist accommodation to enable move on from high support settings as well as general needs move-on accommodation, including wheel chair accessible provision. We will develop and commission a mental health framework for supported living, and commission an assessment flat for people with mental health support needs in crisis.
- 8 We will maintain and increase, in line with borough need, high quality, flexible and accessible specialist housing options for adults with learning disabilities in the borough. This will include increasing access to general needs move-on accommodation, including wheelchair accessible provision.
- 9 We will prevent unnecessary hospital admissions of older people, people with learning disabilities and provide proactive support / interventions in the community, including commissioning a short stay 'Crash Pad' facility.
- 10 We will protect vulnerable adults at risk of exploitation in their homes by raising awareness of the risks of 'cuckooing,' increasing the security of vulnerable people's homes and strengthening our cross-council and whole-community response when this has occurred.
- 11 In our role as a landlord, and through partnerships with our registered provider partners, we will connect residents to services, community networks and support to keep them safe; help them improve their health; maximise their income and access relevant education, training or employment.
- 12 We will develop an Enfield memorandum of understanding across housing, health and social care to set out a commitment to joint action to improve health and care through the home.<sup>21</sup>





## OUR KEY PRINCIPLES

# THE ENFIELD HOUSING TEST FOR GOOD GROWTH

We want to create new homes, enhance existing ones and support local people so that homes and neighbourhoods are **affordable; health promoting; child, age and disability friendly; environmentally sustainable; and digitally connected.**

Our Enfield Housing test sets out some questions we will apply when making decisions about housing – in our role as developer, commissioner, partner or planning authority.

### AFFORDABLE FOR ENFIELD RESIDENTS

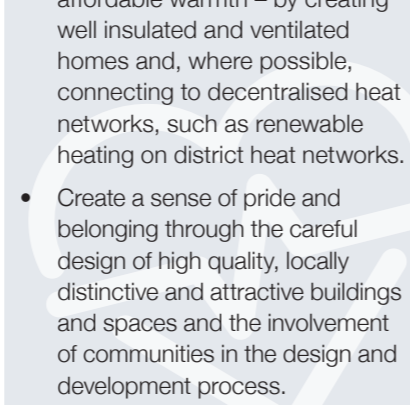
- Does this new development or renewal plan create balanced communities where people on mixed income levels can afford to rent or have an ownership stake in a home, including people on median income levels and below?
- We use the principle, as a guide, that households on median income levels and below should be able to access a home where they do not spend more than 40% of their net income on housing costs. A third of income on housing costs is considered a reasonable measure of affordability and, where possible, we want to make sure that, over the longer term, people are able to access housing that is as close to a third of their income as possible.<sup>22</sup>



### SAFE AND GOOD FOR HEALTH AND WELLBEING

How does this new development or renewal plan help local people to:

- Be smoke-free – by prohibiting smoking in all communal areas and discouraging smoking inside homes?
- Be physically active – particularly through promoting active travel and through providing easy access to public spaces, green spaces, play areas and outside gyms? Active travel promotion means providing residents with walking, cycling and public transport networks that connect them to other people, employment, education and culture and leisure services.
- Eat well – by providing easy access to nutritious ingredients for home cooking, to healthier food when they are out, and by limiting access to less healthy foods wherever possible?
- Be socially connected – by providing opportunities for all local people to socially interact, access cultural opportunities and engage in local enterprise.
- Live in homes which give sufficient space, daylight, ventilation, outlook, privacy and access to green infrastructure.
- Live in thermal comfort and with affordable warmth – by creating well insulated and ventilated homes and, where possible, connecting to decentralised heat networks, such as renewable heating on district heat networks.
- Create a sense of pride and belonging through the careful design of high quality, locally distinctive and attractive buildings and spaces and the involvement of communities in the design and development process.



### INCLUSIVE AND MIXED COMMUNITIES FOR ALL – CHILD, AGE AND DISABILITY FRIENDLY

How does this new development or renewal plan help local people to:

- Access safe outside play provision?
- Spend time outside, in accessible, safe and distinctive public spaces and green spaces, where they are protected from the effects of air pollution?
- Socially connect through shared meeting places, indoors and outdoors, that welcome people of all ages?
- Keep safe, particularly if they are vulnerable due to mental ill-health or learning disabilities, through person-centred security features and adjustments to meet individual needs?
- Move around their local area and access accessible transport if they are partially sighted?
- Move around their local area and access accessible transport using a wheelchair?
- Adapt their home as needs change, such as through the ability to install a stair lift or ceiling hoist?



### ENVIRONMENTALLY SUSTAINABLE

How does this new development or renewal plan help local people to:

- Use a renewable heating and power sources, to minimise cost and decrease carbon emissions?
- Minimise heating loss from their home by benefiting from a higher energy efficiency standard – EPC level C or above?
- Monitor energy consumption through the promotion of smart meters?
- Minimise car use through minimal car parking spaces, provision of cycle lanes connected to the wider cycle network and cycle storage, provision of well-lit footpaths connecting to the wider pedestrian movement network and access to car-sharing schemes?
- Benefit from an increase in green infrastructure, such as by tree planting; creating green/living roof; or creating community gardens?
- Minimise waste creation by promoting re-use and recycling, and access to sustainable methods of waste disposal?



### DIGITALLY CONNECTED

How does this new development or renewal plan help local people to:

- Access homes that are fibre-to-the-premises ready, so that they can connect to the fastest possible broadband facilities?
- Access smart homes/smart meters that help people with disabilities or health conditions?
- Access future digital and technological developments?



# ENFIELD'S PREVENTING HOMELESSNESS AND ROUGH SLEEPING STRATEGY

Our Preventing Homelessness and Rough Sleeping Strategy 2020-2025 explains how we will work with partners to prevent and tackle homelessness and rough sleeping in Enfield. The strategy sets out our vision to end homelessness in Enfield.

This means ensuring that everyone has a safe, stable place to live. It means supporting residents to make informed choices so that they have a home they can afford, at the right time, which meets their needs. It means that if an individual or family is at risk of homelessness, they receive the support they need to prevent it.

We will deliver on this vision through the following five ambitions:

**1 Make homeless prevention a priority for everyone**

Working with the community, our partners and across the council to spot risks of homelessness early and take holistic action to prevent it.

**2 Treat people with empathy, dignity and respect**

Supporting people with compassion, listening to their views and ideas and working with them, other services and the community to prevent and end homelessness together.

**3 Support people to access the right accommodation**

Empowering local people to find suitable accommodation and driving up standards in the private rented sector.

**4 Support people to plan for their lifetime housing needs**

Helping people to think about how they can meet their housing needs now and in the future and respond to changing requirements over their lifetime.

**5 End rough sleeping in Enfield**

Working in partnership to positively engage with and support people who are sleeping rough and prevent this form of homelessness from happening.

# UNLOCKING ENFIELD'S POTENTIAL: OUR KEY ASKS

We welcome the positive steps Government has taken to begin to address the national housing crisis. Measures such as the lifting of the Housing Revenue Account borrowing cap, mean that councils will be better able to build more social homes that are desperately needed. Proposals to create more stability in the private rented sector through banning no fault evictions are giving tenants more control will also be vital in preventing homelessness.

However, we believe there is more Government could do to truly unlock the potential we have in Enfield to significantly contribute to London and the South East's housing targets and achieve good growth.

**Our Preventing Homelessness Strategy sets out the measures we believe government needs to take to address rising homelessness:**

- Fairer funding with grants awarded over a longer time period;
- Restoration of London Housing Allowance (LHA) rates to the median market rate;
- A reversal of the reforms to shared accommodation rates; a return to paying Housing Benefit directly to landlords;
- Legislating to end discrimination from private landlords and lettings agents against those claiming benefits.

The Government should also end the Right to Buy in London so that councils and Housing Associations can develop sound business plans for more new affordable housing; or alternatively, Government should prevent people from exercising their Right to Buy in order to obtain a Buy to Rent mortgage and return the property to the rental market as a private rented home.

Whilst we welcome the work that Government has done to make funds available for fire safety remedial work in both the social sector and the private rented sector, we support the Mayor of London's position that the Government must widen the scope of funding to cover all types of unsafe cladding and interim fire safety measures. We do not want these essential improvements to restrict us from building more affordable homes at the scale and pace needed, and so we are urging Government to increase the grant funding available to councils and housing associations.



# GOVERNANCE

The following boards are responsible for overseeing the delivery of this strategy and our Preventing Homelessness and Rough Sleeping Strategy.

## HOUSING ADVISORY BOARD

The purpose of this group is to act as a Sounding Board for the Cabinet by working alongside residents for which we have a housing responsibility. It is a group which can provide feedback to officers on the development of strategy, policy and service delivery issues and can make recommendations to Cabinet.

## HOUSING DELIVERY BOARD

The purpose of this group is to bring together all work streams associated with the delivery of quality homes for residents and ensure effective cross-working is established to monitor number of new starts on site, completions, and addressing under performance.

## HOMELESSNESS PREVENTION PARTNERSHIP BOARD

The purpose of this group is to retain oversight and actively drive Enfield's Preventing Homelessness and Rough Sleeping Strategy and approach to delivering homelessness and prevention services, offering scrutiny and challenge as appropriate.

## APPENDIX 1

# DEFINITION OF AFFORDABLE HOUSING PRODUCTS



### Social Rent

The Council's social rent levels are typically the lowest levels of rent in the borough. The Government sets how social rents are calculated and base this on a formula reflecting property values and local earnings. To be eligible for a council home at social rent, you must meet the criteria set out in our allocations policy. Some Registered Providers offer often a limited amount of housing at social rent levels.



### London Affordable Rent

London Affordable Rent is the rent that we will set for most of our new build council homes, which is funded through the Greater London Authority (GLA) grant programme. Rents are set by the GLA and are higher than social rents but lower than rents in the private sector. To be eligible for a home on London Affordable Rent, you must meet the criteria set out in our allocations policy.



### Intermediate Rent

Intermediate Rent is aimed at people who are not eligible for social or affordable rented housing but who are also struggling to access good quality private rented accommodation or cannot afford to buy. Rents are set at a maximum of 80% of market rent. The total gross income of a household must be under £90,000 to be eligible for intermediate rent. Intermediate rent is aimed particularly at those who are working in essential services in Enfield and priority is given to this group.



### Shared Ownership

Shared Ownership is when someone buys a share of a house or flat and pays rent on the rest. It means that people with small deposits and low incomes can get on the property ladder. Currently a resident can buy a stake of between 25% and 75% of the property from a housing association or local authority and pay rent of up to 3% on the remaining share. Purchasers can decide to purchase a larger share of their property at any time and this is called 'staircasing'. To be eligible for shared ownership, the total gross income of a household must be under £90,000.



### Shared Equity Housing – London Help to Buy

The Help to Buy scheme is an equity loan provided by the Government. The Government will lend up to 40% of a new build home. This means that someone would need a minimum of a 5% deposit and a 55% mortgage to make up the rest. The maximum purchase price is £600,000. Interest is not charged on the 40% loan for the first five years of owning a home.




### Custom Build Scheme


Custom Build Housing is a scheme which provides homes that are very basic internally, rather than the much more internally specified living spaces that are provided in most new build developments. The homes are sold at a discount market rate of 70-80% and gives residents greater choice and freedom in designing the internal spaces in their home, which they can do in their own time, as and when they can afford it. Custom Build is a good option for the many young people who cannot buy a home due to affordability.


Enfield's planning policy for new developments follows guidance from the **National Planning Policy Framework** (NPPF 2019). For planning purposes, affordable housing means "housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)". This includes affordable housing for rent, discounted market sales housing, starter homes, shared ownership, equity loans and other low-cost homes for sale.


Silverpoint, completed 2015.  
22 affordable homes and  
25 intermediate rented homes.


## GLOSSARY OF TERMS


 **Article 4 Directions**  
An article 4 direction is made by the local planning authority. It restricts the scope of permitted development rights either in relation to a particular area or site, or type of development anywhere in the authority's area. Where an article 4 direction is in effect, a planning application may be required for development that would otherwise have been permitted development.


 **Arrears**  
Money that is owed that should have been paid earlier, typically with payments for housing rent.


 **Community Land Trusts (CLTs)**  
A form of community-led housing. The CLT acquires land through purchase (by the community) or a gift, and oversees the development of affordable housing to buy or rent. The CLT acts as a long-term steward of the property, ensuring that it remains genuinely affordable, based on what people actually earn in their area, not just for now but for every future occupier.


 **EPC level**  
"Energy Performance Certificate". This indicates how energy efficient a home is and can be used to predict fuel costs and carbon emission of a home. The ratings range from A (very efficient) to G (not efficient).


 **Fibre to the Premises (FTTP)**  
A fibre broadband that is wired directly to the home instead of to a cabinet that services the area. FTTP uses all fibre optic cables, which makes it the fastest broadband available, providing homes with quick internet access.


 **Holistic**  
Dealing with or treating the whole of something and not just a part.

 **Housing Revenue Account (HRA)**  
A ringfenced budget which effectively operates as a business of its own separate to the Council's other operations. The HRA takes its income from rents and service charges collected from tenants and spends this money exclusively on building and housing maintenance. Councils are able to borrow money within their HRAs in order to build more homes to provide more income or regenerate existing homes.


 **Housing Tenure**  
The legal and financial arrangements under which someone has the right to live in a property. The most frequent forms are tenancy, in which a tenant pays rent to a landlord and owner-occupancy, in which the occupier owns their home.


 **Memorandum of Understanding**  
A type of agreement between two or more parties.


 **Modular Construction**  
Modular buildings are prefabricated buildings that are constructed away from the building site, usually in a factory, and are then delivered to the site for installation. Modular buildings use the same materials, design, codes and standards as conventional buildings but takes half the time.

 **Non-housing Assets**  
Properties owned by the council that are not allocated for housing purposes.

 **Permitted Development Rights**  
The right of a home-owner to improve or extend their property without the need to apply for planning permission.

 **Spatial Framework**  
A spatial framework is a planning tool to guide and shape future development in an area over a long time.

 **Tenure Blind Homes**  
Building private owned homes, market rate, affordable and social housing in a similar design so it is not possible to see the type of tenure based on the design.

 **Under Occupiers**  
People who live in a property that is too large for their needs. For example, this often occurs when older people remain in their family home after their children have grown up and left.

## REFERENCES

- <http://policyinpractice.co.uk/lsi-london/>
- The lower quartile (or 25th percentile) is the value that splits the lowest 25% of the data from the highest 75%
- Our preventing homelessness strategy sets out how we are working to prevent and tackle homelessness and rough sleeping
- Housing, Communities and Local Government (MHCLG) 2017
- UK House Price Index, Land Registry, November 2018; and CACI Paycheck, Non Equivalised Household Income Data, 2018
- 2011 Census
- London Councils Briefing May 2019
- Our current London Plan target is 798, and the draft new London Plan target is 1876. Our emerging New Local Plan for Enfield will confirm the borough's future housing target up to 2036
- <https://www.affordablehousingcommission.org/news/2019/6/6/defining-and-measuring-housing-affordability-an-alternative-approach>
- G Bramley, 'Affordability, poverty and housing need: Triangulating measures and standards,' *Journal of Housing and the Built Environment*, 2012; and Resolution Foundation, 'The Housing pinched: Understanding which households spend the most on housing costs,' 2014
- The National Planning Policy Framework (NPPF) defines intermediate housing as: 'homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above
- <http://londonhousing.org/2018/12/more-homes-in-less-space-living-in-high-density-housing-in-london/>
- See appendix 2 for more detail on the GLA definition of affordable housing
- Challenges Facing London's Social Sector Housing Providers; London Councils and G15 2019
- See appendix 2 for more detail on the GLA definition of affordable housing
- An [article 4 direction](#) is made by the [local planning authority](#). It restricts the scope of [permitted development rights](#) either in relation to a particular area or site, or type of development anywhere in the authority's area. Where an article 4 direction is in effect, a planning application may be required for development that would otherwise have been permitted development.
- <https://data.london.gov.uk/dataset/projections>
- <https://www.equalityhumanrights.com/en/our-work/news/disabled-people-housing-crisis>  
[https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/reports-and-briefings/safe-at-home/rb\\_july14\\_housing\\_later\\_life\\_report.pdf](https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/reports-and-briefings/safe-at-home/rb_july14_housing_later_life_report.pdf)  
[https://crisis.org.uk/media/237534/appg\\_for\\_ending\\_homelessness\\_report\\_2017\\_pdf.pdf](https://crisis.org.uk/media/237534/appg_for_ending_homelessness_report_2017_pdf.pdf)
- <https://data.london.gov.uk/dataset/projections>
- PANSI 2019
- This will be based on the National Memorandum of Understanding [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/691239/Health\\_Housing\\_MoU\\_18.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691239/Health_Housing_MoU_18.pdf)
- <https://www.affordablehousingcommission.org/news/2019/6/6/defining-and-measuring-housing-affordability-an-alternative-approach> G Bramley, 'Affordability, poverty and housing need: Triangulating measures and standards,' *Journal of Housing and the Built Environment*, 2012; and Resolution Foundation, 'The Housing pinched: Understanding which households spend the most on housing costs,' 2014.



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# Enfield Council Predictive Equality Impact Assessment/Analysis

**NB if there is likely to be an impact on different groups of staff as a result of this proposal, please also complete a restructuring predictive EQIA form**

<b>Department:</b>	Chief Executive's	<b>Service:</b>	Policy, Partnership, Engagement and Consultation
<b>Title of decision:</b>	Housing and Growth Strategy	<b>Date completed:</b>	14.10.19
<b>Author:</b>	Harriet Potemkin and Deanna Hobday	<b>Contact details:</b>	<a href="mailto:Deanna.hobday@enfield.gov.uk">Deanna.hobday@enfield.gov.uk</a> 020 813 21742

<b>1</b>	<b>Type of change being proposed:</b> (please tick)						
Service delivery change/ new service/cut in service		Policy change or new policy	x	Grants and commissioning		Budget change	

**2. Describe the change, why it is needed, what is the objective of the change and what is the possible impact of the change:**

Increasing homelessness; a growing private rented sector which in many cases is offering sub-standard accommodation; a growing population and ambitious new housing targets mean that we require a bold new approach to deliver more and better homes and achieve our Corporate ambition of good homes in well-connected neighbourhoods.

A new Housing and Growth Strategy is required to set out our approach for guiding future housing decisions, giving an overarching vision and guiding principles that will ensure consistency across relevant Council departments and set out how we will work in partnership to achieve our vision. The strategy provides the opportunity for new ways of working and increased partnership across the Council, with stakeholders and with local people in our communities.

The draft strategy takes a 'Health in all Policies' (HiAPT) approach by setting proposed principles for how we will improve health and wellbeing through housing and good growth.

### 3. Do you carry out equalities monitoring of your service? If No please state why?

The Housing and Growth strategy is a high-level document that sets out the ambitions and long-term plans of the council to achieve more and better homes in Enfield. Achieving equity will depend on the implementation of the strategy, where equality assessments will be carried out for specific projects. This equality impact assessment identifies anticipated positive impacts and also identifies where we do not have sufficient knowledge or evidence of the impact at this stage. The Housing Needs Assessment, which is currently being undertaken, will give us a detailed understanding and evidence base of need in the borough and will play an important role in delivering the aims of the strategy.

In order to develop a strategy which reflects the diverse needs of communities, including people of all protected characteristics, we undertook an extensive consultation on the draft strategy, and used the results of this to finalise our approach. we consulted with the following groups:

- Youth Parliament
- Faith Forum
- Parent Engagement Panel
- Leaseholders' Forum
- Customer Voice
- Over 50s Forum
- Kratos
- Ponders End Community Development Trust
- Voluntary Sector Strategic Group (which includes Enfield Women's Centre, Enfield LGBT Network, Enfield Carers Centre, Enfield Citizens Advice)
- Enfield Racial Equality Council



We received consultation responses from:

	Questionnaire	Email
Enfield residents	242	-
Individuals who do not live in the borough	8	-
Representatives from a wide range of support organisations	14	2
Other stakeholders	7	8
Private landlords	8	-
Other	6	1*

It is particularly encouraging that the demographics of the individual respondents to the questionnaire (that is, Enfield residents and those who do not live in the borough) were not dominated by any specific demographic groups. For example, there were a similar number of respondents from the south and east of the borough (89) compared to the west and north (106). In this instance, those from the south and east represent an unusually high proportion of respondents than usual.

The support organisations represented a wide range of people, including:

- Homeless residents or those at risk of homelessness
- Rough sleepers
- Those experiencing debt issues
- Families, children and young people
- People with additional support needs, disabilities, learning difficulties and health conditions or their carers
- Ethnic minority groups

- Women
- Older people
- LGBT+ community

	Total
<b>Base: All</b>	<b>285</b>
<b>Are you completing the survey as...? <i>Single choice</i></b>	
An Enfield resident	85%
A representative of a voluntary/community organisation	4%
A public sector organisation representative	1%
A Registered Provider	1%
A non-resident out of Borough	3%
Private landlord	3%
A representative of a housing developer	1%
Other	2%

	11
<b>Base: Q1=2</b>	
<b>Which stakeholders or residents does your voluntary/community organisation represent? <i>Multiple choice</i></b>	
Homeless residents or those at risk of homelessness	5
Rough Sleepers	6
Those experiencing debt issues	4
Families, children and young people	4
People with additional support needs, disabilities, learning difficulties and health conditions or their carers	5
Ethnic minority groups	4
Women	4
Older people	3
LGBT+ community	4
Other	5

Base: Q1=(1 , 5 or 8)	256
<b>What is your current housing status?</b>	
Private renter	14%
Home owner - Leaseholder	10%
Home owner - Freeholder	38%
Council tenant	18%
Housing association tenant	2%
Temporary accommodation tenant	4%
No fixed address	1%
Living with parents	8%
Other	4%

Base: Q1=(1 , 5 or 8)	203
<b>In which postal district do you live?</b> <i>(not set-up as a must response question)</i>	
EN1	18%
EN2	15%
EN3	19%
EN4	2%
EN6	0
EN8	0
N9	8%
N11	1%
N13	4%
N14	4%
N18	12%
N21	9%
N22	>0.5%
Other	5%
<b>South and east</b>	<b>106 (52%)</b>
<b>West</b>	<b>89 (44%)</b>

Base: Q1=(1 , 5 or 8)	256
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<b>How old are you (years)?</b>	
19 or under	2%
20 -24	4%
25 - 29	4%
30 - 34	7%
35 - 39	6%
40 - 44	11%
45 - 49	9%
50 - 54	7%
55 - 59	14%
60 - 64	9%
65 - 69	11%
70 - 74	7%
75 - 79	3%
80 - 84	0
85 or older	1%
Prefer not to say	5%

<b>Base: Q1=(1 , 5 or 8)</b>	<b>256</b>
<b>How would you describe your sex or gender?</b>	
Male	33%
Female	60%
Transgender	1%
Prefer not to say	6%
Prefer to self-describe	0

<b>Base: Q1=(1 , 5 or 8)</b>	<b>256</b>
<b>What is your ethnicity?</b>	
WHITE - English/Welsh/Scottish/Northern Irish/British	50%
WHITE - Irish	4%
OTHER WHITE - Greek	0
OTHER WHITE - Greek Cypriot	3%

OTHER WHITE - Turkish	1%
OTHER WHITE - Turkish Cypriot	1%
OTHER WHITE - Italian	0
OTHER WHITE - Polish	1%
OTHER WHITE - Russian	0
OTHER WHITE - Other Eastern European	2%
OTHER WHITE - Kurdish	1%
OTHER WHITE - Gypsy/Irish Traveller	0
OTHER WHITE - Romany	0
MIXED - White and Black Caribbean	>0.5%
MIXED - White and Black African	1%
MIXED - White and Asian	>0.5%
MIXED - Mixed European	1%
MIXED - Multi ethnic islander	0
ASIAN OR ASIAN BRITISH - Indian	2%
ASIAN OR ASIAN BRITISH - Pakistani	>0.5%
ASIAN OR ASIAN BRITISH - Bangladeshi	2%
ASIAN OR ASIAN BRITISH - Sri Lankan	0
ASIAN OR ASIAN BRITISH - Chinese	1%
BLACK/AFRICAN/CARIBBEAN/BLACK BRITISH - Caribbean	6%
BLACK/AFRICAN/CARIBBEAN/BLACK BRITISH - Ghanaian	2%
BLACK/AFRICAN/CARIBBEAN/BLACK BRITISH - Somali	1%
BLACK/AFRICAN/CARIBBEAN/BLACK BRITISH - Nigerian	1%
BLACK/AFRICAN/CARIBBEAN/BLACK BRITISH - Other African	1%
OTHER ETHNIC GROUPS - Arab	0
Prefer not to say	11%
Other	7%

<b>Base: Q1=(1 , 5 or 8)</b>	<b>256</b>
<b>Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?</b>	
Yes - limited a lot	12%
Yes - limited a little	13%
No	69%
Prefer not to say	7%

<b>4. Equalities Impact</b> <b>Indicate Yes, No or Not Known for each group</b>	Disability	Gender	Age	Race	Religion & Belief	Sexual Orientation	Gender reassignment	Pregnancy & Maternity	Marriage & Civil Partnerships
1. Does equalities monitoring of your service show people from the following groups benefit from your service? (recipients of the service, policy or budget, and the proposed change)									
2. Does the service or policy contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between different groups in the community?									
3. Could the proposal discriminate, directly or indirectly these groups?									
4. Could this proposal affect access to your service by different groups in the community?									
5. Could this proposal affect access to <u>information</u> about your service by different groups in the community?									
6. Could the proposal have an adverse impact on relations between different groups?									

If Yes answered to questions 3-6 above – please describe the impact of the change (including any positive impact on equalities) and what the service will be doing to reduce the negative impact it will have.

\*If you have ticked yes to discrimination, please state how this is justifiable under legislation.

## Potential impact on groups

### Disability

People with disabilities are at greater risk of poor housing conditions and have specific challenges when seeking safe, secure housing where they can protect and improve their health and wellbeing.<sup>1</sup>

The numbers of people with learning disabilities is also predicted to increase to more than 1,250 people who will require health, care and support services by 2030.<sup>2</sup> We have committed to delivering tailored housing solutions for people with additional needs, working across health, social care and housing services to make homes and neighbourhoods in Enfield inclusive for everyone. We will work proactively with registered housing providers to achieve this, recognising that they are a trusted housing provider for vulnerable people. The strategy also includes the following commitments:

- We will increase high quality, flexible and accessible specialist housing with care options for adults with physical disabilities in line with borough need, including by commissioning specialist housing for younger adults with complex needs, including those with brain injury; and commissioning specialist housing with care for adults (45+) with physical and/or sensory disabilities.
- We will increase local access to high quality, flexible and affordable housing options for adults with mental health support needs in line with borough need, including by developing and commissioning a mental health framework for supported living, and commissioning an assessment flat for people with mental health support needs in crisis.
- We will prevent unnecessary hospital admissions of people with learning disabilities and provide proactive support / interventions in the community, including by commissioning a short stay 'Crash Pad' facility
- We will protect vulnerable adults at risk of exploitation in their homes by raising awareness of the risks of 'cuckooing,' increasing the security of vulnerable people's homes and strengthening our cross-council and whole-community response when this has occurred.
- In our role as a landlord, and through partnerships with our registered provider partners, we will connect residents to services, community networks and support to keep them safe; help them improve their health; maximise their income and access relevant education, training or employment.

As well as building new homes to high quality standards, we also have a programme of improvement works to our own housing stock. In all decisions we will apply the Enfield Housing Test, which includes ensuring the highest possible standards of environmental sustainability, such as improvements in energy efficiency measures which will in turn help to combat fuel poverty. This will have positive health benefits for those with disabilities and chronic

<sup>1</sup> <https://www.equalityhumanrights.com/en/our-work/news/disabled-people-housing-crisis>

<sup>2</sup> [PANSI 2019](#)

illnesses. The Enfield Housing Test also includes ensuring that homes and places are disability friendly which means that people can stay safe inside and outside their homes.

At this stage, we do not know how many disabled people (physically, with learning disabilities, or both) and people with chronic illnesses will be affected by housing developments. We will monitor the implementation of key actions in our housing strategy through the Housing Advisory Board. Specific work streams, such as the development of 3,500 new council homes, are subject to detailed programmes of resident engagement and reports to Cabinet, which will include equality assessments.

### **Gender**

The housing strategy aims to increase the supply of housing across all tenures which will benefit both genders. While women-headed households are likely to earn less over the duration of their lifetimes, the housing strategy includes measures for the provision of housing for those on a range of incomes, including:

- To maximise housing delivery, we will use council assets and partner with other public sector organisations and registered providers to increase the supply of affordable homes.
- We will prioritise rented homes as part of mixed income communities, as evidence shows this is where we have the greatest and most immediate demand. These will be of the size and type that local people need, as informed by our housing needs register and Housing Needs Assessment.
- We will increase the supply of intermediate housing products, which currently makes up less than 1% of housing in Enfield. Intermediate housing provides homes that the majority of local people can afford, prioritising access for people working in essential services such as nurses, social workers, occupational therapists, police officers, teachers and utility workers. These will be of the size and type that local people need, as informed by our Housing Needs Assessment, and in locations where these 'key workers' require homes.
- We will cross-subsidise affordable housing through market sale and market rented homes, promoting Build to Rent offered at a range of rent levels. We will simultaneously call on Government to increase grant rates to assist us build more homes rented at the London affordable rent level and below.

People fleeing violence or abuse are at greater risk of poor housing conditions and have specific challenges when seeking safe, secure housing where they can protect and improve their health and wellbeing.<sup>3</sup> People fleeing violence or abuse are more likely to be women. Ambition five of the strategy "accessible housing pathways and homes for everyone" will develop and improve housing pathways for vulnerable people including;

- We will increase the provision of appropriate and safe accommodation for people fleeing violence and abuse

### **Age**

People aged 65 and over make up 13% of our population and this is forecasted to increase to 16% by 2030 – from 45,148 to 57,647.<sup>4</sup> Our strategy commits us to providing suitable housing that meets their needs. This will mean an ambitious programme of delivering additional older people's

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<sup>3</sup> [https://crisis.org.uk/media/237534/appg\\_for\\_ending\\_homelessness\\_report\\_2017\\_pdf.pdf](https://crisis.org.uk/media/237534/appg_for_ending_homelessness_report_2017_pdf.pdf)



housing to meet targets (circa 2,376 units by 2029, based on the GLA London Plan target (Policy H15). It will also mean a new approach for Council sheltered housing schemes, which are currently not meeting local need, with many units unsuitable for people with mobility issues and upper floor flats often becoming difficult to let. The strategy commits to the following priorities, which will positively impact older people:

- We will increase access to high quality, flexible and specialist housing options for older people in the borough including retirement and extra care housing, across tenure type, in line with borough need. This will include facilitating market development of high-quality retirement housing across tenures as well as delivery through a proposed 300 new homes in an Enfield Care Village, consisting of new nursing home provision, extra care and a wider housing offer for later years living.
- We will modernise our sheltered housing service to ensure that it meets the needs and expectations for residents. We will review the existing sheltered housing schemes to ensure that they are fit for purpose and replace or upgrade where necessary.

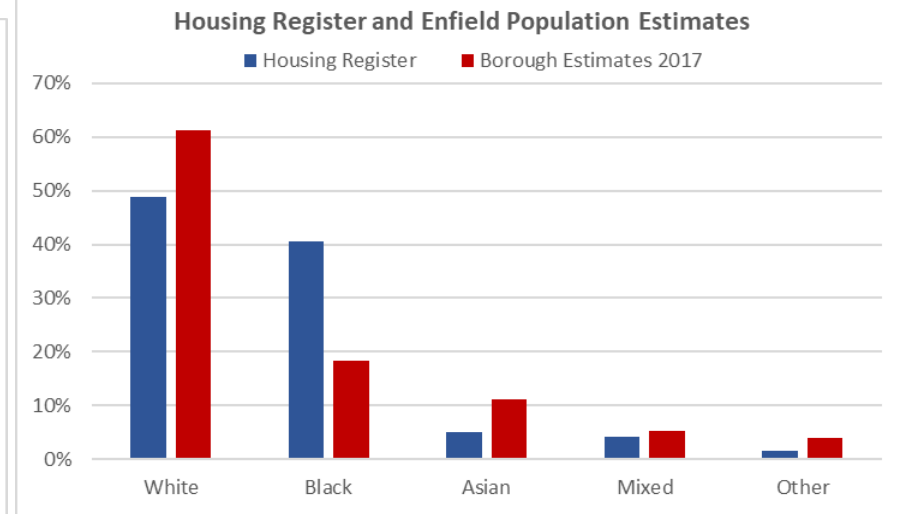
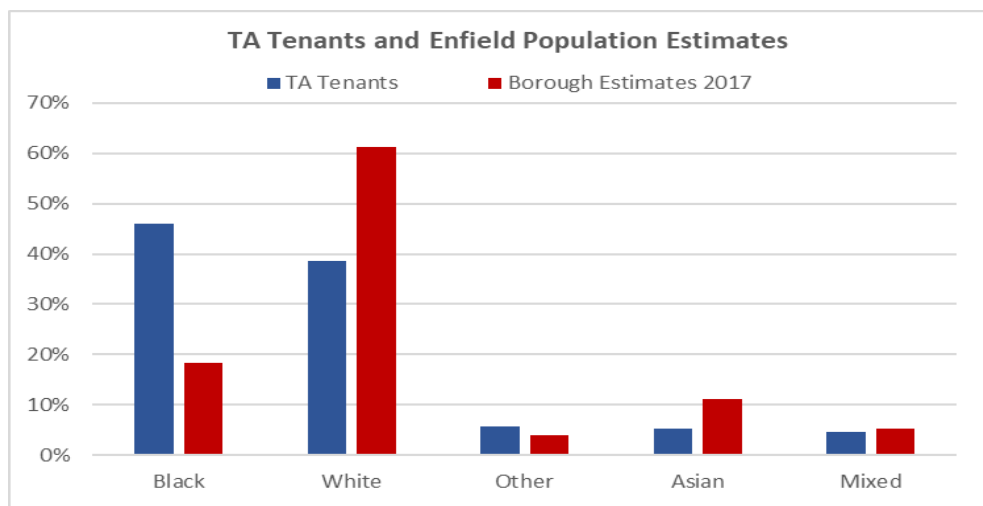
The Enfield Housing Test also details how housing decisions in the borough should be 'child friendly'. This includes children being able to access safe, outdoor play provision and the opportunity to use green spaces where they are protected from the affects of air pollution. The strategy also set the priority of improving housing pathways for children and young people, ensuring we continue to meet the housing needs of young people leaving care, and increasing the availability of good quality semi-independent housing for young people. We anticipate that these priorities will have a positive impact for children and young people on their health and wellbeing as well as their ability to access good housing as they more into adulthood.

## **Race**

Data shows that black households are overrepresented in Temporary Accommodation and our Housing Needs Register (see graph below). The strategy aims to increase the supply of affordable and quality housing in Enfield; we anticipate that this would have a positive impact on those in Temporary Accommodation. The strategy also has the target of building 3,500 council owned homes over the next 10 years, which would have a positive impact on those who are on the Housing Needs Register.

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<sup>4</sup> <https://data.london.gov.uk/dataset/projections>



(as at 31.03.19)

### Religion and belief

As shown by the 2017 compiled by the ONS, Enfield has high proportions in all the main non-Christian religions except Sikh, compared to national averages. Compared to the London average, Enfield has both a large Muslim population (15.2%) and a slightly larger Christian population (51.3%), compared to the London average of (14.3%) and (46.4%) respectively. Those who are victims of hate-crimes, such as people fleeing violence or abuse due to their religion, are at greater risk of poor housing conditions and homelessness.<sup>5</sup>

Ambition five of the strategy “accessible housing pathways and homes for everyone” will develop and improve housing pathways for vulnerable people, which we anticipate will have a positive impact on those experiencing abuse or violence due to their religion. This includes the priority to:

- Increase the provision of appropriate and safe accommodation for people fleeing violence and abuse

### Sexual orientation

Good data on sexual orientation is difficult to find at both local and national levels. The ONS 2017 Annual Population Survey estimated that 93.2% of the UK population identified as heterosexual or straight and 2.0% of the population identified as lesbian, gay or bisexual. Research from the Albert Kennedy Trust suggests that young LGB people are overrepresented in youth homeless statistics.<sup>6</sup>

<sup>5</sup> [https://crisis.org.uk/media/237534/appg\\_for\\_ending\\_homelessness\\_report\\_2017\\_pdf.pdf](https://crisis.org.uk/media/237534/appg_for_ending_homelessness_report_2017_pdf.pdf)

<sup>6</sup> <https://www.akt.org.uk/Handlers/Download.ashx?IDMF=c0f29272-512a-45e8-9f9b-0b76e477baf1>

Victims of hate-crimes, such as people experiencing abuse due to their sexual orientation, are at greater risk of poor housing conditions and homelessness.<sup>7</sup> Ambition five of the strategy “accessible housing pathways and homes for everyone” will develop and improve housing pathways for vulnerable people, which we anticipate will have a positive impact on those experiencing abuse or violence due to their sexual orientation. This includes the priority to:

- Increase the provision of appropriate and safe accommodation for people fleeing violence and abuse

### **Gender reassignment**

GIRES estimates that in the UK around 650,000 people, 1% of the population, are estimated to experience some degree of gender non-conformity. If these numbers are correct, and if Enfield’s population of 333,869 were exactly typical of that population, this will equate to 3,339 individuals with some degree of gender non-conformity. People in the process of gender reassignment can face discrimination in local communities. Research from the Albert Kennedy Trust suggests that young transgender people are overrepresented in youth homeless statistics.<sup>8</sup>

Victims of hate-crimes, such as people experiencing abuse due to their gender reassignment, are at greater risk of poor housing conditions and homelessness.<sup>9</sup> Ambition five of the strategy “accessible housing pathways and homes for everyone” will develop and improve housing pathways for vulnerable people, which we anticipate will have a positive impact on those experiencing abuse or violence due to being transgender. This includes the priority to:

- Increase the provision of appropriate and safe accommodation for people fleeing violence and abuse

### **Pregnancy and maternity**

Single parent households make up a third of Enfield’s Housing Register; we know that 94% of single parents on our Housing Register are mothers. We have a legal duty to provide accommodation for eligible pregnant people and families with children.

The strategy also has the target of building 3,500 council owned homes over the next 10 years, which would have a positive impact on those who are on the Housing Needs Register.

Alongside building more affordable homes, including council owned homes, the strategy seeks to improve housing in the borough by driving up standards in the private rented sector.

- We will support and work with landlords to improve standards of management within Enfield’s private rented sector, whilst also taking a strong approach to tackling poor conditions and stopping rogue landlords and managing/letting agents. This will include taking enforcement action if landlords do not bring properties up to the minimum legal Minimum Energy Efficiency Standard (MEES).

<sup>7</sup> [https://crisis.org.uk/media/237534/appg\\_for\\_ending\\_homelessness\\_report\\_2017\\_pdf.pdf](https://crisis.org.uk/media/237534/appg_for_ending_homelessness_report_2017_pdf.pdf)

<sup>8</sup> <https://www.akt.org.uk/Handlers/Download.ashx?IDMF=c0f29272-512a-45e8-9f9b-0b76e477baf1>

<sup>9</sup> [https://crisis.org.uk/media/237534/appg\\_for\\_ending\\_homelessness\\_report\\_2017\\_pdf.pdf](https://crisis.org.uk/media/237534/appg_for_ending_homelessness_report_2017_pdf.pdf)

- We will use our powers as the local planning authority to set quality standards in the private housing sector. This will include adopting new policies in our emerging Local Plan and providing a positive and responsive service to support people making planning applications. It will also involve proactive enforcement against people who breach planning permission or develop without the necessary approvals, and through considered use of ‘Article 4 direction’ to control substandard housing delivered without the need for planning permission using ‘Permitted Development’ rights.<sup>10</sup>
- We will lead standards of quality housing management and lettings in the private sector through exemplar standards set by Housing Gateway, with an increasing portfolio of homes in Enfield, delivering a range of products to meet local need.
- We will explore how we can improve standards of local estate agents by researching options to deliver a Council-owned venture which can deliver a trusted, ethical and value service for local people looking to find a home to rent in the private market.

### Marriage and civil partnership

The strategy vision is to ensure that housing growth benefits all communities in Enfield. This includes benefiting all communities in Enfield, irrespective of their relationship status. Same-sex couples may be discriminated against in the private rented sector and in some local communities. Our focus on driving up standards in the private rented sector and working with landlords to promote good landlordism could positively impact people who are discriminated on the basis of their relationship status.

<b>5. Tackling Socio-economic inequality</b> Indicate Yes, No or Not Known for each group	Communities living in deprived wards/areas	People not in employment, education or training	People with low academic qualifications	People living in social housing	Lone parents	People on low incomes	People in poor health	Any other socio-economic factor Please state;
Will the proposal specifically impact on communities disadvantaged through the following socio-economic factors?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Does the service or policy contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between	Yes	Yes	Yes	Yes	Yes	Yes	Yes	

<sup>10</sup> An [article 4 direction](#) is made by the [local planning authority](#). It restricts the scope of [permitted development rights](#) either in relation to a particular area or site, or type of development anywhere in the authority’s area. Where an article 4 direction is in effect, a planning application may be required for development that would otherwise have been permitted development.

different groups in the community?								
Could this proposal affect access to your service by different groups in the community?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	

If Yes answered above – please describe the impact (including any positive impact on social economic inequality) and any mitigation if applicable.

Enfield is a low-income borough with a high proportion of Housing Benefit claimants. Enfield’s median household income is £34,000 which is the 11<sup>th</sup> lowest in London and 16.7% of households in Enfield have an annual gross income under £15,000 – this percentage is higher than London and outer London average. As of August 2018, there were 33,060 resident households in the borough receiving Housing Benefit – over half of whom are living in the Private Rented Sector. Enfield has the 5<sup>th</sup> highest proportion of child living in low-income families in London. Low financial resilience makes residents turn to the Council and access to benefits, and effectively dealing with debt and rent arrears can play a critical role in whether someone access a decent home which they can afford.

The Housing and Growth strategy seeks to increase the supply of affordable housing, improve social housing we already have, and drive up standards in the private rented sector.

1. We will prioritise an increase in rented homes as part of mixed income communities, as evidence shows this is where we have the greatest and most immediate demand. These will be of the size and type that local people need, as informed by our housing needs register and Housing Needs Assessment.
2. We will use our powers as the local planning authority - through planning policies and development management processes - to ensure that all new homes, of all tenures, are built to the highest standards of quality and design and where there is no differentiation in quality or communal areas between market sale, market rent or affordable housing products.
3. To bring all our existing homes up to a standard fit for now and for the future, incorporating new standards from Government, we will take a balanced approach between investing to keep our existing housing stock; and replacing stock where this is the most financially viable option to bring homes up to the desired standard.
4. We will lead standards of quality housing management and lettings in the private sector through exemplar standards set by Housing Gateway, with an increasing portfolio of homes in Enfield, delivering a range of products to meet local need.
5. We will explore how we can improve standards of local estate agents by researching options to deliver a Council-owned venture which can deliver a trusted, ethical and value service for local people looking to find a home to rent in the private market.
6. We will support and work with landlords to improve standards of management within Enfield’s private rented sector, whilst also taking a strong approach to tackling poor conditions and stopping rogue landlords and managing/letting agents. This will include taking enforcement action if landlords do not bring properties up to the minimum legal Minimum Energy Efficiency Standard (MEES).

7. We will use our powers as the local planning authority to set quality standards in the private housing sector. This will include adopting new policies in our emerging Local Plan and providing a positive and responsive service to support people making planning applications. It will also involve proactive enforcement against people who breach planning permission or develop without the necessary approvals, and through considered use of 'Article 4 direction' to control substandard housing delivered without the need for planning permission using 'Permitted Development' rights.<sup>11</sup>

## 6. Review

How and when will you monitor and review the effects of this proposal?

The strategy and accompanying action plan will be reviewed a minimum of six-monthly at the Housing Advisory Group.

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<sup>11</sup> An [article 4 direction](#) is made by the [local planning authority](#). It restricts the scope of [permitted development rights](#) either in relation to a particular area or site, or type of development anywhere in the authority's area. Where an article 4 direction is in effect, a planning application may be required for development that would otherwise have been permitted development.

# Enfield Council Predictive Equality Impact Assessment/Analysis

**NB if there is likely to be an impact on different groups of staff as a result of this proposal, please also complete a restructuring predictive EQIA form**

## Action plan template for proposed changes to service, policy or budget

Title of decision:.....

Team:..... Department:.....

Service manager:.....

Identified Issue	Action Required	Lead Officer	Timescale/ By When	Costs	Review Date/ Comments

Please insert additional rows if needed

Date to be Reviewed: .....

**APPROVAL BY THE RELEVANT ASSISTANT DIRECTOR - NAME..... SIGNATURE.....**

This form should be emailed to [joanne.stacey@enfield.gov.uk](mailto:joanne.stacey@enfield.gov.uk) and be appended to any decision report that follows.

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# The Right Home for Everyone

## Consultation report



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## 1. Executive summary

Enfield Council is **developing two new strategies** that will have a huge impact on how we will achieve our ambition to create a lifetime of opportunities in Enfield. The Housing and Growth Strategy shows our approach to building more homes and better homes that will benefit everyone in Enfield. The Preventing Homelessness and Rough Sleeping strategy details how we will work across the Council, with our partners and with the community to prevent and end homelessness in Enfield.

We ran a public consultation on both strategies between 24<sup>th</sup> July and 21<sup>st</sup> October. The **purpose of this consultation** was to find out whether stakeholders agreed with the vision, ambitions and direction of the strategies. It was also to find out if there was anything that stakeholders felt was missing from either of the strategies. The Council consulted with a wide variety of individuals and organisations including, but not limited to, residents, Voluntary and Community sector organisations, partners from the statutory sector, Registered Providers, housing developers and private landlords.

To do this, the Council used a **wide variety of methods of data collection**: questionnaire (online and hard copy), notes from discussions with various fora and emailed submissions from stakeholders. The questionnaire provides the primary focus of this report. When developing the final version of both strategies, the information from the other methods have been fully considered too.

The **consultation was promoted** using a number of communication channels: via the Council website, social media, emails to various groups and stakeholders, Council publications (for example, Our Enfield), non-English newspapers, local newspaper, leaflets and the Council e-newsletter. In total, we received 285 responses to the questionnaire, 11 emailed submissions and officers attended 13 meetings of various groups.

In developing the draft strategies, we carried out extensive engagement across all relevant council departments, including in cross-council workshop, to shape the priorities and direction of the strategies and to get agreement and buy-in. We also engaged with residents, Voluntary and Community sector, registered providers, MHCLG and elected members in drafting the strategies.

The proposed vision, ambition and principles contained in the **draft strategy for Housing and Growth** are, in general, supported by respondents.

More than eight out of 10 (85%) agree with the **proposed vision** of the Strategy, while less than one out of 10 (7%) disagree. Looking at the views of representatives from the Voluntary and Community Sector (11), statutory sector (3) and Registered Providers (4), all agree with the vision. Of the three housing developers, two agree while one said they *strongly disagree*.

In general, respondents agree with the proposed ambitions. The ambition in which respondents mostly agree with is **more genuinely affordable homes for local people** (89%

agree). Issues highlighted in the consultation suggest that whilst there is support for more homes, respondents are concerned about issues such as building on the green belt, building of high rises and whether amenities and infrastructure can cope with more households.

#### **How have we addressed this in the revised strategy?**

The revised strategy also now has a strong focus on placemaking, reflecting the consultation results which suggested that growth was not only about building more homes. We have emphasised the need for good places, as well as good homes, in all priority areas of the strategy and will be prioritising place-making as a key part of the delivery of the strategy. Furthermore, we have made more explicit commitments to infrastructure delivery, in particular transport infrastructure.

We are taking action to deliver high-quality, fairer, more secure and more affordable homes in the private sector. This ambition is referred to as **quality and variety of private housing**, in the draft strategy for Housing and Growth. More than seven out of 10 (72%) respondents to the questionnaire agree with this ambition, with less than one in 10 (8%) stating that they disagree. Of the eight landlords who completed the questionnaire, seven agree while one stated that they *neither agree nor disagree*. All four Registered Providers agree with this ambition.

The ambition of **inclusive homes for everyone** relates to, among other things, the provision of quality homes for people with additional support needs. Around eight out of 10 (79%) agree with this ambition, while one in 20 (5%) said they disagree. A number of the Voluntary and Community Sector organisations who participated in this consultation provide services to the likes of the elderly and those who have physical disabilities. It is therefore encouraging that all VCS organisations (11) agree with the ambition.

A number of principles were presented in the draft strategy for Housing and Growth. Respondents were asked to what extent they agree or disagree they are important. The principle that respondents agree is most important is **affordable to Enfield residents** (93%). This principle generated the second highest top box score (78% *strongly agree*) from the data collected via the questionnaire. Just one in 50 (2%) disagree.

#### **How have we addressed this in the revised strategy?**

The support for affordable housing for all residents was encouraging. To demonstrate what this means in practice, we have included several case studies which showed what was affordable for households on different incomes.

This principle of **child, age and disability friendly** is about providing safe outside play provision, helping all residents to stay safe in their communities and when out and about and providing places where people can meet socially. More than nine out of 10 (92%) agree that this principle is important. Of all the questions in the questionnaire, this generated the lowest negative score (0.4%) where rating scales were used. This is just one respondent.

The principle of being **digitally connected** drew the lowest positive score of the principles although a majority (72%) agree it is important. Few disagree (3%). However, a quarter (25%) said they *neither agree nor disagree* or *don't know*. This may be due to respondents not quite feeling well informed enough to form a definitive opinion.

Registered Providers (4) and housing developers (3) were asked if they are they are **interested in building homes in Enfield**. Just one of the respondents (housing developer) responded with 'no'. No reason was given why.

When asked for **general comments on the Strategy**, 71 responded. The most popular response was to provide feedback on the consultation (7 respondents).

The **results of the consultation have been considered** and changes to the strategies as a result have been detailed in the final Cabinet report. We recommend that these changes are considered by Cabinet.

The final strategy draft will be taken to Cabinet in January for approval and then to Full Council for final sign off.

## 2. Introduction

### 2.1 Methodology

A **questionnaire** was developed to capture the views of residents, landlords and organisations (including Registered Providers, those from the Voluntary and Community sector, housing developers and statutory sector partners). An online version of the questionnaire was hosted in the Consultation section of the Council website, with paper copies of the questionnaire available on request and also placed at John Wilkes House. The questionnaire was available between 26 July and 21 October 2019.

Officers arranged to present proposals at a number of **meetings**. At these meetings, officers captured comments and suggestions on the Council's two draft strategies. Details of the meetings attended are listed in Respondents (section 2.4). We did not seek permission to publish the notes from the meetings, so they have not been attached to this report. The feedback from the meetings have been shared with the Director of Housing and Regeneration and have been used to develop the strategies.

Organisations were invited to **email** us with their comments and suggestions. We emailed all local Voluntary and Community sector organisations on our database as well as national organisations, public sector organisations, the Ministry of Housing Communities and Local Government (MHCLG), Registered Providers and Private Developers. The closing date for email submissions was 21 October 2019, the date the questionnaire was closed. We did not seek permission to publish these emails, so they have not been attached to this report. The 11 emails we received have been shared with the Director of Housing and Regeneration and used to develop the strategies. Key themes and our response have been included in this report.

**Facebook** was one of the forms of communication used to signpost the consultation. This led to several posts from individuals sharing their views on the issues of homelessness and housing.

### 2.2 Accessibility

One of the reasons for using online questionnaires was to enable a wide-range of residents and other stakeholders to participate in the consultation. As the questionnaire was presented in HTML, it can be translated via translation software/plugin (for example, Google Translate), the text can be enlarged, and it is compatible with reading software/plugins.

On the consultation web page, potential respondents were asked to email [consultation@enfield.gov.uk](mailto:consultation@enfield.gov.uk) if they required assistance with participation. We also placed hard copies of the questionnaire at John Wilkes House.

In addition to this, the consultation was promoted in a variety of ways to reach out to the various communities across the borough. We had adverts posted in Greek and Turkish

language newspapers, and we emailed all Voluntary and Community sector organisations asking them to participate and forward details of our consultation their clients and service users.

### **2.3 Marketing and promotion**

It was important to ensure the consultation (by email and via questionnaire) was widely publicised to encourage participation across all communities and various organisations in the borough. We also wanted to maximise responses and ensure there was not a 'cluster' of respondents with similar characteristics.

The communication channels used, included, but were not limited to:

- Press release
- Council website
- Council social media
- Leaflets (distributed during public events and delivered to temporary accommodation properties)
- Our Enfield (feature and full-page advert)
- Our Enfield – full page advert
- Third Sector e-newsletter (sent to all Voluntary and Community sector organisations on the Council's database)
- Council e-newsletter
- Enfield Independent (advert)
- Parikiaki – Greek newspaper (advert)
- Avrupa – Turkish newspaper (advert)

### **2.4 Respondents**

The following people participated in the consultation:

- Enfield residents
- Individuals who do not live in the borough
- Representatives from a wide range of support organisations (in this instance, organisations from the Voluntary and Community and statutory sector)
- Other stakeholders (other councils, Registered Providers, private landlords, housing developers and statutory sector)

The questionnaire did not ask the names of individual respondents, nor the names or organisation details of those responding on behalf of organisations. However, where organisations submitted email responses to the Director of Housing and Regeneration, we were able to attribute feedback and ideas to particular organisations.

The breakdown of respondent types by consultation method are detailed in Table 1.

Table 1

	Questionnaire	Email
Enfield residents	242	-
Individuals who do not live in the borough	8	-
Representatives from a wide range of support organisations	14	2
Other stakeholders	7	8
Private landlords	8	-
Other	6	1*

\*Email from Ministry of Communities, Housing and Local Government

It is particularly encouraging that the demographics of the individual respondents to the questionnaire (that is, Enfield residents and those who do not live in the borough) were not dominated by any specific demographic groups. For example, there were a similar number of respondents from the south and east of the borough (89) compared to the west and north (106). In this instance, those from the south and east represent an unusually high proportion of respondents than is usually the case in Council consultations.

The support organisations represented a wide range of people, including:

- Homeless residents or those at risk of homelessness
- Rough sleepers
- Those experiencing debt issues
- Families, children and young people
- People with additional support needs, disabilities, learning difficulties and health conditions or their carers
- Ethnic minority groups
- Women
- Older people
- LGBT+ community

We received 34 comments via Facebook. We are unable to establish on what basis they responded (for example, if they were Enfield residents or not, or if they were private landlords) so they were not included in the table above.



In addition, officers attended a wide range of fora to share the Council's proposals and to capture the general opinions of the audience. These meetings were as follows:

- Registered Provider Forum (development)
- Safeguarding Adults Board
- Health and Wellbeing Board
- Safer and Stronger Communities Board
- Voluntary Sector Strategy Group
- Enfield Youth Parliament
- Faith Forum
- Parent Engagement Network
- Leaseholders Forum
- Customer Voice (tenants and leaseholders of Enfield Council homes)
- Housing Advisory Group
- Over 50s Forum
- Ponders End Community Development Trust
- Housing Gateway Tenants
- Kratos

We received emailed submissions from the following organisations:

- Transport for London
- Newlon Housing Trust
- DWS
- Modom Modular Meanwhile Housing
- Religious Society of Friends (Quakers) in Winchmore Hill
- One Housing
- Metropolitan Thames Valley
- Countryside
- GMB trade union
- Enfield Clinical Commissioning Group
- Ministry of Housing, Communities and Local Government

The feedback from these meetings and from the emailed submissions has been considered alongside other sources of feedback, including the questionnaire.

We would like to take this opportunity to thank those who participated in the consultation and thus the development of two key strategies on addressing issues that are of a high priority.

## 2.5 Technical note

Before reading the Key Findings section, it is important to note the following:

- The data, expressed as percentages, in both this report and the topline, are rounded. Totals will sometimes be more or less than 100% and aggregates may appear to be +/-1% different to the sum of the individual components
- No probability sampling method was used. Rather, the consultation was open to all
- The data is unweighted
- Data has been edited. This includes amending responses to deliver higher quality data. This has, for example, involved amending a response in which the participant selected 'Other' (and subsequently provided an explanation) but an option from the list of coded responses was relevant and should have been selected. In one instance, an individual selected 'Other' when asked on what basis they were responding. The respondent described himself as living 'in temporary accommodation in N11'. They should have selected 'Enfield resident'. This response was amended to reflect this
- Open-ended responses have been coded
- Data from the 10 (valid) hard copy questionnaires have been combined with the 275 responses to the online version. The questions are the same and the data collection method is identical. Thus, there are no 'mode effects' in combining the data from the two

### **3. Key findings**

The focus of this report is on the findings from the questionnaire. Feedback collated from the meetings and the emailed responses has also been referred to in this report to provide further insight. In addition, the email responses are being considered in full by the relevant Housing teams to help inform ongoing service development. Notes from meetings are also being considered by the Director of Housing and Regeneration.

The replies to the Facebook post promoting the consultation, were general comments and not specific enough to give significant insight. However, these are also being considered by relevant housing teams.

The findings from the consultation have been considered and changes to the strategies as a result have been detailed in the final Cabinet report.

The final strategy draft will be taken to Cabinet in January for approval and then to Full Council for final sign off.

## 3.1 Draft Strategy for Housing and Growth

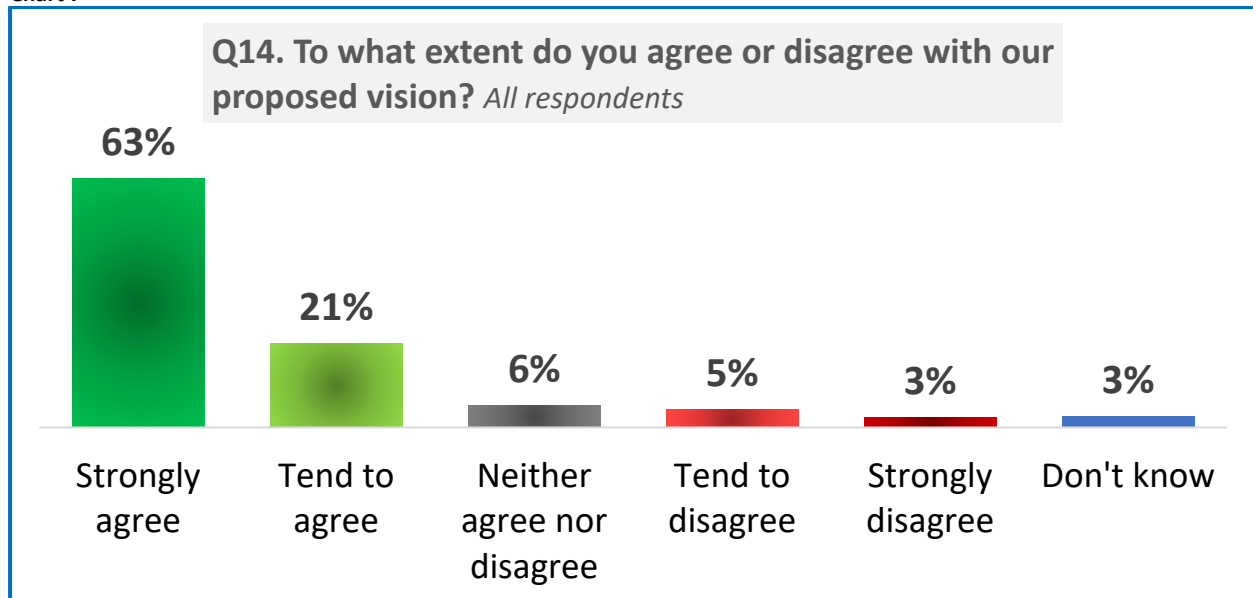
### 3.1.1 Proposed vision

Our Corporate Plan makes clear that *good homes in well-connected neighbourhoods* is a critical strategic ambition for Enfield. Our proposed is to deliver this goal using good growth principles. This will mean more homes and better homes for Enfield where everyone benefits from the opportunities that growth can bring. We believe our proposed vision will provide us with direction, a clear reference point.

The vision sets the tone for the Strategy. It is therefore important for us to know whether local people, organisations and other stakeholders agree that it is the right way forward. The vision is referenced in the Strategy and it was made clear in the questionnaire as a preface to the question in which respondents were asked whether they agree or disagree with it.

In total, 85% agree with the vision, while 7% disagree. For further details of the breakdown of the responses, see Chart 7.

Chart 7



Base: All 285 respondents to the questionnaire (unweighted)

Of the 85% who agree, more than six out of 10 (63%) *strongly agree*, while around two out of 10 (21%) *tend to agree*. The proportion who agree is low (7%), with 5% stating they *tend to disagree* and 3% *strongly disagree*. While 8% of respondents had less definitive views – 6% *neither agree nor disagree* and 3% *don't know*. The combined scores for this question may appear to be +/-1%. This is due to 'rounding'. Rounding has been applied to all data captured in the questionnaire.

Of those who disagree, 18 are Enfield residents, one is a resident from another borough and one a housing developer. Just over half (11) of those who disagree with the vision are the same respondents who disagree with the vision for the draft strategy for Preventing Homelessness and Rough Sleeping (Q4).

Looking at the views of representatives from the Voluntary and Community Sector (11), Statutory Sector (3) and Registered Providers (4), all agree with the proposed vision. While two housing developers agree, one stated they *strongly disagree*. The view of this housing developer may be reflected, in part, by his/her previous dealings with the authority (comment taken from the housing developer's response to Q21a):

*“Due to the council's planning departments approach, awful attitude to preapplication advice and general attitude to say no to development which is preventing delivery of more affordable homes in Enfield. You need to embrace development as a low density borough with lots of run down areas. You will never deliver on London Plan targets with the current team and failure should not be accepted as it has over the past five years under their watch”*

**Housing developer**

### **3.1.2. Proposed ambitions**

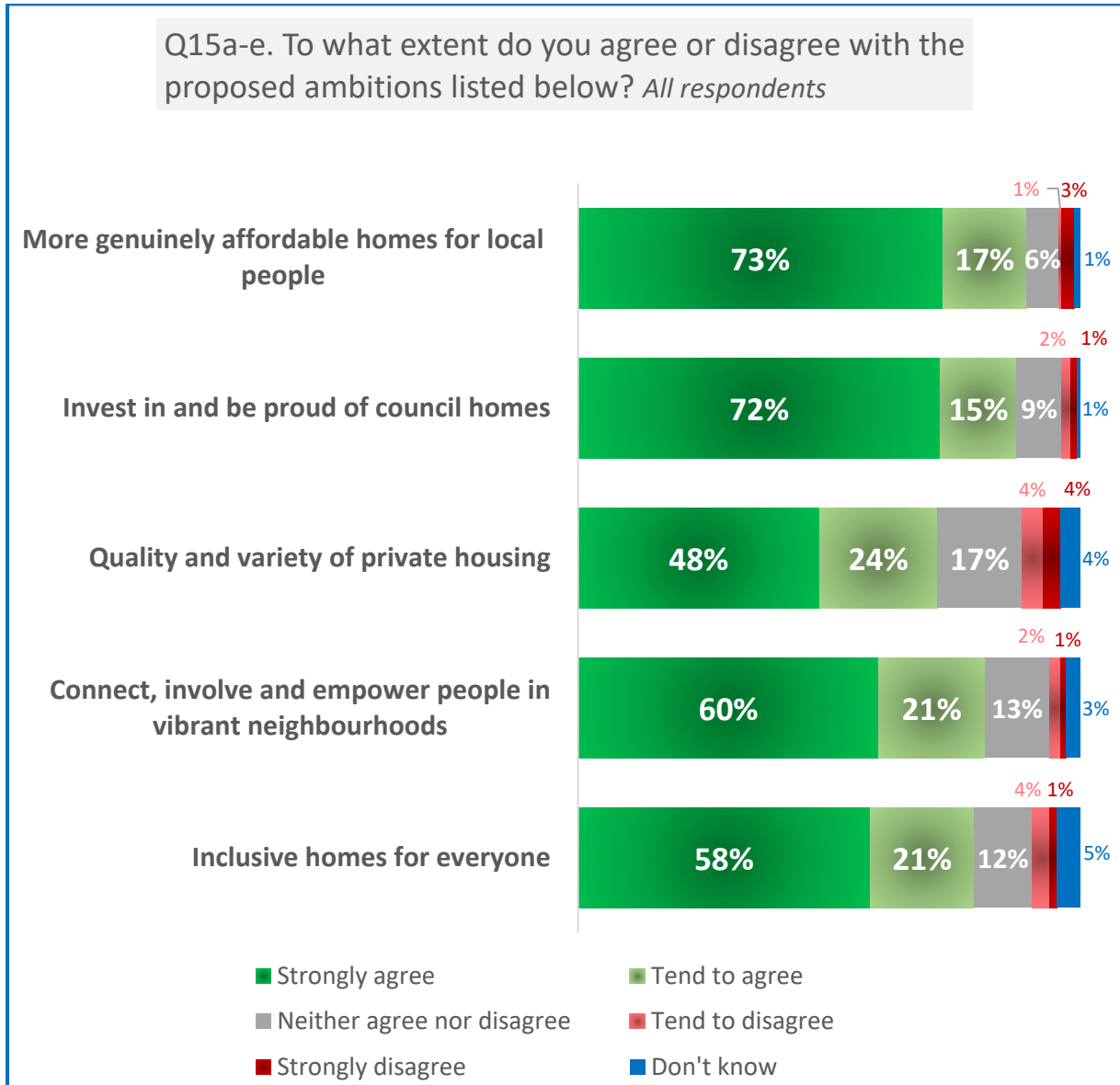
We are proposing to deliver the vision through five ambitions:

- More genuinely affordable homes for local people
- Invest in and be proud of council homes
- Quality and variety of private housing
- Connect, involve and empower people in vibrant neighbourhoods
- Inclusive homes for everyone

These ambitions are listed in the draft Strategy, along with details of how we intend to deliver them. Such detailed information was not provided in the questionnaire.

In the questionnaire, respondents were asked to what extent they agree or disagree with these ambitions, as listed above. In each instance, there was strong support from residents, with few stating that they disagree. See Chart 8.

Chart 8



Base: All 285 respondents to the questionnaire (unweighted)

The ambition that most respondents agree with is **more genuinely affordable homes for local people** (89%), closely followed by **invest in and be proud of council homes** (87%). There is a marginal difference between the numbers who agree with **connect, involve and empower people in vibrant neighbourhoods** (81%) and **inclusive homes for everyone** (79%). The **quality and variety of private housing** (72%) was the ambition with the lowest agree score but almost three-quarters agree and only 5% disagree.

Scores for some ambitions are a little lower than others. However, this does not necessarily mean more disagree, just that more of them selected *neither agree nor disagree* or *don't know*. Below are the combined scores recorded for the more ambivalent responses for each ambition:

- More genuinely affordable homes for local people (7%)
- Invest in and be proud of council homes (10%)
- Connect, involve and empower people in vibrant neighbourhoods (16%)
- Inclusive homes for everyone (16%)
- Quality and variety of private housing (21%)

The comparatively high numbers of respondents having less definitive opinions may, in part, be explained by them not quite being clear what each of them mean. Respondents would need to have referred to the draft Strategy for the details as the questionnaire contained only the title of each ambition.

#### **How have we addressed these views in the revised strategy?**

The more ambivalent responses for ambitions 4 and 5 may suggest that respondents might not be clear on what this means. We have changed the titles of ambitions 3 and 4 to 'inclusive placemaking' and 'accessible housing pathways and homes for everyone', respectively.

The proportion of those who disagree with the ambitions varied between 3% and 8% - not a wide range.

If we look at how respondents answered the set of questions on ambitions as a whole, we find that 59% of them agree with each individual ambition. This includes seven of the 11 Voluntary and Community sector representatives, two of the three representing statutory sector organisations and all four of those responding on behalf of Registered Providers.

Two respondents disagree with each individual ambition. One respondent is a private renter, the other lives in temporary accommodation. The same two individuals also disagree with each of the ambitions from the draft strategy for Preventing Homelessness and Rough Sleeping.

#### **Ambition 1: More genuinely affordable homes for local people**

There is a need for more housing in Enfield. We want to deliver on the targets set for us in the adopted London Plan and Core Strategy and the even more ambitious targets set for us in the emerging London Plan and our own emerging Local Plan. We want to do this by taking a direct role in delivering and enabling the provision of new homes that meet evidenced local need.

The priority is not just more homes. It is more of the right kind of homes, in the right locations, for local people. This means a wider variety of affordable housing products and

well-designed homes of the right size, tenure and price that local people can afford. It also means equitable growth across Enfield, with new homes in both the east and the west of the borough.

Around nine out of 10 (89%) agree with our proposed ambition for more genuinely affordable homes for local people, with more than seven out 10 (73%) stating they *strongly agree* and almost two out of 10 (17%) *tend to agree*. Just 3% disagree. This is made up of 1% who *tend to disagree* and 3% who *strongly disagree* (please note, the percentages scores are rounded). Respondents had more definitive opinions about this ambition than all others. The other ambitions had a higher proportion of respondents selecting the responses of *neither agree nor disagree* or *don't know*.

All nine respondents who disagree with this ambition are Enfield residents, of which the majority are freehold homeowners (5). However, 85% of freehold homeowners agree with the ambition. There is no indication homeowners are significantly less likely to support this ambition much more than any other group of respondents.

All those responding on behalf of the Voluntary and Sector sector (11) and statutory sector organisations (3), as well as Registered Providers (4), agree with the proposals. As do all private landlords.

In an email from The Religious Society of Friends (Quakers) based in Winchmore Hill, they suggest that new properties should be built to the highest standards of environmental sustainability. The GMB trade union also emphasised the importance of sustainability when increasingly the supply of homes.

#### **How have we addressed this in the revised draft?**

The strategy supports the need for sustainability when increasing housing supply. Since the public consultation was launched, Enfield Council declared a climate emergency. As a result, in the revised draft, we can make explicit reference to our climate emergency declaration and strengthen our commitment to sustainability, which also includes an ambition to be carbon neutral by 2030.

The strategy now includes a best practice case study on Passivhaus, an approach to building sustainable houses, which also highlights Bury Street West housing scheme, a Passivhaus certified scheme - a first for Enfield Council.



In response to Q21a (question asking for comments on the Strategy), some Enfield residents raised concerns about building on green belt and amenities/local infrastructure struggling to cope with additional numbers of people living in the local area. Below are some examples of the verbatim comments Enfield residents made about this issue.

*"Not to over populate areas causing problems with access to amenities such as GPs schools etc"*

**Home-owner, lives in EN2**

*"There is no mention of the infrastructure needed to support population growth in Enfield, or indeed London. It isn't just hospitals and schools; power and water are creaking at the seams. There is no mention of open space or gardens"*

**Home-owner, lives in EN1**

*"Additional housing should consider the impact on current residents. Will extra traffic on already overcrowded roads mean journey times to work becoming excessively long etc. Will there be enough GP's, dentists, school places, train spaces, water, power supplies in the area..."*

**Home-owner, lives in EN1**

*"Building homes but not at the loss of our green belt..."*

**Home-owner, lives in EN1**

*"Providing homes is important, but so is quality of life and my concern is that you're so determined to build, build, build, you are forgetting that people need service other than houses - like green land, open spaces (not planned parks), trees, open space, infrastructure that can support additional homes and people, not to mention schools, doctors, jobs..."*

**Rents from housing association, lives in EN1**

The green belt is a planning issue which is set out in the draft Local Plan. The draft Housing and Growth strategy follows guidance from planning policy and the Local Plan; the green belt is not within the remit of this consultation.

In addition to comments submitted via the questionnaire, the issue of amenities and infrastructure were also raised during discussions with the Over 50s Forum and Ponders End Community Development Trust. We also received an email from the Enfield Clinical Commissioning Group that raised a number of issues, including their concerns over the effect of housing growth on health services. The Group said they would welcome discussions about the range of smaller housing developments across the borough, so they can jointly plan for growth.

#### **How have we addressed this in the revised draft?**

The consultation highlighted the importance of good communal facilities, green spaces and play facilities for residents. The prevalent view was that housing development must be delivered alongside proportionate transport and neighbourhood infrastructure. As a result, we have emphasised the need for good places as well as good homes in all priority areas of the strategy and will be prioritising place-making as a key part of the delivery of the strategy.

We have also strengthened ambition four of the strategy, to deliver 'inclusive placemaking,' making more explicit commitments to infrastructure delivery, in particular transport infrastructure.

We have also included a case study on the Joyce and Snells estate renewal as a best practice example of residents being at the forefront of any plans for renewal and regeneration, a model example of how regeneration should be done.

#### **Ambition 2: Invest in and be proud of council homes**

We aim to invest in Council homes so that they meet high standards, are fit for the 21st Century, as well as provide high-quality management services.

When we asked respondents how much they agree or disagree with this ambition (Q15b), around nine out of 10 stated they agree (87%). Most of those who agree said they *strongly agree* (72%), while 15% stated that they *tend to agree*. Just 3% said they disagree – 2% *tend to disagree* and 1% *strongly disagree*.

Looking at the views of the various groups of respondents, it is noticeable that 43 out of 45 council tenants and eight out of 10 of those living in temporary accommodation agree.

#### **Ambition 3: Quality and variety of private housing**

We are taking action to deliver high-quality, fairer, more secure and more affordable homes in the private sector. This is vital so that people receiving housing benefit/local housing allowance currently living in temporary accommodation, and those at risk of homelessness, have somewhere decent to live, in recognition that they may never qualify for a council or housing association home.

We asked respondents to what extent they agree or disagree with the ambition of *quality and variety of private housing* (Q15c). Looking at the views of all respondents, 72% agree.

This consists of around half (48%) of respondents who *strongly agree* and almost a quarter (24%) *tend to agree*. The proportion who disagree is comparatively low, with 4% stating they *tend to disagree* and the same proportion respondents informing us they *strongly disagree*.

None of the eight private landlords disagree with this ambition. Of the eight landlords, seven agree and one responded with *neither agree nor disagree*, while all four Registered Providers agree with the ambition.

Looking at the views of those who rent privately in the borough, 64% agree and 14% disagree. More than a fifth (22%) said they *neither agree nor disagree* and 8% selected *don't know*. That is, 30% of private renters did not have a definitive opinion. This may, in part, be due to them being unsure how the proposal will affect them.

The Religious Society of Friends (Quakers) based in Winchmore Hill made clear their support for our plans to work with private landlords to improve conditions for tenants.

As stated elsewhere in this report, the Council is currently in the process of engaging residents and a wide variety of stakeholders on proposals for introducing additional and selective licensing in the borough.

#### **Ambition 4: Connect, involve and empower people in vibrant neighbourhoods**

We view the process of designing, building, creating and maintaining vibrant and inclusive neighbourhoods as a joint endeavour between the Council, other local organisations and the community. The Council has a key role in ensuring these things happen. We want the community to play an active role in the design of their homes and neighbourhoods and will encourage local people to develop community-led housing, where there is an appetite from communities to do so.

While we will involve and empower local people in the design and creation of the built environment, we will also involve communities in the way we look after the local environment over time.

When asked to what extent they agree or disagree with the ambition to *connect, involve and empower people in vibrant neighbourhoods* (Q15d), just over eight out of 10 (81%) said they agree. Considerably higher than the 3% who disagree. Those who *strongly agree* (60%) represent the majority of respondents, with *tend to agree* recording the second highest score (21%). Of those who disagree, 2% *tend to disagree* and 1% *strongly disagree*.

Looking at the views of other groups, in particular those of local organisations and Enfield residents, each appears to be supportive of this ambition. Almost all of the Voluntary Community Sector organisations (10 out of 11) agree, while the majority of Enfield residents are also positive about issue, with 80% stating they agree and just 3% selecting disagree. There are no significant differences in the opinions of the various groups of residents (for example, council housing tenants compared to those with living parents, and between the over 50s and those 50 years of age or under).

### **Ambition 5: Inclusive homes for everyone**

We want to see the provision of quality homes for people with additional support needs and building homes and communities where everyone can reach their full potential. The population of the borough is increasing, and people are living for longer. The overall population is set to increase from 333,000 in 2017 to 376,800 in 2025. In this context, the number of people with additional and specific housing needs is also increasing. Older people, people with disabilities and people fleeing violence or abuse are at greater risk of poor housing conditions and have specific challenges when seeking safe, secure housing where they can protect and improve their health and wellbeing.

When asked if they agree or disagree with this ambition (Q15e) for *inclusive homes for everyone*, 79% said they agree (58% *strongly agree* and 21% *tend to agree*), while 5% told us they disagree (4% *tend to disagree* and 1% *strongly disagree*). Once more, a clear majority agree.

A number of the Voluntary Community Sector organisations who participated in this consultation provide services to the likes of the elderly and those who have physical disabilities. It is therefore encouraging that 10 of the 11 VCS organisations agree with this ambition.

This ambition also encompasses care leavers. When consulting with Kratos, Enfield's Looked after Children group, the Care Leavers felt that they received a good level of support in their transition from care to adulthood in terms of their housing. However, they expressed concern for young people who are not in care, and therefore do not receive this support, to access affordable housing.

#### **How have we addressed this in the revised strategy?**

In the revised strategy we have considered affordable and accessible housing for young people or single people. The strategy now commits to developing affordable housing solutions for single people who are on low incomes (typically young people early in their working life) in the private rented sector, through driving up standards in shared houses, for example, and for those eligible for social/affordable housing.

### **3.1.3 Proposed principles**

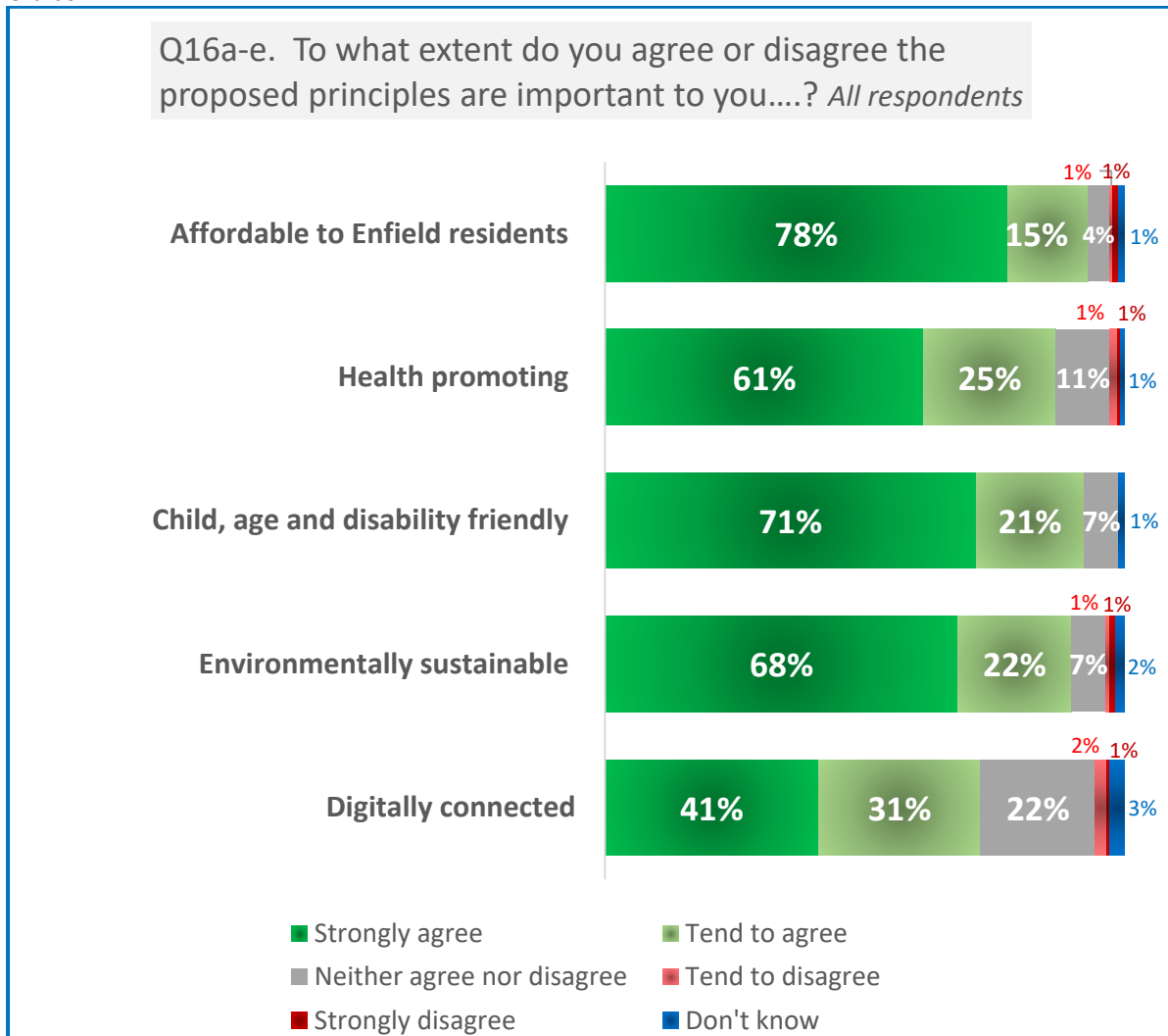
In everything we do, our vision is for homes which are:

- Affordable to Enfield Residents
- Health promoting
- Child, age and disability friendly
- Environmentally sustainable
- Digitally connected

These principles are listed in the draft Strategy for Housing and Growth. In the questionnaire, respondents were asked how much they agree or disagree with these

principles. In each instance, there was strong support for the principles, with few stating that they disagree. See Chart 9.

Chart 9



Base: All 285 respondents to the questionnaire (unweighted)

The principle that respondents most agree is important is **affordable to Enfield residents** (93%), closely followed by **child, age and disability friendly** (92%), **environmentally sustainable** (90%) and **health promoting** (87%). While there are marginal differences between these four principles, being **digitally connected** (72%) appears to be significantly less important to respondents. Indeed, the proportion who agree it is important is 21 points lower than 'affordable to residents' (72% cf. 93%). However, it should be noted there are no significant differences between each of the principles in terms of the proportion who disagree, with the range being between 0.4% and 3%.

It is noticeable that opinions on the principles are more definitive than those recorded in response to the questions asked about the ambitions. In general, the scores for *neither agree nor disagree* and *don't know* were higher in relation to the ambitions.

Almost two thirds (65%) agree that every single principle is important. Those who agree include eight of the 11 Voluntary and Community Sector representatives, two of the three representing statutory sector organisations and all four of those responding on behalf of Registered Providers. Not one single respondent from these organisations disagree.

### **Principle A: Affordable to Enfield residents**

This principle is about creating developments where different people on different incomes can live together in a mixed community. Increasing the supply of affordable housing options is a key strand of the Council's Corporate Plan 2018-22.

Those completing the questionnaire were asked to what extent they agree or disagree that this principal is important to them (Q16a). The positive response to this was unequivocal, with 93% stating they agree. Of the 93% who agree, around eight of 10 (78%) said they *strongly agree* and 15% *tend to agree*. Just one in 50 (2%) disagree. The five respondents who disagree are residents, of which three are homeowners, one council tenant and an individual who rents from a private landlord.

This question generated the second highest top-box score of 78% in the questionnaire. Only the ambition to **treat people with empathy, dignity and respect** (Q5a), relating to the draft strategy for Preventing Homelessness and Rough Sleeping Strategy) had a higher top box score (82%).

When discussing the draft strategies with the Enfield Youth Parliament, they made clear their strong preference for mixed income communities and growth to be shared across the borough.

#### **How have we addressed these view in the revised draft?**

We have included several case studies of households in Enfield on different incomes and showing what different housing products would be affordable to them.

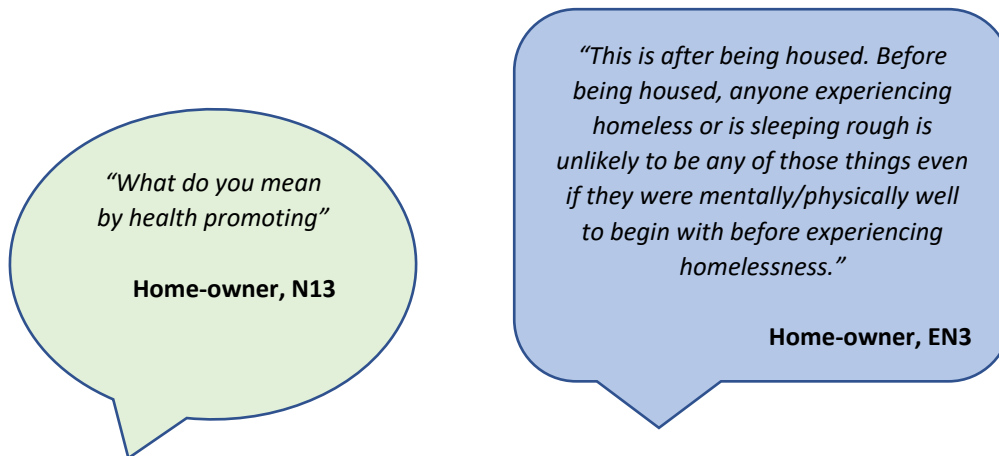
The majority of residents in Enfield (around 60%) are not eligible for social/affordable housing but cannot afford to buy a home. To ensure that the strategy addresses affordability for all incomes and all residents, we have highlighted this point explicitly and have a renewed focus on this cohort, which includes increasing the supply of intermediate products and improving the Private Rented Sector, including through Build to Rent.

### **Principle B: Health promoting**

A further principle of the draft Strategy is helping people to eat well, be smoke free, physically active, emotionally well and live in thermal comfort.

When asked how much they agree or disagree that this is important to them (Q16b), almost nine out of 10 (87%) said they agree. Most of those who agree, said they *strongly agree*

(61%), while a quarter (25%) stated they *tend to agree*. Only one out of 50 (2%) disagree – 1% *tend to disagree* and 1% *strongly disagree*. Around one in 9 (11%) said they *neither agree nor disagree* and 1% *don't know*. The comparatively high proportion of those who do not have definitive opinions may be due to some not fully understanding the principle. This was reflected in some comments on this principle, without any prompting, in response to Q21a (question asking for comments on the draft Strategy). Below are two examples:



In view of this, it may be useful to explain, in the final version of the Strategy, what this means.

#### How have we addressed this in the revised draft?

To make sure that the strategy is understandable and accessible, we have included infographics and images to support the text. We have also changed the principle ‘health promoting’ to ‘safe and supports health and wellbeing’, so it is more clear what this means.

All those responding on behalf of Voluntary and Community Sector organisations (11), Registered Providers (4) and statutory sector partners (3) agree with this principle.

#### Principle C: Child, age and disability friendly

This principle is about providing safe outside play provision, helping all residents to stay safe in their communities and when out and about and providing places where people can meet socially.

Previous research in the borough in recent years suggests that issues such as feelings of safety and the provision of facilities for children and young people are priorities. It may therefore not be a surprise that in relation to this (Q16c), more than nine out of 10 (92%) said they agree that it is important. Of those who agree, seven out of 10 (71%) *strongly agree* and two out of 10 (21%) *tend to agree*.

Out of all the questions asked in the questionnaire, this had the lowest negative score, with just 0.4% stating they disagree. That is, just one respondent. In addition to the comparatively high positive score (92% agree), we can be confident this is a principle that has strong support.

### **Principle D: Environmentally sustainable**

What is meant by this is using renewable heat sources, creating safe travel routes by foot and bicycle and creating community gardens and green spaces.

Respondents' views are clear, with nine out of 10 (90%) stating that they agree that this principle is important to them (Q16d). Breaking this figure down into individual scores, around seven out of 10 (68%) *strongly agree* and a more than two out of 10 (22%) *tend to agree*. Of the 285 participants who responded to this question, just two said they disagree.

The issue of sustainability is becoming increasingly significant to the wider British public, with 27% of Britons now stating that the environment is one of the top three issue facing the country (YouGov, June 2019)<sup>1</sup>. It may therefore not be surprising that such a high proportion support of respondents to our questionnaire support this principle.

#### **How have we addressed this in the revised strategy?**

The strategy supports the need for sustainability when increasing housing supply. Since the public consultation was launched, Enfield Council declared a climate emergency. As a result, in the revised draft, we make explicit reference to our declaration of climate emergency and what we will be doing as a result.

The strategy now includes a best practice case study on Passivhaus, an approach to building sustainable houses, which also highlights Bury Street West housing scheme, a Passivhaus certified scheme - a first for Enfield Council.

### **Principle E: Digitally connected**

This principle is about creating homes that will be fit for future technology, like providing fibre-to-the-premises and smart homes and meters that help people with disabilities or health conditions.

When asked if they agree or disagree that this is important, just 3% (8 respondents) said they disagree. Although the proportion who disagree is relatively low, this was not reflected in a comparatively high proportion who agree. A clear majority agree (72%) but this is significantly lower than the scores recorded for the other principles. This lower score was reflected in a comparatively high number of respondents who selected *neither agree nor*

<sup>1</sup> Research carried out by YouGov. Details available here: <https://yougov.co.uk/topics/politics/articles-reports/2019/06/05/concern-environment-record-highs>



*disagree* or *don't know* – 22% and 3% respectively. It may be that respondents did not feel well informed enough about the issue or the Council's intentions to enable them to form a definitive opinion.

Two of the three housing developers who completed the questionnaire disagree with this principle.

### Other principles

Respondents were given the opportunity to put forward their own suggestions for principles that should be adopted (Q17). Around a third (93) of respondents put forward their suggestions.

A number of the suggestions were similar to those presented by the Council. Table 5 provides details of the most often referred to suggestions (please note, this was an open-ended question and therefore responses have been coded).

Table 5

<b><i>Q17. If there are any other principles, which you feel would be more important than those listed above, when building new homes and developments, please list these below</i></b>	<b>No of individuals (%)</b>
More building of affordable homes	8 (9%)
Build more council homes	8 (9%)
Ensure amenities are in place that can support the building of additional homes	7 (8%)
Build homes but not on the Green Belt / Do not build on the Green Belt	6 (6%)
Do not build tower blocks / Do not build flats over three storeys high	6 (6%)

Base: 93 respondents

Percentage scores calculated as a proportion of the 93 respondents who submitted a comment

Some of the suggestions are reflected in the principles. As can be seen from the table, there are no single suggestions referred to by a substantial number of respondents.

Theme	How have we addressed these views in the draft strategy?
More building of affordable homes	Building more affordable homes is a key ambition for the strategy. To demonstrate what more affordable homes means in practice, we have included several case studies which showed what was affordable for households on different incomes.
Build more council homes	This supports our position in the strategy and strengthens our calls on Government to provide adequate funding to enable us to build council housing at the scale that is needed.
Ensure amenities are in place that can support the building of additional homes	<p>The consultation highlighted the importance of good communal facilities, green spaces and play facilities for residents. The prevalent view was that housing development must be delivered alongside proportionate transport and neighbourhood infrastructure. As a result, we have emphasised the need for good places as well as good homes in all priority areas of the strategy and will be prioritising place-making as a key part of the delivery of the strategy.</p> <p>We have also strengthened ambition four of the strategy, to deliver ‘inclusive placemaking,’ making more explicit commitments to infrastructure delivery, in particular transport infrastructure.</p>
Build homes but not on the Green Belt / Do not build on the Green Belt	The green belt is a planning issue which is set out in the draft Local Plan. The draft Housing and Growth strategy follows guidance from planning policy and the Local Plan; the green belt is not within the remit of this consultation.
Do not build tower blocks / Do not build flats over three storeys high	Our final strategy supports high-density development as a requirement for meeting our housing targets but commits to high-

	density development being of a high quality and in keeping with the surroundings.
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### 3.1.4 Building homes in Enfield

Registered Providers (4) and housing developers (3) were asked if they are they are interested in building homes in Enfield (Q18). Just one of the respondents (housing developer) responded with 'no'. This housing developer was asked to specify why they would not be interested (Q19a). No response was submitted to this question.

The same seven respondents were asked if they can support and commit to our five guiding principles (Q20). Five said 'yes' – four Registered Providers and one housing developer. While two housing developers said 'no'. One of the housing developers said that the reason why they could not commit to the principles because "Enfield are so anti private developer..."

### 3.1.5 Comments on the draft strategy for Housing and Growth

The final question on the strategies asked for any other comments on the draft Strategy (Q21a). We received a wide variety of comments from the 71 respondents who responded to this question. Table 6 displays the themes most referred to (please note, this was an open-ended question and therefore responses have been coded).

Table 6

<i>Q20. Do you have any other comments regarding the Council's Housing Strategy? Q21a. If 'Yes', please provide details below.</i>	<b>No of individuals (%)</b>
Feedback on the consultation	7 (10%)
No tall buildings	6 (8%)
Proportionate growth / amenities and infrastructure to match	5 (7%)
Build more council housing	5 (7%)
Maximise Council assets / best use of land	4 (6%)

Base: 71 respondents

Percentage scores calculated as a proportion of the 93 respondents who submitted a comment

Although the scores appear low, it should be noted there was no prompting in the question. Regardless, there was no single theme referred to by a substantial proportion of respondents.

**Feedback on the consultation** was mentioned by one in ten (10%) respondents. It is good practice to feedback following consultation. It is recommended the Housing Service provide

participants involved in the consultation with details of the findings and what will change following consideration of the responses. A comprehensive list of organisations involved in the organisation are listed under 'Respondents' heading within the Introduction section.

**No tall buildings** (8%) and **ensuring amenities and infrastructure match** (7%) this growth are also seemingly important issues. In relation to the latter, during a meeting with the Over 50s Forum, they expressed a concern that it should be ensured that housing growth needs to be proportionate to services and transport infrastructure.

Theme	How have we addressed these views in the revised strategy?
No tall buildings	Some respondents to the consultation voiced concern around high-density developments and tall buildings. Our final strategy supports high-density development as a requirement for meeting our housing targets but commits to high-density development being of a high quality and in keeping with the surroundings.
Proportionate growth / amenities and infrastructure to match	<p>The consultation highlighted the importance of good communal facilities, green spaces and play facilities for residents. The prevalent view was that housing development must be delivered alongside proportionate transport and neighbourhood infrastructure. As a result, we have emphasised the need for good places as well as good homes in all priority areas of the strategy and will be prioritising place-making as a key part of the delivery of the strategy.</p> <p>We have also strengthened ambition four of the strategy, to deliver 'inclusive placemaking,' making more explicit commitments to infrastructure delivery, in particular transport infrastructure.</p>
Build more council housing	The consultation showed strong support for long-term council housing building. This supports our position in the strategy and strengthens our calls on Government to provide adequate funding to enable us to build council housing at the scale that is needed.

Maximise council assets / best use of land	The strategy now states our approach to maximising council assets through bringing empty homes into use. It has been revised to say that we will explore options for meanwhile housing for homeless residents, making the best use of our assets and land.
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**MUNICIPAL YEAR 2019/2020 REPORT NO. 167****MEETING TITLE AND DATE:**

**Cabinet Meeting**  
**22<sup>nd</sup> January 2020**

**REPORT OF:**

Executive Director of Place  
 Director of Housing and Regeneration  
 Joanne Drew  
 Email: [joanne.drew@enfield.gov.uk](mailto:joanne.drew@enfield.gov.uk)

**Agenda – Part: 1****Item: 7****Subject: Homelessness in Enfield (2)****Wards: All****Key Decision No: KD 5049**  
**PL19/124****Cabinet Members consulted: Cllr Needs & Cllr Maguire****1. EXECUTIVE SUMMARY**

- 1.1. In September 2019 Cabinet approved a strategy to address a 246% increase in homelessness over seven years. This report follows directly from this. It provides an update on the work carried out to date including the development of our new service model which provides a far greater focus on upstream prevention and early intervention. It outlines some measures against which we will judge the success of this work in future years.
- 1.2. Approval is also sought to move to the next stage in relation to our desire to increase the accessibility of the private rented sector for residents and reduce the need for temporary accommodation.
- 1.3. It also puts forward an innovative proposal, part funded by MHCLG to meet the needs of single homeless people through a joint partnership with the Single Homelessness Prevention Service. These residents are not in priority need for affordable housing but are particularly disadvantaged when it comes to finding suitable affordable housing in the private sector. This solution provides additional support on a payment by results basis.

**2. RECOMMENDATIONS**

Cabinet is recommended to:

- 2.1. Join Capital Letters as an 'A' member in Phase 2 (April 2020) subject to agreement of the terms of joining Capital Letters (the Members Agreement). This to be authorised by the Director of Law and Governance.
- 2.2. Nominate the Director of Housing and Regeneration to the Board of Capital Letters.
- 2.3. Nominate the Lead Member for Social Housing to the Borough Representative Body of Capital Letters.
- 2.4. Approve the phased mobilisation of Enfield Let commencing April 2020 as a trading division of Housing Gateway Ltd, subject to the approval of the Board of Housing Gateway to the viability of the Business Plan with authority delegated to the Leader in consultation with the Cabinet Member for Finance to agree the revised Housing Gateway Business Plan arising.
- 2.5. Delegate authority to the Executive Director of Place to join the Single Homelessness Prevention Service, subject to affordability within the agreed 2020/21 budget.
- 2.6. Note progress on the implementation of the Homelessness Prevention Strategy including the launch of the Homelessness Prevention Board

### 3. BACKGROUND

- 3.1. In December 2019 Cabinet agreed the Homelessness Prevention Strategy which has now been published on the website. The Homelessness Prevention Board has been convened with its first meeting in January and which will produce the annual action plan. A campaign in Enfield will also be launched to promote to residents how the homelessness service is changing and how residents can build their sustainability for housing.
- 3.2. In September 2019 Cabinet approved a strategy to address a 246% increase in homelessness per head of population over seven years. The key decisions approved in September were:
- a) Endorse the direction of travel outlined in the report to put greater emphasis on homelessness prevention.
  - b) Authorise the following actions prior to bringing back further reports to Cabinet:
    - Negotiate terms to join Capital Letters (the Pan London Housing procurement agency) to access Government funding for the procurement of private rented accommodation
    - Develop a business case for a lettings and property management agency
    - Delegate to the Director of Housing and Regeneration, after consultation with the Cabinet Member for Social Housing, to go to public consultation on a revised scheme of allocation for social housing
- 3.3. This report sets out progress to date since September and seeks approval to progress to the next stage.
- 3.4. The key principles that underpin the new service model are:
- Private Rented Sector as the solution
  - Clear communication and messaging with residents on their options
  - Prevention and support are better than relief
  - Temporary Accommodation should be genuinely temporary
  - Give residents informed choices
  - Focus on outcomes for residents
- 3.5. Extensive work has been carried out on the design of the future service based on demand analysis. We envisage four teams being established that will bring together the existing functions from across the homelessness and temporary accommodation service with an enhanced remit. The four teams are:
- Outreach – focusing on upstream prevention (including the Single Homeless Prevention Service) and using data to identify households at risk
  - Sustainable Housing – focusing on our statutory role in the prevention of homelessness
  - Market Shaping – focusing on our relationship with the private rented sector (including Enfield Let and Capital Letters)
  - Service Development – will combine data stewardship, staff training and development, and quality assurance systems
- 3.6. An overview of the proposed service is set out at Appendix A. The service will be geographically dispersed, with staff being located in those wards with the



highest levels of need. Discussions are continuing with the Build the Change team to establish an accommodation strategy for the service.

- 3.7. The aim is to transform our services to residents at risk of becoming homeless with the aim of preventing households from reaching crisis point. Where residents do become homeless, we want to ensure that they move into a permanent home quickly and preferably without spending time in temporary housing.
- 3.8. We also recognise that we have a nearly 3500 households already in temporary accommodation. We want to assist these residents to find a permanent home as quickly as possible. Changes to the allocations scheme will help to incentivise residents to move into the private rented sector and the new service will provide training and support for residents. Additional resources have been built into the new service in its early years to ensure that we are able to effectively support households already in temporary accommodation.
- 3.9. Our overall measures of success are set out in the Rough Sleeping and Homelessness Prevention Strategy and will be monitored by the Homelessness Prevention Board: *'We will know that our approach is working if we can evidence:*
- *An **increasing** number of households are prevented from becoming homeless*
  - *A **reducing** number of people become homeless*
  - *A **reducing** number of people experience 1) delayed discharge from hospital and 2) a delayed move from residential care/specialist housing due to the need for general needs accommodation*
  - *Households are spending a **decreasing** amount of time living in temporary accommodation'*
- 3.10. The proposals will be implemented in phases over the next year.
- 3.11. This paper now focuses on increasing the supply of private rented sector homes.

#### **4. TIMELINES**

- 4.1. The September Cabinet Report set out a bold plan to transform the Council's approach to homelessness. The scale of the challenge is huge and cuts across a variety of different services that are currently spread across different parts of the Council. Work has been progressing across each of the workstreams and this is set out later in this report.
- 4.2. The transformation programme is working towards a staged approach to implementation throughout 2020/21. In order to progress this Cabinet approval is being sought for joining Capital Letters, establishing Enfield Let as a trading arm of Housing Gateway Ltd, and delegated authority to join the Single Homelessness Prevention Service. A further report on the Allocations Scheme will be brought to Cabinet in April following public consultation.
- 4.3. This will enable a staged approach to the implementation and launch of the new service:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Capital Letters	Cabinet	Mobilisation		Launch					
Enfield Let	Cabinet	Consultation		Mobilisation		Launch			
New Service	Design		Consultation		Reflect	Mobilisation			Launch
Allocations	Consultation			Cabinet	Launch				
SHPS	Cabinet	Mobilisation		Launch					

## 5. SECURING ADDITIONAL PRIVATE SECTOR HOUSING OPTIONS

- 5.1. Our new homelessness model works on the basis that we more effectively prevent homelessness upstream. This relies in large part on the ability for residents to access and sustain private sector housing solutions. We are operating in a challenging housing market where 60% of the housing used to house homeless families is used by other Boroughs to meet their homelessness duties. This is something that we are seeking to change through collaboration with Boroughs and lobbying, for example for an increase in LHA levels allowing more residents to access housing in their home Boroughs.
- 5.2. In addition to these measures we have investigated options to bring about more PRS accommodation. The first is the Pan London Capital Letters initiative which is aiming to make strategic relationships with Landlords to procure large volumes of housing for the prevention of homelessness. Our participation in the strategic development of the company can help to ensure our aims of in-Borough housing are followed through. We can also access MHCLG funding.
- 5.3. Complementary to this initiative is our desire to establish a Lettings agency to procure PRS for letting on longer term tenancies to residents helping to increase the solutions we have to move tenants on from TA and discharge our homelessness duties.
- 5.4. The individual business case for each is outlined below.

## 6. CAPITAL LETTERS

- 6.1. Detailed negotiations have taken place with Capital Letters. Cabinet approval for joining the company is now being sought. Capital Letters is a pan London procurement company jointly owned by its members (all of whom are other London Boroughs). Its intention is to gain economies of scale in the procurement of private sector housing and reduce competition between councils. The project is part funded by the Ministry for Housing, Communities and Local Government. This is a key part of our new Homelessness model where we seek to minimise the need for crisis homelessness cases and time spent in temporary accommodation towards more stable private rented accommodation that can be accessed by residents.
- 6.2. The Capital Letters business plan estimates a financial benefit of the proposals to London Boroughs of up to £116m, plus potential savings on changing how placements are made and reduced repeat homelessness through tenancy sustainment. It will also build on the effective work through the Inter Borough Accommodation Agreement (IBAA). This agreement has led to reduced spending by preventing boroughs from outbidding each other in

securing private sector housing. Capital Letters will work within this system and provide further opportunities to rationalise and secure efficiencies in the procurement of accommodation for homeless households.

- 6.3. This is a new and untried venture. Whilst the outcomes are not guaranteed, we believe that not be part of this initiative and to benefit from the subsidy provided by MHCLG would be a lost opportunity. Being involved at an early stage, means that we can shape the agenda and help to ensure a strategic direction where Boroughs are looking to meet their own residents needs from within their own areas.
- 6.4. The cost of joining Capital Letters would be £163,000 (4 members of staff). This would either be through seconding existing staff to the Company or paid directly. The cost of joining is offset by the anticipated savings of £440,000 in year one and £330,000 in year two. The potential savings are set out below:

TA Budget	Proposed budget		Potential decrease
	Without Capital Letters	With Capital Letters	
2020/21	£4,017,920	£3,577,920	(10.95%)
2021/22	£3,182,920	£2,852,920	(10.37%)
Total	£7,200,840	£6,430,840	(10.69%)

6.5. **Membership Options**

- 6.6. There are two types of membership:

**‘A Member’** – this is where the local authority transfers a percentage of new procurement (all in respect of properties used for discharge of duty in London) to the company including an appropriate number of procurement staff. This will give the borough access to a slice of the £37.8m MHCLG grant funding. The current draft of the Articles of Association provides for the percentage to be 50%.

**‘B Member’** - this is where the local authority transfers some existing private sector leasing and other accommodation procurement to the company but retains 100% of their procurement staff (i.e. would not transfer any staff to the company). The borough will not have access to the MHCLG funding as a B member.

- 6.7. Capital Letters will be set up in several phases, so not all boroughs are required to join at once. Boroughs that do not join Capital Letters will still have properties procured by Capital Letters in their area but will not have access to them. London Councils have confirmed that Capital Letters will abide by the agreed IBAA rates (see 6.2). Given our relatively affordable housing market this makes us more exposed to further out of Borough placements.
- 6.8. MHCLG funding is to be used in the following three ways:
- Contribution to Private Sector Leases (PSL) – lease contribution £30pw per property for the life of the lease
  - Contribution to Private Rented Sector (PRS) placement incentive

- Central cost contribution (20%), e.g. for additional procurement staff, tenancy sustainment staff, IT and premises, this cost is to be advised (this has not been factored into our financial modelling)
- 6.9. Full members of Capital Letters will either second staff from their procurement teams or pay for additional staff to be recruited by Capital Letters. Seconding of staff will allow the existing skills, expertise, local knowledge and client relationships held by those officers to be absorbed into Capital Letters. The cost of seconded staff will be covered by the employing borough for the first 3 years. Seconded staff would be able to return to Enfield if the Council withdrew from the Company.
- 6.10. Seconded staff will be supplemented by approximately 20 additional staff employed directly by Capital Letters. It is anticipated that this will lead to 4,300 additional properties within Greater London being procured in the first three years.
- 6.11. Capital Letters has set a target that Boroughs will be allocated at least as many properties over the first year as were procured by the staff it seconds in the previous year, although they cannot guarantee this target. Any additional properties would be allocated to the participant boroughs in proportion to the staff resources they have contributed through secondment or funding of staff recruited directly by Capital Letters.
- 6.12. Subject to meeting borough minimum allocations, and fair distribution of additional properties, all properties should be allocated as close to host boroughs as possible, also taking in to account the provisions of the homelessness suitability order as they apply to individual households.
- 6.13. Capital Letters is a company limited by guarantee and is owned and managed by the boroughs that constitute limited liability members of the company. The liability is limited to £1. It is Teckal compliant.
- 6.14. Thirteen boroughs have joined the scheme to date. Membership of the company is governed by a Members Agreement.
- 6.15. Each member appoints a representative who attends and votes at members meetings on behalf of the member. If we were to join Capital Letters, it is proposed that the initial representative for the Council shall be a nominated Director, subject to the availability of spaces on the Board. The appointment of Council officers to external companies is subject to ratification by full Council. We therefore recommend that the Director of Housing and Regeneration is appointed.
- 6.16. There is also a Borough Representative Body for political appointees. It is proposed to nominate the Lead Member for Social Housing to the Representative Body.
- 6.17. The Articles provide that there will be a minimum of 3 directors and a maximum of 12. This is to ensure that the size of the board of directors is not unwieldy. Each authority who is an 'A' member of the company will have the right to appoint a director. If the number of 'A' members is more than 12 then the member authorities will agree a policy on who the directors will be. It is the intention that strategic decisions will be determined by the members. The exact split of responsibilities between strategic member decisions and directors' operational decisions is still to be worked out.

- 6.18. The Articles also provide that the percentage of new procurement by each 'A' member will be assessed annually to confirm that the target has been achieved by each authority. If an 'A' member has not achieved its percentage then the other 'A' members may remove that authority as an 'A' member.
- 6.19. Any member, whether an 'A' member or a 'B' member may give 6 months' notice to terminate their membership of the company.

## 7. APPRAISAL OF CAPITAL LETTERS PROPOSED SERVICE OFFER

7.1. Capital Letters service offer comprises of 4 main areas:

- a) Procurement of PRS accommodation
- b) Procurement of leased accommodation
- c) Rent collection
- d) Full property management

7.2. For service offers (a) and (b) the MHCLG intend to put forward funding to assist with costs, however there is still a cost to the council as it is expected that a contribution will be made to Capital Letters for each service offer area. As you will see from Chart 1 below contained in the Capital Letters Business plan, the funding from MHCLG reduces over a 3-year period, with the council's contribution increasing over the same period:

	Year 0	Year 1	Year 2	Year 3
<b>INCOME INPUTS</b>				
PRS placement incentive - per unit (MHCG)	£2,000	£1,400	£1,050	£750
PRS placement incentive - per unit (borough)	£1,500	£2,100	£2,450	£2,750
MHCLG contribution to PSL - per unit per week	£30	£30	£15	£10
Borough contribution to PSL - per unit per week	£30	£30	£30	£30
Rent Collection fee - per unit per week	£30	£30	£30	£30
Management fee - per unit per week	£43	£42	£41	£41

- 7.3. Based on current procurement activity we would expect in the region of 419 lettings to be generated from a team of four Property Negotiators. This is expected to generate a cost saving of £440k for year 1 (Year 2 CL) in financial incentive costs, and £314k in year 2 (Year 3 CL). There will also be further savings generated in relation to moving households from cost nightly let accommodation. This does not take into account staff resourcing costs of £163k per annum.
- 7.4. On this basis it is proposed that the Council utilise the company to procure private rented property. It is not our intention to procure leased property or to take the option of utilising the company's weekly charged rent collection (£30), management services (£43), and borough contribution (£30) which appear to be expensive (£103).
- 7.5. Membership can be reviewed annually and terminated with six months notice.

## 8. ENFIELD LET

8.1. A detailed business plan has been developed for the establishment of a lettings agency. The aim of Enfield Let is to help to develop a quality Private Rented Sector offer, ensuring that it is an attractive choice for landlords and that private rented housing contributes in reducing the Council's homeless duties by increasing the housing choices of residents.

- 8.2. This complements the Capital Letters initiative by enabling the Council to deliver its own offer in the market and the proposed landlord licensing scheme by helping to create a high quality private rented sector.
- 8.3. Enfield Let will focus on securing properties from private landlords. It would operate under the umbrella of Housing Gateway Ltd which is a company wholly owned by the Council. The intention is to transfer properties currently leased as temporary accommodation by the Council to Housing Gateway. Residents could then be offered a long-term tenancy rather than being in temporary accommodation, helping to reduce the number of residents in temporary accommodation. This also generates an income stream from day one providing a strong financial rationale for its implementation independent of its success in securing management responsibility for private landlords.
- 8.4. To attract and secure private landlord properties for rent, Enfield Let may have to provide additional services and financial incentives to make lettings to nominated tenants a viable option. It is proposed that these could include floating support for tenants (that would also act as a point of contact for landlords), guaranteed rents, repairs and maintenance, and a fully-managed service with boiler servicing. It is possible that additional financial incentives may also be required given the strength of competition in the market.
- 8.5. Enfield Let would also incorporate the existing Homefinder Service. This service matches prospective tenants with private sector landlords and offers help with deposits and rent in advance to ensure that residents can access the private rented sector.
- 8.6. **Enfield Let Business Case**
- 8.7. Enfield Let would operate under the umbrella of Housing Gateway Ltd (HGL) to enable Assured Shorthold Tenancies to be offered. The company is owned by the Council and holds a portfolio of properties. Services are delivered by Council staff under a service level agreement and HGL does not directly employ any staff. Enfield Let will operate on the same basis, with services being delivered by Council staff.
- 8.8. Enfield Let will manage lettings to private-sector renters, at a combination of market rates, mid-market, and Local Housing Allowance rates (LHA). Four rental options have been considered as outlined below.
- Market rent
  - Market and Intermediate rent
  - Market, Intermediate, and LHA rent
  - Intermediate and LHA rent
- 8.9. Intermediate rent covers rents between social and market rent levels.
- 8.10. The financial modelling is based on a 5-year forecast and makes assumptions around the number of properties we propose to procure and transfer from the temporary accommodation portfolio (Private Sector Leasing – PSL). Our aim is to transfer 200 properties from the portfolio initially, followed by 50 properties per annum as they become vacant. We also aim to procure 70 new properties per annum for full management via the letting agency.
- 8.11. We have modelled the impact of different rent levels on the business plan. The four rental options and total properties in management after 5 years are detailed in the chart below:

	<b>Rent Level</b>	<b>LHA Rent</b>	<b>Intermediate Rent</b>	<b>Market Rent</b>	<b>Total Properties Y1</b>	<b>Total Properties Y5</b>
1	Market	N/A	N/A	70 pa	70	350
2	Market/Intermediate	N/A	35 pa (new units) 50 pa (PSL)	35 pa	120	600
3	Market/Intermediate/LHA	200 at transfer	35 pa (new units) 50 pa (PSL)	35 pa	320	800
4	Intermediate/LHA	200 at transfer	70 pa (new units) 50 pa (PSL)	N/A	320	800

8.12. Whilst there are costs associated with the running of a lettings agency, the financial modelling carried out shows a significant benefit to the council in savings against current costs. It is envisaged that a portion of the total council saving would need to be paid towards the letting agency by the council in the form of a management fee.

8.13. The financial benefits and break-even points are created by:

- Charging the council a fee of 10% of total rent for services provided in order for the letting agency to breakeven
- Reducing the number of households in TA (for social lettings options)
- Ensuring a minimum number of properties transferred (assumed at 200) for HGL to manage (options 2 to 4)
- Charging an intermediate rent – a stepping stone between LHA rates and market rates (options 2 to 4)

8.14. The existing portfolio of temporary accommodation is let at LHA rates. This means that unless there is a mixed portfolio the service will not break even and continue to need subsidy from the Council. The table below sets out the break-even and cumulative benefit to the council for the 4 rent level options:

	<b>Rent level</b>	<b>Total no. of Properties @ Y5</b>	<b>Year 1 Saving to General Fund</b>	<b>Year 1 saving as a % of TA Budget</b>	<b>5-year Cumulative Saving to General Fund</b>
1	Market	350	£228k	3.93%	£625k
2	Market/Intermediate	600	(£28k)	(0.48%)	(£2.18m)
3	Market/Intermediate/LHA	800	(£397k)	(6.85%)	(£4.51m)
4	Intermediate/LHA	800	(£378k)	(6.52%)	(£4.04m)

8.15. It is therefore recommended that Enfield Let is established with a mixed portfolio. It is envisaged that the management fee payable by the Council will be reduced as the letting agency becomes more profitable, increasing the saving to the Council (over the figures shown above).

8.16. It is imperative that Enfield Lets blends with Housing Gateways overall financial model, ensuring that whilst being as tax efficient as possible, there is not undue pressure on cash flows. The current business case assumes that

amendments can be made to the financial model to ensure it is viable for Housing Gateway. Modelling is being undertaken and early indications are that the model will be viable via the use of either / or working capital and a management fee. Approval of the financial model will be subject to Housing Gateway's governance process

- 8.17. Additional services including training and support will be offered to residents to enable them to maximise their opportunities for housing, as part of our wider offer to households at risk of becoming homeless.

## 9. **ALLOCATIONS SCHEME**

- 9.1. A new allocations scheme has been developed. This was originally planned to be presented to Cabinet in February 2020 for approval following a three-month statutory consultation. However, due to the general election this has been reprogrammed. The revised draft scheme will now be brought to Cabinet in April 2020 and the public consultation started on 16 December 2019.

## 10. **SINGLE HOMELESSNESS PREVENTION SERVICE**

- 10.1. The Housing Strategy highlights a potential affordability issue for single residents who are over 35 for new Council homes (although there are few residents with a priority need) and single people who are under 35 years old who have additional restrictions on their private sector housing costs (they are only eligible for shared accommodation rates through the benefit system). This means that there are few genuinely affordable housing options open to them.
- 10.2. Our homelessness service placed 423 single people into temporary accommodation pending a full assessment in 2018/19. This probably understates the potential demand as for the majority of single people there is no duty for us to house them and so they are unlikely to approach the Council for help.
- 10.3. In the September Cabinet Report, we made reference to the SHPS. This is a payment for outcomes programme aiming to prevent and relieve homelessness for single people. It has been set up by the North London Housing Partnership (a collaboration between five London Boroughs including Enfield). This would provide a housing pathway for single people in housing crisis, addressing the need identified in the Housing Strategy.
- 10.4. SHPS is the first outcomes-based Homelessness Prevention service in the world designed to align to the additional duties on Local Authorities under the Homelessness Reduction Act.
- 10.5. The model is based on payment by results and is part funded by the Ministry for Housing Communities and Local Government. Payments are triggered at three different stages:
- Accepting a referral
  - Placing someone in accommodation or preventing their homelessness
  - Sustaining a tenancy for eight months
- 10.6. SHPS will run for four years. Based on 500 referrals per year the cost of the scheme would be £1,097,450 over the four years. No referrals would be possible after year three and the service would be focused on existing cases in its final year. Services would be fully integrated with the Council's wider offering meaning that this would be seen as a Council service. The core



difference is that the Ministry for Housing Communities and Local Government effectively provide 35% of the funding for the project.

- 10.7. SHPS will work with single people and couples without children and who would not be deemed to be in priority need. Our current service does not include any provision for these households beyond limited advice and assistance as we do not have a statutory duty to provide accommodation for them. As a borough, Enfield has very few resources available for single homeless people. SHPS therefore offers an attractive way forwards that would help to alleviate homelessness in the borough.
- 10.8. The financial benefits of joining SHPS are that the service would assist us in reducing the numbers of households in temporary accommodation both through reducing the numbers of people moving into temporary accommodation and moving existing temporary tenants on into permanent accommodation. Our service placed 423 single people into temporary accommodation last year, pending a decision. These households could in future be referred to SHPS.
- 10.9. However, the most compelling argument is simply that this is the right thing to do. It meets a need that the Council is committed to addressing and provides a housing solution for a group of people that are effectively excluded from other routes into housing. Officers are committed to finding a way forwards to fund the project but recognise that this needs to be done within existing funding constraints and without this impacting on our statutory services.
- 10.10. Approval is being sought for delegated authority to decide whether to join the scheme in the light of the finalised budgets for Homelessness being brought to Cabinet in February.

## 11. **ALTERNATIVE OPTIONS CONSIDERED**

### 11.1. **Capital Letters and Enfield Let**

- 11.1.1. The Council could join the Capital Letters as a B member. This would still enable the Council to receive services from Capital Letters but would mean that the Council has less influence over the strategic direction of the company. It also means that we would not have access to MHCLG subsidy for newly procured properties. This would be of additional cost to the council.
- 11.1.2. The Council could increase its commitment to Capital Letters by transferring all its leased stock to the Company and abandon plans for a lettings agency. This would mean that all of our temporary accommodation was provided by a single supplier. This option was felt to be high risk as the Capital Letters is a new agency.
- 11.1.3. The Council could decide not to join Capital Letters and increase the investment to Enfield Let. This option would mean that the Council had no influence of the future direction of the Company. It would also mean that Enfield Let and Capital Letters would be in direct competition with each other as Capital Letters would still procure properties in the borough.

### 11.2. **Single Homelessness Prevention Service**

- 11.2.1. The Council could decide to join the Service on the basis that the moral arguments for joining the scheme outweigh the subsidised financial cost. This could result in reduced resources for our statutory service in order to achieve a balanced budget.

11.2.2. The Council could decide to reject the proposal outright on the basis that this is beyond our statutory duty. This could result in a failure to reduce costs in other areas including the need for supported housing and specialist services.

### 11.3. REASONS FOR RECOMMENDATIONS

11.3.1. The human cost of homelessness and households spending years in temporary accommodation is enormous. At the same time the financial cost to the council of an ever-increasing number of households in temporary accommodation is growing. The proposals outlined above are part of our wider homelessness prevention strategy and aim to reduce the number of people becoming homeless and provide solutions for those who do lose their home.

11.3.2. The council are set to benefit from joining Capital Letters using MHCLG funding and this should assist us in reducing the temporary accommodation budget pressure.

11.3.3. By working with other boroughs, we will minimise competition for properties and improve the opportunity to house residents closer to the borough.

### 12. COMMENTS FROM OTHER DEPARTMENTS

#### 12.1. Financial Implications

#### 12.2. New Service Model

12.2.1. The proposed new service structure for Temporary Accommodation (TA) and Homelessness will focus heavily on early prevention in a bid to drive down homelessness in the borough. If successful, this is expected to vastly reduce homelessness in Enfield in the next 5 years by an estimated ~2,500 people.

12.2.2. The new service structure and forecast numbers of households in TA have been modelled into the TA Business Plan and is shown to be affordable taking into consideration the current resources available and expectations that are reflected in the Medium Term Financial Plan (MTFP) and further savings proposals for 2020/21, 2021/22 and 2022/23 that will only be taken forward if agreed in the Budget Report for 2020/21. However, it should be noted that although affordable there is only minimal headroom in the first 2 years (2020/21 and 2021/22) as shown in the table below.

	2020/21	2021/22	2022/23	2023/24	2024/25
Income	45,476.94	31,850.50	24,785.88	21,652.57	19,649.36
Expenditure	50,143.67	35,711.16	27,836.72	24,973.58	23,473.61
Net cost of services	4,666.73	3,860.67	3,050.84	3,321.01	3,824.25
General Fund resources	4,852.16	4,016.16	3,891.16	3,891.16	3,891.16
Surplus/(Deficit)	185.43	155.49	840.32	570.15	66.91

12.2.3. The new service model and TA business plan are based on the following main assumptions:

- All agreed and proposed new savings totalling £1.8m are fully delivered in 2019/20.

- Future agreed and proposed savings totalling £0.836m for 2020/21 are also delivered in full.
- The Flexible Homelessness Support Grant (FHSG) continues for the next 5 years, decreasing by 10% each year. The exact value of the grant for 2020/21 has yet to be quantified but it has been confirmed that it will be at least the value received in 2019/20 and with additional funding being stated in the Government Spending review for Homelessness and Rough Sleeping there is a possibility that this may increase. A prudent approach has been taken in the model in that the existing level of grant has been assumed for 2020/21.
- A 1% inflationary increase has been assumed on salaries and it should be noted that this has been provided for corporately in the proposed pay award and inflation uplifts for the 5 years of the MTFs.
- The proposals to create Enfield Let and join Capital Letters are approved and deliver the estimated savings required.
- No increase in rents or rates.

12.2.4. There are several risks which could affect the viability of the service structure and these are as follows:

- The Government recently announced the Flexible Homelessness Support Grant and Homelessness Reduction grant for 2020/21 and this results in an additional £0.730m of funding for the Council's homelessness services. This increase in grant provides a greater level of assurance that the risks identified in this report can be mitigated should they materialise. However, there is still no certainty beyond 2020/21 regarding the grant funding and this could be reduced by more than 10% per annum or ceased completely. In this scenario the Council may be left with a structure which it could no longer afford to run.
- The service may struggle to cope with any unexpected costs in the first 2 years of the new structure due to only having a small amount of headroom. This could be neutralised to a degree by using some previously earmarked reserves for dilapidations works which are no longer required.
- Any increase in demand for homelessness services or a slowdown in tenants exiting TA would be likely to increase the number of residents in temporary accommodation and lead to greater costs.
- A budget of £1.400m has been allocated for Incentives which is approximately the same amount as this year, however it is possible a greater number of people could be moved into the Private Rented Sector (PRS) triggering an increase in incentives.
- The business plan assumes the savings agreed and proposed in the MTFs are fully delivered and should these not be achieved it is likely the plan would be unaffordable without mitigations actions or alternative savings delivered which would lead to an increase in resources from the General Fund.
- Should Capital Letters not generate the expected amount of properties for use by Enfield or Enfield Let take less units than currently anticipated it is

likely a greater number of tenants than expected would be left in TA. This would result in a higher cost to the Council.

- Should the number of units in TA be significantly higher than projected in April 2020 it will immediately cause an overspend. As a guide, 100 units has an approximate equivalent cost to the Council of £0.230m.
- No increase in either rates or rents has been factored into this modelling. In theory the reduced need for Temporary Accommodation could mean the Council can cherry pick accommodation at the best rates more easily in future but there is an inherent risk of property rates rising which will put more strain on the business plan. The Council could look to raise rents at some point in the future, both to raise additional income and to dissuade people from thinking of Temporary Accommodation as a cheap means of accommodation in Enfield compared to the Private Rented Sector.

12.2.5. However, despite all the risks around the new service model it is favourable compared to the business as usual model which is forecast to see a continued growth in the number of people housed in Temporary Accommodation and therefore an increasing pressure on the General Fund. Many of the risks would be more severe in the current structure and in the long term these are largely reduced in the new way of working with less residents being housed in TA and a more strategic use of the PRS and external partners.

### 12.3. **Capital Letters**

12.3.1. Joining Capital Letters (CL) will enable the Council to reduce expenditure on incentives for the next two years by circa £750k due to the MCHLG contribution to each let made through CL.

12.3.2. Enfield will also need to pay for up to four members of staff to join CL on a temporary basis which should generate approximately 419 lets over a 12 month period.

12.3.3. This creates a risk to the expected savings as should those staff not procure sufficient properties Enfield may be forced to take on more staff internally to procure additional lets.

12.3.4. After two years the MHCLG payments for incentives will stop and it is up to CL to create a business model that is attractive to Boroughs. Without this there is little point in remaining in CL beyond that time frame as it will become a net cost rather than a net saving to the Council.

12.3.5. Enfield should consider seeking to mitigate the risk of CL not delivering the expected unit numbers by exiting early if CL procurement of units is below expectations.

12.3.6. As shown in table 6.4 (above) the gross saving from joining CL is over 10% annually for both years which drops to roughly 5% annually should Enfield need to replace the staff temporarily transferred to CL.

### 12.4. **Enfield Let**

12.4.1. Creating Enfield Let (EL) will bring large financial benefits to the Council which will enable the revenue budget to be reduced year on year.

12.4.2. An initial cohort of tenanted PSL properties will be transferred from the Council in the first instance and more will follow each year as they become void. In

addition, EL will actively seek new properties from the open market to supplement their stock.

- 12.4.3. EL will be able to charge higher rents than the Council which will enable them to take over staff, repair and void costs in relation to the properties being transferred. While the Council is limited to charging tenants subsidy rate for property rental, the lettings agency will charge LHA rate, an Intermediate rent and Market rent as appropriate in order to maximise income.
- 12.4.4. Moving tenants into Enfield Let will also reduce the number of people in TA which reflects positively on Enfield in a social sense as well as a financial one.
- 12.4.5. Enfield can expect to see net GF budget savings of up to £2.2m over five years from the introduction of EL which is inclusive of a management fee payment to support the company in the early years. However, should any additional financial incentives be required (as mentioned in 7.4 above) these will reduce the projected five year saving by the equivalent additional incentive amount.
- 12.4.6. It should be noted that company taxation has not been factored into the modelling at this stage but will be for future iterations.

## 12.5. **Single Homelessness Prevention Service**

- 12.5.1. Detailed financial imps will be written should a decision to join the SHPS scheme be made, it is currently estimated to cost circa £1m over four years. This report does not commit the Council to this level of expenditure and will only proceed if it is deemed affordable.

## 12.6. **Summary**

- 12.6.1. The impact of joining Capital Letters and establishing Enfield Let has not been factored into the MTFP and therefore any savings derived from this are over and above the commitments already made. These savings will be taken into consideration alongside the impact of the future service model to ensure that the overall cost is within the budget provision in the MTFP, noting that there are existing and proposed savings expectations that reduce the budget for 2020/21 and 2021/22 and subject to the continued availability of the Flexible Homelessness Support Grant (FHSG) beyond 2020/21. Should the FHSG discontinue or reduce significantly then the overall strategy will need to be reviewed.

## 13. **Legal Implications**

### 13.1. **New Service Model**

- 13.1.1. The Homelessness Reduction Act 2017 made wide ranging changes to existing homelessness legislation. Prevention and Relief duties are at the forefront of the changes. A focus on prevention as set out in this report and the successful or effective prevention of homelessness is in accordance with such statutory duties and the Council's overall aims as set out in its housing and preventing homelessness and rough sleeping strategies.
- 13.1.2. Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of their functions. Furthermore, the Council has a general power of competence under section 1(1) of the Localism Act 2011 to do anything that

individuals may do, provided it is not prohibited by legislation and subject to Public Law principles.

### 13.2. **Capital Letters**

- 13.2.1. Capital Letters is a private company limited by guarantee, owned and managed by London local authorities who constitute limited liability members. The liability of each member is limited to £1. The members' agreement contains a provision for a member to cease to be a party to the members agreement by giving 6 months' written notice to the other members and Capital Letters. The Council will need to be organised and forward plan when the Council would like to exit from the arrangement and ensure that the formal requirements of serving the required notice are complied. This is especially in light of the financial implications set out above under 7.2 that MHCLG funding will cease after two years.
- 13.2.2. Capital Letters will provide services to the Council. The provision of such services is procurement activity subject to competition in accordance with The Public Contracts Regulations 2015 (the "**Regulations**"). Capital Letters has been described as a Teckal company. Under Regulation 12(4) of the Regulations 2015, a contracting authority may award a contract to any person without undertaking a competitive process where:
- (a) the contracting authority exercises jointly with other contracting authorities a control over that legal person which is similar to that which they exercise over their own departments;
  - (b) more than 80% of the activities of that legal person are carried out in the performance of tasks entrusted to it by the controlling contracting authorities or by other legal persons controlled by the same contracting authorities. Continuous monitoring of the company's activities will be required to ensure that that this threshold is maintained; and
  - (c) there is no direct private capital participation in the controlled legal person with the exception of non-controlling and non-blocking forms of private capital participation required by national legislative provisions, in conformity with the Treaties, which do not exert a decisive influence on the controlled legal person.
- 13.2.3. It is proposed that the Council becomes an 'A' member of the company. This requires the Council to agree that at least 50% of the total number of dwellings that it procures for use as temporary accommodation (excluding nightly lets or properties outside of the London area) are obtained through the company (paragraph 1.5 of the Articles of Association). The Council will therefore need to be confident that sufficient units to meet the Council's demand are made available by the company. Any legal agreements entered into must protect the Council's assets and minimise its exposure to risk of insufficient accommodation.
- 13.2.4. When the Director of Housing and Regeneration ('the Director') serves on the Board of Capital Letters the Director needs to be mindful of any perceived or actual conflicts of interest between their role on the Capital Letters Board and their role as a Director of the Council. When the Director acts on the Capital Letters board the Director must serve in the best interests of Capital Letters and when the Director acts as a Director of the Council the Director must serve in the best interest of the Council.

### 13.3. **Single Homelessness Prevention Service**

13.3.1. It is considered that the Council has the necessary powers to join the SHPS Partnership. Further legal advice should be sought when more information is known about the proposals.

13.3.2. A subsequent decision to join SHPS will be a Key Decision if it involves expenditure/savings of £250,000 or above or has significant impact on the local community in one or more wards.

### 14. **KEY RISKS**

14.1. Capital Letters cannot provide the PRS and leasing target units stated in the business plan. This will lead to additional pressures on the council's procurement team to procure the units required to meet current demand. If we are not resourced to procure the required units, this may lead to an increase in the use of nightly let accommodation.

14.2. From a pricing perspective there is a risk that to be competitive Capital Letters may increase their offer to the market which may lead to inflation of our local market pricing. However, we are assured that Capital Letters will keep to local agreed rates – Inter Borough Accommodation Agreement (IBAA).

14.3. A business plan has been prepared for the company which has ambitious plans to build up to managing 5,000 properties by the end of year 3 with turnover in year 3 of £238m. The business plan shows a small surplus in each quarter totalling £2.8m over the first 3 years. In year 4 when government funding ends there is £2.3m deficit for which funding has yet to be confirmed.

14.4. There are significant risks in setting up so large a company so quickly. Government funding is not certain but is conditional on the number of boroughs joining. The company business plan is considerably dependant on income from rent collection and management fees. However, as the company is limited by guarantee and, as set out in paragraph 6.13, the Council's liability is limited to its guarantee of £1, London Councils and their legal advisors have made assurances that there is no financial risk if the company incurs losses or has to be wound up.

### 15. **IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

#### 15.1. **Good homes in well-connected neighbourhoods**

In seeking to drive up the quality and availability of properties in the private rented sector, the proposal will increase the number and quality of homes available to low income households in the borough.

#### 15.2. **Sustain strong and healthy communities**

Poor quality housing and homelessness have been identified as key factors in health inequality. Through reducing the number of households reaching crisis point and increasing the supply and quality of rented homes we will help to reduce the impact of homelessness and poor housing on the health and wellbeing of our residents.

#### 15.3. **Build our local economy to create a thriving place**

The proposals aim to ensure a thriving, high quality private rented sector that is accessible to low income households. By acting proactively to engage with and support landlords we aim to increase the supply of rented homes.

Through the creation of a landlord licensing scheme we will ensure that these homes are well maintained and good quality.

**15.4. EQUALITIES IMPACT IMPLICATIONS**

This report seeks approval to progress with key elements of the strategy presented in September and outlines the Council's proposed approach to the prevention of homelessness and the elimination of the use temporary accommodation. In doing so the proposals should have a positive impact on all residents in the borough. Full Impact Assessments are being developed for each of the elements of the strategy.

**15.5. PERFORMANCE AND DATA IMPLICATIONS**

This report outlines the Council's proposed approach to the prevention of homelessness and the elimination of the use temporary accommodation. A full analysis of the potential impact on data will be carried out once the proposals have been fully developed. Data on residents will be a key part of our prevention work to enable the Council to identify at risk households. The future proposals will therefore incorporate our data protection obligations and statutory duties.

**15.6. PUBLIC HEALTH IMPLICATIONS**

Poor quality housing and homelessness have been identified as key factors in health inequality. Through reducing the number of households reaching crisis point and increasing the supply and quality of rented homes we will help to reduce the impact of homelessness and poor housing on the health and wellbeing of our residents.

**16. HR Implications**

**16.1. New Service Model**

16.1.1. The proposed four strand service model under the Preventing Homelessness Strategy reflects a significantly changed focus for the service.

16.1.2. Although the current structure and the proposed structure have a similar FTE headcount it is likely, given the change in focus, that there will need to be a review of job descriptions and the skillset of the existing workforce.

16.1.3. In the event that there are changes to job description and / or job grades the Principles of Managing Reorganisations will be followed including full consultation with trade unions and staff.

16.1.4. The implications for our current employees include being placed at risk of redundancy; having to apply for new roles within the new structure; possibility of redundancy.

16.1.5. Consideration needs to be given to both the financial costs of redundancy, including potential pension on costs and the impact on employees from a wellbeing perspective.

**16.2. Capital Letters**

16.2.1. The report indicates that we will be supporting Capital Letters by providing the cost of additional staff and not transferring or seconding our employees directly to them.



16.2.2. Based on the above there are no immediate implications for our current employees as they will continue in their current role working with Capital Letters as they would with any external provider.

**16.3. Enfield Let**

16.3.1. The report and business case outline several different options which may have different implications for employees.

16.3.2. Should new roles be required then new job descriptions will need to be written and evaluated and recruited to accordance with LBE guidelines.

16.3.3. Should Enfield Let be set up as part of the HGL team then existing resources will be allocated to support the service as necessary.

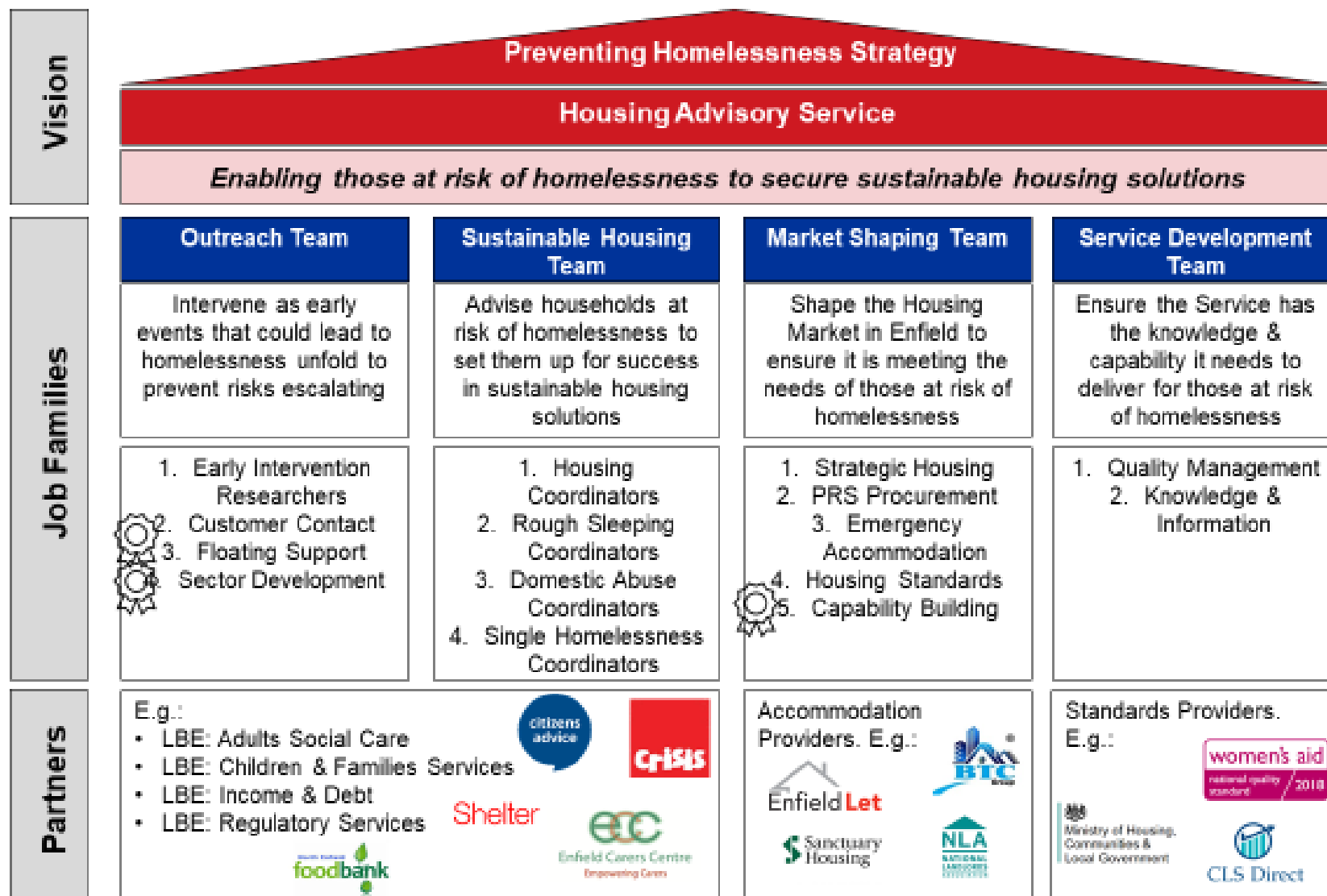
**16.4. Single Homelessness Prevention Service:**

16.4.1. There are no HR implications in the funding for this service as described in the report.

**Background Papers**

New Service Model overview

# The Service Model



# Service Benefits and Costs

**Benefits**

**Benefits to Households**

- Household resilience enhanced underpinned by an asset based approach that focusses on sustainable housing outcomes
- Reduced Household stress and anxiety as better equipped to sustain existing or new tenancies
- At risk Households experience a dedicated Sustainable Housing Officer until a Housing resolution found
- Tenants more effectively matched to sustainable housing solutions with Temporary Accommodation defined as a six month maximum

**Benefits to Landlords**

- Influenced toward longer-term provision (out of nightly paid) whilst engendering their financial interests
- Clearer point of access to the Council for escalation of tenant queries and issues
- Reduced likelihood of damage or issues to Property

**Benefits to Partners**

- Homelessness prevention a shared issue across Council and Partners with reciprocal impacts noted
- Working with a Council who play a more active role to intervene, shape and empower national and local partners, networks and forums

**Benefits to Council**

- Higher rate of positive Prevention outcomes for Households & reduced spend on TA
- Homelessness recognised as a Council wide issue requiring enhanced cross Council working

**Costs**

**Staff Costs**

The delivery of the new service will require an increased staffing establishment, to be offset by changes in the TA cohort;

**Spend (£m) and FTEs (No) for Operating Models**

Category	Target	Current
Early Intervention	£1.5m	0
Sustainable Housing	£2.5m	£2.2m
Market management	£1.0m	£1.8m
Service Development	£0.2m	0
Leadership	£0.3m	0
<b>Total</b>	<b>£5.5m</b>	<b>£4.0m</b>

**FTEs :-**

Category	Target	Current
Early Intervention (EI)	34	0
Sustainable Housing (SH)	47	69
Market management (MM)	28	43
Service Development (SD)	5	0
Leadership (L)	1	0
<b>Total</b>	<b>113</b>	<b>112</b>

**Temporary Accommodation Costs**

Model in development; validating assumptions of;

**Cost Assumptions**

- Capital Letters
- Enfield Lets
- Demand Changes due to new Service Model

**Income Assumptions**

- Flexible Homelessness Grant
- Other sources; HRA, IHM etc.

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**MUNICIPAL YEAR 2019/2020 REPORT NO. 168**

**MEETING TITLE AND DATE:**Cabinet 22<sup>nd</sup> January 2020**REPORT OF:**

Executive Director Place

Agenda – Part: 1

Item: 8

**Subject: Meridian Water PRS Site Acquisition****Wards: Upper Edmonton****Key Decision Number: KD4945****Cabinet Member consulted: Cllr Nesil Caliskan**

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**1. EXECUTIVE SUMMARY**

- 1.1. The first phase of the Meridian Water scheme will facilitate the build of at least 725 residential units on Willoughby Lane. Galliford Try has been selected as developer for this phase and construction works are intended to start in 2020.
- 1.2. A Pressure Reduction Station (PRS) for an intermediate pressure gas main supply is housed on a prominent developable area of the Willoughby Lane site of approximately 0.88 acres under the freehold tenure of National Grid PLC trading as Cadent.
- 1.3. It is a condition of the Development Agreement to be entered into between the Council and GTP that the PRS is relocated to enable the development of the scheme, and the relocation of the underground gas mains are also required.
- 1.4. Acquiring the PRS site would bring into Council control land that has the potential to accommodate 137 residential units.
- 1.5. This report is seeking authority (i) to acquire the current PRS from Cadent and (ii) to transfer to Cadent of a small parcel of existing Council land on which Cadent will construct a new PRS and then grant by the Council to Cadent of ancillary rights in relation to the transferred land.
- 1.6. While it would be practically possible for the relocation to take place without the land swap, not acquiring the PRS site would mean the Council forgoing the opportunity to complete land assembly in Zone 1 at best consideration price as is currently being offered. This report sets out why it is recommended that the Council undertake this land swap and acquire the former PRS site at this time.

## **2. RECOMMENDATIONS**

It is recommended that Cabinet approves:

- 2.1. The acquisition by the Council of the 0.88-acre plot of land which currently houses the Pressure Reduction Station site for the figures set out in the Confidential Schedule.
- 2.2. The disposal by the Council of the 0.07-acre plot of land to the north of Willoughby Lane for the construction and maintenance of a new Pressure Reduction Station facility for the figures set out in the Confidential Schedule.
- 2.3. The granting of a 3-metre exclusion zone surrounding the boundary of the land to be transferred together with suitable access rights over land to Albany Road.
- 2.4. The granting of a building licence to Cadent required for the construction of the new Pressure Reduction Station
- 2.5. Delegation to the Director of Meridian Water in consultation with the Acting Executive Director of Resources to approve entering into the land swap agreement subject to a review of the overall financial position of the deal following the receipt of the C4 estimate for the new PRS station.
- 2.6. Delegation to the Director of Law and Governance to complete all necessary documents to formalise the sale and purchase of land and the grant of a building licence on the basis of the Heads of Terms attached to the Confidential Schedule.
- 2.7. Delegation to the Director of Meridian Water to approve remediation and enabling works on the PRS site for the figures set out in the Confidential Schedule.
- 2.8. Note the intention to market the Pressure Reduction Station site for a meanwhile use and enter into a lease subject to compliance with the Property Procedure Rules.

### **3.1. Introduction**

- 3.1.1. Enfield Council's Flagship Regeneration Programme, Meridian Water, will facilitate the delivery of a neighbourhood in upper Edmonton consisting of approximately 10,000 homes, retail and employment spaces, community and leisure spaces and public realm. Galliford Try has been selected as developer for phase one of the project unlocking the delivery of at least 725 homes within the Willoughby Lane site; for which construction works are intended to start in 2020.
- 3.1.2. The 0.88 acres Pressure Reduction Station (PRS) owned by Cadent Gas Limited is situated within the Willoughby Lane site but sits outside the redline for Meridian One that will be transferred to Galliford Try under the terms of the Developer Agreement. The aerial image below shows the site location of the existing PRS, and the red line of the area the Council would acquire through this land swap. It also shows the blue oval structure of the new PRS in the northern corner of the site,

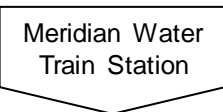
the footprint of which would be transferred to Cadent as part of this agreement.

- 3.1.3 There are two reasons for proceeding with this acquisition agreement at this time. The first is that agreement locks in a mechanism whereby the former gas infrastructure is relocated, thereby removing the residual site constraints for development of Meridian One, including a contractual commitment in the Development Agreement. The second is that the PRS site itself can be incorporated into the Council's regeneration plans and brought forward for future residential



development.

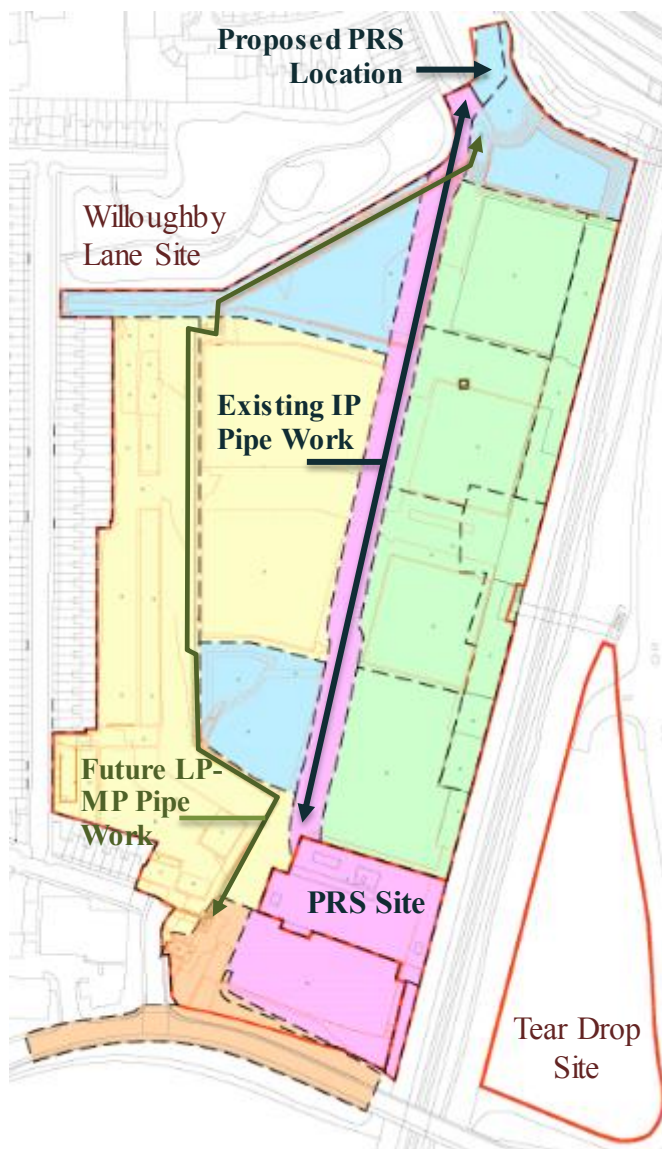
### 3.2 Unlocking Meridian One



- 3.2.1 The proposed agreement with Cadent makes the Land Swap conditional on re-routing the gas main that current runs through the centre of the site and on the delivery of a new PRS facility (at the Council's cost) and the removal of above ground infrastructure on the current PRS site (at Cadent's cost). Structuring the deal in this way secures for Cadent an operational PRS before the existing one is decommissioned and secures for the Council a cleared site before the completion payment is made. All these works have to be undertaken by Cadent, which owns and manages and is responsible for delivering all works to the gas network in North London.

- 3.2.2 The image on the next page highlights the obstruction to the Meridian One site caused by the Intermediate Pressure (IP) main and shows the route of the diverted Low Pressure-Medium Pressure (LP-MP) main.

3.2.3 The IP Main pipework represented by the pink line through the Willoughby Lane site will need removal in order to complete remediation and prepare the site for the Meridian One development as building works cannot take place over the pipework or easement. The pipework can only be removed once the new PRS has been built at the northern end of the site and is operational. Planning permission for the new PRS was secured subject to conditions on 26<sup>th</sup> March 2018 (planning reference 17/05006/RE4), with work commencing in spring next year (see timetable below).



3.2.4 Completion of the Land Swap agreement is conditional on the removal and dismantling of all site infrastructure on the former PRS site. Furthermore, under the terms, all existing rights of access across such land shall be extinguished, and Cadent will relinquish rights to the easement in relation to the IP main being decommissioned, which



currently runs through the centre of the site. This means that Meridian One can be brought forward for development without undue title constraints. It also means that the remaining redundant gas infrastructure associated with the former National Grid gasholder site will finally be removed, erradicating the asthetically displeasing intrusion to the quality, green development proposed for Meridian One.

3.2.5 The following table sets out the sequence of works that need to be undertaken, their timetable and the current status of securing authority.

<b>Task/Milestone</b>	<b>Responsible</b>	<b>Status/Authority</b>	<b>Date</b>
Placing of Works Order for new LP-MP main	LBE	Done (KD4439)	Oct' 2017
Construction of new LP-MP main	Cadent	Works underway	Sept '19 to Mar '20
C4 Estimate cost for new PRS	Cadent	Pending	Jan/Feb '20
Land Swap agreement	LBE/Cadent	This Cabinet Report	Jan '20
Exchange of Contracts	LBE/Cadent	This Cabinet Report	Feb '20
Placing Works Order for new PRS	LBE	Separate future authority report	Feb '20
Construction of new PRS	Cadent	Placing of new Works Order	Mar '20 to Dec '20
Demolition/Removal of old PRS	Cadent	Conditional Land Swap Agreement	Jan '21 to Feb '21
Completion of Acquisition	LBE/Cadent	Conditional Land Swap Agreement	March '21
Removal of IP main, and remediation of IP main strip	Phase 1 Developer	Phase 1 Developer Agreement	April '21 to May '21
Remediation of PRS Site	LBE	Delegated Authority as requested in this Cabinet Report	Spring/summer 2021

### **3.3 Future Development on the former PRS Site**

3.3.1 The former PRS site, located on a prominent position within the Willoughby Lane site, will benefit from future development and facilitate the full implementation of the Meridian Water Masterplan.

- 3.3.2. The PRS site is located 120 metres from the new railway station, which is open and operating with the West Anglia service plus the Lea Valley Rail Line service of two trains per hour to Stratford. Furthermore, under proposals for a further rail upgrade as part of the Housing Infrastructure Fund works, funding for which was announced in September 2019, the frequency of trains could increase to a more regular service. 6-8 trains per hour. The site is therefore well placed for higher density development.
- 3.3.3. A site capacity study devised by Urban Projects Bureau is for a residential apartment scheme of 137 units. Enabling this development opportunity would necessitate removing the PRS equipment and relocating the PRS.



- 3.3.4. A development appraisal has been undertaken on this proposal by Lambert Smith Hampton (LSH) and a Red Book Valuation of the site produced which concludes that best consideration is achieved by the Council purchasing the existing PRS site (see Part 2)
- 3.3.5 According to the phasing delivery plan (produced by KCA and LSH), this site is in Phase 4a, which is currently due for development between 2027-2030. This development will be subject to a new and separate developer procurement, or direct delivery; the decision which will be made nearer the time.

### 3.4 Heads of Terms

3.4.1 JLL is acting as Property Agent for the Council for this acquisition. JLL has negotiated and agreed the terms of this deal with Cadent on behalf of the Council.

3.4.2 The agreed terms are set out below:

- The freehold lands comprising land titles AGL89446 & SGL340013 totalling approximately 0.88 acres as shown on plan attached at Appendix 1 will be transferred to Enfield Council.
- The freehold land of 0.07 acres to be removed from Title AGL89444 will be transferred to Cadent Gas Limited.
- Deposit of 10% is payable on exchange of contracts
- The Council will pay a balancing amount to Cadent on completion of the land transfers
- Completion of the land transfers is conditional on the construction of a new PRS facility, the decommissioning of the existing IP Main and the release of the easement around the IP Main. The work will be carried out by Cadent but at the cost of Enfield Council.
- Completion is also conditional on the removal of all above ground site infrastructure and machinery on the existing PRS site with a target date of 3 months from the date at which the new PRS becoming operational, all costs of which are borne by Cadent.
- The Council shall also grant a 3 metres exclusion (non-development) zone around the land transferred to Cadent and a right of access over land to Albany Road, to enable servicing and safe operation of the new PRS facility.

See Part 2

### **3.5 Meanwhile Use of PRS Site**

See Part 2

### **3.6 Red Book Valuation**

LSH undertook an independent Red Book valuation of the site, dated 18 November 2019. See Part 2 for details.

## **4. ALTERNATIVE OPTIONS CONSIDERED**

4.1 The deal agreed with Cadent links the acquisition of the PRS site with the relocation of the PRS through the terms of a Conditional Land Swap Agreement. While practically it would be possible for the relocation to take place without the land swap, the Council would still have to agree to dispose of a parcel of its land for the new PRS site –

meaning that the Council would not be able to use the value of its land to offset against the cost of the acquired old PRS site (as is the case in this deal). Furthermore, decoupling the deal would require the whole agreement to be renegotiated, which could potentially introduce the risk of significant delays to the delivery of Meridian One.

- 4.2 The acquisition and development of this site forms part of the Council's strategic master plan for the wider Meridian Water Scheme and it has always been intended to acquire this site; it forms part of a relatively early phase in the phasing plan (Phase 4a from 2027). However, compulsory purchase is not currently a feasible option on this site as there is no planning permission in place on the PRS site, and none being prepared.
- 4.3 The choice of alternative options is therefore whether to acquire the PRS site now (on the terms proposed here), or to attempt to acquire it later, or decide not to acquire it at all. These alternative options are not deemed to be financially or strategically beneficial to the Council for the reasons set out in more detail in Part 2.

See Part 2

## **5. REASONS FOR RECOMMENDATIONS**

- 5.1. The acquisition of the PRS site on the terms negotiated has been assessed by LSH and the valuation report concludes that best consideration is achieved by purchasing the PRS site.
- 5.2 The agreement with Cadent allows for the removal of physical and title encumbrances on the site, including the decommissioning of the IP main running through the centre of the site and the relinquishment of the associated easement, thereby facilitating the delivery of Meridian One development by GTP.
- 5.3. Acquiring the PRS site at this stage of the Meridian Water Scheme will also:
- Create efficiency in the delivery of phase one
  - Enable the delivery of an aesthetically pleasing, green, vibrant area reflecting the three placemaking pillars of the scheme, particularly Parklife On Your Doorstep.
  - Enables the delivery of a new meanwhile site, which can directly contribute towards the deliver of the placemaking objectives, particularly Parklife On Your Doorstep, should the site be used for a Tree Nursery, or Activating Streets and Your Place to Make and Create, should the site be used for a active meanwhile use.
  - Bring into Council ownership a well-located development site for the delivery of an additional 137 units.

See Part 2

## **6. COMMENTS FROM OTHER DEPARTMENTS**

### **6.1. Financial Implications**

See Part 2

### **6.2. Legal Implications**

#### **MD 6<sup>th</sup> December 2019**

- 6.2.1 The Council has power under section 1 of the Localism Act 2011 to do anything that individuals generally may do provided it is not prohibited by legislation and subject to public law principles.
- 6.2.2 Furthermore, section 120(1)(b) of the Local Government Act 1972 gives Councils a specific power to acquire land for the benefit, improvement or development of their area. In addition, the Council has powers under section 227 of the Town and Country Planning Act 1990 (the Planning Act) to acquire land by agreement in order to facilitate redevelopment or improvement.
- 6.2.3 The Council has a fiduciary duty to taxpayers and a duty to act prudently with public funds entrusted to it. The Council also has a general duty to act reasonably and to show that its decisions are made after having given due and proper consideration to all relevant factors (disregarding irrelevant factors). Accordingly, it is advised that any acquisition of land is subject to thorough and satisfactory due diligence being conducted in relation to such matters as the condition of the land, development potential as well as an assessment of all costs (including running costs), expenses and risks associated with the acquisition.
- 6.2.4 When considering an acquisition and/or disposal of property the Council must act in accordance with its Property Procedure Rules, including obtaining advice that the terms negotiated represent value for money. In relation to the disposal of land to Cadent envisaged by this report, s123 Local Government Act 1972 requires the Council to obtain the best consideration that can reasonably be obtained. A valuation confirming this has been appended to this report.
- 6.2.5 A planning application (ref: 17/05006/REF) for the erection of the new PRS with associated parking, landscaping and access from Albany Road was approved by the Local Planning Authority (subject to conditions) on 26<sup>th</sup> March 2018. It is noted that the Local Planning Authority have directed that the Phase 1 Meridian Water s106 will need to be amended to include reference to the new PRS site, that the site wide obligations will apply to the PRS site and that future long-term

access arrangements and landscaping proposals regarding the new PRS site will need to be secured through the discharge of conditions and reserved matters through the Phase 1 outline planning permission (or variation thereof). In relation to the site to be acquired by the Council, the Town and Country Planning Act 1990 requires planning permission to be obtained for any material change of use (including change from one sui generis use class to another). Officers are advised to seek further legal and/or planning advice where necessary as to the planning status of the site and its potential for future residential and/or meanwhile use.

- 6.2.6 The Development Agreement to be entered into between the Council and Galliford Try will contain obligations in relation to the PRS Relocation Works. The developer will be responsible for monitoring the works and ensuring that they are completed within the timeframes and budget set out in the development agreement. The Council will be responsible for paying Cadent for the Relocation Works and, in the absence of developer default, will be responsible for any increase in Relocation Costs.
- 6.2.7 All legal agreements arising from the matters described in this report must be approved in advance of commencement by Legal Services on behalf of the Director of Law and Governance.

### **6.3. Property Implications**

6.3.1 This acquisition supports the principals of increasing income and optimising assets in the Council's Strategic Asset Management Plan. As the site will not be developed until the late 2020s, it will be leased for the purpose of a meanwhile use that will generate income.

6.3.2 The following sections of the property procedure rules (PPRs) apply:

4.1 *The acquisition, by any means, of a freehold interest or a leasehold interest over one year in duration requires the approval of the relevant Director and the Responsible Senior Officer, unless the acquisition is:*

4.1.1 *Covered by the Property Scheme of Delegation*

4.1.2 *Vested by statutory authority*

4.1.3 *Owing to the Council acting as trustee*

4.1.4 *Made under planning and highways legislation as a condition of a planning permission or a planning obligation.*

The report has been approved by the Director of Meridian Water. As this report is going to Cabinet, the Cabinet decision would supersede the authority of the Director and the Responsible Senior Officer.

4.2 *Any acquisition with a market value in excess of £250,000 and lower than £500,000 has to also be approved by the relevant service Cabinet Member and the Cabinet Member with the property portfolio, and any*

*acquisition with a market value exceeding £500,000 has to be approved by Cabinet.*

This acquisition is recommended for approval by cabinet as it exceeds £500,000.

*4.3 Every acquisition must be accompanied by the service Director's report that states:*

This Cabinet Report is the required Service Director's report.

*4.3.1 How the acquisition will help deliver the Council's strategy, goals, metrics and initiatives*

This acquisition will acquire land in Zone 1 that accommodates the delivery of 137 residential units, thereby contributing to the overall Council's home delivery targets.

The agreement allows for the removal of physical and title encumbrances on the site, including the relinquishment of the easement on the IP main running through the centre of the site thereby facilitating the delivery of Meridian One development by preferred developer GTP.

*4.3.2 The life-cycle costs whereby the Council is able to demonstrate its ability to fund all costs (including running costs), expenses, impacts and risks and any other costs associated with the acquisition (for example allowed/required by legislation).*

The life-cycle costs of the acquisition have been considered in the body of the Part 2 report at Section 3.4.

*14.2 Such disposals are subject to a report prepared by the Responsible Senior Officer, and approved by the relevant Cabinet member, that includes: 14.2.1 Justification for such a disposal as being in the best interest of the Council*

*14.2.2 Written advice, including a market value, from an external registered valuer.*

These requirements are met, as this report is the appropriate report by the Director of Meridian Water and written advice including a valuation from an independent registered valuer has been received.

See Part 2 Report

## **7. KEY RISKS**

See Part 2

## **8. INTERNAL DEPARTMENT IMPLICATIONS/CONSULTATION**

Acquiring the PRS site will help to deliver Meridian Water thus enabling the following impact on key Council priorities;

### **8.1. Good homes in well-connected neighbourhoods**

Meridian Water will provide high quality and sustainable homes to meet the diverse housing needs of the borough and London. Meridian Water will deliver high quality public spaces in a well-connected neighbourhood through improvements in both street and rail networks improving accessibility and increasing the frequency of services as well as reducing travel times not just for those living at Meridian Water, but for surrounding communities in Edmonton.

### **8.2. Sustain strong and healthy communities**

Meridian Water will provide social infrastructure allowing opportunities for the local community to partake in healthy lifestyle choices with access to leisure centres, a cycle network and access to high quality public open spaces. Meridian Water will encourage walking and cycling and use of sustainable transport modes.

### **8.3. Build our local economy to create a thriving place**

Meridian Water will bring economic growth, support, inward investment, and create new jobs and build a strong and sustainable future for the local community. The development will be aligned with the three pillars of placemaking for Meridian Water, including 'Mixing uses; animating streets'. This will ensure that the area is a lively place to complement and strengthen the local economy. The proximity to the station and attractive public realm will encourage people to visit and enjoy the area.

## **9. EQUALITIES IMPACT IMPLICATIONS**

N/A

## **10. PERFORMANCE AND DATA IMPLICATIONS**

N/A

## **11. HEALTH AND SAFETY IMPLICATIONS**

N/A

## **12. HR IMPLICATIONS**

N/A

## **13. PUBLIC HEALTH IMPLICATIONS**



- 13.1. Acquiring the PRS site will help deliver the first phase on Meridian Water and the public health benefits of the project. Mixed tenure residential units and delivery of public realm areas encouraged by the space gained through the acquisition will inspire social cohesion and improved well-being within a green environment. Facilitating the Meridian Water scheme will unfold the delivery of a regeneration neighbourhood promoting the expansion of public transport with a more frequent rail service through the now launched Meridian Water station bordering the Phase 1 site, integrated walk and cycle routes through not only Willoughby Lane, but the wider site and expanded bus services will promote public health benefits encouraging active movement.

### **Background Papers**

N/A

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**MUNICIPAL YEAR 2019/2020 REPORT NO.****169****MEETING TITLE AND DATE:**

Cabinet 22/01/2020

**REPORT OF:**

Executive Director - Place

Contact officer and telephone number:

Madi Mukhametaliyev 0208 132 3059

<b>Agenda – Part 1</b>	<b>Item: 9</b>
<b>Subject: Meridian Water Infrastructure Compulsory Purchase Order</b>	
<b>Wards: Upper Edmonton</b>	
<b>Key Decision No: KD 4832</b>	
<b>Cabinet Member consulted: Cllr Caliskan</b>	

**1. EXECUTIVE SUMMARY**

- 1.1. The purpose of this report is to recommend that Cabinet resolve to make the London Borough of Enfield (Meridian Water Strategic Infrastructure Works) Compulsory Purchase Order (CPO) (the Order), to assemble the necessary land to enable the delivery infrastructure for the Meridian Water Regeneration Programme.
- 1.2. On 6<sup>th</sup> September 2016 Cabinet (KD 4348) agreed in principle to use its compulsory purchase powers for the acquisition of all land for the delivery of the Meridian Water Regeneration Scheme.
- 1.3. The proposed Order is for the acquisition of land and rights required to deliver Strategic Infrastructure Works (SIW) at Meridian Water, not for the entire Meridian Water Regeneration Area. The SIW are required to unlock the development of land at Meridian Water enabling the delivery of up to 10,000 homes across the site. This includes the development of 2,300 homes at development zones 2, 4 and 5 for which a planning application was registered in August 2019.
- 1.4. On 17<sup>th</sup> August 2019 Central Government announced that, subject to agreement of terms and satisfaction of pre-contract conditions, the Council successfully secured £156 million of Housing Infrastructure Funding (HIF) to deliver the SIW.
- 1.5. The Order is in accordance with adopted and emerging planning policy.
- 1.6. The Council have conducted detailed land referencing into the areas of land required to deliver the SIW and have identified ownership interests in the area.
- 1.7. Government guidance on the use of CPO powers states that acquiring

authorities are expected to provide evidence that meaningful attempts at negotiation have been pursued or at least genuinely attempted, save for lands where land ownership is unknown or in question. In the first instance the Council is aiming to acquire land by private treaty, however, a CPO is necessary to ensure that land required for the SIW can be acquired. Following diligent enquires, contact has been made with affected parties and the Council has informed all the owners of land interests affected by the Order and commenced negotiations with all who have expressed willingness to negotiate.

- 1.8. A draft Statement of Reasons in support of the proposed Order has been prepared and is appended at Appendix 2 of this report. Although the Statement of Reasons is non-statutory, it is an important document and, when the Order is made, it will be served on relevant parties with the required statutory notices of making of the Order. The draft Statement of Reasons has been prepared in accordance with Government Guidance on Compulsory Purchase. The draft Statement of Reasons will be updated and finalised as necessary to reflect matters as at the time the Order is made. This is reflected in the delegation sought for the Meridian Water Programme Director (see Recommendations at 2.4).
- 1.9. This Report describes the factors which are relevant to any decision on compulsory purchase. These include the applicable planning policy framework, matters relevant to deliverability of the SIW within a reasonable timeframe, its impact on affected land owners/occupiers and whether the proposals could be achieved by other means. It includes matters for Cabinet's consideration in relation to the Council's statutory powers, the public sector equality duty and the implications for the Human Rights of third parties. It addresses the overall question of whether there is a compelling case in the public interest for compulsory acquisition.

## **2. RECOMMENDATIONS**

That the Cabinet:

- 2.1. authorises a Compulsory Purchase Order pursuant to sections 226(1)(a) and 226(3) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of land, interests and new rights within the area identified and shown edged red (the Order Land) in the attached Order map at Appendix 1 (the Order Map) for the delivery of infrastructure at Meridian Water.
- 2.2. authorises, in accordance with section 122 of the Local Government Act 1972 the appropriation of land owned by the Council within the Order Land, to planning purposes pursuant to section 203 of the Housing and Planning Act 2016, so development may proceed without obstruction in respect of any claimed third-party rights.

- 2.3. Notes (i) funding is in place for the land assembly and CPO costs (see Section 6.1), and (ii) funding for the SIW is contingent on release of HIF funding as set out in the body of the report.
- 2.4. Delegates to the Programme Director of Meridian Water in consultation with the Acting Executive Director of Resources and Director of Law and Governance, the authority to make the CPO.
- 2.5. Delegates to the Executive Director – Place, in consultation with the Director of Law and Governance, the power to effect all subsequent steps for the CPO including: confirming and implementation of the Order and to take all necessary steps to give effect to the Order in respect of the land shown on the plan at Appendix 1 including, but not limited to, the following procedural steps:
  - 2.5.1. make any amendments and additions to the draft Statement of Reasons as deemed necessary to ensure that it is up to date prior to the making of the Order;
  - 2.5.2. take all necessary steps to ensure the making, confirmation and implementation of the Order including the publication and service of any press, site and individual notices and other correspondence for such making;
  - 2.5.3. make minor amendments to the Order Map, if required, to reduce the boundary of the Order area to align with works and land requirement and (once the boundary is finalised) update the Order Map to reflect on a plot by plot basis the extent of acquisition and rights required;
  - 2.5.4. continue to negotiate with all landowners and occupiers within the Order boundary with the aim of acquiring interests by agreement, or relocation;
  - 2.5.5. negotiate with any landowners or occupiers who object to the Order to secure terms for the withdrawal of objections;
  - 2.5.6. seek confirmation of the Order by the Secretary of State (or, if permitted, by the Council pursuant to Section 14A of the Acquisition of Land Act 1981), including the preparation and presentation of the Council's case at any Public Local Inquiry as may be necessary including instruction of professionals to support the process;
  - 2.5.7. publish and serve notices of confirmation of the Order and thereafter execute and serve any General Vesting Declarations and/or Notices to Treat and Notices of Entry, and any other notices or correspondence to acquire those interests within the Order Land and to obtain and issue a warrant in the event of possession being refused or hindered;
  - 2.5.8. refer and conduct disputes relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber) if necessary;

- 2.6 approve the acquisition of any interests in land within the Order Land by agreement in conjunction with the proposed compulsory purchase, including any statutory payments and disturbance compensation; and
- 2.7 delegate authority to the Programme Director of Meridian Water in consultation with the Director of Finance to agree final terms and approve the acquisition of any interests within the Order Land and also to settle any rights needed to facilitate the delivery of the scheme (such as crane oversailing licences), with any legal documents to be approved by Legal Services on behalf of the Director of Law and Governance.

### **3 BACKGROUND**

#### **3.1 Meridian Water**

- 3.1.1 The Meridian Water Regeneration Area is located in the South East of the Borough in the ward of Upper Edmonton. It is bounded by the A406 North Circular road to the north, Leaside Road to the South, Lee Valley Regional Park to the East and Kimberley Road to the West.
- 3.1.2 Meridian Water is one of London's most significant regeneration opportunity areas. It comprises approximately 85 hectares (210 acres) and is one of the largest developable areas in London. Located in the Edmonton Leaside growth area and the Mayor of London's wider Upper Lee Valley Opportunity Area, it has significant redevelopment potential.
- 3.1.3 Meridian Water was designated as a housing zone in 2016 by the Mayor of London. Its regeneration has been a longstanding objective of the Council and it is the largest priority area for residential led mixed-use development as adopted in the Council's Core Strategy. Greater detail of the Council's regeneration objectives for the area are set out in the Edmonton Leaside Area Action Plan which has been through an examination in public and is progressing towards formal adoption.
- 3.1.4 On 6<sup>th</sup> September 2016 Cabinet decided KD 4348 and passed a resolution In-Principle to use its compulsory purchase powers for the acquisition of all land for the delivery of the Meridian Water Regeneration Scheme.
- 3.1.5 On 25<sup>th</sup> July 2018 Cabinet noted the conclusion of the master developer procurement and authorised the procurement of developers for the first two sites within Meridian Water (KD 4033).
- 3.1.6 The aspiration for Meridian Water is to create a new mixed-use neighbourhood which will provide up to 10,000 new homes, modern business premises suitable for a residential-led mixed use environment along with new schools, transport improvements, community facilities, health services, open spaces and other supporting infrastructure. In addition to the new homes it is

estimated that the regeneration proposals will deliver thousands of full-time jobs and temporary construction jobs.

3.1.7 As defined in the Meridian Water Place Vision, the vision is to make Meridian Water (and the wider area) a new district in London where people want to live, work and visit. Within this overarching vision the project has set itself eight principles to guide how it plans for and delivers the project:

1. Meridian Water will prioritise the benefits for local people and reduce inequality in the borough.
2. Meridian Water will create a thriving new economy at the Lee Valley.
3. Meridian Water will be a breath of fresh air, providing high quality parks, using clean energy and taking care of the life cycle of materials.
4. Meridian Water will have a vibrant mix of uses, it will be a safe and inclusive place to live to improve health and wellbeing for all.
5. Meridian Water will be a new Lea Valley destination, a memorable place bursting with character.
6. Meridian Water will offer a great choice of homes, designed to suit a range of budgets and aspirations.
7. Meridian Water will be almost car free, supporting healthy lifestyles and making it easy and attractive to walk and cycle.
8. Meridian Water will proactively engage and empower communities and continue to grow by responding to the changing needs of local people and society.

3.1.8 The regeneration proposals for the whole Meridian Water Regeneration Area are hereafter referred to as the “wider Scheme” or “Meridian Water”. Due to the sheer scale of the Scheme, the area has been divided into eight development zones which will come forward in phases with the total delivery period anticipated to be in the order of 20-30 years.

3.1.9 Planning permission has been granted for 725 units in zone 1 and this zone can be brought forward without the need for additional infrastructure improvements covered by this CPO. The Council has undertaken a procurement process for a developer partner for this site and has appointed Galliford Try.

3.1.10 Strategic infrastructure is required to unlock Phase 2 development and the longer-term development potential of the later phases, with an objective established in The Core Strategy and Edmonton Leaside Area Action Plan (ELAAP) of 5,000 homes.

3.1.11 To address any physical or legal impediments to implementation of the scheme, the Council has taken every step to obtaining planning permission for the SIW and also outline planning consent for Phase 2. These applications were submitted in July 2019, validated by the local planning authority in August 2019 and are anticipated for determination in the first quarter of 2020.

### **3.2 Housing Infrastructure Fund**

- 3.2.1 On 3rd December 2018, The Greater London Authority (GLA) submitted a bid on behalf of the Council to the Ministry of Housing, Communities and Local Government seeking to secure £156 million from the Housing Infrastructure Fund (HIF).
- 3.2.2 On 17<sup>th</sup> August 2019 Central Government announced that the Council has been successful in its bid for £156 million of HIF funding to deliver rail works, road infrastructure, land remediation, flood alleviation and utilities to unlock up to 10,000 homes.
- 3.2.3 Receipt of grant will be subject to agreement of detailed terms and the satisfaction by the Council and the GLA of pre-contract conditions. A report will be brought to an appropriate future Cabinet meeting to accept the HIF funds from Central Government and authorise entering into the funding agreement.
- 3.2.4 See Part 2

### **3.3 Infrastructure**

- 3.3.1 The Meridian Water team has been working with ARUP and KCA to develop the design for the Strategic Infrastructure Works (SIW) to unlock the delivery of homes at Meridian Water.
- 3.3.2 The SIW include remediation, flood alleviation, roads, bridges and rail improvements. Details of the SIW are outlined in the Statement of Reasons (see Appendix 2).

### **3.4 Land Acquisition**

- 3.4.1 The Council has to date acquired circa 35.5 hectares of land in Meridian Water which comprises 73% of the developable area within Meridian Water.
- 3.4.2 Meridian Water is comprised of a patchwork of land ownership. The Council is acquiring land to enable the delivery of key infrastructure, and to create contiguous parcels that can either be developed directly by the Council or disposed of to developers.
- 3.4.3 In the first instance, the Council is aiming to acquire land by private agreement, however, a CPO is necessary to ensure that all the land required for the SIW can be acquired in the event that acquisition by private treaty cannot be agreed. The Order is also needed as a measure to cover unknown interests or unregistered land.
- 3.4.4 The Meridian Water team has achieved a number of acquisitions by agreement and is progressing negotiations with parties to acquire the remaining interests required for the SIW.



### 3.5 Efforts to Acquire by Agreement

- 3.5.1 The Government's "Guidance on Compulsory purchase process and The Crichton Down Rules" (Ministry for Housing Communities and Local Government CPO Guidance July 2019) (the "CPO Guidance") at paragraph 17 states that acquiring authorities are expected to provide evidence that meaningful attempts at negotiation have been pursued or at least genuinely attempted, save for lands where land ownership is unknown or in question.
- 3.5.2 The Council embarked upon a land acquisition strategy for the wider Meridian Water scheme in 2014. JLL, the Council's commercial property agent was instructed to approach landowners to acquire land by agreement on commercial terms where it was practicable to do so. This has resulted in a number of significant strategic land acquisitions in the period between 2015 to present day.
- 3.5.3 At an early stage of the acquisition process it became apparent that a CPO strategy would be required in order to ensure that all of the land required for the Scheme could be acquired as it would be impracticable to acquire all land by agreement. In 2016 Matthew Bodley Consulting, a special compulsory purchase practice, was instructed to advise on the land assembly strategy and ensure co-ordination between ongoing private treaty negotiations and the formal CPO process.
- 3.5.4 Owners of interests within the Order Land were identified from title searches. Matthew Bodley wrote to all identified owners in September 2016 providing brief details of the Scheme and the Council's desire to acquire properties, preferably by agreement. The letter referred to the possible use of CPO powers in the event that private treaty agreements could not be achieved and invited landowners to enter into negotiations for the acquisition of their properties.
- 3.5.5 The intensity in which negotiations have been pursued was scaled back for a period in 2017 following the termination of the agreement with Barratt, although any active negotiations were continued. At the end of 2017 there was a change of approach to focus on the land interests required for the SIW.
- 3.5.6 All known owners of an interest in the land required for the SIW have been contacted in writing with a view to progressing negotiations to acquire interests by agreement. All parties have been provided with information about the Scheme and the SIW, the likely timescales for acquisition and the intention to use CPO powers. All parties have been informed that private treaty negotiations will be based on the compensation which would be payable if their interests were compulsorily acquired. The Council has offered to pay the reasonable fees for the appointment of CPO advisors.
- 3.5.7 Negotiations are progressing with all known parties who have expressed a willingness to negotiate through a combination of letter and email

correspondence, meetings and phone calls. Negotiations will continue in parallel with the CPO process with the intention of acquiring as many interests as reasonably practicable by negotiation. CPO powers will only be implemented as a last resort where negotiated agreements cannot be achieved.

### **3.6 Statutory Undertakers**

3.6.1 The Council has identified and engaged with statutory undertakers whose operation might be affected by SIW, such as relating to gas infrastructure, electric networks and substations, flood alleviation, canal, and heating. Furthermore, ARUP is in ongoing engagement with statutory consultees as part of the planning application process.

### **3.7 Governance**

3.7.1 The Meridian Water Team has assembled an expert team to advise on land acquisition and CPO for Meridian Water. This land acquisition team meets fortnightly to monitor progress and risk. The land acquisition team is comprised of:

- The Council's Meridian Water Project Team;
- The Council's Internal Legal team;
- Trowers & Hamlins LLP – Legal;
- Matthew Bodley Consulting – Specialist Compulsory Purchase Surveyor;
- TerraQuest – Land Referencing;
- Karakusevic Carson Architects – Architecture;
- ARUP – Planning and Engineering; and
- Stace – Project Management.

3.7.2 The land acquisition team provides updates and raises risks that feed into the Meridian Water Programme Board which feeds into the Executive Board.

3.7.3 The Meridian Water Team holds fortnightly meetings with Strategic Property Services to discuss all property related progress, issues and risks. This includes amongst other things, progress on land acquisition and CPO.

### **3.8 CPO area**

3.8.1 The land subject to the Order (the Order Land) is shown in Appendix 1. The Order Land represents an area that will be required to deliver the SIW. The Council will not be seeking to acquire all the Order Land, some of it will only be required for access and other rights (shaded in blue on the plan), e.g. crane oversailing.

3.8.2 An ongoing process of detailed review is being undertaken to determine on a plot by plot basis, referring to design, construction and maintenance requirements, the extent of the Order Land to be acquired outright and plots where permanent rights are needed, e.g. access or crane oversailing.

3.8.3 Land for the rail portion of the SIW is not included in the Order Land as these works will be undertaken on rail corridor owned by Network Rail, who will be undertaking these works in partnership with the Council.

3.8.4 The Order Land defined in the Order Map currently shows the total land area that may be required for the Order. After the Cabinet resolution for a CPO, the redline may be reduced, but not increased.

### 3.9 **Appropriation**

3.9.1 Construction of the SIW will potentially interfere with various rights benefitting owners adjoining or in close proximity to the Order Land. Section 203 of the Housing and Planning Act 2016 provides the powers that will enable the Council to override any claim for an injunction in respect of rights and covenants adversely interfered with as a result of the construction of the SIW and the wider Scheme. On this basis the Council intends to appropriate all those parts of the Order Land which are currently owned by the Council for planning purposes in order to allow the SIW and the Scheme to come forward, without the risk of an injunction from third party landowners. In effect, these are converted into a right of compensation. The acquisition of land pursuant to the CPO will be for planning purposes, thereby similarly overriding any infringed rights.

### 3.10 **Statutory Powers**

3.10.1 The Statutory Powers for the CPO are outlined in the draft Statement of Reasons

### 3.11 **Justification**

3.11.1 The justification for the CPO is outlined in the draft Statement of Reasons

### 3.12 **Planning status**

3.12.1 Paragraph 39 of the National Planning Policy Framework states: 'Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community'.

3.12.2 In preparing the SIW planning application significant pre-application engagement was undertaken with the local business and residents, the Local Planning Authority, statutory and non-statutory consultees. Community consultation exercises were held in April and May 2019 including two engagement days, one on 23 April and one on 18 May. A Statement of Community Involvement was also submitted with the planning application and provides further details of the community consultation and engagement undertaken to date.

- 3.12.3 During the pre-application period, the project team engaged extensively with the Local Planning Authority (LPA) and other consultees to inform the design of the scheme in conjunction with the parallel Meridian Water Phase 2 Outline Planning Application.
- 3.12.4 The SIW application was registered as valid on 14 August 2019. Subsequently a series of post-application submission meetings have been held with the LPA to review statutory and non-statutory comments. A Planning Committee date for the application to be considered is expected in March 2020.
- 3.12.5 The planning status is further outlined in the draft Statement of Reasons.

### 3.13 **Timetable**

- 3.13.1 The Council has appointed a programmer from Stace for Meridian Water. Stace has prepared a programme of the activities required to deliver the SIW that meets with the HIF funding requirements, which include spending of HIF funding and delivery of SIW by March 2024. This programme includes CPO activities based on input provided by Trowers & Hamblins and Matthew Bodley Consulting. This programme can only be indicative as the timing of certain key activities such as the date of the CPO inquiry and the issuing of the decision on whether or not to confirm the Order are not within the Council's control.
- 3.13.2 The current intention is to make the Order in February 2020. Subject to confirmation, this would allow the Council to secure vacant possession of the land through implementation of the Order in Summer of 2021, which would meet the timescales required by the HIF delivery programme.
- 3.13.3 The currently anticipated programme of key milestones in the CPO process are summarised below.

<b>Activity</b>	<b>Date</b>
<b>PLANNING</b>	
Inspectors report into ELAAP	Sep-19
ELAAP Adopted	Feb-20
Planning Committee - Resolution to Grant permission	Mar-20
Planning Permission in place	Apr-20
<b>COMPULSORY PURCHASE</b>	
CPO Resolution	Jan-20
Make CPO - sign and seal Submission to Secretary of State and service of statutory notices and advertisements	Feb-20
Period for objections to Secretary of State	Mar-20
If no objections, Council to confirm CPO	Jun-20

If objections, pre-inquiry preparations and evidence	Mar – Aug-20
CPO Inquiry	Aug-20
Decision	Feb-21
Services of notice of confirmation	Mar-21
Service of statutory notices relating to implementation of powers	Apr-21
Possession Date	Jul-21

#### 4 **ALTERNATIVE OPTIONS CONSIDERED**

##### 4.1 **Do not pursue a CPO.**

4.1.1 This is not considered a viable option as the Council must ensure that it can acquire all land needed to deliver the SIW and can satisfy HIF funding pre-contract conditions. Cabinet could choose not to pursue this Order at this time, but this would significantly risk securing HIF funding as well as the deliverability of the SIW and the wider Scheme. In a best case scenario, it would delay the delivery until private treaty agreements could be agreed, however private treaty agreements may not be feasible which at worst would render the SIW undeliverable and consequently could jeopardise the wider Scheme.

##### 4.2 **Await until there is certainty over funding and planning before Making the CPO**

4.2.1 The timetable above demonstrates that the Making of the CPO will run in parallel with confirmation of planning. It is also noted at Section 3.16 that a Cabinet Report will be brought forward early in 2020 to seek authorisation to accept HIF subject to agreed Heads of Terms and a draft Funding Agreement. The reason for Making the CPO in February 2020 is that the HIF grant needs to be drawdown and spent by March 2024. In order to achieve the build programme, it is essential that vacant possession of all the land is achieved by July 2021. Furthermore, Homes England have indicated that they want assurance that the Council will have the means to be in control of all the land required for HIF works. Passing this resolution and committing to Making this CPO in February 2020 provides such assurance thereby facilitating the progression of the Funding Agreement.

##### 4.3 **Undertake a CPO for the whole area.**

4.3.1 A key consideration for the land assembly strategy is the number of CPOs to be promoted. More specifically should there be a single CPO for the wider Scheme or multiple CPOs.

4.3.2 This issue is relevant due to the scale and likely delivery timeframe of the Scheme. The Scheme is very large, complex and covers an area of approximately 85 hectares. Current estimates for the duration of the development period for the Scheme are in the range of 20-30 years.

- 4.3.3 A CPO only has a lifetime of three years following confirmation within which it must be implemented, or it will expire. Therefore, there is a significant disparity between the lifetime of the CPO and the intended delivery period of the Scheme. If the Council were to proceed under a single CPO, it would have to implement the CPO and acquire all the land for the Scheme within three years even though large parts of the Scheme land will not be needed for several years.
- 4.3.4 Undertaking a CPO for the whole Scheme area would be a significant change to the baseline position in the financial model and would increase the Council's peak debt position. A single CPO approach would also be challenging in terms of being able to justify the compulsory acquisition of land several years in advance of when it is required for development.
- 4.3.5 Apart from issues with cashflow, debt and viability, it is very unlikely that the Council would be able to justify acquiring parts of the Scheme land which are not required for several years and for which the proposed uses are currently uncertain. The CPO would be likely to fail on grounds of prematurity and lack of certainty. If a single CPO was undertaken across the whole Scheme land, there would be significant risk of failure, not only for the plots which are not required for several years, but of the whole CPO. The basis of the CPO is confirmed by the planning case and policy status embedded in the adopted Core Strategy and soon to be adopted ELAAP. At this time there is no confirmed planning basis east of the River Lee Navigation to compulsorily acquire the land for residential use. However, the ELAAP does support infrastructure east of the Lee Navigation, which is what is being promoted under this Order.
- 4.3.6 The Council has received formal advice from Matthew Bodley Consulting recommending undertaking a number of CPOs to enable land acquisitions to come forward on a phased basis in line with the development programme.
- 4.3.7 Therefore, it is recommended to undertake this CPO with the scope to deliver the SIW in a deliverable timescale. The Council may bring further CPOs in the future in order to acquire land to deliver other aspects of Meridian Water.

## **5 REASONS FOR RECOMMENDATIONS**

- 5.1 Acquisition of the Order Land, shown in Appendix 1 will enable the Council to exercise control over the land required to implement development of the SIW of the Meridian Water regeneration area.
- 5.2 Any delays to delivering the infrastructure could put at risk the £156 million HIF funding that has been conditionally awarded by central government and thereby the delivery of the SIW.
- 5.3 The proactive approach that the Council has taken with regard to preparing to deliver the SIW to be funded by HIF has been welcomed by central government. The Order will deliver a package of measures that the Council is

pursuing in order to enable the delivery of the SIW in line with the HIF timescales. The Council is proactively securing planning permission for the works and is also in the process of procuring a contractor to deliver the works, which is proceeding from shortlisting to competitive dialogue stage.

- 5.4 Failing to acquire land in order to deliver the SIW will delay and potentially put at risk the Meridian Water regeneration and the related economic, social and environmental benefits for the Borough and the local area.

## 6 COMMENTS FROM OTHER DEPARTMENTS

### 6.1 Financial Implications

- 6.1.1 See Part 2. In October 2019, Cabinet has noted an indicative 10 years budget to be approved as part of the capital programme, which includes expenditure budget specifically for HIF. The budget was also authorised until April 2022, which covers the costs related to land acquisition and the CPO. Delivery of the SIW is contingent on obtaining HIF funding.

### 6.2 Legal Implications

*MD and EP: 4 December 2019*

- 6.2.1 The Council has sought advice on CPO matters from its internal Legal Services team, Trowers & Hamlins LLP and Guy Roots QC.
- 6.2.2 The Council proposes to use its compulsory purchase powers to help implement the strategic infrastructure which will form part of the Meridian Water Regeneration scheme. Under s226(1)(a) of the Town and Country Planning Act 1990 (as amended) (the **Act**) a local authority has a general power to make a compulsory acquisition of any land in their area to facilitate the carrying out of development, redevelopment or improvement in relation to the land. In order to exercise the s226 powers, the local authority must demonstrate that the proposed development/improvement is likely to contribute towards the promotion or improvement of the economic, social or environmental wellbeing of their area. Section 226(3) of the Act confirms the Council's CPO powers extend to lands adjoining land which is required for the purpose of executing works for facilitating the development or use of the primary land. Furthermore, the Council has the power under section 120 of the Local Government Act 1972 to buy land by agreement for the purposes of any of its functions or for the benefit, improvement or development of its area.
- 6.2.3 The making of a CPO should be a last resort and should be preceded by meaningful attempts to buy the land by agreement, save for lands where land ownership is unknown or in question.
- 6.2.4 The making of a CPO is an executive function by virtue of section 9D of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Pursuant to section 9E(2) of the Local Government Act 2000, the Cabinet may arrange for the discharge of an executive function by an officer of the authority.

- 6.2.5 The Acquisition of Land Act 1981 (the **1981 Act**) governs the procedures which apply to such an acquisition, the Compulsory Purchase Act 1965 (the 1965 Act) governs post-confirmation procedures and the Land Compensation Act 1961 governs the amount and assessment of compensation. A CPO is required to be made in a prescribed form and must describe by reference to a map the land to which it applies. If the Council makes a CPO, it must submit the CPO to the Secretary of State for confirmation. Prior to submission to the Secretary of State, the Council must publish notice of the making of the CPO specifying that the Order has been made, describing the land and the purpose for which it is required, naming a place where the Order and Map may be inspected and specifying a time which (and the manner in which) objections may be made. The Council must also serve a notice in prescribed form on affected owners, lessees, tenants or occupiers (if any exist) of the land allowing them the opportunity to object. The procedure for confirmation is specified in the 1981 Act and may require the conduct of a public inquiry if there are objections. In the event that the CPO is confirmed the Council can then take steps to acquire land either by serving a notice to treat and notice of entry in accordance with the 1981 Act or by serving a general vesting declaration under the Compulsory Purchase (Vesting Declarations) Act 1965. Consideration would need to be given to the most appropriate route and the procedure set out by legislation must be followed.
- 6.2.6 The Council will be required to demonstrate that there is a compelling case in the public interest for acquiring the land compulsorily. This will be set out in the Statement of Reasons.
- 6.2.7 As an acquisition under the Act will extinguish third party rights, the Council will need to take care that it does not contravene the rights of individuals under the European Convention on Human Rights (the ECHR). Section 6 of the Human Rights Act 1998 makes it unlawful for the Council to act in any way which is incompatible with a right under the ECHR. Pursuant to Article 1 of the First Protocol to the ECHR, every person is entitled to the peaceful enjoyment of his or her possessions and no one shall be deprived of those possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. In order to avoid contravening individual human rights by making a CPO, it must be demonstrated that the CPO is in the public interest and that it is necessary and proportionate to make the CPO. Provided the requirements of section 226 (1) and (1A) of the Act have been fulfilled (i.e. the development, redevelopment or improvement will contribute to the promotion or improvement of the economic, social or environmental well-being of the local authority's area), this will provide a very substantial basis upon which to make the case that the scheme is policy based and is consistent with statutory objectives.
- 6.2.8 The Council holds statutory powers of appropriation under Section 122 of the Local Government Act 1972. Furthermore, Section 203 of the Housing and Planning Act 2016 enables a local authority to override third party rights, where the relevant 'building or maintenance work' is being carried out with



planning permission on land that has been acquired or appropriated by the Council for planning purposes, with a right to compensation arising in favour of the proprietor of the rights overridden. Pursuant to Section 204 of the Housing and Planning Act 2016 the Council is liable to pay compensation, in accordance with the statutory provisions, in respect of 'any interference with a relevant right or interest or breach of a restriction that is authorised by section 203'.

- 6.2.9 The public sector equality duty under section 149 of the Equality Act 2010 requires the Council to have due regard to: (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; and (ii) the need to advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. Any equality impact assessment prepared in connection with the Compulsory Purchase Order should be revisited throughout the process.
- 6.2.10 Officers must ensure that any processing of personal data in connection with the Compulsory Purchase Order complies with the provisions of the Data Protection Act 2018.
- 6.2.11 Any acquisition of land made in connection with the subject matter of this report must comply with the Council's constitution, including but not limited to its Property Procedure Rules.
- 6.2.12 Pursuant to section 13 of the Compulsory Purchase Act 1965, the Council may issue a warrant to the sheriff or enforcement officer to deliver possession of land for which it is authorised to enter on and take possession of, in the event that 'the owner or occupier of any of that land, or any other person, refuses to give up possession of it, or hinders the acquiring authority from entering or taking possession of it'. Furthermore, the Council may recover costs from the person refusing entry.
- 6.2.13 All legal documents to be entered into in connection with the subject matter of this report must be approved in advance by Legal Services on behalf of the Director of Law and Governance.

### **6.3 Property Implications**

- 6.3.1 The Council's Property Procedure Rules (PPR's) set out mandatory procedures regarding the acquisition, leasing, management and disposal of property assets and form part of the Council's Constitution.
- 6.3.2 Section 5 of the PPR's govern Acquisitions by way of Compulsory Purchase and states:
- A resolution to make a Compulsory Purchase Order must be made by Cabinet, following a recommendation by the appropriate Director and the Responsible Senior Officer.
  - Compulsory purchases or purchases by agreement prior to a Compulsory Purchase Order (CPO) being confirmed, are considered as acquisitions and subject to these Rules.

6.3.3 In this instance the appropriate Director is the Meridian Water Programme Director and the Responsible Senior Officer is the Executive Director Place.

6.3.4 Section 4 governs Acquisition – General and states:

- The acquisition, by any means, of a freehold interest or a leasehold interest over one year in duration requires the approval of the relevant Director and the Responsible Senior Officer, unless the acquisition is:
  - Covered by the Property Scheme of Delegation;
  - Vested by statutory authority;
  - Owing to the Council acting as trustee; and
  - Made under planning and highways legislation as a condition of a planning permission or a planning obligation.

6.3.5 It is expected that following confirmation of the Order the Council will be making a General Vesting Declaration to acquire properties. Properties related to the Order that are acquired by private treaty will be authorised by the Appropriate Director.

6.3.6 Any acquisition with a market value in excess of £250,000 and lower than £500,000 has to also be approved by the relevant service Cabinet Member and the Cabinet Member with the property portfolio, and any acquisition with a market value exceeding £500,000 has to be approved by Cabinet.

6.3.7 This Cabinet report delegates authority from Cabinet to the Meridian Water Programme Director to approve all acquisitions within the Order Land.

6.3.8 Every acquisition must be accompanied by the service Director's report that states:

- How the acquisition will help deliver the Council's strategy, goals, metrics and initiatives.
- The life-cycle costs whereby the Council is able to demonstrate its ability to fund all costs (including running costs), expenses, impacts and risks and any other costs associated with the acquisition (for example allowed/required by legislation).
- The report is approved by the Responsible Senior Officer and the Director of Finance Resources and Customer Services.
- The Responsible Senior Officer has approved the provisional terms for the acquisition.
- The Responsible Senior Officer has certified that the price and terms and conditions represent value and, in most circumstances, has obtained an independent valuation.

6.3.9 Each acquisition by private treaty in relation to the Order will be accompanied by a report covering the requirements as set out above.

6.3.10 Acquiring land will bring Corporate Landlord implications including management costs such as security. However, it is expected that property acquired by CPO will be passed over to the appointed infrastructure contractor swiftly for works to commence. This will reduce costs and risks

associated with holding the property. Furthermore, the approved 2019-20 budget and the proposed 2019-20 and 2020-21 budget does include a contingency that could cover Corporate Landlord Implications.

6.3.11 Property acquired leading up to and after the Order will be managed in line with the Council's Strategic Asset Management Plan (2019-2024)

6.3.12 Section 24 governs Valuations and states:

- In preparing for the disposal or acquisition of a Council interest in property, the Responsible Senior Officer shall ensure that a formal, written valuation report is provided for the property in question.
- Where a disposal or acquisition has not reached completion within 6 months of the date of the corresponding disposal valuation report, an updated valuation report shall be prepared.

6.3.13 Each acquisition by private treaty in relation to the Order will be accompanied by a valuation report.

6.3.14 Should Cabinet approve a resolution for a CPO future acquisitions will be subject to individual reports and these will contain transaction specific Property Implications.

## 7 KEY RISKS

7.1 **Cause:** The CPO is not confirmed in part or in whole.

**Effect:** This would cause a delay in the delivery of the strategic infrastructure if the Council is unable to acquire land required by private treaty, which also puts satisfaction of HIF funding agreement conditions at risk.

**Mitigation:** The team has assembled a team of experts to advise on CPO matters and is finalising a robust Statement of Reasons to support the case for a CPO. The team is progressing with private treaty negotiations with third party land owners in the area.

The contractor procurement for the SIW is to be undertaken as a series of work packages in order to mitigate the impact of this risk on the procurement and delivery of works. This allows for development to come forward on land that the Council has acquired. However, any works undertaken before entering into the HIF agreement will be at the Council's risk.

7.2 **Cause:** The Edmonton Leaside Area Action Plan is not adopted in time for the inquiry

**Effect:** Argument for CPO is weakened

- Mitigation:** The land acquisition team is working closely with planning team. Current risk and status of planning is continually monitored. The Scheme is supported by existing adopted planning policy, in particular the Core Strategy. The Inspector's report confirmed that the ELAAP can be adopted and the planning team are working to get the ELAAP adopted early in 2020, ahead of any CPO inquiry.
- 7.3 **Cause:** Objection received to the CPO by land interest holders.
- Effect:** If any party with an interest in the land objects, this will likely result in a public local inquiry into the CPO, requiring time and significant resource.
- Mitigation:** The team expects there to be objections to this Order and has built in adequate time for this in the CPO programme. The team is undertaking negotiations with third parties to seek to agree private treaty agreements, reducing the risk of objections. The team is finalising a robust Statement of Reasons to support the CPO case. The experts that the team are working with will act as expert witnesses in the event of a public inquiry.
- 7.4 **Cause:** Design of the SIW changes.
- Effect:** A design change for the SIW would result in a delay of sealing and making the Order as a precise map and schedule must be sent when making the Order. Therefore, the design must be frozen before the Order is made. Any red line approved by Cabinet can be reduced, but not increased.
- Mitigation:** The design team has been made aware of this and have provided a red line plan accordingly. The team has reviewed the red line to ensure that all land required to deliver the strategic infrastructure is included. The team is working closely with the HIF design team.
- 7.5 **Cause:** The CPO programme is delayed.
- Effect:** A delay in the CPO programme could result in land not being acquired in time to undertake works pursuant with the HIF funding timescales. It is the current understanding that the SIW need to be delivered by the Housing Infrastructure Fund deadline of March 2024 and that the Council will need to draw down all HIF funds by that date.
- Mitigation:** The phasing of the SIW is being planned so that necessary work will commence on Council owned land first to allow time for the Order to acquire other land required.
- 7.6 **Cause:** Agreement of the Funding Conditions for the Housing

Infrastructure Fund bid is delayed, or any of the pre-contract conditions are not satisfied.

**Effect:** Any delays to the agreement of the Funding Terms, pre-contract and pre-draw down conditions could delay the delivery of the SIW putting at risk the £156 million HIF funding that is secured from central government. It could also undermine the successful promotion of the CPO at a public inquiry as the Council will need to demonstrate that it has, or at least will obtain, the resources necessary to implement the SIW.

**Mitigation:** The Meridian Water team will work closely with Central Government and the GLA to agree the Funding Conditions and the current working timetable is for a draft funding agreement to be presented to Cabinet for approval in February 2020. This Cabinet report delegates authority to the Programme Director of Meridian Water in consultation with the Acting Executive Director of Resources, and Director of Law and Governance to make the CPO, who will take into account the exact status of the HIF funding agreement when making the decision to Make the CPO.

## 8 **IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

### 8.1 **Good homes in well-connected neighbourhoods**

Making a CPO to acquire land identified is a vital mechanism to ensure delivery of the strategic infrastructure. The strategic infrastructure will provide key infrastructure enabling the development of approximately 5,000 homes (with the potential for an additional approximate 5,000) and the regeneration of Meridian Water. The infrastructure will ensure that the development is well connected.

### 8.2 **Sustain strong and healthy communities**

Making a CPO to acquire land identified is a vital mechanism to ensure delivery of the strategic infrastructure. The strategic infrastructure works will deliver two new parks to provide green space vital to a healthy community. The works will also provide cycle routes to encourage cycling, which is beneficial to health.

### 8.3 **Build our local economy to create a thriving place**

Making a CPO to acquire land identified is a vital mechanism to ensure delivery of the SIW. The SIW enables the delivery of Meridian Water. As well as delivering homes, Meridian Water will deliver non-residential space including retail, workspace and community space. This will enable animated streets with mixed uses, developing a local economy and thriving place.

## 9 **EQUALITIES IMPACT AND HUMAN RIGHTS IMPLICATIONS**

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
    - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
    - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account in the assessment of the CPO and the Cabinet must be mindful of this duty when considering the recommendations in the Report.
- 9.3 The Order by assisting with implementation of the Scheme will have a positive impact on equalities in general. To ensure that this is the case an Equalities Impact Assessment has been prepared by the Strategic Planning team to support the AAP submission, which did not uncover any negative equalities impacts.
- 9.4 Furthermore, a separate Equalities Impact Assessment has been prepared specifically with regards to making the Order. The assessment has been appended to this report at Appendix 3. No potential equalities impacts have been identified at this stage, but monitoring will be required.
- 9.5 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the ECHR. Articles 6 and 8 and Article 1 of the First Protocol are potentially relevant to the compulsory purchase of land:-
- 9.5.1 Article 6 provides that everyone is entitled to a fair and public hearing in the determination of his civil rights and obligations. The statutory procedures applicable to compulsory purchase, which include the right to object and provide for Judicial Review, are sufficient to satisfy the requirements of this Article.
  - 9.5.2 Article 8 provides that everyone has the right to respect for his private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest.
  - 9.5.3 Article 1 of the First Protocol provides for the peaceful enjoyment of possessions (including property) and that no one shall be deprived of possessions except in the public interest and subject to the conditions provided for by law.

9.6 If the Order is confirmed, and if any person can show that they hold an interest in any of the Order Land, that person will be entitled to compensation which will be assessed in accordance with the relevant statutory provisions sometimes referred to for short as the Compulsory Purchase Compensation Code.

9.7 The reference in Article 1 of the First Protocol to “the public interest” means that, in deciding whether to make and confirm a compulsory purchase order, a fair balance must be struck between the public benefit sought and the interference with the rights in question.

9.8 In making this Order, the Council considers that there is a compelling case in the public interest.

## 10 **PERFORMANCE AND DATA IMPLICATIONS**

10.1 The performance of the consultant team and progress of the CPO will be constantly monitored by the Meridian Water Team to ensure key milestones are met.

## 11 **PUBLIC HEALTH IMPLICATIONS**

11.1 Housing is a basic human right without which it is extremely difficult to adopt or maintain a healthy lifestyle. The life-expectancy of the homeless is approximately half that of the general population. Enabling the delivery of Strategic Infrastructure that will unlock the construction of new homes in the borough therefore will be instrumental in improving health.

11.2 The principles laid out in the Meridian Water Place Charter show how ‘place’ might be developed. Providing that these principles are adhered to throughout, Meridian Water is likely to become an attractive and healthy place to live and work.

## **Appendices**

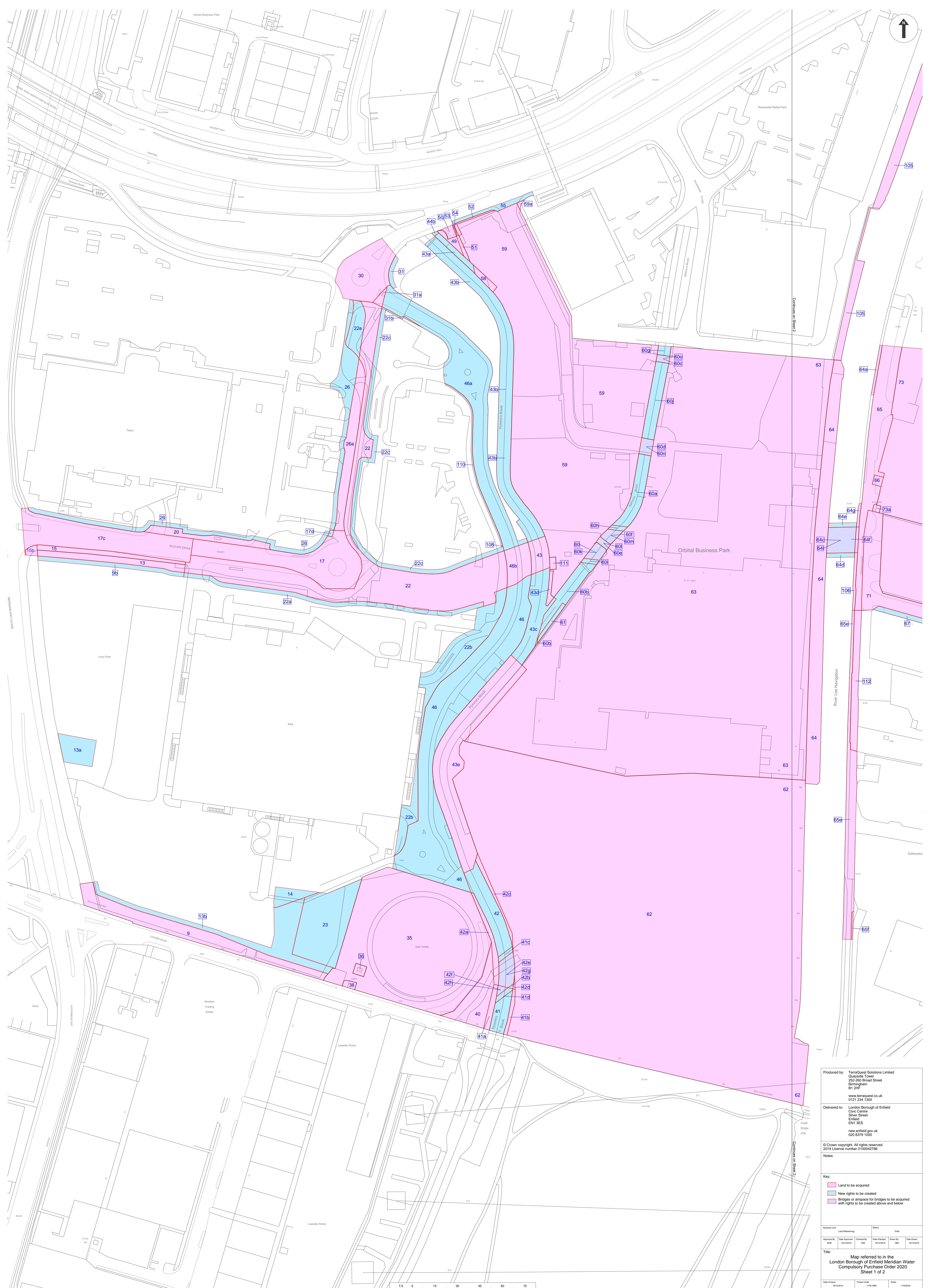
Appendix 1 – Order Map (two sheets)

Appendix 2 – Statement of Reasons

Appendix 3 – Equalities Impact Assessment

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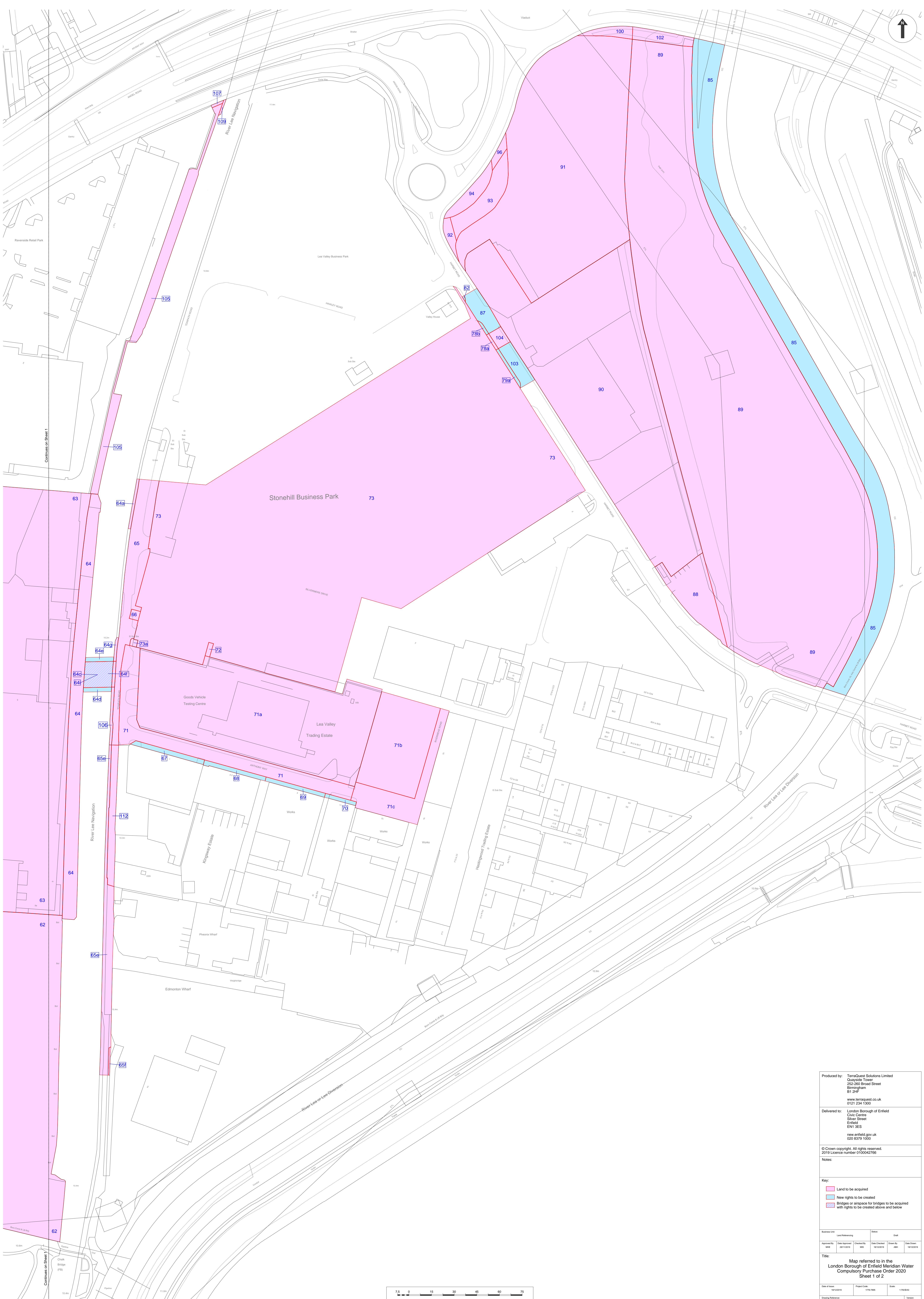
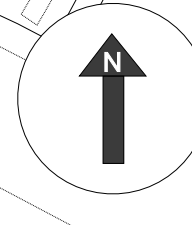
- Land to be acquired
- New rights to be created
- Bridges or crossings for bridges to be acquired
- with rights to be created above and below

Author	Land Reference	Issue	Date
Approved By:	Issue Approved:	Checked By:	Date Checked:
Issue:	19/02/2019	148	19/02/2019
Drawn By:	Issue:	Date Drawn:	Issue:
19/02/2019	19/02/2019	19/02/2019	19/02/2019

Title: Map referred to in the London Borough of Enfield Meridian Water Compulsory Purchase Order 2020  
 Sheet 1 of 2

Date of Issue: 19/02/2019  
 Project Code: 1716-000-0000  
 Scale: 1:25000  
 Drawing Reference: 1716-000-0000  
 Issue: 05

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Notes:

Key:

- Land to be acquired
- New rights to be created
- Bridges or areas for bridges to be acquired with rights to be created above and below

Business Unit	Land Reference	Issue	Drawn
Approved By:	Issue Approved:	Checked By:	Date Checked:
Issue:	19/12/2019	17/12/2019	19/12/2019

Title: Map referred to in the London Borough of Enfield Meridian Water Compulsory Purchase Order 2020 Sheet 1 of 2

Date of Issue: 19/12/2019 Project Code: 1716-1000-0000 Scale: 1:25000

Drawing Reference: 1716-1000-0000 Version: 05

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**STATEMENT OF REASONS**

TOWN & COUNTRY PLANNING ACT 1990

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

ACQUISITION OF LAND ACT 1981

**LONDON BOROUGH OF ENFIELD**

**(MERIDIAN WATER STRATEGIC INFRASTRUCTURE WORKS)**

**COMPULSORY PURCHASE ORDER 2019**

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## 1 Introduction

- 1.1 This document is the Statement of Reasons of the Council of the London Borough of Enfield (the **Council**) for making a compulsory purchase order (**CPO**) entitled the London Borough of Enfield (Meridian Water Strategic Infrastructure Works) Compulsory Purchase Order 2020 (the **Order**) which is to be submitted to the Secretary of State for Housing Communities and Local Government (the **Secretary of State**) for confirmation. The land included within the Order is referred to as the Order Land which is shown on the plan at Appendix 1 to this Statement (the **Order Map**).
- 1.2 The Council has made the Order pursuant to sections 226(1)(a) and (3)(a) of the Town and Country Planning Act 1990 (the **1990 Act**) and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (the **1976 Act**). In this Statement of Reasons, the land included within the Order is referred to as the **Order Land** which is shown on the plan at Appendix 1 to this Statement (the **Order Map**). The Council is the local planning authority and local highway authority for the Order Land.
- 1.3 If confirmed by the Secretary of State, the Order will enable the Council to acquire the Order Land and certain rights over land compulsorily in order to undertake various strategic infrastructure works (**SIW**) described below in connection with the regeneration of the area known as **Meridian Water**. Meridian Water is also referred to in this Statement as the **Scheme**.
- 1.4 This Statement of Reasons has been prepared in compliance with Guidance on Compulsory Purchase and the Crichel Down Rules published by the Ministry of Housing Communities and Local Government (the **Guidance**). It explains why the CPO powers contained in the Order are necessary and why there is a compelling case in the public interest for making the Order, taking into account the Guidance.

## 2 Location and description of the Order Land

- 2.1 The Order Land is located within the area known as Meridian Water, which is within the Council's administrative area partially within the wards of Lower Edmonton and Edmonton Green. Meridian Water comprises land situated on the west side of the West Anglia Mainline railway previously owned by National Grid and occupied by gas holders, now removed (Zone 1); land to the east of the West Anglia Mainline railway bounded by the North Circular to the north, Leaside Road in the south and the Lee Navigation to the East (which includes the IKEA store, the Tesco store, Orbital Business Park and Zones 2 (part), 4 and 5). It also includes the existing Strategic Industrial Land (**SIL**) to the east of the Lee Navigation (Zones 6 and 7) as well as green belt land between Harbet Road and the River Lee (Zone LV1). Approximately 35 hectares, within Meridian Water are already owned by the Council including Zone 1, Zone 2(part), Zone 4, Zone 5, and large parts of Zones 6 and 7 to the east of the Lee Navigation.
- 2.2 Meridian Water is traversed by three waterways, Pymmes Brook, Salmon's Brooks and the River Lee Navigation, and is bound to the east by the River Lee. To the east Meridian Water adjoins the Lee Valley Regional Park (**LVRP**).
- 2.3 The southern boundary of Meridian Water is also the boundary between the Council's administrative area and the administrative area of the London Borough of Haringey (**LBH**).

To the south of Meridian Water is Leaside Road which is a highway maintainable at the public expense within LBH. The SIW requires works to be carried out on highways within LBH but this work does not form part of the Order.

2.4 The Order Land comprises a total of [XX] plots on which the Council is seeking powers of compulsory acquisition and the compulsory creation of new rights in land. These plots are coloured pink on the Order Map. A description of each plot is set out in the Order Schedule and is more generally described as follows:

- 2.4.1 Angel Edmonton Road / Leaside Road, public highway and adjoining verge (plots [X]);
- 2.4.2 Glover Drive, public highway and adjoining verge (plots [X]);
- 2.4.3 part of IKEA car park (plots [X]);
- 2.4.4 part of land comprising car park internal roads owned by Tesco and British Steel Pension Fund Trustees (plots [X]);
- 2.4.5 part of Pymmes Brook and adjoining verge (plots [X]);
- 2.4.6 former National Grid gasholder site (plots [X]);
- 2.4.7 former Orbital Business Park (plots [X]);
- 2.4.8 land adjoining and airspace above part of the River Lee Navigation (plots [X]);
- 2.4.9 part of Towpath Road, public highway and adjoining verge (plots [X]);
- 2.4.10 Anthony Way private road (plots [X]);
- 2.4.11 cleared industrial site on site of part of former Stonehill Business Park (plots [X]);
- 2.4.12 part of Harbet Road, public highway and adjoining verge (plots [X]);
- 2.4.13 vehicle parking and waste transfer site east of Harbet Road (plots [X]); and
- 2.4.14 Green Belt land east of Harbet Road (plots [X]).

## 2.5 **New Rights**

2.6 In addition to the land included in the Order, new rights are required over other land to undertake the works and allow for future maintenance. The land over which new rights are sought is shown coloured blue on the Order Map.

2.7 A summary of the rights required and why they are needed is set out below:

- 2.7.1 access needed in order to construct the SIW;
- 2.7.2 temporary construction roads;
- 2.7.3 construction compounds;



- 2.7.4 rights to construct/improve/maintain parts of rivers and canals and bridges over them;
- 2.7.5 rights to discharge into watercourses; and
- 2.7.6 crane oversailing.

### 3 **The Purpose for which the Land is to be Acquired**

- 3.1 The Order Land is required for the construction of the SIW, which is described below. The SIW is necessary to allow for further development at Meridian Water. The Order is needed to secure the necessary land assembly and unification of ownerships, within a reasonable timescale.
- 3.2 A significant part of the Order Land is already in the ownership of the Council and through ongoing negotiation the Council has reached voluntary agreement with other parties whilst seeking to acquire the remaining interests (explained in section 7). In order to deliver the SIW it is essential that all of the remaining third party land interests, including any unknown interests are brought into single ownership and all necessary rights are secured.
- 3.3 The Council has given careful consideration to the need for the land and rights within the Order Land and is satisfied that all of the land and rights included within the Order are necessary and justifiable, as detailed below.
- 3.4 **Meridian Water**
- 3.5 Meridian Water is one of London's most significant regeneration opportunity areas. It comprises approximately 85 hectares of under-used brown field land located in the south east of the borough of Enfield and is one of the largest developable areas in London. The full extent of the Meridian Water regeneration area is identified on the plan at Appendix 2.
- 3.6 The Council aims to regenerate Meridian Water comprehensively over a period of approximately 20-30 years. The Council's adopted and emerging planning policy supports the delivery of 5,000 new homes, 1,500 full time jobs, schools, community facilities, health services and open spaces, within a new character area. Over the full life of development there is an aspiration to deliver up to 10,000 new homes and associated development which would be supported through future planning policy, however, the justification for this Order is based on the 5,000 new homes which are supported by existing planning policy (see section 4 below).
- 3.7 The ambition for Meridian Water is to reshape an area that is currently an industrial and retail site, to provide new homes and to grow and diversify the local economy, creating job opportunities across the salary spectrum. The further development of new and existing economic sectors can unlock economic growth and thousands of new jobs. Meridian Water will be a model for a sustainable piece of city, making the most of the opportunities offered by a new Meridian Water railway station (the **Meridian Water Station**) (potentially incorporating Crossrail 2), and its location in the Upper Lee Valley and Lee Valley Regional Park. It is envisaged that the regeneration will come forward in phases over a 20-30 year period.
- 3.8 Meridian Water has been designated as a housing zone by the Mayor of London and is one the Mayor's regeneration priorities. Its regeneration has been a longstanding

objective of the Council and it is the largest priority area for residential-led mixed-use development in the Council's Core Strategy (November 2010). The regeneration supports the ambitious aims of the Mayor of London's Upper Lee Valley Opportunity Area (the largest opportunity area in London), the Mayor of London's Crossrail 2 Growth Commission report in promoting the route via the Lee Valley as a growth corridor and forms part of a successful bid for Housing Infrastructure Fund (**HIF**) grant funding from Homes England.

- 3.9 Due to the scale of the Meridian Water proposals, the area has been divided into eight development zones which will come forward in phases (which may comprise one or more development zones). The eight development zones (**Zones**) are identified on the plan at Appendix 3.
- 3.10 Phase 1 (part of Zone 1) will provide up to 725 new homes, retail, leisure and community uses, transport and infrastructure improvements, public open space and recreational facilities. The location of Zone 1 is shown on the plan at Appendix 3. The Council granted outline planning permission for the development of Phase 1 on 10 July 2017. Phase 1 included a new Meridian Water Station at Phase 1 which has been constructed. Other development is expected to begin in 2021. Zone 1 also has capacity for further development.
- 3.11 An outline planning application has been submitted and is currently pending determination for development of Zones 2 (part), 4 and 5 comprising up to 2,300 residential units (Class C3), Purpose Built Student Accommodation and/or Large- Scale Purpose-Built Shared Living (Sui Generis); a hotel (Class C1), commercial development (Class B1a,b,c); retail (Class A1 and/or A2 and/or A3 and/or A4), social infrastructure (Class D1 and/or D2), a primary school up to three forms of entry, hard and soft landscaping, new public open spaces including equipped areas for play, sustainable drainage systems, car parking provision, and formation of new pedestrian and vehicular access (all matters reserved) (**Phase 2**). Zones 2(part), 4 and 5 are shown on the plan at Appendix 3 and the Phase 2 masterplan is shown at Appendix 5.
- 3.12 The residential element of Phase 2 will provide much needed affordable housing in an accessible location whilst avoiding unnecessary development on greenfield sites. The development will include significant employment generating capacity, with large areas of commercial and retail floorspace as well as the option to provide a hotel. The proposed development also makes provision for community uses to serve the needs of existing residents and new resident and business communities. A new three-form entry primary school, up to 5,500 sq m of social infrastructure and open spaces will provide some of the social infrastructure needed to begin creating a new community and character area at Meridian Water.
- 3.13 The development of Meridian Water will be implemented in phases. In relation to Phase 1 the Council selected Galliford Try Partnerships as its development partner in June 2019. A development partner will also be selected for the part of Phase 2 comprising Zone 2 (part) (the gasholder site comprising approximately 250 units). For the remainder of Phase 2 and future phases the Council is currently considering delivery options, which are discussed further below.
- 3.14 On 6 September 2016, the Council's Cabinet resolved that it is willing in-principle to use its compulsory purchase powers, if necessary, across the entire Meridian Water area to bring

forward the regeneration. At the time of the in-principle resolution in September 2016, the Council intended to proceed with a single master developer for the whole of Meridian Water and a consortium between Barratt Homes and Segro had been selected as the master developer. In October 2017 the relationship with Barratt/Segro was terminated and other delivery options were considered. Subsequently the Council decided to pursue a different approach and on 25 July 2018 the Council's Cabinet decided for Phases 1 and Zone 2 (part) to work with selected development partners. The approach to future phases is subject to further analysis. Under the new approach, the Council will lead in working up the masterplan and deciding on the optimal phasing of delivery. Despite this change of approach to delivery of Meridian Water, there is no change in the approach to land assembly which will still require the use of CPO powers where land cannot be assembled by agreement.

- 3.15 This is the second CPO made by the Council in connection with the delivery of Meridian Water. On 4 July 2017 the Council made the London Borough of Enfield (Leeside Road and Willoughby Lane) Compulsory Purchase Order 2017, following a resolution by the Council's Cabinet to make the CPO on 26 April 2017. That CPO was confirmed by the Council on 12 September 2017 in accordance with section 14A of the Acquisition of Land Act 1981 and a general vesting declaration made on 11 September 2019. This order related to land required to facilitate the development of Zone 1. It may be necessary for the Council to make further CPO's to facilitate later phases of Meridian Water if all the land required for those phases cannot be acquired by private treaty negotiations.
- 3.16 The SIW are required to enable the implementation of Phase 2 and all subsequent phases of Meridian Water.
- 3.17 On 22<sup>nd</sup> January 2020 the Cabinet resolved to use compulsory purchase powers to acquire the land and delegate authority to Director of Place to make the Order and undertake all associated activities.
- 3.18 Although the Order, if confirmed, will authorise the acquisition of land and rights for the SIW only, for the purposes of the Land Compensation Act 1961, section 6D (as inserted by the Neighbourhood Planning Act 2017, s.32), the **Scheme** is Meridian Water as a whole.
- 3.19 **The Strategic Infrastructure Works (SIW)**
- 3.20 The SIW are an essential element of the Scheme. They are required to enable the delivery of Phase 2 and the subsequent phases of development at Meridian Water. In summary, they comprise the construction of new roads, footpaths, cycleways and bridges, rail improvements, land remediation, new utilities and the diversion of existing utilities, and flood alleviation works. The SIW are shown diagrammatically on the drawing at Appendix 4.
- 3.21 A 'full' planning application has been made and is currently pending determination for the SIW.
- 3.22 The SIW are described below (references in brackets refer to the labelling on the drawing at Appendix 4):
- 3.22.1 **The Central Spine Road (R6 to R3)** - a new tree-lined east-west boulevard connecting to Glover Drive and new Meridian Water Station in the west,

crossing the Pymmes and Salmons Brook and River Lee Navigation to Harbet Road in the east. The erection of bridges and associated works are required to enable the Central Spine Road, comprising the Lee Navigation Bridge, the Pymmes Brook North Bridge and the Salmon's Brook Bridge (shown as B1, B2, and B4 respectively). The Central Spine Road is required in the proposed form and location for the following reasons. Further details are provided in the Transport Assessment accompanying the SIW planning application and Phase 2 planning application:

- (a) The principle of the proposed Central Spine Road is well established in the Council's adopted planning policy (see section 4 below), which specifically identifies the need to provide a new spine running through Meridian Water, linking new and existing communities, to employment and social infrastructure, the Meridian Water Station and the LVRP. By connecting this new rail station to other parts of Meridian Water, public transport accessibility throughout the Meridian Water will be improved.
- (b) The alignment of the Central Spine Road has been designed to maximise the accessibility of Phase 2 and future development to Meridian Water Station (by minimising walking distances) and to create efficient plots to maximise the delivery of homes. Bridges B2 and B4 will span the brooks and provide an east-west connection whilst retaining the industrial heritages of the confluence point of the brooks where a viewing point will be provided as part of Phase 2. The Lea Navigation Bridge (B1) will extend this connection further to the east, providing resilience of access for emergency vehicles and buses and will connect Phase 2 with the SIL, the green space to the east and the wider LVRP. The width of the Central Spine Road has been designed to accommodate buses, pedestrians, cycle facilities and landscaping appropriate on the scale proposed by the Scheme and to encourage use of sustainable modes of transport.
- (c) Meridian Water currently has poor permeability for vehicles, pedestrians and cyclists due to severance caused by existing water courses and a high proportion of goods vehicles on local industrial estate roads and heavy traffic flows on the North Circular (A406) to the north of the site. The Central Spine Road is intended to address this.
- (d) Dedicated, segregated two-way cycle tracks will be provided along the Central Spine Road to form direct routes across the Meridian Water area, linking the proposed development with public transport nodes as well as existing strategic cycle routes to the east to overcome the current lack of permeability for active modes.
- (e) In addition, the SIW will enable a comprehensive package of sustainable transport benefits for new residents to be delivered. This will include travel plans and pedestrian environment enhancements to improve accessibility in and around Meridian Water and the wider lower Edmonton area, better connecting Edmonton Leaside to the rest of the borough.

- (f) The Central Spine Road will connect with north-south pedestrian and cycle links through Phase 2 in order to increase permeability by walking and cycling and to meet London Borough of Enfield and TfL's Healthy Streets' objectives.
- (g) The proposed alignment of the Central Spine Road will enable efficient bus routing through the Meridian Water area and bus-rail interchange at Meridian Water Station. It will also be able to accommodate further enhancements to the bus network to serve Phase 2 and future phases of development as envisaged within the Bus Strategy appended to the Phase 2 and SIW Transport Assessment.
- (h) The Central Spine Road will minimise walk distances to bus stops and allows for the efficient siting of bus stops and maximises bus stop catchments within Meridian Water. Comfortable walk distances and proposed high quality pedestrian environments will help to make bus use more attractive and help support the Council's proposed lower car parking standards across Phase 2 and the wider Scheme.
- (i) The alignment of the Central Spine Road will improve public transport accessibility (**PTAL**) which will facilitate higher density development in Phase 2 than would otherwise have been appropriate.
- (j) The Central Spine Road will provide an additional point of access into Phase 2 and the wider Scheme. This will provide greater resilience of access for emergency vehicles and buses. It will also balance access for private vehicles to facilitate route choice, thereby increasing the performance resilience of access junctions onto Meridian Way.
- (k) The Central Spine Road will connect the new residential development to employment uses including the SIL, Harbet Road Business Parks and meanwhile uses in accordance with Mayor's Transport Strategy (2018) Proposal 91 which states that *"The Mayor, through TfL and the boroughs, will explore the role for demand responsive bus services to enable Good Growth, particularly in otherwise difficult-to-serve areas of outer London"*.
- (l) Due to the phasing of the Scheme, the Central Spine Road has been designed to maintain access to existing occupiers. This will involve new access arrangements for IKEA, for the Arriva bus depot and for other industrial uses between Harbet Road and the River Lee Navigation.
- (m) The Tesco Extra and IKEA sites currently form a barrier to movement between Glover Drive and Phase 2 (and potential development in future phases), which would be addressed by the Central Spine Road.

3.22.2 **Leeside Link Road (R4).** This link will include the erection of a new bridge (to be known as the Pymmes Brook South Bridge(B5)) and associated works to span Pymmes Brook. The proposed Leeside Link Road can be delivered without the need to acquire land but it will be necessary to acquire rights for the new bridge over Pymmes Brook from the Environment Agency (**EA**). It is important to understand the purpose and orientation of the Leeside Link Road

to provide context for the need for the Central Spine Road. Further information is provided in the Transport Assessment accompanying the SIW planning application and Phase 2 planning application. The need for the Leaside Link Road is summarised as follows:

- (a) The Leaside Link Road will connect with the Central Spine Road to provide an attractive walking and cycling route to Meridian Water rail station for the plots of land in the southern part of Phase 2. A new bridge (B5) will provide connectivity from Leaside Road into the centre of Meridian Water. This is a natural extension of the existing road network and will turn Leaside Road from an industrial dead-end road into an urban, street suitable for all modes of transport and thereby increase permeability of Meridian Water to the south and west.
- (b) There is an existing bridge in the location of the proposed crossing of the Pymmes Brook South Bridge (B5) but having regard to its age and condition it is not suitable for use as part of the Leaside Link Road.
- (c) The proposed width of the Leaside Link Road will be sufficient to accommodate walking and cycling facilities, infrastructure for buses and private vehicles and landscaping appropriate for a development of the scale proposed in Phase 2.
- (d) The proposed alignment of the Leaside Link Road will provide direct access to Leaside Road from Phase 2 and forms an appropriate bridged crossing of Pymmes Brook to connect with Leaside Road. The proposed alignment also maintains sufficient land within the gasholder site (part of Zone 2) to deliver viable new housing. The bridge will be on Council owned land and will not affect Tottenham Marshes which is an important public open space owned by the Lee Valley Regional Park Authority.
- (e) The Leaside Link Road will connect with the shared pedestrian and cycle route along the north side of Leaside Road which provides access to developments south of Leaside Road and west of Meridian Way. Without this link pedestrians and cyclists would need to use Glover Drive and route along Meridian Way which is a busy road (c. 3500veh/hr two-way in peak periods) and a less suitable cycling and walking environment.
- (f) The Leaside Link Road increases the permeability of Phase 2 and wider Meridian Water for pedestrians and cyclists.
- (g) The Leaside Link Road provides for efficient bus routing through Phase 2 and Meridian Water and allows for greater flexibility for route options. It would also allow additional bus services to be diverted in the future as envisaged within the Bus Strategy appended to the Phase 2 and SIW Transport Assessment.
- (h) The Leaside Link Road allows for the efficient siting of bus stops, maximising bus stop catchments within Phase 2 and thereby minimising walk distances to bus stops. Comfortable walk distances and proposed

high quality pedestrian environments will help to make bus use more attractive and help support lower car parking levels across Phase 2 and the wider Scheme.

- (i) The Leaside Link Road is important for improving the public transport accessibility of the southern part of Phase 2 and ensuring that non-car modes of travel are attractive throughout Meridian Water. Without the Leaside Link Road there is a risk that the diversion of bus services along the Central Spine Road would not be possible. If this were the case then the southern part of Meridian Water would need to be served by the existing northern access, or by new links delivered by the SIW. This would result in a greater travel distance to Meridian Water Station from the southern part of the site with an associated reduction in public transport accessibility, and less efficient routing options for buses.
- (j) Allowing for vehicular movements along the Leaside Link Road into Phase 2 and the wider Scheme will provide an additional point of access. This will provide greater resilience of access for emergency vehicles and buses. It will also balance access for private vehicles to facilitate route choice, thereby increasing the performance resilience of junctions with Meridian Way. The existing Meridian Way junction at Glover Drive does currently operate at or close to capacity and the additional vehicular access at the Leaside Link Road will help to balance traffic flows between the access junctions, utilising what capacity is available for the future.
- (k) The Leaside Link Road will provide direct access to some retail and residential cores along its length and for buildings fronting the Central Spine Road.

3.22.3 **Brooks Park and River 'Naturalisation'** – naturalising Pymmes Brook to introduce an ecological river landscape, as well as providing riverside parkland (shown as F2).

- (a) Pymmes Brook is currently a concrete channel. The proposed works will involve naturalisation (works to river structures to improve the natural habitat) and storm water reduction capacity (S2). These works are essential as the EA has identified the need for naturalisation of the Pymmes Brook as part of the Water Flood Directive objectives. Consultation has been held with the EA to discuss various options for naturalisation and identify the preferred solution, which is explained in more detail the Flood Risk Assessment submitted as part of the Phase 2 planning application.
- (b) With regard to the northern branch of the Pymmes Brook, it is proposed to undertake flood alleviation works to the wall to allow passage of flood water from within Zone 5 (F1).
- (c) Flood water that emanates from the Pymmes Brook will be stored within the naturalisation area along the western bank of the Pymmes Brook.

3.22.4 **Edmonton Marshes and Flood Alleviation Works** – re-levelling and remediation of land to the east of Harbet Road, providing comprehensive flood alleviation works and a new high quality public open space within the LVRP (shown as E1, ER1, and F5). This is explained in detail in the Flood Risk Assessment submitted as part of the Phase planning application. In summary:

- (a) Two principal sources of flood risk must be managed to facilitate the development of Meridian Water: (i) fluvial flooding from the Pymmes Brook, Salmons Brook, Lee Navigation Canal and Lee Flood Relief Channel; and (ii) surface water flooding from on-site rainfall.
- (b) The EA require that for all vulnerable developments (which means the majority of the buildings at Meridian Water) the ground floor levels must be raised. It is necessary to provide compensatory flood storage to offset the volume that is lost within the building plots.
- (c) The LVRP area is the most suitable area for providing the required compensatory storage. The proximity of this area to the development Zones from which the flood water will be displaced will ensure the technical feasibility of the proposed solution. The existing uses of the land required will not be affected. The use of the land for flood alleviation will not detrimentally impact the proposed development of a new country park on this land.
- (d) The proposed works comprise the excavation to provide the necessary flood compensation and also to generate material for reuse for infilling during construction elsewhere within Meridian Water. The excavated formation level has been determined on the assumption that it will be necessary to have sufficient topsoil to accommodate a layer of planting. The earthworks proposed to be undertaken in LVRP involve the lowering of ground levels to create of the compensatory flood storage required to allow development in Phase 2, as well as future development in Zones 6 and 7. The management, storage and treatment of excavated material from ER1 will occur throughout the period of earthworks.

3.22.5 **Access Works** – works to provide new and altered accesses to the IKEA store (TPA2), a new north-south link between Argon Road and Glover Drive (J5), the creation of a link between the Central Spine Road and Anthony Way (TPA1) and other improvements to maintain access, along with other ancillary highway works to Glover Drive, Leaside Road and Meridian Way. Information on these works is set out in the Transport Assessment accompanying the SIW planning application and Phase 2 planning application. The case for the Access Works is summarised as follows:

- (a) The Central Spine Road has been designed to accommodate the needs of IKEA and Tesco. The access designs have been developed to maintain access, retain store visibility and quality of the customer journey, and the continuation of servicing and delivery arrangements for adjacent occupiers.



- (b) The existing IKEA and Tesco stores and the Tesco petrol filling station are accessed from Argon Road, Glover Drive and a network of private internal roads. To the east of the Lee Navigation, there are industrial uses, including the Arriva Bus Depot, which are accessed from private roads off Harbet Road.
- (c) The proposed Central Spine Road will provide a connection between Glover Drive and Harbet Road. The connection at Glover Drive will affect access to the existing IKEA store and their northern surface level car park and internal access road. There will be minimal impact on Tesco's access routes as a result of the Central Spine Road.
- (d) The Central Spine Road will provide alternative access points into the IKEA store at Leaside Road, Meridian Water and Glover Drive. This will minimise the IKEA customer and servicing circulation route (and the subsequent diversion route as the result of the Central Spine Road) from the local highway network into the store. It will also help to reduce traffic within the vicinity of the Central Spine Road, in keeping with the aspiration to deliver Healthy Streets.
- (e) A new north-south link road will be provided incorporating part of the existing Tesco southbound exit carriageway and part of IKEA's northern car park. This new two-way road will provide a dual purpose of retaining southbound access from Argon Road to Glover Drive but also allow exiting IKEA vehicular traffic a route to the north. As a result of the introduction of this route, a number of changes are required to the existing arrangements along the new route as described in the Transport Assessment.
- (f) Where the Central Spine Road will cross the Lee Navigation the closure of Towpath Road to vehicle traffic permanently will be necessary due to bridge landing requirements.
- (g) Most of the existing industrial uses in the SIL can be accessed directly from Harbet Road using private roads. However, access to the Arriva Bus Depot and to some other occupiers may be affected during construction. To maintain bus operations and ensure business access is not affected the SIW includes new access arrangements to the Arriva Bus Depot. A swept path analysis has been undertaken to ensure that these are suitable for goods vehicles, buses and buses being towed by a recovery vehicle. The layouts have been issued to Arriva and discussed in meetings and comments have been incorporated into the design.
- (h) Since Anthony Way will be the new route for buses, a number of improvements to this road are proposed. These will include the re-provision of formal parking spaces, widening of the road to allow two-way bus movements and the introduction of a new pedestrian footway on one side of the road where space allows. This will provide an improved pedestrian and vehicular access route to existing industrial

occupiers along Anthony Way and an alternative access to the Arriva Bus Depot.

3.22.6 **Earthworks, Remediation, Utilities and other ancillary works** – earthworks, retaining structures and remediation within Phase 2, installation of main utility networks and ancillary works including the demolition of existing buildings and structures (shown as E5, E6, ER5 and ER6).

(a) Earthworks and Remediation north and south of Central Spine Road are proposed to raise development levels above the flood levels in Phase 2. The earthworks are essential to allow ground levels to be raised to provide mitigation against flood risk and enable development (see above). These earthworks also aid the surface water drainage.

(b) These works will be carried out principally within land owned by the Council, although they will require relocation of a gas governor owned by Cadent Gas.

3.22.7 **Rail enhancement works.** An additional track is proposed to serve the Meridian Water Station to provide a more frequent service. Although this is part of the SIW, it is not necessary to acquire land for this purpose.

3.23 A planning application for SIW was submitted on 31 July 2019 and is currently awaiting determination. It is anticipated that planning permission will be granted in early 2020.

#### 4 **Planning Policy relevant to the Scheme**

4.1 The Council's adopted and emerging planning policy is supportive of both the SIW and the wider Scheme, which is also consistent with regional and national policies.

#### 4.2 **The Enfield Plan: Core Strategy 2010-20 (the Core Strategy)**

4.3 The Core Strategy was adopted by the Council on 10 November 2010 and is part of the Council's development plan. It sets out the spatial planning framework for the long term development of the borough for the next 15-20 years. Core Policy 2 states that the Council will plan to meet the housing growth targets as set out in the London Plan for the fifteen year period from 2010/11 to 2024/25 and will plan for the provision of approximately 11,000 new homes.

4.4 The Meridian Water area corresponds with the Place Shaping Priority Area Meridian Water as designated in The Core Strategy. Core Policies 37 and 38 deal specifically with Meridian Water. Policy 37 states:

*“At Meridian Water... ..the potential of a new sustainable urban mixed use community has been identified to play an important role in the delivery of planning and regeneration objectives, bringing forward in the region of 5,000 new homes and 1,500 new jobs.”*

4.5 Policy 38 states:

*“Based on the evidence of initial growth scenarios in the Meridian Water Place Shaping Priority Area, the objectives of new development will be to create a*

*new community by 2026 with up to 5,000 new homes, 1,500 new jobs and all the necessary infrastructure to support the community and attract families and new employers to the area."*

- 4.6 Core Policy 38 also supports infrastructure improvements at Meridian Water including specific mention of the Central Spine Road stating the following aims:

*"A new spine running through the area, connecting all parts of Meridian Water, linking new and existing communities, the station and the Lee Valley Regional Park;*

*Improved connectivity, both north-south and east-west;"*

- 4.7 There are justifications and explanations of these policies in paragraphs 9.9 to 9.11 of the Core Strategy.

- 4.8 The Core Strategy also supports the Council acquiring land to control new development and use of CPO powers in appropriate circumstances:

*"Where opportunities arise, the Council will consider the acquisition of new sites in order to secure community benefit or control new development, which in some cases may provide an opportunity to generate revenue from its landholdings, which it can reinvest into the community." (paragraph 10.18)*

*"Where the Council does not own the land and it appears that development identified in the Core Strategy is not coming forward in a timely manner, the Council will use its compulsory purchase powers to allow development to progress." (paragraph 10.19)*

- 4.9 Although this is currently the Council's only adopted statutory development plan policy that specifies housing and development targets at Meridian Water, planning policy and framework agreements produced since 2010 (which do not yet form part of the Development Plan) take account of the growth in population in the borough as well as pressure on housing demand generally in London, and therefore have considerably higher targets than the Development Plan for housing units and job creation at Meridian Water.

- 4.10 The Council is preparing a new Local Plan which will incorporate updates to the Meridian Water proposals. A draft of the Local Plan has been consulted on, with the proposed submission stage expected in early-2020. The Core Strategy will remain in force as the Local Plan is prepared, although the Local Plan will assume greater weight in decision making as it progresses, and on its adoption will supersede the Core Strategy.

4.11 **Area Planning Policy – Edmonton Leaside Area Action Plan**

- 4.12 The Edmonton Leaside Area Action Plan (**ELAAP**) was first produced in November 2013 and revised in to its submission version in January 2017. It was approved by full Council in on 17 January 2017 as a draft for submission to the Secretary of State. The primary purpose of the ELAAP is to articulate in greater detail how the Core Strategy and relevant Development Management Document policies will be implemented, and to provide a more detailed policy framework to guide new development in the area.

4.13 The ELAAP went to public consultation between 15 March 2017 and 27 April 2017 and received 22 representations. The ELAAP was submitted to the Secretary of State, and subject to an examination in public in October 2018 before an Inspector appointed by the Secretary of State. Following the examination, the Inspector raised a number of queries which required further evidence and resulted in modifications in respect of Meridian Water as follows:

4.13.1 removal of any de-designation of strategic industrial land (**SIL**);

4.13.2 adjustment of the housing and employment targets;

4.13.3 affordable Housing provision; and

4.13.4 flood risk.

4.14 The Council provided further information in the form of modifications to the Inspector and the Inspector's Report was published in August 2019. The report requires a number of main modifications to be made to the ELAAP in order for it to be adopted. Consultation on the main modifications took place between [ ] and [ ] 2019 and following assessment of the responses to that consultation, adoption of the ELAAP is anticipated for [ ] 2020. The Council consider the

4.15 Given the advanced stage of development of the ELAAP and the fact that concerns of the Inspector have been substantively addressed, the Council places significant weight on it in accordance with paragraphs 48 to 50 of the NPPF.

4.16 The modified ELAAP provides a policy basis supported by evidence modelling, to achieve the Core Strategy aim of 5,000 homes and 1,500 jobs at Meridian Water. Chapter 5 of the ELAAP deals specifically with Meridian Water. The Scheme is consistent with the principal aim of Chapter 5 of the ELAAP in bringing forward the regeneration of Meridian Water but the SIW is also specifically supported by Policy EL6 which discusses the Central Spine and states that the Council's aims to "*work with its partners and stakeholders to implement the Central Spine and maximise connectivity across Meridian Water*". The ELAAP makes clear how the Central Spine is fundamental to the development proposals for Meridian Water. It requires that development proposals that include part of the Central Spine Road must amongst other things:

*Support the delivery of a continuous link route across Meridian Water and beyond and Prioritise the route as the primary route for orientation, navigation and connectivity at Meridian Water;*

*Demonstrate how resident and employee access to supporting uses is maximised, including retail, health centres, open space and schools;*

*Demonstrate how the Causeway [now Central Spine Road] route will act as the trunk route for servicing and subterranean infrastructure, including details of how the routes will positively and proactively connect to the Causeway route and servicing on adjacent sites;*

4.17 The ELAAP defines a safeguarded corridor for the route of the Central Spine Road.

- 4.18 Chapter 14 of the submission draft of the ELAAP provides policy support for the Council's approach to land assembly at Meridian Water. Specific recognition is given to the importance of a comprehensive regeneration and the use of CPO powers to enable effective delivery of the development. It also highlights at paragraph 14.2.6. the importance of infrastructure where it states:

*"To deliver the infrastructure needed to develop Meridian Water in an effective and timely way, greater control over land and delivery is required. This relates particularly to delivery of the Central Spine as the key linking element".*

4.19 **Meridian Water Masterplan**

- 4.20 The Meridian Water Masterplan was adopted by the Council as Planning and Urban Design Guidance on 17 July 2013 and is a material consideration in the determination of all planning applications in this area. The specific scope of the development set out in the Masterplan is no longer what will be developed, since this has been overtaken by a number of changes referred to above which it is intended will be addressed in the revisions to the ELAAP. In particular the Council has revised its approach to land acquisition and ambitions for Meridian Water. However, certain principles and aspirations set out in the Masterplan (for example quality of design, strengthening communities and economic growth) are still applicable and therefore relevant to the Order justification.

- 4.21 In relation to supporting the SIW generally the Masterplan states:

*"A new central east-west Causeway [now Central Spine Road] enables controlled vehicular movement across the area. A network of new streets, a remodelled underpass and new bridges will connect neighbourhoods. Whilst private cars continue to be important, they will not dominate. Sustainable modes of travel will be supported, including car clubs, electric vehicles and cycle parking." (Guiding Principles No.4)*

*"Taking advantage of the local surrounding road network, there is opportunity to create new road links that create connections between existing and new communities and facilitate new bus routes.....A network of walking and cycling routes would further improve connections with surrounding neighbourhoods. Safe, useable routes connecting homes and facilities will help to strengthen a strong sense of community and encourage the movement of people into, through and around Meridian Water." (Para 2.3.7).*

- 4.22 Masterplan (Para 3.1.1) discusses the Central Spine Road (referred to then as the Causeway):

*"A grand civic Causeway forms the backbone of Meridian Water, sweeping across the site from west to east. It is the core masterplan arrangement around which the rest of the masterplan is both structured and delivered. It is the central feature running through the heart of the scheme.*

*As it moves through the site, the Causeway becomes a vibrant community focus that is animated by a series of squares and public spaces at key points along its length. From the central square, the Causeway frames views down towards the waterfront, reasserting its centrality to the vision.*

*A new integrated transport hub, a landmark bridge and a refashioned high street form key features of this central element of the masterplan."*

- 4.23 Section 4 of the Masterplan provides specific detail on the Central Spine Road, and justification for it. Section 6.2 (Movement) provides detail on how pedestrian, vehicular and public transport connectivity around the site will be developed. Chapter 7 of the Delivery section discusses the need for critical infrastructure to be delivered to enable development zones to come forward. Paragraphs 7.2.1 to 7.2.3 provide specific Development Guidance on the Central Spine Road.
- 4.24 On the use of CPO powers, paragraph 7.1.2 states the Council will *"engage in compulsory purchase and direct delivery of development, for example, bring forward development within defined timescales or to undertake demonstration projects"*.
- 4.25 The Masterplan therefore provides some strong justification for the SIW as well as supporting the principle of the Scheme. However, on adoption of the ELAAP, the Masterplan will be superseded.
- 4.26 **Meridian Water: Investing in Enfield's Future**
- 4.27 The Meridian Water Regeneration Framework, titled "Investing in Enfield's Future" was endorsed by the Council's Cabinet on 10 February 2016 and forms the interim strategic approach to achieving sustainable development and long term growth for Meridian Water and taking the wards of Upper Edmonton and Edmonton Green out of the bottom 10% most deprived wards in England.
- 4.28 The Framework sets out the aims and aspirations for the future development of Meridian Water over a 40 year timespan. The Action Plan, appended to the Framework, serves as a matrix to help measure performance of the development against six themes or "action areas" ranging from lifestyle to sustainable infrastructure and energy.
- 4.29 **The London Plan**
- 4.30 The Mayor of London's revised London Plan was formally adopted in March 2016 and was updated in January 2017. It provides a strategic spatial strategy within Greater London and forms part of the Council's development plan. The Plan sets out a number of objectives to: optimise the potential of development sites; make the most sustainable and efficient use of land, particularly in areas of good public transport; improve the quality of life; deliver high quality new homes; mitigate and adapt to climate change; and secure a more attractive, well designed green city.
- 4.31 The adopted Plan Policy 3.3 identifies the need to provide an annual average of 42,000 additional homes across the capital each year. Paragraph 3.16b entitled 'London's housing requirements' states that "the central projection in the Strategic Housing Market Assessment indicates that London will require between approximately 49,000 (2015-2036) and 62,000 (2015-2026) more homes a year." A significant number of new homes are needed in Enfield over the coming years and decades in order to meet existing and future housing need. The minimum delivery target set for Enfield by the London Plan is 798 per annum, with Meridian Water playing a key role in contributing to this.
- 4.32 The emerging draft New London Plan looks set increase housing delivery targets to 66,000 per annum. A significant number of homes are needed in Enfield over the coming

years in order to meet current and future need. The Council's average housing delivery target under the draft New London Plan is 1,876 homes per annum

- 4.33 Policy 2.13 of the adopted London Plan refers to “opportunity areas” that have been identified on the basis that they are capable of accommodating substantial numbers of new homes and employment and seek to ensure the area’s potential is optimised. The Upper Lee Valley (in which Meridian Water is situated) is identified in London Plan Policy 2.13, supported by London Plan Annex One, as an opportunity area.
- 4.34 In October 2015, the GLA designated Meridian Water one of twenty new Housing Zones in London, unlocking funding for key infrastructure and enabling works, including the station, remediation and a Central Spine.
- 4.35 **Upper Lee Valley Opportunity Area Planning Framework**
- 4.36 The Upper Lee Valley Opportunity Area Planning Framework (adopted July 2013) covers circa 3,900 hectares shared between the London Boroughs of Enfield, Haringey, Waltham Forest and Hackney. The headline objectives for the Upper Lee Valley include:
- 4.36.1 Over 15,000 new jobs by 2031
- 4.36.2 Over 20,100 new well designed homes by 2031
- 4.37 Meridian Water, roughly in the centre of the Opportunity Area and at the junction of three London Boroughs, is identified as a Growth Area. Chapter 7.2 specifies the following principles for Meridian Water:
- 4.37.1 Realising the scale of opportunity and the opportunity of scale;
- 4.37.2 Delivering 5,000 new homes; and
- 4.37.3 Facilitating economic growth: delivering at least 3,000 new jobs of varied types.
- 4.38 The Scheme helps deliver on the potential of this regional strategic opportunity area.
- 4.39 **National Planning Policy Framework**
- 4.40 The National Planning Policy Framework (**NPPF**) (February 2019) sets out the Government’s policies on planning and how these are expected to be applied. The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development: economic, social and environmental and that planning authorities should seek opportunities to achieve the promotion of these dimensions. The NPPF encourages the use of sustainable and non-car modes of travel. The Council's proposals for Meridian Water are in accordance with the NPPF in terms of the emphasis on urban regeneration and the efficient re-use of brownfield land in order to create sustainable development in line with economic, social and environmental objectives to improve people’s quality of life. The emphasis on community involvement; creating a sustainable community in a high quality, safe and healthy local environment where people want to live; contributing to the promotion of urban renaissance and improvement of quality of life and access to jobs; building a socially inclusive community with a mix of housing; and improving the link

between land use and transport are all in line with the NPPF aim of sustainable development.

4.41 **Mayor’s Transport Strategy (Greater London Authority, 2018)**

4.42 The Mayor’s Transport Strategy (**MTS**) details measures to allow Londoners to reduce their dependence on cars by providing viable and attractive alternatives.

4.43 Chapter 4, “A good public transport experience”, of the MTS states that “buses play a unique role in the life of London – they are the most accessible form of public transport, and they provide the widest and densest network of travel options for distances that are too long to walk or cycle” (page 155, paragraph 1).

4.44 Policy 15 of the MTS directly concerns the provision of bus services: “the Mayor, through TfL and the boroughs, and working with stakeholders, will transform the quality of bus services so that they offer faster, more reliable, accessible, comfortable and convenient travel by public transport, while being integrated with, and complementing, the rail and Tube networks” (page 155, Policy 15).

4.45 The MTS also states that “new types of services, including high-quality bus transit, can unlock new areas for development” (page 235, paragraph 2). The MTS asserts several proposals to achieve this aim which include:

4.45.1 Proposal 90: “The Mayor, through TfL and working with the boroughs, will complement major transport infrastructure investment with improvements to local bus services, bus priority and bus infrastructure in order to enable high-density development over a larger area and thus spread the benefits of the infrastructure investment further”;

4.45.2 Proposal 91: “The Mayor, through TfL and the boroughs, will pilot bus transit networks in outer London Opportunity Areas with the aim of bringing forward development, either ahead of rail investment or to support growth in places without planned rail access. Consideration will be given to pilots at locations including Bexley/Greenwich, Enfield, Havering and Hounslow”.

4.46 The transport strategy of the Scheme, which is facilitated by the SIW, allows conformity with the MTS.

4.47 **Healthy Streets for London (Transport for London, 2017)**

4.48 Healthy Streets for London (Transport for London, 2017) is TfL’s adopted framework for the development of policies and strategies to help Londoners use cars less and walk, cycle and use public transport more. This was the framework used when the Mayor’s Transport Strategy (2018) was being created. Healthy Streets has been incorporated into design of the SIW.

4.49 **Guidelines for Planning Bus Services (Transport for London, 2012)**

4.50 To help achieve the goals of the Mayor’s Transport Strategy TfL produced Guidelines for Planning Bus Services (Transport for London, 2012).



- 4.51 The document states the following objective: “a comprehensive network should be provided ensuring that people have access to their local amenities such as shops, hospitals, schools and transport interchanges” (page 7, section 33). To achieve this objective, several guidelines have been outlined:
- 4.51.1 “In residential areas, it is desirable for the bus network to run within about five minutes walk of homes, if this is cost-effective and if roads are suitable. This is about 400 metres at the average walking speed.
  - 4.51.2 The 400 metre guideline will be used alongside other indicators of accessibility to the network. These may for example be demographic, such as low car ownership, or physical, such as steep hills, parkland or severance due to main roads.
  - 4.51.3 In town centres, passengers should be taken close to the places they want to reach - shopping centres, rail stations, etc. At the same time, however, complicated or indirect service routings should be avoided.
  - 4.51.4 Effective interchange is essential to achieving a comprehensive network, as there will not be a direct bus link for every journey. Interchange opportunities will be taken into account in service design. In particular, good interchange facilities in town centres are important given that town centres form the hubs of the bus network”.
- 4.52 The Central Spine Road and Leaside Link Road are key to meeting the guidelines on bus services as described in detail in section 4.

## 5 **The Council’s Power to Acquire Land Compulsorily**

- 5.1 Section 226(1)(a) of the 1990 Act enables the Council to acquire land compulsorily in order to facilitate the carrying out of development, redevelopment or improvement on or in relation to land in its area. Section 226(1)(a) is subject to sub-section (1A) which provides that the Council must not exercise the power unless it thinks that the proposed development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic and/or social and/or environmental well-being of its area.
- 5.2 Section 226(3)(a) enables the Council to acquire any land adjacent to land falling within sub-section (1) which is required for the purpose of executing works for facilitating the development or use of land within the Council’s area.
- 5.3 Acquisition of the Order Land is necessary in order to implement the SIW. The SIW will make a significant contribution to the environmental, social and economic well-being of the lower Edmonton area, as well as the borough generally, meeting the object of Section 226 (1A) of the 1990 Act.
- 5.4 Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to acquire any such new rights over the land as are specified in the Order. New rights are required for the delivery of the SIW and their subsequent maintenance.
- 5.5 Paragraph 95 to Section 1 of the Guidance explains that the Section 226 powers in the 1990 Act are intended to provide a positive tool to help acquiring authorities with planning

powers assemble land where this is necessary to implement proposals in their Local Plan. In this case of the Scheme and the SIW the relevant Local Plan is the Core Strategy and once adopted, the ELAAP.

- 5.6 The Guidance provides recommendations to acquiring authorities on the use of compulsory purchase powers and the Council has taken full account of this Guidance in making this Order.
- 5.7 The Council has been successful in acquiring a substantial part of the Order Land by agreement (as well as other land forming part of the Scheme). However it will not be practicable to agree terms for the acquisition of all of the remaining interests in the Order Land within a reasonable timeframe.
- 5.8 Having regard to the nature of the proposals and the advice set out in the Guidance, the Council is satisfied that the use of its compulsory purchase powers under Section 226(1)(a) and Section 226(3)(a) of the 1990 Act is justified in order to achieve its objectives.

## 6 **Justification for the use of Compulsory Purchase Powers**

- 6.1 The need for the SIW is explained at section 3 above.
- 6.2 The development of the SIW will contribute to the achievement of the objects specified in Section 226(1A) of the 1990 Act as explained in section 5 above.
- 6.3 The proposals for SIW comply with existing and emerging local planning policy, the London Plan and the NPPF, as explained in section 4 above. Procurement for a development partner for part of Phase 2, the former gasholder site (part of Zone 2) has commenced. To deliver further development within Phase 2 and later the Council will embark in a similar robust exercise to select preferred delivery method (discussed further below). The Council does not consider that the purpose of the Order could be achieved more effectively by any alternative means.
- 6.4 Paragraph 106 of the Guidance identified four factors of particular relevance to CPOs under section 226 of the 1990 Act which will be taken into account by the Secretary of State when deciding if the powers should be confirmed. Each of these is considered below.
- 6.5 **Whether the purpose for which the land is being acquired fits with the adopted planning framework for the area**
- 6.6 The proposed Order is to enable the SIW to be constructed in connections with the regeneration of Meridian Water in accordance with the planning framework described in section 4 of this Statement.
- 6.7 The Council is therefore satisfied that the Scheme is in accordance with the strategic objectives of the adopted planning framework.
- 6.8 **Contribution to the social, economic and environmental well-being of the area**
- 6.9 The SIW will contribute to the *economic well-being* of the Council's area by facilitating regeneration of Meridian Water. The main economic benefits will be:

- 6.9.1 a Scheme value of c.£6bn;
  - 6.9.2 the creation of approximately 1,500 permanent jobs and thousands of jobs during construction with opportunities for apprenticeships for local people;
  - 6.9.3 increased economic activity by reason of increased employment and expenditure during construction phase of the Scheme; and
  - 6.9.4 increased economic activity by reason of increased employment and expenditure during the operational phase of the Scheme and the introduction of expanded residential uses.
- 6.10 Promotion or improvement of *social well-being* will be achieved by:
- 6.10.1 provision of new, well-designed, energy-efficient homes that will meet the needs of residents now and in the future;
  - 6.10.2 provision of up to 5,000 new homes with the potential for a further 5,000;
  - 6.10.3 the provision of c. 45% affordable housing on a habitable rooms basis;
  - 6.10.4 shaping the new neighbourhood and giving it a distinct new character with high quality design led approach to planning applications guided by the ELAAP with a focus on open spaces and waterside living; and
  - 6.10.5 improved pedestrian, cycle and vehicular access links to improve permeability and to foster the creation of a healthy and safe community.
- 6.11 Promotion or improvement of *environmental well-being* will occur through enhancement of the townscape through the replacement of outdated buildings with a contemporary and well-designed residential development. The public realm will be improved and heritage assets appropriately and respectfully treated within the Scheme. The main environmental benefits are:
- 6.11.1 redevelopment of a brownfield site;
  - 6.11.2 increased housing density appropriate to the increased and sustainable transport connectivity of the area due to the Meridian Water station, increased train service, increased bus capacity through the Central Spine consistent with the London Plan (adopted and emerging) and NPPF targets for optimising density;
  - 6.11.3 creating new employment opportunities close to people's homes;
  - 6.11.4 provision of efficient layouts and high quality public open space, community and recreational facilities.
- 6.12 For the above reasons, the well-being tests set out in Section 226(1A) are fully satisfied in respect of the CPO as made and submitted for confirmation.

6.13 **Whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means.**

6.14 The SIW facilitates the regeneration of Meridian Water. That regeneration faces a number of major obstacles; most pertinent is delivering infrastructure necessary to enable development of large mix used schemes. The Council has undertaken a comprehensive investigation of the options for the SIW necessary for Meridian Water and it has determined the design of the SIW proposed is the only viable means to achieve the planning policy objectives. The need for each element of the SIW is explained in section 3, which demonstrates both the overall need for the infrastructure and specific reason for scale and location of the infrastructure proposed.

6.15 **Potential viability of the Scheme and general indication of funding intentions**

6.16 The compensation payable as a result of the Order will be met by the Council from its general fund. The Council having considered advice about the estimated liability for the compensation, is satisfied it has the resources to pay all compensation arising out of the Order.

6.17 With regard to the costs of constructing the works the Council has secured [£11m] of GLA granting funding and £156m HIF funding (of which £116m is allocated to the SIW subject to this Order, with the remaining £40m allocated to the rail enhancement works). Having taken independent advice, the Council is satisfied it has sufficient funds available for the construction of the SIW.

6.18 The Council will itself arrange for construction of the SIW and is in the process of procuring contractors for this work.

7 **Efforts to Acquire by Agreement**

7.1 The Council owns the land required for the Phase 2 development having acquired it by private treaty agreement. The Council has also acquired other land interests within the Meridian Water boundary which to date equates 35.5 hectares or 68% of the developable area within Meridian Water. The plan attached at Appendix 6 shows the extent of the Council's existing ownership at Meridian Water.

7.2 The Order Land is intended solely to enable the acquisition of land and rights required for the SIW. The Council and its land agents have been in negotiations to acquire these plots and offers have been made to each owner.

7.3 Genuine and sustained efforts have been made to acquire all the land and rights required for the SIW. In accordance with best practice, the Council will continue to endeavour to reach negotiated settlement and these efforts will continue after the Order is made in parallel with making the CPO.

7.4 In relation to plots included in the Order of which the owners cannot be traced, the Council's advisers have examined details held at the Land Registry and Land Charges Department concerning these plots, and the Council has posted site notices in close proximity to the plots in question to try and obtain further information using its powers under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and section 5A of the Acquisition of Land Act 1981. The Council considers it has made sufficient enquiries to identify any owners.

7.5 Given the number of interests identified in the Schedule to the Order, it is unlikely that the Council will be able to acquire all of them by agreement within a reasonable period. The use of compulsory purchase powers is therefore necessary.

## 8 **Other Considerations**

### 8.1 **Highway Land**

8.2 The canal towpath forms part of National Cycle Route 1 and is a Public Right of Way. Temporary diversions during construction will need to be implemented but the existing routes will be restored at the conclusion of the works.

8.3 An unused bellmouth located along Argon Road is public highway and this will be stopped up to allow remediation of the area. This will be subject to a stopping up application under section 247 of the 1990 Act.

### 8.4 **Utilities**

8.5 Plot [X] is owned by Thames Water who contend this area is 'operational land' being necessary to carry out its statutory functions in accordance with the Water Industry Act 1991. Plot [X] has underground water pipes used by Thames Water. The Council does not consider the existence of pipes under this land to be sufficient to mean that the land is necessary to carry out Thames Water's statutory functions. In any case the Council considers the land in the CPO can be purchased and not replaced without serious detriment to the carrying on of the statutory undertaking of Thames Water. The Council has designed the flood alleviation works (see section 3 above) so that the excavation and lowering of ground levels will be carried out avoiding Thames Water's underground pipes and apparatus. Access will be maintained to the underground pipes to allow Thames Water to maintain its apparatus during the flood alleviation works and earthworks and after the works are completed.

8.6 Plot [X] is owned by Cadent Gas Limited and includes a gas governor and substation it is proposed to relocate these as part of the Phase 2 planning permission to alternative locations within Meridian Water. Proposals for the relocation will be discussed with Cadent Gas Limited.

8.7 Plot [X] is owned by UK Power Networks and includes an electricity substation which is proposed to be relocated as part of the Phase 2 planning permission to an alternative location within Meridian Water. Proposals for the relocation will be discussed with UK Power Networks.

## 9 **Human Rights Considerations**

9.1 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the ECHR. Articles 6 and 8 and Article 1 of the First Protocol are potentially relevant to the compulsory purchase of land:-

9.1.1 Article 6 provides that everyone is entitled to a fair and public hearing in the determination of his civil rights and obligations.

9.1.2 Article 8 provides that everyone has the right to respect for his private and family life and that there shall be no interference by a public authority with the

exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. Since the Order Land is not occupied, this Article is not engaged in this case

9.1.3 Article 1 of the First Protocol provides for the peaceful enjoyment of possessions (including property) and that no one shall be deprived of possessions except in the public interest and subject to the conditions provided for by law.

9.2 It is well settled that the compulsory purchase of land is not contrary to the ECHR if it is undertaken in the public interest and in accordance with the law and procedures laid down by statute. The requirements of the ECHR are reflected in paragraphs 12 and 13 of Guidance:

*“12. A compulsory purchase order should only be made where there is a compelling case in the public interest.*

*An acquiring authority should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention”.*

*“13. The minister confirming the order has to be able to take a balanced view between the intentions of the acquiring authority and the concerns of those with an interest in the land that it is proposing to acquire compulsorily and the wider public interest. The more comprehensive the justification which the acquiring authority can present, the stronger its case is likely to be.*

*However, the confirming minister will consider each case on its own merits and this guidance is not intended to imply that the confirming minister will require any particular degree of justification for any specific order. It is not essential to show that land is required immediately to secure the purpose for which it is to be acquired, but a confirming minister will need to understand, and the acquiring authority must be able to demonstrate, that there are sufficiently compelling reasons for the powers to be sought at this time.”*

9.3 In making this Order, the Council considers that there is a compelling case in the public interest to enable the Council to acquire the Order Land.

9.4 No plots within the Order Land contain residential properties and only one business need to be relocated as a result of the Order or the SIW. The Council is in discussions with that business about possible options for reallocation.

9.5 Impacts on existing business will be mitigated by the Council. Measures to minimise detrimental impact upon access for IKEA, and the Arriva Bus depot are explained above in section 3. The Council has also engaged in a significant programme of dialogue with existing business to understand and appropriately mitigate any effects during construction.

9.6 The Council is of the view, therefore, that the need to acquire the Order Land in the public interest outweighs any detrimental impact upon persons having interest in any of the Order Land, and consequently that the Order is compatible with the ECHR.

10 **Public Sector Equality Duty**

10.1 The Council has had due regard to the considerations listed in section 149 of the Equality Act 2010 and has taken this into account in the assessment of the Order.

10.2 An Equalities Impact Assessment (**EQIA**) was prepared by the Strategic Planning team to support the ELAAP submission. The planning applications for Phase 1 and Phase 2 were each subject to an EQIA. The Phase 2 application currently pending consideration was accompanied by a socio-economic analysis as part of the Environmental Statement. No substantive negative impacts to person or groups with protected characteristics were identified.

10.3 Additional regard has been given to any potential impact of the Order upon groups with the protected characteristics outlined by the Equalities Act 2010 Section 149 and the provisions contained therein and EQIA has been undertaken in respect of the making and subsequent implementation of the Order. It is considered that due regard has been given to the impact of the SIW on all relevant groups with the protected characteristics schedule and that no equalities issues arise.

11 **Conclusion**

For the reasons set out in this statement, the Council considers that there is a compelling case in the public interest for the making and confirmation of the Order.

12 **Details of contacts at the Council**

12.1 All those owners and occupiers affected by the Order, who wish to speak to the Council's agents regarding the purchase of their interests are requested to contact:

Trowers and Hamlins LLP  
3 Bunhill Row  
London  
EC1Y 8YZ  
Tel: 0207 423 8372  
Email: [tbrown@trowers.com](mailto:tbrown@trowers.com)  
Reference: JKB.54342.1.TPB

12.2 If any person affected by the Order wishes to discuss it with an officer of the Council, he/she is requested to contact:

Paul Gardner  
Meridian Water Team  
Silver Street  
Enfield  
EN1 3XA

13 **List of documents**

13.1 In the event that it becomes necessary to hold a public inquiry into the order, the Council may refer to the documents listed below. The list is not exhaustive and the Council may also refer to additional documents in order to address any objections made to the Order:

- The Order, Order Schedule and Order Map;

- Cabinet report and minutes of authorising the making of the Order;
- National Planning Policy Framework 2019;
- London Plan
- The draft New London Plan
- The Upper Lee Valley Opportunity Area Planning Framework
- The London Borough of Enfield Core Strategy
- Edmonton Leaside Area Action Plan
- Meridian Water Masterplan
- Meridian Water Regeneration Framework: Investing in Enfield's Future
- Report to Committee and Decision Notice and Section 106 Agreement relating to the Phase 1 planning permission (reference: 16/01197/RE3)
- Documents relating to the SIW and Phase 2 planning applications with respective references 19/02717/RE3 and 19/02718/RE3 in particular:
  - Flood Risk Assessment, Arup (August 2019); and
  - Transport Assessment, Arup (July 2019)

13.2 Copies of the Order, Order Schedule, Order Map and this Statement can be inspected at the following locations:

Civic Centre  
Silver Street  
Enfield  
EN1 3XA



## Glossary

### Definitions used in this Statement of Reasons

**1976 Act:** Local Government (Miscellaneous Provisions) Act 1976

**1981 Act:** Acquisition of Land Act 1981

**1990 Act:** Town & Country Planning Act 1990 (as amended)

**EA:** Environment Agency

**ECHR:** the European Convention on Human Rights

**ELAAP:** the Edmonton Leaside Area Action Plan

**Guidance:** Guidance on Compulsory Purchase and the Crichel Down Rules published in February 2018 by the Ministry of Housing Communities and Local Government (updated July 2019)

**LBH:** the London Borough of Haringey

**LVRP:** Lee Valley Regional Park

**NPPF:** the National Planning Policy Framework published 24 July 2018 and updated 19 June 2019

**Order:** the London Borough of Enfield (Meridian Water Strategic Infrastructure Works) Compulsory Purchase Order 2019

**Order Land:** the land included within the Order and is shown on the plan appended to this Statement at Appendix 1

**Council:** the London Borough of Enfield

**Meridian Water:** the area shown outlined red on the plan appended to this Statement at Appendix 2

**Meridian Water Station:** the Meridian Water railway station constructed as part of Phase 1

**MHCLG:** Ministry of Housing, Communities and Local Government

**Scheme:** the Council's proposals for regeneration of Meridian Water

**Phase 1:** the first development phase of the Scheme (forming part of Zone 1) for which planning permission was granted on 10 July 2017 under reference 16/01197/RE3 within the area shown outlined [ ] on the plan appended to this Statement at Appendix 3

**Phase 2:** the second development phase of the Scheme (comprising Zone 4 , 5 and part of Zone 2) for which a planning application has been made under reference: 19/02718/RE3 within the area shown outlined red on the plan appended to this Statement at Appendix 3 and the details of the redevelopment shown on the plan at Appendix 5

**Secretary of State:** the Secretary of State for Housing, Communities and Local Government

**SIL:** Strategic Industrial Land

**SIW:** the strategic infrastructure works subject to the Order required to enable delivery of the Scheme for which a planning application has been made under reference: 19/02718/RE3 shown on the plan appended to this Statement at Appendix 4

**Zones:** the development phases of the Scheme comprising Zones 1 to 8 shown on the plan appended to this Statement at Appendix 3

**Appendix 1**

**Plan showing the extent of the Order Land**

**Appendix 2**

**Plan showing the extent of the Meridian Water Regeneration Area**

**Appendix 3**

**Plan showing the Meridian Water Development Zones**

**Appendix 4**

**Plan showing the Strategic Infrastructure Works**

**Appendix 5**

**Plan showing the Phase 2 Masterplan**

**Appendix 6**

**Plan showing Council land ownership within Meridian Water**



# Enfield Council Predictive Equality Impact Assessment/Analysis

**NB if there is likely to be an impact on different groups of staff as a result of this proposal, please also complete a restructuring predictive EQIA form**

<b>Department:</b>	<b>Chief Executive's</b>	<b>Service:</b>	<b>Strategy and Policy Hub</b>
<b>Title of decision:</b>	Meridian Water Infrastructure CPO	<b>Date completed:</b>	
<b>Author:</b>	Madi Mukhametaliyev	<b>Contact details:</b>	<a href="mailto:madi.mukhametaliyev@enfield.gov.uk">madi.mukhametaliyev@enfield.gov.uk</a> 0208 132 3059

## 1. Type of change being proposed: (please tick)

Service delivery change/ new service/cut in service	<input checked="" type="checkbox"/>	Policy change or new policy	<input type="checkbox"/>	Grants and commissioning	<input type="checkbox"/>	Budget change	<input type="checkbox"/>
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## 2. Describe the change, why it is needed, what is the objective of the change and what is the possible impact of the change:

### Introduction

Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty (PSED) which requires the Council to have "due regard" in the performance of its functions to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and,
- Foster good relations between people who share a protected characteristic and those who do not.

Due regard for advancing equality involves:

Removing or minimising disadvantages suffered by people due to their protected characteristics;

Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and

Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The duty covers the following eight protected characteristics:

- age,
- disability,
- gender reassignment,
- pregnancy and maternity,
- race,
- religion or belief,
- sex and
- sexual orientation.

Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic, but that the other arms (advancing equality and fostering good relations) do not apply.

### **The Change**

The Council will be undertaking a Compulsory Purchase Order (CPO) to assemble land required for the delivery of key infrastructure at Meridian Water.

### **Why it is needed**

In order to enable the delivery of 5,000 homes (with the scope for an additional 5,000), the Council will need to deliver Strategic Infrastructure Works (SIW). This includes remediation, flood alleviation, central spine road and the creation of new green open space. To deliver the infrastructure works the Council will need to acquire land and rights in land either through private treaty or compulsorily.

### **Background**

The Core Strategy and Edmonton Leaside Area Action Plan (ELAAP) establish a target of 5,000 homes in Meridian Water. A planning application for 2,300 homes has been submitted as part of the Phase 2 planning application. The SIW are required to unlock the Phase 2 development. Planning applications for SIW and Phase 2 were submitted in July 2019. Both applications and ELAAP adoption are pending determination in early 2020.

### **Policy context**

In support of the CPO, the Council has prepared a Statement of Reasons, in accordance with “Guidance on Compulsory purchase process and The Crichel Down Rules” (Ministry for Housing Communities and Local Government CPO Guidance July 2019). This includes detail on the proposal, powers and justification for CPO and describes the planning position, including

London Plan and other policies relevant to CPO powers.

### **Summary of Planned Redevelopment**

A planning application for the Strategic Infrastructure Works (ref. 19/02717/RE3) has been submitted comprising construction of an east-west link road between Glover Drive and Harbet Road ('the Central Spine'); alteration of access road between Argon Road and Glover Drive, construction of a link road between Leaside Road and the Central Spine, pedestrian and cycleway improvements to Glover Drive and Leaside Road, the construction of 4 no. bridges across the Pymmes and Salmon Brooks and River Lee Navigation; alteration to the Pymmes Brook channel, associated landscaping and formation of new public open space. Enabling works, comprising: earthworks; remediation; flood conveyance channel, flood alleviation, outfall and new public open space works; utilities infrastructure; demolition of existing buildings, formation of new access's and associated works.

A parallel outline planning application has been submitted for Meridian Water Phase 2 (ref. 19/02718/RE3) comprising the development of up to 2,300 residential units (40% planned as affordable and flexibility for student accommodation/shared living), commercial development, social infrastructure, schools, hard and soft landscaping, public spaces, drainage systems, new pedestrian and vehicular access.

ARUP, the planning consultant acting on behalf of the Council, is engaged with local businesses and residents, the Local Planning Authority, statutory and non-statutory consultees. Community consultation exercises were held in April and May 2019 including two engagement days, one on 23 April 2019 and one on 18 May 2019. A Statement of Community Involvement was also submitted with the planning application and provides further details of the community consultation and engagement undertaken to date.

### **Scope of persons affected by the CPO**

TerraQuest acting on behalf of the Council have undertaken land referencing checks to identify persons affected by the CPO. As of 11<sup>th</sup> December 2019, 19 owners, 9 lessees, 19 tenants and 34 occupiers, plus various statutory undertakers were identified. Parties have been consulted and contacted as part of the planning application. Furthermore, Land Interest Questionnaires have been issued to persons identified as having an interest, with site notices erected for unregistered land. The Council has sought to progress engagement and where parties are willing, is seeking to pursue private treaty negotiations. The Cabinet Report of January 2020 describes these engagements in more detail. No plots within the CPO Land contain residential properties.

As part of an ongoing exercise, a more detailed research on equality profile of business owners and employees will be useful to assess what the impact will be on different protected characteristics.

### **Impact**

Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the ECHR. Articles 6 and 8 and Article 1 of the First Protocol are potentially relevant to the compulsory purchase of land.

Article 6 provides that everyone is entitled to a fair and public hearing in the determination of his civil rights and obligations. The statutory procedures applicable to compulsory purchase, which include the right to object and provide for Judicial Review, are

sufficient to satisfy the requirements of this Article.

Article 8 provides that everyone has the right to respect for his private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest.

Article 1 of the First Protocol provides for the peaceful enjoyment of possessions (including property) and that no one shall be deprived of possessions except in the public interest and subject to the conditions provided for by law.

If the CPO is confirmed, and if any person can show that they hold an interest in any of the CPO Land, that person will be entitled to compensation which will be assessed in accordance with the relevant statutory provisions sometimes referred to for short as the Compulsory Purchase Compensation Code.

The reference in Article 1 of the First Protocol to “the public interest” means that, in deciding whether to make and confirm a compulsory purchase order, a fair balance must be struck between the public benefit sought and the interference with the rights in question.

In making this CPO, the Council considers that there is a compelling case in the public interest.

### **3. Do you carry out equalities monitoring of your service? If No please state why?**

No, but the local area profile is considered based on demographic estimates of Council as of 2017. Based on need, the Meridian Water Team will undertake multiple EQIAs on various aspects throughout the project’s lifetime. The proposal for the CPO and Infrastructure is made on the basis of the Edmonton Leaside Area Action Plan (ELAAP), for which equalities monitoring and an EQIA was undertaken. Furthermore, the CPO will enable delivery of SIW and Meridian Water Phase 2, for which a socio-economic assessment was produced as part of the environmental statement.

Phase 2 and SIW environmental statement estimates around 240 Full Time Job Equivalent (FTE) in the existing business within the CPO Land, predominantly focused on open storage, and a potential of up to 2,145 gross direct FTE jobs.

The community profile shows that levels of ethnic diversity around the proposed development area are high compared with the London and national averages. According to the ‘Ward Profile: Upper Edmonton 2018’, 55.9% of the population are black and minority ethnic groups (BAME). A further diversity monitoring is planned to undertake a more detailed assessment of impact on equalities.

<b>4. Equalities Impact</b> <b>Indicate Yes, No or Not Known for each group</b>	Disability	Gender	Age	Race	Religion & Belief	Sexual Orientation	Gender reassignment	Pregnancy & Maternity	Marriage & Civil Partnerships
1. Does equalities monitoring of your service show people from the following groups benefit from your service? (recipients of the service, policy or budget, and the proposed change)	Yes	No	Yes	No	No	No	No	Yes	No
2. Does the proposal contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between different groups in the community?	Yes	No	Yes	No	No	No	No	Yes	No
3. Could the proposal discriminate, directly or indirectly these groups?	No	No	No	No	No	No	No	No	No
4. Could this proposal affect access to your service by different groups in the community?	No	No	No	No	No	No	No	No	No
5. Could this proposal affect access to <u>information</u> about your service by different groups in the community?	No	No	No	No	No	No	No	No	No
6. Could the proposal have an adverse impact on relations between different groups?	No	No	No	No	No	No	No	No	No

If Yes answered to questions 3-6 above – please describe the impact of the change (including any positive impact on equalities) and what the service will be doing to reduce the negative impact it will have.

The CPO by assisting with implementation of the Meridian Water Scheme (the Scheme) will have a positive impact on equalities in general. The Equalities Impact Assessment prepared by the Strategic Planning team to support the ELAAP submission did not uncover any negative equalities impacts. By unlocking delivery of SW, the CPO will enable pedestrian environment enhancements to improve accessibility for various groups including people with disabilities, to move more easily in and around Meridian Water and the wider lower Edmonton. The Statement of Reasons describes the benefits of the proposal for accessibility in more detail. The proposed Phase 2 development also includes additional primary school facilities, nurseries, health care facilities that will provide support for pregnant women and parents with very young children.

However, making the CPO may interfere with interests of businesses in the CPO Land, including ethnic minorities in employment, as they will need to relocate or shut down temporarily or permanently. Cumulative effects on existing businesses is deemed not significant in the socio-economic assessment. The impact will be mitigated through an ongoing dialogue with businesses, private treaty acquisitions and relocation arrangements. The Cabinet Report and Statement of Reasons describe these measures in more detail. Moreover, through densification of jobs per square meter, socio-economic assessment identifies net addition of 365-1,415 full time equivalent (FTE) jobs at the pan-borough scale, unlocking employment opportunities for many groups within the community.

\*If you have ticked yes to discrimination, please state how this is justifiable under legislation.

<b>5. Tackling Socio-economic inequality</b> Indicate Yes, No or Not Known for each group	Communities living in deprived wards/areas	People not in employment, education or training	People with low academic qualifications	People living in social housing	Lone parents	People on low incomes	People in poor health	Any other socio-economic factor Please state;
Will the proposal specifically impact on communities disadvantaged through the following socio-economic factors?	Yes	No	No	Yes	Yes	Yes	No	No
Does the proposal contribute to eliminating discrimination, promote equality of opportunity, and foster good relations between different groups in the community?	No	No	No	No	No	No	No	No

Could this proposal affect access to your service by different groups in the community?	No	No	No	No	No	No	No	No
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If Yes answered above – please describe the impact (including any positive impact on social economic inequality) and any mitigation if applicable.

The socio-economic assessment identifies significant beneficial cumulative effect of Phase 2 development on housing. By enabling the proposed development, the CPO will assist in delivery of up to 2,300 net additional units. 70% of units are planned to have more than 2 bedrooms and 40% are planned to be affordable, accommodating households of various sizes and incomes.

One of the principal goals of Meridian Water is to lift Upper Edmonton out of the top 10% most deprived wards in the country. This project will help to deliver that by: providing employment advantages and affordable housing in Phase 2; by providing more frequent and reliable public transport connections through the borough and London, particularly new or extended bus routes running through Upper Edmonton; and a healthier environment, with better connections and access to the Lee Valley Regional Park, the remediation of former industrial land, and the creation of new parks and leisure facilities.

**6. Review**

How and when will you monitor and review the effects of this proposal?

The EQIA will be reviewed early in 2020 and then at regular intervals (at least quarterly) throughout the CPO and its implementation.

# Enfield Council Predictive Equality Impact Assessment/Analysis

**NB if there is likely to be an impact on different groups of staff as a result of this proposal, please also complete a restructuring predictive EQIA form**

## Action plan template for proposed changes to service, policy or budget

Title of decision:.....Meridian Water Infrastructure CPO.....

Team:.....Meridian Water..... Department:..Place .....

Service manager:.....Peter George.....

Identified Issue	Action Required	Lead Officer	Timescale/ By When	Costs	Review Date/ Comments
Review the EQIA	Undertake further EQIA	Madi Mukhametaliyev	Early in 2020 before the CPO is made	n/a	

Please insert additional rows if needed

**Date to be Reviewed:** ...early in 2020.....

**APPROVAL BY THE RELEVANT DIRECTOR - NAME**...Peter George..... **SIGNATURE**.....

This form should be emailed to [joanne.stacey@enfield.gov.uk](mailto:joanne.stacey@enfield.gov.uk) and be appended to any decision report that follows.



**MUNICIPAL YEAR 2019/20 REPORT NO. 159****MEETING TITLE AND DATE:**

Cabinet Meeting 22 January 2020

**REPORT OF:**Executive Director People,  
Tony TheodoulouContact officer and telephone number:  
Doug Wilson, 020 8379 1540  
E mail: doug.wilson@enfield.gov.uk**Agenda – Part: 1****Item: 10****Subject:** IWE Ltd. future operating model  
from 2020/21**Wards: all****Key Decision No: 5035****Cabinet Members consulted: Cllr Cazimoglu & Cllr  
Maguire****1. EXECUTIVE SUMMARY**

- 1.1 Independence and Wellbeing Enfield (IWE Ltd) was created as a local authority trading company, wholly owned by the Council, and agreed by Cabinet in December 2015. Formal trading arrangements were agreed to commence on 1<sup>st</sup> April 2016. Services being run in-house within Adult Social Care were subsequently transferred.
- 1.2 IWE Ltd was established in order to provide a range of services for some of the most vulnerable people in Enfield whilst maximising the potential of commercial opportunities and enabling income generation and savings to be generated for the Council. It was also to continue as the Council's Adult Social Care Provider of last resort, to deal with provider failures and emergency situations.
- 1.3 A key purpose of setting up the company was to explore commercial opportunities to the benefit of the company and the Council. This would include the development and delivery of services to organisations external to the Council, for example to other Councils, which would generate additional income for the Council and opportunities to develop innovative services for the benefit of local people in the community
- 1.4 Whilst the company has continued to deliver social care provision to vulnerable adults, and to address issues around standards in services which it has taken on, it has not enabled the delivery of commercial growth originally envisaged.
- 1.5 The Social Care market is more competitive than it was four years ago and given the requirement to buy back Council services at cost, the administrative burden which this places on the company and the payment of Council terms and conditions to staff, which this administration has decided not to amend, competing with the independent sector on price alone is not a viable option for IWE Ltd.
- 1.6 It is also in keeping with the political direction of the current administration to in-source services where it makes sense to do so.
- 1.7 The services currently delivered by IWE Ltd can be delivered in-house without the governance and administrative complexity and burden of a trading company structure. Bringing the service back in-house would, therefore, simplify the arrangements required to deliver the current services.
- 1.8 The option of working with other Councils or organisations to deliver services of joint benefit remains possible if the services are brought back in-house.

## **2. RECOMMENDATIONS**

Cabinet is asked to:

- 2.1 Approve the dissolution of IWE Ltd as an Enfield Council trading company and its executive board;
- 2.2 Approve the transfer of services currently provided by IWE Ltd to the Council;
- 2.3 Note that the proposed arrangement will be a relevant transfer under the Transfer of Undertakings (Protection of Employment) Regulations 2006, and all employees of IWE Ltd meeting the relevant criteria under the Regulations will automatically transfer to the Council.; and
- 2.4 To delegate authority to the Executive Director – People in consultation with the Director of Law & Governance and the Director of Human Resources & Organisational Development to implement the above recommendations, including taking all actions required by the Council as shareholder to effect the dissolution of IWE Ltd and the executive board.

## **3. BACKGROUND**

- 3.1 IWE Ltd was created as a local authority trading company, wholly owned by the Council, and agreed by Cabinet in December 2015. Services being run in-house within Adult Social Care or subsequently transferred to IWE include:
  - Day opportunities: (Formont, Rose Taylor, New Options, Community Link and Park Avenue), including community transport
  - Adult Placements (Shared Lives)
  - Enablement & Outreach services
  - The Integrated (with Enfield CCG) Community Equipment Service & the Wheelchair Service
  - Residential/Nursing Care Home (Bridgewood House)
- 3.2 Since creating IWE Ltd a Board has been established and maintained. The Board includes two non-executive Directors and a Cllr Chairperson as well as three IWE directors (including the managing director) and a director representing the Council.
- 3.3 All areas of service delivery in IWE have agreed service specifications written by Commissioners. These all contain an agreed set of Key Performance Indicators to monitor service delivery, which is subject to review at a regular monthly performance and activity meetings between commissioners and IWE.

- 3.4 As part of its portfolio, IWE delivers 4 services regulated by the Care Quality Commission: Adult Placements (Shared Lives), Enablement, Community Outreach and Residential/Nursing provision for older people with dementia/Learning Disabilities.
- 3.5 Three of these services have consistently achieved a CQC rating of "Good".
- 3.6 The remaining service Bridgewood House Nursing and Residential Care Home is rated as "Requiring Improvement". This follows an inspection in April of 2018 and a further inspection in August of 2019. The latest inspection has found the leadership within the home to be inadequate and has issued a warning notice both to IWE Ltd and to the registered manager. This is a matter of profound concern to the Council and measures have been put in place to address these concerns as a matter of urgency. The Council is also continuing to work with IWE through its provider concerns process to deliver improvements to achieve a rating of "Good".
- 3.7 IWE assumed full responsibility for the Adult Social Care Transport Service in August of 2018. The service was previously provided by Passenger Transport Services in Environment. This transfer was completed with no disruption to service users or staff and resulted in excellent feedback from its first Health and Safety Audit where 95% was achieved.

### **Commercial Opportunities**

- 3.8 Staff transferred into IWE Ltd from the Council did so on council terms and conditions. IWE Ltd would, therefore, not be in a position to compete with private sector domiciliary care agencies or residential/nursing care homes for older people on price alone. In order for the business to be able to successfully compete with these sectors there would have to be a reduction in staff terms and conditions, an option which the Council would not consider. However, the delivery of high-quality support services for people with the most complex and challenging needs is an area where these services can be provided economically.
- 3.9 The Council commissioner has highlighted service development opportunities and commercial opportunities where current capacity and cost are an issue, including the development of day opportunities for people with learning disabilities and behaviour that can prove challenging, support services and day opportunities for people with very complex physical disabilities, including acquired brain injury where we currently purchase a lot of high cost support outside the borough boundary area. There have been opportunities over the last 3 years in other Council areas to develop an integrated equipment service and nursing care provision as well as caretaking and growing the Council's own Safe and Connected service and developing this as an offer for

other areas outside of the Council. Opportunities for service development in these areas will continue to be explored going forward.

- 3.10 The company is aware of the opportunities and has expressed these within its 3-year Business Plans. However, the company's main focus until now has, for the most part, been on continuing to deliver the core services it provides sustainably and at high quality. Under sometimes extremely challenging circumstances, the staff and leadership within IWE Ltd have continued to work towards this and have continued to provide critical support to the Council as a provider of last resort. It must, therefore, be made clear that this report and the recommendations within it are no reflection of the quality and professionalism of IWE Ltd staff. This is borne out by the frequent praise received from service users and family members supported by IWE services.
- 3.11 Whilst, it is disappointing that IWE Ltd have not been able to develop wider commercial opportunities this should be understood in context. The current Social Care Market is extremely challenged by many years of austerity. Unit costs of services in Enfield are low. We also suffer from a large number of providers in Enfield who provide services to other Councils and the NHS driven by low property prices. It is therefore only the opportunity of taking on business from other Council's or NHS bodies that would deliver commercial growth. These organisations themselves are having to find cost savings and make reductions so are more likely to focus on cost rather than quality and good staff terms and conditions which would be IWE's selling point. The complexity of arrangements both in terms of governance and buy-back arrangements for Council support services such as HR, Finance, IT support services have placed an additional burden on the company both in terms of resource and price. Overhead costs attached, therefore, are at a level where IWE Ltd is not able to compete on price with the private and voluntary sector markets where costs have been driven down.
- 3.12 The senior leadership team for IWE currently includes a Managing Director, a Director of Innovation, a Director of Finance, an LATC Development Manager, two Service Area leads and two non-executive director posts, all of which would be required to deliver against the requirements of a trading company. All IWE Ltd staff meeting the relevant criteria under the TUPE Regulations will transfer back to the Council. A review of posts and structures within IWE would be completed post-transfer.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Prior to the creation of IWE Ltd as a local authority Trading Company the Council explored the following options:
- Externalisation
  - Mutuels

- Charities
- Forms of Social Enterprise
- Local Authority Trading Companies
- Shared Management Arrangements

- 4.2 They were discounted on the grounds that they would reduce the amount of scope available to the Council to influence wider market development given market pressures and the evidenced increase generally in demand for services. Retaining overall control of the services provided enabled the Council to access available resources as a provider of last resort and to deliver much needed early intervention and preventative services, a function which if outsourced, would generate additional costs to the Council.
- 4.3 The Council could continue with IWE Ltd as a trading company. Whilst the company has demonstrated a proven ability to deliver services to a range of vulnerable adults including people with complex needs and regulated services on the Council's behalf, it has not demonstrated an ability to develop commercial options for the expansion of the company, for example, by developing and delivering an offer to other organisations outside Enfield Council. It is the view of the commissioner that the focus now does need to be on consolidating the core services to maximise efficiencies and the quality of services. This option has, therefore, not been proposed.
- 4.4 The Council can still pursue joint development opportunities with other Councils and Clinical Commissioning Groups. It does not require a trading company to do this.
- 4.5 The Council could market the services via formal tender processes. It is unlikely that such an arrangement would find a provider who could successfully manage the range of services from equipment service, Learning Disability Services for those with complex disabilities and Nursing Home Care, Transport and Enablement Services. Additionally, any provider would likely want to cost in risk of managing these services including maintaining the terms and conditions of the circa 300 FTE workforce. The cost and complexity of such a process would outweigh the likely benefits. For example, when the service at Bridgewood House was put out to tender for the final time, bids received from external providers (in 2017) ranged between £4.2m to £4.3m with annual uplifts tied to existing staff terms and conditions. As at this financial year (2019/20) an outsourced service would be costing the council around £4.65m vs the current IWE cost of £4.4m, a difference of £0.25m.

## **5. REASONS FOR RECOMMENDATIONS**

- 5.1 This report acknowledges the really good work done by staff across IWE Ltd in delivering caring support services to some of the most vulnerable residents in our community.

- 5.2 Nevertheless, one of the key purposes of the trading company, as specified in the original Cabinet report from December 2015, was to maximise the potential of commercial opportunities and enable savings to be generated to the benefit of the Council.
- 5.3 Three years on, the IWE Ltd Business Plan, whilst ambitious in scope, has yet to deliver any meaningful commercial activity to the benefit of the Council.
- 5.4 The services delivered by IWE Ltd can be delivered to the same level and quality in-house and the opportunity to develop services jointly with other partners remains an option.
- 5.5 It is the view of the Council, therefore, that in-sourcing these services would better serve the Council's own policy of in-sourcing where it makes sense to do so, in line with the political direction of the current administration and the Council's strategic commissioning priorities.

## **6. COMMENTS FROM OTHER DEPARTMENTS**

### **6.1 Financial Implications**

- 6.11 In 2019/20, there is a budget of £14.569m for the management fee of IWE, however the current projected spend is £16.069m. The overspend of, £1.5m, has been reported in the Quarter 1 Revenue Monitoring report to Cabinet.
- 6.12 A significant amount of work has been done to re-baseline the IWE budgets to account for costs not originally included in the budget transfer including the leadership function and additional financial provision made to achieve budget balance going forward.
- 6.13 If approval is obtained to bring IWE into Adult Social Care within the People Department, all of the financial systems including income collection, banking, ordering, payments and financial management will be incorporated into the Council processes. The current budget scrutiny arrangements and variance reporting through the management teams and to Cabinet as part of the Revenue Monitoring report will apply to all of the services currently within IWE.
- 6.14 As stated in 3.12 there will be a review of some senior posts currently in IWE, if these are brought in house, there may be potential redundancy costs to the general fund.
- 6.15 All of the Service Level Agreements, for support services will cease. There will be no net budget impact for other Council services as a result of this.
- 6.16 All of the property budgets and costs will be transferred into the central property portfolio operated by the Council. There will be

no further need for operating leases, which will reduce administration and internal transactions.

- 6.17 If there are any additional costs as a result of the transfer of the property portfolio back to the Council, these costs will be contained within existing resources.
- 6.18 The total costs of operating the service will not change materially, as a result of this decision, other than those stated above. There may be additional commercial opportunities which can be explored, which may lead to additional income in the future.
- 6.19 The Council has sought advice from PSTAX, a public sector tax specialist, on any potential liabilities and implications of bringing back all the activities of IWE to the Council. The advice covered VAT, Stamp Duty Land Tax and Corporation Tax. The firm have concluded for all of the taxes there should only be one additional tax liability on the Council if the decision is made to bring back all the services of IWE to the Council.
- 6.20 All of property that IWE occupies is under leases agreements with the Council and these will be transferred back to the Council without any charge and therefore there will be no tax liability. The provision of welfare services by the Council will be part of its non-business activity and charges to clients contribute towards the cost of their care will not be subject to VAT. The Council and IWE are in a “capital gains group” and therefore transfer of intangible assets is tax free.
- 6.21 For any qualifying assets, there may be a balancing charge tax. This is where the market value exceeds the written down value. This is estimated, to be £10k payable by the company based on the statement of accounts for 2018/2019. There should be no additional corporation tax liabilities.

## **6.2 Legal Implications**

- 6.2.1 The Council is under a statutory duty to deliver social care provision to vulnerable adults, and has the power under Section 111 of the Local Government Act 1972 to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of its functions. In addition, the Council has a general power of competence under Section 1(1) of the Localism Act 2011 to do anything that individuals may do, provided it is not prohibited by legislation and subject to Public Law principles. The recommendation to transfer the IWE services back in house as the most effective way to deliver the statutory social care services is in accordance with these powers.

- 6.2.2 In relation to the potential for exploiting commercial opportunities, it should be noted that there are constraints on a local authority's ability to trade for a profit. The Council's main trading powers are set out in section 95 of the Local Government Act 2003 and sections 1(4) and 4 of the Localism Act 2011. Under such provisions, the Council can carry out activities for a commercial purpose, but can only do so through the vehicle of a company. This was an important driver for establishing IWE Ltd (as articulated in the 2015 Cabinet Report). However, the requirement for a company vehicle does not apply to the provision of services for a profit to other 'public bodies' under Section 1 of the Local Authorities (Goods and Services) Act 1970. Where the commercial opportunities involve trading with other public bodies as defined in that Act, the Council does not need a company in order to exploit those opportunities.
- 6.2.3 It is also worth flagging the existing trading constraints on IWE Ltd by virtue of its being a Teckal company. Teckal status means that the exemption under Regulation 12 of the Public Contracts Regulations 2015 applies ('award of contracts to controlled persons'), and contracts can be awarded freely between the Council and IWE without the need for a procurement process. To have Teckal status, a company must - among other requirements - carry out more than 80% of the services it provides for the Council alone.
- 6.2.3 The process of winding up IWE Ltd must be carried out in accordance with the Companies Act 2006 and the company's constitutional documents (primarily the Articles of Association), and any tax implications as a result of dissolving the company should be considered, with specialist advice sought if required.
- 6.2.4 Existing contracts between IWE and third parties will either need to be novated over to the Council, or terminated (with new contracts procured by the Council). Any such novation or termination must be in accordance with the terms of the contracts in question (to avoid IWE being in breach of contract), and any novation to, or fresh award of contracts by, the Council must be implemented in accordance with the Council's Contract Procedure Rules and, where applicable, the Public Contracts Regulations 2015. The Council must also comply with the formalities required to terminate its Management and Services Agreements with IWE.
- 6.2.5 Bringing the IWE services in-house will entail a service provision change, thereby constituting a 'relevant transfer' under the TUPE Regulations 2006. The Council must therefore comply with the requirements of the TUPE Regulations, including the obligation to inform, and consult with, employees. Officers from the Council's HR, Payroll, Pensions and Legal teams must be



involved in determining which employees are eligible to transfer under the TUPE Regulations, and on what conditions.

- 6.2.6 Council officers must ensure that all necessary insurances are in place to enable the services to be carried out in-house.
- 6.2.7 As detailed in the Report, IWE took on the provision of services at Bridgewood House, including nursing care. Nursing services are NHS prescribed functions (Regulation 5 NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000/617), and the Council will therefore need to make arrangements with the NHS (via a section 75 agreement) for nursing staff funded by the NHS to be placed in Bridgewood House. This is permitted under statute ( Regulation 9 NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000/617) and is known as ‘ Exercise by local authorities of NHS health-related functions’. This section is to be reviewed by legal
- 6.2.8 Due diligence must be afforded to section 149 of the Equality Act 2010 regarding the public sector equality duty. In addition, the Council is required by law to consult before making certain decisions, including in relation to making changes to how it delivers statutory services. The Local Government Act 1999 provides for a general duty to consult widely, including with representatives of persons liable to pay any tax, precept, levy or non-domestic rates, representatives of persons who use or are likely to use services provided by the authority, and representatives of persons appearing to the authority to have an interest in any area within which the authority carries out functions. In deciding whom to consult and the form, content and timing of consultation, the Council must have regard to any guidance issued by the Secretary of State. A failure to consult properly and adequately can lead to a policy or decision being overturned by the Courts. Consultation forms part of the Council's general duty to act fairly, and the Council should take into consideration responses from any consultation carried out before implementing the recommendations in this Report.
- 6.2.9 Council officers should be mindful of the need to maintain a separation between those advising the Company and those advising the Council, with information barriers being implemented as required. Employees affected by the proposals in this Report will take independent advice if needed.
- 6.2.10 Since being created and taking over the provision of services IWE has been using and occupying the various Council premises at which those services are delivered, including the properties referred to in paragraph 3.1 of this report. Such use and occupation has been on an informal basis akin to a tenancy

at will. It was intended that formal leases be signed for each individual property, in which case there would be a need to prepare Stamp Duty Land Tax returns and apply for the registration of all the leases at the Land Registry. If that is done, and IWE is then to be dissolved, it will be necessary for formal surrenders of all the leases to be signed and registered and further land tax returns filed. It would be lawful however not to complete the proposed leases but merely take back possession of the respective properties from IWE at such time as the company is dissolved. This would represent a considerable saving in Land Registry fees and officer time.

### **6.3 Property Implications**

6.3.1 The proposals in this report do not trigger the requirement to comply with the Council's Property Procedure Rules in relation to property transactions, as there are no relevant property transactions to consider, especially as there are no completed leases in place between IWE and the Council and the Legal recommendation is for the proposed draft leases to be left incomplete.

6.3.2 Property notes Legal's comments above on the status of the Leases and supports Legal's recommendation that the draft leases should not now be completed.

6.3.3 However, there are a number of considerable property implications in this report in relation to Corporate Landlord responsibilities and liabilities, asset management and related resource and budget allocation

6.3.4 The following properties (owned and leased-in) have been occupied by IWE since it's inception and will be directly affected by the company's dissolution:

1. 14 Centre Way, Claverings Industrial Estate N9 0AH (owned)
2. 25 Connop Rd (New Options) EN3 5FB (owned)
3. 55B The Sunny Rd (Rose Taylor Day Centre) EN3 5EF (owned)
4. 84 Silver St (Community Link Enfield) EN1 3EP (owned)
5. 65C Park Avenue (Park Avenue Day Centre) EN1 2HL (owned)
6. Waverley Rd (Formont) EN2 7BP (owned)
7. 2nd Floor, 54-56 The Market Square, Edmonton Green Shopping Centre, London N9 0TZ (leased-in)
8. Room 4.8 Civic Centre Silver St, London EN1 3XA (owned)

9. Bridgewood House, 1 Old Road Enfield EN3 5XX  
(owned)

- 6.3.5 Where IWE have been in occupation, a dilapidations inspection will need to be undertaken prior to the dissolution of IWE, and a schedule of dilapidations and condition survey prepared and costed, with the resultant liability being reserved by the Finance department (or recovered from IWEs accounts) to cover the costs of the required dilapidations and any upcoming condition works.
- 6.3.6 The CCP (Corporate Condition Programme) will need to be increased in value and will have to account for the additional costs associated with all IWE properties now needing to be covered by this programme. This amount needs to be established by CMCT (which will require full detailed condition surveys, which in turn will need to be budget for) and approved by Council to be added as new Capital expenditure to the 10 year Capital Programme.
- 6.3.7 Under the Council's Strategic Asset Management Plan and Corporate Landlord model all property costs will be consolidated under Property budgets. According to Core Principle 11 of the Council's Strategic Asset Management Plan, the Council must:
- “Account for **full market rent** for ALL buildings, including operational ones and take a % cut out of rental income to cover all property costs – maintenance, management, development, feasibility work etc. (including Strategic Property Services (SPS), Corporate Maintenance & Construction Team (CMCT) and Facilities Management Team (FM) resources)”*
- 6.3.8 This means that Health & Adult Social Care (rather than IWE) will now be required to pay full market rent and all-inclusive service charges on all their operational premises that have been previously occupied by IWE, with all payments being transferred into the relevant property budget areas.
- 6.3.9 An appropriate premises budget allocation will need to be made by Finance to be added to the Operational Assets – Health & Social Care Portfolio cost code, which is held with SPS. This budget allocation should equate to the full market rental value and service charges for all the assets, being sufficient to cover all premises and associated management and resources costs and also take into consideration the current budget deficit of £2M, which is stated in this report
- 6.3.10 Note that the leased-in asset will be subject to rent review by the 3<sup>rd</sup> party landlord and this will be likely to increase the cost of

holding this asset for Health & Adult Social Care in the future. Budgets should be allocated to reflect this.

6.3.11 The addition of the IWE portfolio to SPS Operational Assets Portfolio will increase the need for management resources within the SPS Operational Property team, which will need to be resourced in addition to existing staff budgets for SPS, estimated at the rate of 20% of 1 x FTE at grade PO2.

## **7. KEY RISKS**

- 7.1 Reputational risk to both the Council and to IWE Ltd in the event that the quality of key statutory, regulated services suffers as a result of an increased focus on commercial business outside of the Council. The return to the Council will focus on the quality and sustainability of regulated services.
- 7.2 Financial risk to both the Council and IWE Ltd in the event that any new commercial ventures with bodies external to Enfield Council may not be commercially viable. Mitigated by the return to the Council.

Original Risks in Dec.15 Cabinet report summarised below:

- 7.3 Failure of company and services to be competitive leading to losses and bankruptcy and impact on Council General Fund – scored as low risk.  
Mitigation – work already done to put IWE services on a sustainable financial footing; Increased focus on sustainability upon transfer back to the Council.
- 7.4 Failure to act in compliance with legal requirements, including tax arrangements and annual audited accounts– scored as low risk.  
Mitigation– this risk will be removed by transferring back to the Council.

Operational Risks:

- 7.5 Lack of capacity to manage workload due to expansion and/or increased responsibilities.  
Mitigation– Upon return to the Council there will be an increased focus on the core service delivery, quality and value for money as well as a review of the leadership capacity needed to ensure a smooth transition and ongoing consolidation of quality and performance. This risk is possible and impact minimised through mitigations.

People Risks:

- 7.6 Staff are demotivated due to lack of engagement and communication – scored as low risk.

Mitigation– Strong engagement with all IWE staff will be essential both pre and post transfer back to the Council as this is both highly likely and will have a significant impact.

Reputational Risks to the Council:

- 7.7 Negative perception of Trading Company's ability to deliver effective and efficient services on the Council's behalf – risks scored as low.

Mitigation– The transfer back to the Council risks reinforcing this perception. Strong governance through the HASC Management Team, leadership and staff engagement plus access to robust financial and activity data will be crucial in order to mitigate against this risk. This is likely with a major impact.

Strategic Risks:

- 7.8 Lack of long-term vision for the company in the absence of a five- year business plan – risk scored as low

Mitigation – There will still be a requirement for a long-term plan for services once they transfer back to the Council, co-produced with staff and stakeholders. Communication of and monitoring of delivery against priorities will be key to managing this risk. This is likely with a major impact

## **8. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

### **8.1 Good homes in well-connected neighbourhoods**

The provision of good quality residential and nursing care provision for some of our most vulnerable residents at Bridgewood House will continue to be a priority for the Council.

### **8.2 Sustain strong and healthy communities**

IWE Ltd is a provider of services which promote better health, wellbeing and resilience in order to promote independent living and reduce the risk of admission to hospital, residential/nursing care whilst supporting speedy and appropriate discharge from hospital. This will continue to be the core purpose of an in-house Council provider.

### **8.3 Build our local economy to create a thriving place**

IWE Ltd provides employment opportunities, both paid and voluntary, to local people, including service users and carers. A successful trading company will deliver benefits not only to the

Council but to the wider community, including social value projects which benefit the wider community as a whole. This will continue to be a core purpose of an in-house Council provider.

**9. EQUALITIES IMPACT IMPLICATIONS**

TUPE regulations will apply.

**10. PERFORMANCE AND DATA IMPLICATIONS**

Not applicable here other than to note that full service specifications for all IWE services are included within the management agreement between the Council and IWE Ltd. These will be reviewed on a regular basis by Service Development, Contract Monitoring Officers and Officers within the Safeguarding and Quality Service. All data is now uploaded on to Pentana by IWE for review at regular meetings with the Commissioners. This arrangement and relationship between the services and the commissioner will continue.

Performance monitoring will focus on quality and sustainability of existing services as well as efficiency.

**11. HEALTH AND SAFETY IMPLICATIONS**

Not applicable

**12. HR IMPLICATIONS**

12.1 'The proposal to transfer services provided by IWE Ltd to the Council would constitute a service provision change under the Transfer of Undertakings (TUPE) regulations. Staff currently directly employed by IWE Ltd and assigned to the provision of these services would be entitled to transfer to the Council with their current terms and conditions intact. It should be noted that currently the majority of staff employed by IWE Ltd are under Council terms and conditions.

12.2 The TUPE regulations require consultation to take place with the relevant trade unions and staff, directly or indirectly impacted by the transfer, at the earliest opportunity. HASC management will need to notify IWE Ltd of any intended "measures" they propose to take as a result of the transfer and would participate in the consultation process with staff and trade unions.'

12.3 Please note that it will be necessary to work closely with Payroll/Pension colleagues in the Council in relation to this proposal to ensure a smooth transition of pay and pension arrangements for staff.

12.4 An IWE Transition Board/workstream will be established to oversee all of the actions that will flow out of the proposal in January Cabinet (subject to this being agreed) i.e. HR, Exchequer, Payroll, Finance, Recharges, Pension, ICT.

**13. PUBLIC HEALTH IMPLICATIONS**

Not applicable

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## MUNICIPAL YEAR 2019/2020 REPORT NO.

**171****MEETING TITLE AND DATE:**

Cabinet – 22nd January 2020

**REPORT OF:**

Executive Director Resources

Contact officer and telephone number:

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<b>Agenda – Part: 1</b>	<b>Item: 11</b>
<b>Subject: Quarterly Corporate Performance Report</b>	
<b>Wards: All</b> <b>Key Decision No:</b>	
<b>Cabinet Member consulted:</b> <b>Cllr Ian Barnes</b>	

**1. EXECUTIVE SUMMARY**

- 1.1 This is the quarterly report on the Corporate Performance Scorecard that reflects the Council priorities as outlined in the new Council Business Plan. The report attached at Appendix 1 shows the Quarter Two performance for 2019/20 and compares it to the Council's performance across the previous four quarters for a series of Key Performance Indicators (KPIs).
- 1.2 Amendments have been made to the quarterly performance report following feedback from members and from the Overview and Scrutiny Committee. These changes include the addition of data for the last 4 quarters to make it easier to identify trends and direction of travel. Additional information on all the changes can be found in Section 3 (Background) of this report.
- 1.3 Appendix 2 focuses on a selection of priority measures where performance is currently off target and/or direction of travel is negative. For each measure an Action Plan with delivery timeframes has been provided to demonstrate what is being done in each service area to address underperformance.

**2. RECOMMENDATIONS**

That Cabinet notes, for information only, the progress being made towards achieving the identified key priorities for Enfield.

### **3. BACKGROUND**

- 3.1 In the continuing challenging local government financial environment, it is important that the Council continues to monitor its performance to ensure that the level and quality of service and value for money is maintained and where possible improved. It is also essential to understand and take appropriate action in areas where performance is deteriorating. This may include delivering alternative interventions to address underperformance or making a case to central government and other public bodies if the situation is beyond the control of the Council.
- 3.2 The purpose of the Corporate Performance Scorecard is that it has been developed to demonstrate progress towards achieving the Council's aims and key priorities as set out in the Council Business Plan. The report is a management tool that supports Council directorates and the Executive Management Team (EMT) in scrutinising, challenging and monitoring progress towards achieving the Council's aims.
- 3.3 Following feedback from Members and recent feedback from Overview and Scrutiny several changes have been made to the performance report for this quarter as listed below:
- Quarterly data is now shown for the last 5 quarters to better understand direction of travel. This replaces the monthly snapshots that were in the report previously.
  - A key has been added on the first page to explain the Red, Amber and Green ratings that appear on the report
  - A review has been undertaken to ensure that all KPIs have annual and quarterly targets
  - To improve clarity for the reader: where no current quarterly information is available, the latest available quarterly information is included
  - KPIs that are collected annually will only be included in the report once a year
  - Consideration has been given to including targets to areas that the Council has indirect influence such as community safety, however, it was decided to include prior quarters information to highlight trends, therefore, no target is set for these KPIs. The format has been amended with the addition of arrows, an upwards arrow indicates higher volumes from the previous quarter and a downwards arrow decreasing volumes.
- 3.4 Performance information is reported quarterly to the Departmental Management Teams (DMT) within each directorate and then to the Executive Management Team (EMT) and Cabinet. In addition, detailed management and operational performance information is monitored more regularly.
- 3.5 The performance measures are grouped under the Council's Corporate Plan themes and our guiding principles.

- 3.6 The Corporate Scorecard is reviewed annually with departments and EMT to consider the KPIs that should feature in the scorecard for the coming year. Targets are set based on considering the previous 3 years performance, direction of travel, local demand and by considering available resources to deliver services. The review of targets will be completed again ahead of the start of the financial year and further amendments and additions will be considered at this stage.
- 3.7 Targets allow us to monitor performance. We apply a standard methodology which the vast majority of KPIs are then rated against. KPIs are rated at quarterly intervals as Red, Amber or Green (RAG). We have included a key on the Scorecard to explain these definitions, these are as follows:
- Red: The KPI is behind/below target and is varying by over 10% from its target.
  - Amber: The KPI is narrowly missing target and/or there is information that performance will be on track in future quarters;
  - Green: The KPI is meeting/exceeding its target.

#### **Under Performing KPI Action Plans**

- 3.8 As referenced in the Executive Summary, Appendix 2 focuses on a selection of priority KPIs that are underperforming. These priority KPIs are selected following discussion at EMT where KPIs that have been behind target for a sustained period are selected. This selection is then discussed and reviewed with the Deputy Leader of the Council. Individual meetings are then held with the owners of these KPIs and the owners are asked to draw up Action Plans to provide context and detail how performance will be improved. KPIs will continue to be subject to these Action Plans until an upturn in performance is realised and that they have been rated Green for 2 quarters.
- 3.9 The KPIS subject to additional challenge where an Action Plan has been developed are
- Planning  
 Temporary Accommodation  
 Telephony and Customer Services  
 Sickness Absence  
 Complaints, Freedom of Information Requests and Members Enquiries
- 3.10 **The Waste** KPIs remain on a watch list and under close scrutiny. We are reviewing to see the impact that the current service changes that are taking place in this area have, as it is envisaged there will be an upturn in performance. The Waste and Recycling measures are also being monitored through the Waste Implementation Board.
- 3.11 The inclusion of 5 quarters enables increased scrutiny on trends, any measure that has been rated as Red for 3 quarters will, in the future, be

subject to an Action Plan to complement the management action undertaken within the service area.

- 3.12 For each identified underperforming KPI an Action Plan with delivery timeframes has been provided to demonstrate what is being done in each service area to address underperformance. These documents contain context, next steps and an indication about when an upturn in performance will be seen. For some of these Action Plans this is linked to service transformation so the upturn in performance will not be immediate, but this will be clearly stated.

#### **4. PERFORMANCE**

- 4.1 There are a number of key trends to note within the outputs and comments within the Q2 performance report. Planning data that has been subject to increased scrutiny is seeing improved performance throughout October and November across all measures and it is anticipated that these improvements will continue and be reflected in an improved position in the Q3 performance report.
- 4.2 High volumes of visits and issues and renewals are continuing to be seen across Enfield libraries. Targets were increased this year as libraries achieved their targets last year but with this increased performance, the targets will be reviewed again ahead of the new financial year.
- 4.3 The number of visitors to the active Enfield Programme have reduced in Q2. We have looked at historical information and identified that is a seasonal variance where numbers fall in the Q2 period (July-September) due to the Summer holidays seeing a reduced number of programmes and attendances.
- 4.4 With regard to the Waste Measures, performance continues to be behind target, and we continue to look closely to see the impact that the current service changes will have.
- 4.5 Customer Services measures have now been escalated to an Action Plan, this is a result of the previous 3 quarters performance and considering continued challenges in the first month of Quarter 3. The Action Plan in Appendix 2 sets out the associated activity that is underway to drive an upturn in performance.
- 4.6 Response times to Freedom of Information Requests, Complaints and MEQS as well as Sickness Absence continue to be under scrutiny and performance challenge sessions have been held and associated Action Plans have been produced that again can be found in Appendix 2.
- 4.7 Under the Education and Training Section one of the KPIs features the Percentage of young people who are not in Education, Employment or Training (NEET). Information for this KPI is reset in the September of each year with all young people being shown as Not Known. Reporting on this is postponed to quarter 3 to allow a more accurate picture to be presented.

## **5 ALTERNATIVE OPTIONS CONSIDERED**

Not to report regularly on the Council's performance in a public report. This would make it difficult to assess progress made on achieving the Council's main priorities and to demonstrate the value for money being provided by council services.

## **6 REASONS FOR RECOMMENDATIONS**

To update Cabinet on the progress made against all KPIs for the Council.

## **7. COMMENTS OF OTHER DEPARTMENTS**

### **7.1 Financial Implications**

The cost of producing the quarterly reports will be met from existing resources.

### **7.2 Legal Implications**

There is no statutory duty to report regularly to Cabinet on the Council's performance, however under the Local Government Act 1999 a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. Regular reports on the Council's performance assist in demonstrating best value.

### **7.3 Property Implications**

None

## **8. KEY RISKS**

Robust performance management helps identify areas of risk in service delivery and ensure that council resources are used effectively and that the Council's good reputation is maintained.

## **9. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

### **a. Good Homes in well-connected neighbourhoods**

The scorecard includes KPIs that measure the Council's progress in providing good homes and reducing temporary accommodation across the Borough.

### **b. Sustain strong and healthy communities**

The scorecard includes KPIs that assess how the Council's actions are

contributing to strengthening communities, reducing crime and improving health outcomes for residents.

**c. Build our local economy to create a thriving place**

The scorecard includes KPIs that aim to support business growth, increase numbers of people in employment, protect and sustain Enfield's environment and support Enfield's voluntary and community sector.

**10. EQUALITIES IMPACT IMPLICATIONS**

Local authorities have a responsibility to meet the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably because of any of the protected characteristics. We need to consider the needs of these diverse groups when designing and changing services or budgets so that our decisions do not unduly or disproportionately affect access by some groups more than others.

Corporate advice has been sought regarding equalities and an agreement has been reached that an equalities impact assessment/analysis is not relevant or proportionate for the corporate performance report.

**11. PERFORMANCE MANAGEMENT IMPLICATIONS**

Robust performance management provides the Council with accurate data and ensures that service delivery is meeting local needs and priorities.

**12. PUBLIC HEALTH IMPLICATIONS**

The scorecard includes a number of health and wellbeing KPIs that aim to address the key health inequalities in Enfield.

## Quarter 2 (July – September 2019-20) Corporate Performance Scorecard

Report Author: Sam Buckley  
Generated on: 30 December 2019



**Key: For the purpose of this report, Key Performance Indicators (KPIs) will be RAG (Red, Amber, Green) rated as per the following methodology**

Where the KPI is meeting/exceeding its target, it will be marked as GREEN

Where the KPI is narrowly missing target and/or there is information that performance will be on track in future quarters it will be marked as AMBER

Where KPIs are behind/below target and is varying by over 10% from its target it will be marked as RED

Summary of Indicator Status in the Report (Excluding the Budget Monitor)	Q1 2019-2020 (April-June 2019)	Q2 2019-2020 (July-September 2019)
Number Key Performance Indicators rated as Red	15 (19.7%)	18 (21.9%)
Number Key Performance Indicators rated as Amber	10 (13.2%)	10 (12.2%)
Number Key Performance Indicators rated as Green	32 (42.1%)	33 (40.2%)
Data only Indicators/Most recent Quarterly data unavailable	19 (25.0%)	21 (25.6%)

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### 1. Resource Management: Budget Monitor

Financial Indicator	Key Highlights	Status
FR&CS 100 Income & Expenditure Position – Year end forecast variances	Year-end variances of £5.7m overspend have been forecast to date in relation to General Fund net controllable expenditure. Departments are developing actions to mitigate the pressure to offset identified pressures.	
FR&CS 101 Capital Position – Year end forecast variances	The overall expenditure for the approved programme, at year end is projected to be £189m, £89M being reprofiled into future years. The projection consists of General Fund £108m, HRA £76m and Enfield Companies loan drawdown £5m, for 2018/19	
FR&CS 102 Income & Expenditure Position – HRA	The HRA is projecting a £0.1m overspend position at year-end outturn.	

Financial Indicator
FR&CS 103 Income & Expenditure Position – DSG
FR&CS 104 Cash Investments: Borrowing & Cash Flow
FR&CS 105 Balance Sheet – General Fund balances year end projections
FR&CS 106 Progress to Achieving Savings MTFP (Current Year)

Key Highlights
The DSG is forecasting a £4.2m overspend at year-end outturn against budget. Therefore, the cumulative deficit is forecast to be £3.8m and will be the first call on the 2020/21 grant allocation.
The current profile of cash investments continues to be in accordance with the Council's approved strategy for prioritising security of funds over rate of return.
The outturn projection for General Fund balances will meet the Council's Medium-Term Financial Strategy target based on the use of uncommitted reserves to meet one-off overspends in 2019/20.
Savings monitoring has identified a total of £1.4 considered a high risk rated/ undeliverable and a further £4.4m that are at risk of delivery. These are reflected in the reported overspend for Quarter 2 2019/20.

Status





## 2. Good Homes in Well Connected Neighbourhoods

### (a) Planning

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
NI157a BV109a % MAJOR applications determined within target	60%	62.5%	80%	75%	66.7%	90%	90%	Planning is one of the areas that has been subjected to increased scrutiny and the associated action plan can be found in Appendix 2. The numbers involved in this KPI are small, so the percentages are likely to fluctuate. Across Quarter Two the following Numbers of applications were made within target <b>Jul:</b> 0/1; <b>Aug:</b> 3/4; <b>Sep:</b> 1/1; <b>Q2:</b> 4/6 (66.7%); In comparison The Q2 2018/19 comparison was 60% <b>Comments:</b> Improved performance seen in September 2019, sustained through October 2019 (100%) and November (100%).
NI157b BV109b % MINOR applications determined within target	75.9%	72.9%	56.1%	75.5%	79.5%	86%	86%	Across Quarter Two the following Numbers of applications were made within target <b>Jul:</b> 49/62; <b>Aug:</b> 35/52; <b>Sep:</b> 52/57; <b>Q2:</b> 136/171 (79.5%); In comparison the Q2 2018/19 comparison was: 75.9% <b>Comments:</b> Improved performance seen in September 2019, sustained through October 2019 (97.9%) and November (91.5%)
NI157c BV109c % OTHER applications determined within target	81.4%	82.9%	74.8%	85.8%	87.6%	88%	88%	Across Quarter Two the following Numbers of applications were made within target. <b>Jul:</b> 93/105; <b>Aug:</b> 76/92; <b>Sep:</b> 99/109; <b>Q2:</b> 268/306 (87.6%); The Q2 2018/19 comparison was: 81.4% <b>Comments:</b>



Indicator
ENV247 % 2 year rolling MAJOR applications determined within target
ENV247a % 2 year rolling MINOR applications determined within target
ENV247b % 2 year rolling MINOR & OTHER applications determined within target
ENV319 Undetermined applications validated over 6 months ago

Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20
Value	Value	Value	Value
83.3%	81.4%	79.3%	75.4%
80.3%	79.9%	75%	73.5%
83%	82.8%	80%	79%
278	327	366	304

Q2 2019/20		Annual Target 2019/20	Notes
Value	Target		
			Improved performance seen in September 2019. This improved performance has been sustained through October 2019 (94.1%) and November (94.9%).
74.1%	86%	86%	<b>This KPI relates to applications across the last 24 months. For Q2: 43 of the 58 major planning applications determined within the last 24 months were processed within 13 weeks.</b> Work is ongoing to analyse when the recent upturn in monthly performance is likely to be seen in the 2 year rolling figures. The 2 year rolling figures will take longer to see an improvement as previous lower performance will impact these figures for the next few quarters.
72.6%	85%	85%	<b>This KPI relates to applications across the last 24 months. For Q2: 993 of the 1,368 minor applications determined within the last 24 months were processed within 8 weeks.</b> Work is ongoing to analyse when the recent upturn in monthly performance is likely to be seen in the 2 year rolling figures. The 2 year rolling figures will take longer to see an improvement as previous lower performance will impact these figures for the next few quarters.
78.4%	85%	85%	<b>This KPI relates to applications across the last 24 months. For Q2: 2,937 of the 3,748 minor and other applications determined within the last 24 months were processed within 8 weeks.</b> Work is ongoing to analyse when the recent upturn in monthly performance is likely to be seen in the 2 year rolling figures. The 2 year rolling figures will take longer to see an improvement as previous lower performance will impact these figures for the next few quarters.
342	Data Only		<b>This is a data only measure with no target. Arrows indicate an increase/decrease in volumes.</b> The value reflects the position on the last day of the quarter. This includes all applications validated on or after 01/04/2015 where no decision is recorded.

**(b) Section 106 Agreements**

Indicator
ENV261a % Section 106 Agreements closed within 6 months of the date of resolution

Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20
Value	Value	Value	Value
50%	87.5%	100%	33.3%

Q2 2019/20		Annual Target 2019/20	Notes
Value	Target		
75%	90%	90%	Q2 2019/20: 75% represents 6 cases closed within timeframe from a total of 8. Figure for Q2 2018/19: 50% (3/6 cases).

**(c) Housing**

Indicator
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Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20
Value	Value	Value	Value

Q2 2019/20		Annual Target 2019/20	Notes
Value	Target		

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
NI156i Number of households living in temporary accommodation (TA)	3424	3392	3410	3410	3428	3210	3210	Temporary Accommodation is one of the areas that has been subjected to increased scrutiny and the associated action plan can be found in Appendix 2. The figures for Quarter 2 show that Enfield had 3428 households in Temporary Accommodation. This is a slight increase from the end of year and Quarter one figure of 3410. Demand continues to place pressure on the service. Following the report presented to cabinet in September we have produced a further report which will be shared with cabinet in January.
SGB144b Families with children in Bed and Breakfast accommodation for more than 6 weeks, excluding those pending review	3	0	1	0	0	0	0	There are no families that remained in B&B accommodation over 6 weeks.
AUD FC003 Recovery of Council properties that have been unlawfully used, including those fraudulently obtained, sublet, or abandoned (Council and TA properties)	58	79	104	36	53	50	100	The figures that are shown are cumulative and a higher number recognises good performance. The Year to Date figure at Q2 - Properties recovered is 53, this consists of 34 Council and 19 TA.

#### (d) Council Homes

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
HO002b Council Housing - Current Tenants: Total Arrears	£2,435,425	£2,539,461	£2,286,408	£2,167,849	£2,288,098	£2,300,000	£2,300,000	A new target has been set this year to reduce arrears to £2,300,000. Former tenant arrears in September stand at £2,288,098. The comparative figures as at September 2018 was £2,435,425.
TP150 Responsive repairs completed by agreed target date - (YTD)	94.3%	94.2%	92.7%	94.6%	93.6%	98%	98%	Data outturns are inclusive of all term contractor repairs that were raised from April 2019 and completed by the end of September 2019. A total of 11,494 responsive repairs were completed in time from a total of 12,277 repairs completed. <b>This is a cumulative total for the year</b>

### 3. Build our Local Economy to Create a Thriving Place

#### (a) Education & Training

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20	Annual	Notes
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SCS117 % of 16-17-year olds not in education, employment or training (NEET) or not known (NK)
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Value	Value	Value	Value
Q2 Data is not reported as it is not statistically valid	6.6%	5.2%	6%

Value	Target	Target 2019/20	
Q2 Data is not reported as it is not statistically valid	7%	7%	No Quarter 2 Data is available. Figures will be provided at Quarter 3. The Quarter 2 data is not reported as all young people's destination in terms where they are attending school or college are reset in September, there is then an exercise to identify where the young people are. In the interim until their place of study is confirmed they are recorded as Not Known so this inflates this figure and as such it's not a statistically valid indicator. For Quarter one performance was positive.

**(b) Safeguarding Children**

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
NI060A Percentage of C&F Assessments for children's social care that were authorised within 45 working days of their commencement	78.0%	74.6%	74.1%	93.0%	90.5%	80.0%	80.0%	This is calculated by performance from 1 <sup>st</sup> April 2019 and is a cumulative measure. Since the 1st April 2019, 2,547 out of 2,814 completed assessments have been authorised within 45 working days of the assessment start date. The average duration for those authorised was 29.3 days. The percentage of assessments completed by the Social Worker within 35 working days was 77.5%, with an average duration for completion of 27.4 days.
(PAFCH39) Children looked after (CLA) per 10000 population age under 18	40.9	43.1	45.4	46	47.5	50	50	400 CLA as at the end of September; this is the highest ever recorded number of Looked After Children in Enfield. Of this cohort, 34 Children have a disability. There are 69 Unidentified Asylum-Seeking Children (UASC) which is equal to, 17.3% of LAC population. The current under 18 population figures from the DfE is 84,211. 27 Children entered care in September. 7 Children left care in September. The 12-month average figure of looked after children is 379 per month. For 2018 this was 345.
NI065 Percentage of children becoming the subject of Child Protection Plan for a second or subsequent time - in the past two years	8.2% 	6.1% 	8.0% 	11.5% 	8.2% 	Data only		<b>This is a data only measure with no target. Arrows indicate an increase/decrease in volumes.</b> This indicator relates to children who have had a previous Child Protection Plan in the past two years. Of the 369 children who became subject to a CPP during the past 12 months, 30 had previously been on a CP Plan in the past two years; Figure is comparative with the 2018 for the same period - 8.2%.
SG11 (CS20) No of children on the Child Protection Plan per 10,000 children	30.9	34.6	35.1	35.7	31	45	45	The rate of children with a Child Protection plan at end of September 2019 is 31. This is 261 children divided by the child population of Enfield; 84,211 x 10,000. The current rate compares to 30.9 (259) as at September 2018.
YOU NI 043.2 Number of Young People sentenced at Court that are given a Custodial sentence in the Month	12	5	7	1	3	9	36	1 Custodial Sentences in the month of September 2019 from 11 sentences.

**(c) Libraries, Arts & Culture**

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20	Annual	Notes
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	Value	Value	Value	Value	Value	Target	Target 2019/20	
ENV317 Participation in Council Led Arts Activities	70,250	74,350	63,850	61,040	69,850	60,000	240,000	Quarter Two remains on Target with the following numbers recorded: Millfield Arts Centre, 18,650 Dugdale Centre 15,300 Forty Hall 28,200 Green Towers 3,200 Salisbury House 4,500 <b>TOTAL 69,850</b>
LM04 Enfield Library Visits	324,535	331,939	357,046	369,380	332,145	312,500	1,250,000	The quarterly target was increased this year from 300,000 to 312,500. The number of visits has increased due to several factors, this includes citizen registration through the EU Settlement scheme. The growth of partnership working in health, Job Seeking events, Children's Events, IT training sessions and Increases in Class Visits have all contributed. The Visa verification programme has also been very successful with Enfield Town being the highest capacity library for Visa Verification in the country. The target will be reviewed considering this upturn in performance.
LM07.021 Enfield Town Library and Community Libraries (Issues & Renewals)	62,469	54,224	56,132	68,911	75,780	56500	226000	Increased library visits and New promotional advertising such as the Library Newsletter and events such as Black History Month have contributed to the increase in these figures.
LM07.022 Edmonton Green Library and Community (Issues & Renewals)	30,275	35,711	33,326	33,863	34,756	28500	114000	Increased library visits and New promotional advertising such as the Library Newsletter and community events have contributed to the increase in these figures.
LM07.023 Palmers Green Library and Community Libraries (Issues & Renewals)	48,189	43,609	44,883	62,382	66,507	45000	180000	Increased library visits and New promotional advertising such as the Library Newsletter and community events have contributed to the increase in these figures.
LM07.024 Ordnance Unity Centre Library and Community Libraries (Issues & Renewals)	17,831	16,826	16,524	20,115	20,537	16875	67500	Increased library visits and New promotional advertising such as the Library Newsletter and community events have contributed to the increase in these figures.

**(d) Physical Activity**

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
ENV335 Number of Visitors to the Active Enfield Programme (Young People)	1,040	2,834	2,899	2,296	1,438	2,250	9,000	A Target has been set for 9000 across the year, 2,250 per quarter.  Attendances for the Active Enfield programme are lower during Quarter 2 as much of the quarter falls during the summer holidays and our programmes are smaller in the holidays than during term time.  For next year we will re-profile the target to account for seasonality.
ENV336 Number of Visitors to the Active Enfield Programme (Older People)	2,770	9,503	9,228	6,812	3,141	6,250	25,000	A Target has been set for 25000 across the year, 6,250 per quarter.

Indicator

Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20
Value	Value	Value	Value

Q2 2019/20		Annual Target 2019/20	Notes
Value	Target		
			Attendances for the Active Enfield programme are lower during Quarter 2 as much of the quarter falls during the summer holidays and our programmes are smaller in the holidays than during term time.  For next year we will re-profile the target to account for seasonality.

#### 4. Sustain Strong and Healthy Communities

##### (a) Adult Social Care

Indicator
PAF-AO/D40s Number of clients reviewed in the year (of clients receiving any long-term service)
NI130s(%LTSs) Percentage of Current Social Care Clients accessing Long Term Support (LTS) who receive Self Directed Support
NI130s(LTS-DP%) Percentage of current clients with Long Term Support (LTS) receiving a Direct Payment
NI131 (F10) Delayed transfers of care (days): Profile within Each Quarter
NI131 (F11) Delayed Transfer of Care - Days Delayed (SOCIAL CARE Delays): Profile within Each Quarter
NI132 BV195 Timeliness of social care assessment (all adults)
NI135 Carers receiving needs assessment or review and a specific carer's service, or advice and information (Including Carers Centre)
NI145 Adults with learning disabilities in settled accommodation

Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20
Value	Value	Value	Value
40.2%	55.0%	73.3%	21.9%
100%	100%	100%	100%
59.8%	61.1%	61.0%	62.5%
1312	1171	1050	928
403	317	233	181
88.8%	88.8%	91.9%	90.2%
22.39%	33.64%	46.86%	16.96%
83.7%	85.7%	85.8%	85.1%

Q2 2019/20		Annual Target 2019/20	Notes
Value	Target		
40.3%	40.0%	80.0%	40.3% represents 1,684 of 4,181 clients receiving long term support having had a review within the last 12 months. This figure is higher than at the same point last year (40.2%).
100%	100%	100%	100% of clients were in receipt of a Personal Budget or Direct payment. This is taken as a snapshot in time at the end of the Quarter.
62.6%	61.0%	61.0%	Q2 Performance is 62.6%, an increase on last year's Q1 performance of 59.8%.  It should be noted we are ranked as the top Local Authority in the country for this measure (2018-19).
1279	1404	5570	Based on 2018-19 performance, we were 30th out of 152 nationally in 2018-19. So far in 2019-20, we have continued to see improved performance.
278	357	1,416	We are better than the national and London averages for this measure in 2018-19
90.0%	90.0%	90.0%	90% of assessments were completed within four weeks. This is an improvement on the same period last year (88.8%).
28.84%	24.00%	48.00%	This figure (28.84%) represents the highest recorded September figure for this measure and is an increase on the same period last year (22.39%).
87.3%	81.0%	81.0%	2018-19 data shows we are 32nd (out of 152) nationally for this indicator. We have continued to see improved performance in 2019/20.

Indicator
NI146 % of Adults with learning disabilities in employment
PAF-AO/C72 New Admissions to supported permanent Residential and Nursing Care (65+) per 100,000 population over 65
PAF-AO/C73 New Admissions to Residential and Nursing Care 18-64 (per 100,000 population).

Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20
Value	Value	Value	Value
19.54%	17.65%	18.28%	18.39%
246.0	369.0	478.3	121.1
4.39	5.85	6.82	2.44

Q2 2019/20		Annual Target 2019/20	Notes
Value	Target		
18.96%	17%	17%	This represents 160 clients in paid employment. We have the 7th best figure nationally when looking nationally at the 2018-19 performance. In previous Years a target was not set for this Indicator hence the figures without a RAG rating.
244.4	240.0	479.8	This figure represents 107 admissions for Q2. This is less admissions in comparison to the same period last year (108). We have reduced the target this year which explains why although performance has improved, we are rated Amber. These figures are rates per 100,000 of the population.
2.92	2.93	5.85	This represents 6 admissions against a target of 7. It should be noted that we ranked 29th (out of 152) for this indicator in 2018-19, which puts us in the top 20% nationally. These figures are rates per 100,000 of the population.

**(b) Public Health**

Indicator
DAAT-001 Partnership Successful Completion Rate (%) for all Drug users in treatment (aged 18+), excluding alcohol-only users:
PH002c New Baby Reviews completed (10-14 days after birth)
PH002o Proportion of Young People exiting treatment in a planned way of all treatment exits (EMT)
PH003i % completed treatment within a month of diagnosis at Enfield Sexual Health Clinics
PH003x Number of Children that received at least one Fluoride Varnish

Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20
Value	Value	Value	Value
19.2%	17.5%	18.9%	18.6%
98%	98%	98%	99.3%
85%	85%	85%	90%
93%	91%	90%	95%
New Key Performance Indicator from April 2019 so not information available for this period			1,400

Q2 2019/20		Annual Target 2019/20	Notes
Value	Target		
19.2%	20.0%	20.0%	19.2% represents 151 successful completions of 781 in treatment
No Q2 Data available	92%	92%	No Quarter 2 data is currently available and so the latest data available is shown. Quarter 2 data will be available in the Quarter 3 report. Performance remains high at 99.3%; above London average of 93.7% and England 86.9%
No Q2 Data available	77%	77%	No Quarter 2 data is currently available and so the latest data available is shown. Quarter 2 data will be available in the Quarter 3 report. For Quarter One Performance was above the national average of 81%.
No Q2 Data available	90%	90%	Performance against this measure continues to be line with the contractual target of 90%, Quarter 2 data will be available in the Quarter 3 report
2,099	1,629	3,258	This Oral Health performance indicator is new. It was decided to start reporting on the number of eligible children that received at least one

					<p>fluoride varnish rather than the number of applications.</p> <p>Up until the end of Q2 2,099 children have received at least one fluoride varnish application. Work is currently underway identifying the intake of eligible children for this school year 2019/20 with consent forms being prepared. Schools with historically low consent rates have been identified and, in some cases, there is a direct link with low immunisations rates. The Director of Education raised this at the Primary Headteacher meetings held in October.</p> <p>The Q2 target is half of the annual target.</p>
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**(c) Waste, Recycling and Cleanliness**

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
NI191 Residual Waste Per Household (kg)	320.4 kg per h/h	482.7 kg per h/h	633 kg per h/h	163 kg per h/h	No Q2 Data available due to Statutory timeframes. The KPI is reported one quarter in arrears	300 kg per h/h for Q2 (150 kg per Quarter)	600 kg per h/h	We have considered escalating these measures to Appendix 2 and implementing an Action Plan. However due to the service changes currently underway, including the move to alternative fortnightly collections. There is an expectation that this will have a positive impact on performance. Therefore, will be reviewed again and its suitability for escalating to an action plan will continue to be assessed quarterly. This is a cumulative indicator. Target is 150 kg per h/h per quarter Q1 data shows approximately 2kg less being collected per household than the same time last year (163kg in 2019/20 compared to 165kg in 2018/19). Quarter 2 data will be available in the Quarter 3 report, due to timelines around the statutory collection this indicator is reported one quarter in arrears.
NI192 % of household waste sent for reuse, recycling and composting	35.1%	31.5%	29.3%	35.1%	No Q2 Data available due to Statutory timeframes. The KPI is reported one quarter in arrears	37%	37%	We have reviewed this section of KPIS to look at the suitability of these being escalated to Appendix 2 and an Action Plan being developed. There are ongoing service changes underway including the moves to alternatively fortnightly collections that are expected to have a positive impact on this figure with the recycling percentage increasing. Its suitability to be escalated to an action plan will continue to be assessed quarterly as the changes take place and we see the impact on this and associated KPIS. Target is 37% per quarter and 37% annually Q1 data shows 1.8% less waste being recycled than this time last year (35.1% in Q1 2019/20 compared to 36.9% in 2018/19). Quarter 2 data will be available in the Quarter 3 report, due to timelines around the statutory collection this indicator is reported one quarter in arrears.
PR002 # of customer reported street scene issues (Inc. litter issues, bins, dog fouling, graffiti, leaves/weeds, fly posting, road sweeping)	249	275	270	251	262	238	950	Target is 238 per quarter. Apr - Sep 2017: 386 reported issues Apr - Sep 2018: 238 reported issues Apr - Sep 2019: 513 reported issues

**(d) Community Safety -**

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20	Notes
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	Value and direction of travel	Value and direction of travel	Value and direction of travel	Value and direction of travel	Value and direction of travel	Value and direction of travel	Value and direction of travel	Value and direction of travel	Value and direction of travel		
<p>Please note in this section there are no targets, the arrows indicate whether volumes have improved, declined or remained the same since the last quarter. An arrow pointing up means that the volume has increased since the last quarter, a downwards arrow indicates a lower volume from the last quarter and a double arrow indicates no change.</p>											
CS-SSCB009 Burglary - Residential Offences	488	↓	730	↑	739	↑	640	↓	528	↓	Residential Burglary has increased by 8.2% when compared to the same quarter last year. Figures have fallen since the last quarter.
CS-SSCB010 Domestic Abuse Incidents	1,421	↔	1,436	↑	1,394	↓	1,439	↑	1,602	↑	Over the last 12 months the number of Domestic Abuse Incidents recorded in the borough have increased by 5%. There is an increase of 12.7% when quarter 2 this year is compared to the same quarter last year. Figures have increased since Quarter one.
CS-SSCB011 Domestic Abuse Violence with Injury Offences	219	↑	267	↑	240	↓	220	↓	251	↑	Domestic Abuse Violence with Injury offences have increased by 14.6% compared with the second quarter of last year. The average number of offences has increased from 73 in quarter 2 2018 to 84 in the same quarter in 2019. July 2019 had the highest number of offences with 105 offences recorded. Figures have increased since Quarter one
CS-SSCB012 Serious Youth Violence	82	↓	83	↑	108	↑	120	↑	118	↓	There was a significant increase of 43.9% in the number of Serious Youth Violence victims when the current quarter is compared to the same time last year. With 51 victims recorded - July 2019 had the highest number of victims recorded both in quarter 2 and over the last 12 rolling months. There has been an overall increase of 10.3% over the course of the full year to September 2019, there has been a slight reduction since the previous quarter.
CS-SSCB013 Anti-Social Behaviour Calls	2,411	↑	2,297	↓	1,887	↓	2,523	↑	2,670	↑	Anti-social Behaviour calls increased by 10.7% by the end of Quarter 2. The average monthly number of calls in the year to September 2019 was 781, however in the month of July 2019 alone, there were 1019 calls, the highest month for the year. July and October 2018 each recorded over 900 calls respectively, so it is predicted that there will again be a seasonal increase in October this year (potentially linked with Halloween and Bonfire night). Figures have increased since Quarter one
CS-SSCB014 Hate Crime Overall Total	105	↓	126	↑	112	↓	137	↑	129	↓	Overall Hate crime has increased from 105 offences to 129, an increase of 22.9%, when quarter 2 this year is compared to the same quarter last year. There has been a reduction since the previous quarter.
CS-SSCB015 Non-Domestic Abuse Violence with Injury Offences	369	↓	388	↑	418	↑	479	↑	426	↓	Non-Domestic Abuse Violence with Injury offences have increased by 15.4% compared with the second quarter of last year. The average number of offences has increased from 123 in quarter 2 - 2018 to 142 in the same quarter in 2019, with July 2019 recording 153 offences alone. There has been a reduction since the last quarter.
CS-SSCB016 Violence against the Person Offences	2,123	↓	2,200	↑	2,159	↓	1,967	↓	1,996	↑	The number of Violence Against the Person offences decreased by 6.0% in quarter 2 of 2019 compared with the corresponding quarter of the last year. In the last 12 rolling months July 2019 recorded the highest monthly number so far with 783 offences. There has been an overall increase of 10.4% when the whole years offences are compared. Figures have increased since Quarter one
SGB500 Number of knife crime offences YTD	138	↓	137	↓	155	↑	200	↑	182	↓	There has been an increase of 31.9% Knife Crime offences compared with the same quarter last year. There was a monthly average of 57 offences recorded per month for the last 12 months with June 2019 recording the highest number of offences in the year. There has been a reduction since Quarter one.
SGB501 Number of knife possession offences YTD	35	↓	49	↑	45	↓	50	↑	52	↑	There has been a 48.6% increase in Knife Possession Offences from 35 offences in quarter 2 2018 to 52 offences in quarter 2 this year. The average monthly number of offences increased



Indicator

Q2 2018/19		Q3 2018/19		Q4 2018/19		Q1 2019/20	
Value and direction of travel		Value and direction of travel		Value and direction of travel		Value and direction of travel	

Q2 2019/20		Notes
Value and direction of travel		
		from 14 in the 12 months to September 2018 to 17 in the year ending September 2019. Figures have increased since Quarter one

## 5. Communicate with You

### (a) Customer Experience

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
CE 007 Customer Satisfaction: Webchat	78.0%	84.0%	75.0%	75.7%	76.3%	85.0%	85.0%	Customer Experience is one of the areas that has been subjected to increased scrutiny and the associated action plan and timeframes for turnaround can be found in Appendix 2
GWH 002 Gateway Telephones - Answer Rate	86.1%	89.6%	76.9%	77.7%	85%	88%	88%	Performance improved in Quarter Two in comparison to Quarter One. September though saw the impact of the start of the Garden Waste project, 87,000 Garden Waste Campaign letters delivered at the weekend 14th/15th Sept; resulting in a sharp increase of call volumes and causing a drop-in performance. September's performance negatively impacted the Quarter Two figure.
GWH 003 Gateway Telephones - Average Wait Time	00h 03m 40s	00h 02m 47s	00h 07m 17s	00h 06m 52s	00h 04m 12s	00h 03m 00s	00h 03m 00s	Performance improved in Quarter Two in comparison to Quarter One. September saw the impact of the start of the Garden Waste project, 87,000 Garden Waste Campaign letters delivered at the weekend 14th/15th Sept; resulting in a sharp increase of call volumes and causing a drop-in performance.
GWH 014b Customer Services: % of Calls Answered Within 5 Minutes	79.9%	89.9%	60%	68.1%	76.8%	90%	90%	A full-service restructure impacted on performance for the first 6 months of 2019. Performance was improving for Quarter Two, but September saw the impact of the start of the Garden Waste project, 87,000 Garden Waste Campaign letters delivered at the weekend 14th/15th Sept; resulting in a sharp increase of call volumes and causing a drop-in performance.

## 6. Corporate Measures

### a) Complaints, Members Enquiries and Freedom of Information Requests

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
COMP 01a Initial Resolution of Complaints - Council Overall (% inside target)	New Indicator from July 2019. Information not available for this period.				81.9%	95.0%	95.0%	<p>Complaints, MEQ's and FOIS is one of the areas that has been subjected to increased scrutiny and the associated action plan and timeframes for improvement can be found in Appendix 2.</p> <p>Enfield Council's Complaints procedure has been rewritten and streamlined to 2 stages to bring this in line with the national Ombudsmen procedure. Due to this a new KPI has been established as the data is not comparable to previous data.</p> <p>The Target for <b>Initial complaints</b> is 10 working days.</p> <p>For Q2 2019/20: 481 of 587 (81.9%) of complaints were dealt with within timescale.</p>
FOI 01a All Departments - FOIs answered within 20 days	63.5%	79.2%	79.7%	70.4%	81.8%	100.0%	100.0%	Figures have improved from this time last year. Q2 2019/20: 383 of 468 (81.8%) within timescale for all departments. Year to date: 642/836 (76.8%). In comparison for Q2 2018/19: (63.5%) within timescale for all departments. Further information can be found in Appendix 2.
MEQ 01a All Departments - MEQs closed within 8 days	65.9%	80.3%	79.7%	73.3%	83.9%	95.0%	95.0%	Figures have improved from this time last year. For Quarter Two 2019/20: 1,300 of 1,550 inside target (83.9%) Year to Date 2,664/3,412 (78.1%) In comparison for Q2 2018/19: (65.9%) within timescale for all departments. Further information can be found in Appendix 2.

### (b) Sickness Absence

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
BV012a Average Sick Days - Council Staff (rolling 4 quarters)	9.00	9.07	9.07	9.03	9.08	7.96	7.96	<p>Sickness Absence is one of the areas that has been subjected to increased scrutiny and the associated action plan and timeframes for improvement can be found in Appendix 2. The focus for this work has been the Place department and Council Housing where analysis has shown that this service has experienced higher levels of sickness absence.</p> <p>This figure relates to a rolling one year's performance and so previous quarters figures will impact this.</p>

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
								<u>Average Days per FTE - 12-month average to 30.9.2019</u> Chief Executives: 6.48 Resources: 8.58 Place: 11.50 People: 7.52
BV012b Average Sick Days: SHORT TERM ABSENCE - Council Staff (rolling 4 quarters)	3.43	3.35	3.13	3.12	3.15	2.80	2.80	<u>Average Days per FTE - 12-month average to 30.9.2019</u> Chief Executives: 2.19 Resources: 3.53 Place: 3.64 People: 2.47  This figure relates to a rolling one year's performance and so previous quarters figures will impact this.
BV012c Average Sick Days: LONG TERM ABSENCE - Council Staff (rolling 4 quarters)	5.57	5.76	5.94	5.91	5.93	5.16	5.16	<u>Average Days per FTE - 12-month average to 30.9.2019</u> Chief Executives: 4.29 Resources: 5.05 Place: 7.86 People: 5.04  This figure relates to a rolling one year's performance and so previous quarters figures will impact this.
HR0008a Average Sick Days per FTE - Chief Executive's	3.22	1.92	1.77	1.51	1.29	1.99	7.96	These KPIS show the sickness absence for the last quarter. The Annual target is 7.96 days per annum which equals to 0.66 days per month and 1.99 days per quarter.
HR0008bb Average Sick Days per FTE - Resources	2.00	2.02	2.31	2.14	1.94	1.99	7.96	These KPIS show the sickness absence for the last quarter. The Annual target is 7.96 days per annum which equals to 0.66 days per month and 1.99 days per quarter.
HR0008cc Average Sick Days per FTE - People	2.53	2.44	2.59	1.85	1.63	1.99	7.96	These KPIS show the sickness absence for the last quarter. The Annual target is 7.96 days per annum which equals to 0.66 days per month and 1.99 days per quarter.
HR0008dd Average Sick Days per FTE - Place	2.10	3.01	3.04	2.52	2.91	1.99	7.96	These KPIS show the sickness absence for the last quarter. The Annual target is 7.96 days per annum which equals to 0.66 days per month and 1.99 days per quarter. Council Housing has seen a high level of sickness Absence and further information can be found in Appendix Two.

**(c) Payment of Council Invoices**

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
INV004 Invoices Council Overall: Invoices	93.9%	95.0%	95.7%	95.9%	96.6%	100%	100%	For these specific KPIS status will show as green if above 95% and red

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
Paid within 30 days								if below 92%.  These figures are snapshots at the end of the Quarter. Performance has improved (96.6%) from (93.9%) last year.  The year to Date is 96.2% - 35,885 invoices paid inside 30 days from 37,289 paid.
INV004 CEX Directorate: Invoices Paid within 30 days	92.72%	93.48%	95.69%	96.71%	96.29%	100%	100%	For these specific KPIS status will show as green if above 95% and red if below 92%.
INV004 PEOPLE Directorate: Invoices Paid within 30 days	93.96%	95.24%	95.25%	95.65%	96.59%	100%	100%	For these specific KPIS status will show as green if above 95% and red if below 92%.
INV004 PLACE Directorate: Invoices Paid within 30 days	91%	92%	96.6%	96.5%	96.6%	100%	100%	For these specific KPIS status will show as green if above 95% and red if below 92%.
INV004 Resources Directorate: Invoices Paid within 30 days	96.0%	96.8%	96.8%	95.7%	96.8%	100%	100%	For these specific KPIS status will show as green if above 95% and red if below 92%.

## 7. Work with You

### Borough Information

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Notes
	Value	Value	Value	Value	Value	Target	
PH003v NHS Indicator - A&E Attendance: % where less than 4 hours from arrival to admission, transfer or discharge	86.5%	87.3%	84.3%	86.4%	85.4%		<b>This is a data only measure.</b> Q2 2019/20: 85.4% (37,491 attendance seen within 4 hours; 43,909 attendances) Figures for North Middlesex University Hospital
RLCPI 0012 Employment rate in Enfield - working age Population	68.7%	69.6%	69.2%	67.0%	No Quarter 2 Data Available		<b>This is a data only measure.</b> 67% is the latest figure available and covers the period to July 2018 - June 2019 (recorded for quarter 1 2019/20) for those aged 16-64 (drop over recent periods and lowest rate since 2014). New Data will be available in Quarter Three. For comparison the Employment rate for London is 74.5%. (highest rate recorded). For context the Enfield unemployment rate 5.2% (8,400 claimants). This data is sourced externally from the Council.

## 8. Work Smartly for You

### [a] Council Tax and Business Rates

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
BV009 % of Council Tax collected (in year collection) Combined	55.28%	81.71%	95.73%	29.16%	55.09%	55.28%	95.00%	The figures that are shown are cumulative and build up to a Quarter 4 figure. The end of September collection rate 55.09% - 89,295,638 collected / 162,088,949 net debit). Current target of 55.28% represents actual collection rate at September 2018.
BV010 % of Business Rates collected (in year collection)	56.51%	83.71%	99.03%	27.47%	55.92%	56.51%	98.9%	The figures that are shown are cumulative and build up to a Quarter 4 figure. The end of September collection rate 55.92% - (67,790,694 collected / 121,234,550 net debit). Current target of 56.51% represents actual collection rate at September 2018.

### [b] Benefits Processing & Support

Indicator	Q2 2018/19	Q3 2018/19	Q4 2018/19	Q1 2019/20	Q2 2019/20		Annual Target 2019/20	Notes
	Value	Value	Value	Value	Value	Target		
BV079b(i) % of Housing Benefit Overpayments recovered.	89.10%	83.77%	77.59%	72.04%	77.6%	83.00%	83.00%	2019/20: £3,847,833 recovered of £4,957,859 overpayments identified (77.6%). An increase in overpayments is due to the DWP's (dept Work and Pensions) VEP (Verify Earnings & Pensions Alerts) system which causing us to review more claims and therefore make more changes and amendments to assessments/claims. The collection rate should continue to improve as payment arrangements made with clients continue to recover overpayments during the year. Due to the data matching we're raising on average £804k per month in benefit overpayments, above last year's average of £790k. The March 2019 year end figure was 77.59
FCRCP32 Processing New claims - Housing Benefit (average calendar days - cumulative)	24.08	22.53	21.43	22.63	22.22	23	23	These KPIS relate to April 2019 to Date: 1201 new claims / 26687 days - Average 22.22.
FCRCP33 Processing Times for Benefit Change in Circumstances (average number of calendar days) Cumulative YTD	6.82	6.68	5.19	3.75	3.82	7	7	These KPIS relate to April 2019 to Date: April 2019 to Date: 58144 new claims / 228127 days - Average 3.92.

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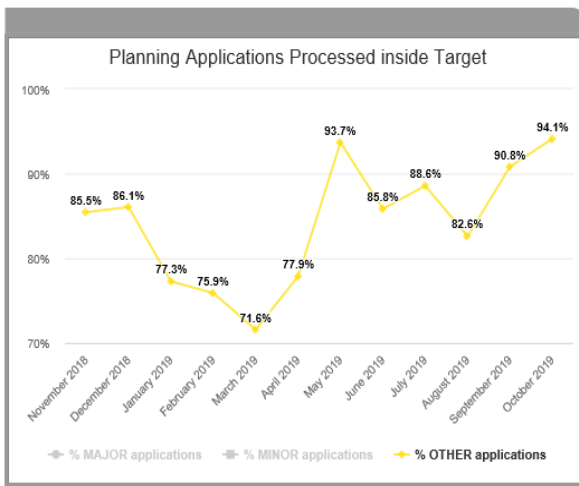
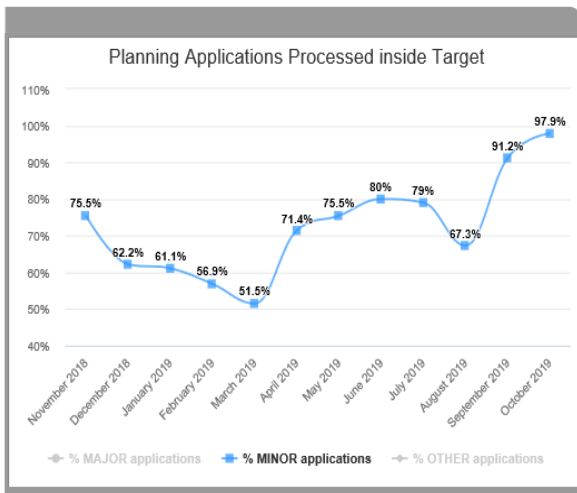
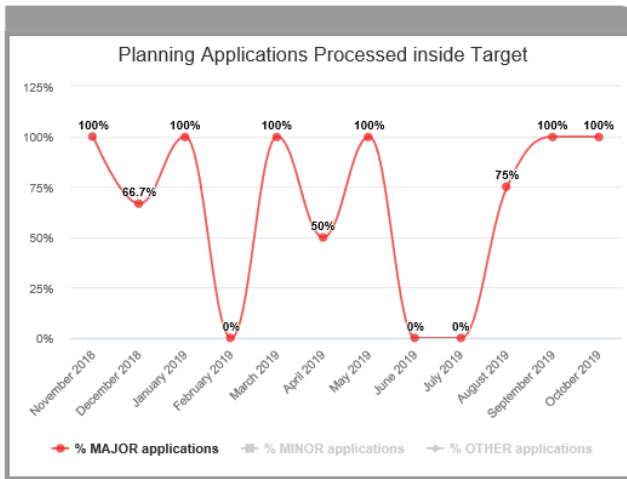
**Appendix 2**

**Action Plan Subject: Planning Applications**  
**Lead Director: Executive Director Place**



Two Year Trend	Commentary																											
<p><b>% MAJOR applications determined within target</b></p> <table border="1"> <caption>% MAJOR applications determined within target</caption> <thead> <tr> <th>Quarter</th> <th>Quarters (%)</th> <th>Target (Quarters) (%)</th> </tr> </thead> <tbody> <tr><td>Q3 2017/18</td><td>71.4%</td><td>85%</td></tr> <tr><td>Q4 2017/18</td><td>90%</td><td>85%</td></tr> <tr><td>Q1 2018/19</td><td>87.5%</td><td>88%</td></tr> <tr><td>Q2 2018/19</td><td>60%</td><td>88%</td></tr> <tr><td>Q3 2018/19</td><td>62.5%</td><td>88%</td></tr> <tr><td>Q4 2018/19</td><td>80%</td><td>88%</td></tr> <tr><td>Q1 2019/20</td><td>75%</td><td>90%</td></tr> <tr><td>Q2 2019/20</td><td>66.7%</td><td>90%</td></tr> </tbody> </table>	Quarter	Quarters (%)	Target (Quarters) (%)	Q3 2017/18	71.4%	85%	Q4 2017/18	90%	85%	Q1 2018/19	87.5%	88%	Q2 2018/19	60%	88%	Q3 2018/19	62.5%	88%	Q4 2018/19	80%	88%	Q1 2019/20	75%	90%	Q2 2019/20	66.7%	90%	<p>A detailed development management performance action plan has been produced and is regularly updated to focus on a range of actions to improve performance by an initial timeframe of November 2019. Evidence suggests that these initiatives are taking effect with targets for determination times hitting or exceeding targets through September and October and in to November 2019.</p> <p>The Charts and tables to the left show historical performance across the last 8 Quarters. The graphs on the following page show a demonstrate a recent upturn in performance for September and October 2019. This upturn in performance has continued in to November 2019.</p>
Quarter	Quarters (%)	Target (Quarters) (%)																										
Q3 2017/18	71.4%	85%																										
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Q3 2017/18	81%	80%																										
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**Two Year Trend**



**Commentary**

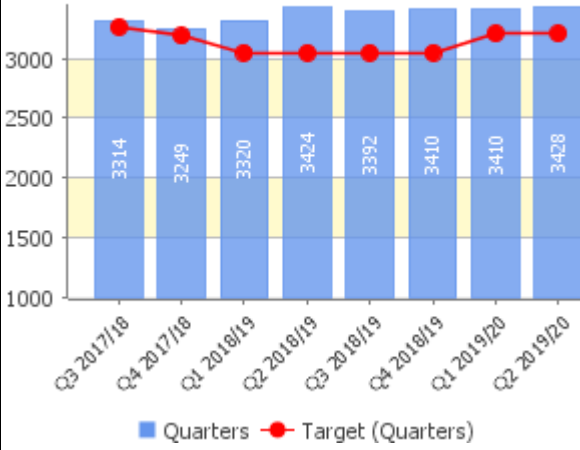
- Draft recommendations from a recent internal audit by PwC being used to improve internal systems
- September-November – significant recruitment campaign launched in September to boost the capacity of the service including 5 fixed term posts to support performance on PPAs. This has yielded mixed results with only one role being successfully offered by end of November with 4 posts remaining vacant. We are now preparing to go back out to advert (from December 2019) seeking to fill remaining vacant posts
- Successful recruitment to other vacant posts over the past 6-9 months starting to see reduction in caseloads and improved performance
- Opportunities for the creation of additional posts to further boost capacity are being explored by Head of Service with a view to undertake further recruitment in 2020
- An Operational Support officer has been trained to provide more regular ‘in month’ performance data to Planning Service managers so that they can mitigate issues within the month and optimise performance and this has assisted improve performance on a weekly basis
- Focused performance meetings continue to target decision dates and ensure extensions of time are secured where necessary. Weekly Strategic Applications Meetings are held to track major applications and monitor performance
- Improved communication has been put in place with staff through team meetings and 1:1s to increase importance

**Timescales for Improvement**

- We anticipate that we will see a continued upward trend with performance moving to at least Amber in Quarter Three for  
*NI157a % Major Applications determined within target,*  
*NI157b % Minor applications determined within target*  
*NI157c % Other Applications determined within target*
- The 2 year rolling figures will take longer to see an improvement in the figures as previous lower performance will impact these figures for at least the next few quarters.



**Action Plan Subject: Temporary Accommodation**  
**Lead Director: Executive Director Place**

Two Year Trend	Commentary																											
<p data-bbox="113 439 587 488"><b>Number of households living in temporary accommodation</b></p>  <table border="1" data-bbox="49 495 630 943"> <thead> <tr> <th>Quarter</th> <th>Actual (Quarters)</th> <th>Target (Quarters)</th> </tr> </thead> <tbody> <tr> <td>Q3 2017/18</td> <td>3314</td> <td>3314</td> </tr> <tr> <td>Q4 2017/18</td> <td>3249</td> <td>3249</td> </tr> <tr> <td>Q1 2018/19</td> <td>3320</td> <td>3210</td> </tr> <tr> <td>Q2 2018/19</td> <td>3424</td> <td>3210</td> </tr> <tr> <td>Q3 2018/19</td> <td>3392</td> <td>3210</td> </tr> <tr> <td>Q4 2018/19</td> <td>3410</td> <td>3210</td> </tr> <tr> <td>Q1 2019/20</td> <td>3410</td> <td>3210</td> </tr> <tr> <td>Q2 2019/20</td> <td>3428</td> <td>3210</td> </tr> </tbody> </table>	Quarter	Actual (Quarters)	Target (Quarters)	Q3 2017/18	3314	3314	Q4 2017/18	3249	3249	Q1 2018/19	3320	3210	Q2 2018/19	3424	3210	Q3 2018/19	3392	3210	Q4 2018/19	3410	3210	Q1 2019/20	3410	3210	Q2 2019/20	3428	3210	<p data-bbox="643 342 1544 488">The figures for Quarter 2 showed that Enfield had 3428 households in Temporary Accommodation (TA). This is a slight increase from the end of year and Quarter one figure of 3410. Demand continues to place pressure on the service.</p> <p data-bbox="643 528 1544 674"><b>Update on Service Design:</b> Further to the Cabinet report presented at September Cabinet we have produced a further homelessness Cabinet report to be presented at the January 22<sup>nd</sup>, 2020 Full Cabinet meeting recommending the following:</p> <ul data-bbox="692 674 1401 819" style="list-style-type: none"> <li>• New service design restructure</li> <li>• Join Capital Letters</li> <li>• Establish Enfield Let</li> <li>• Use of Single Homelessness Program (SHPS)</li> </ul> <p data-bbox="643 860 1544 1039">We envisage that the new structure will be partially in place by June 2020 with a fully staffed structure by end September 2020. The timescale is subject to authority to proceed, consultation, and HR process at which point we will see improvements to the service.</p> <p data-bbox="643 1079 1054 1113"><b>Timescales for Improvement:</b></p> <p data-bbox="643 1113 1544 1292">In terms of seeing an improvement in the TA figures, this will only be realised through the service design. Up to this date the Service will be seeking to manage the current levels of TA and will aim to reach the target of 3210 by March 2020 although this will be a stretch target.</p> <p data-bbox="643 1332 1544 1478"><b>Positive Actions undertaken in Quarter 2</b> The service has procured the Policy in practice product the LIFT Dashboard to give greater insight about residents who are of low incomes and at risk of financial hardship.</p> <ul data-bbox="692 1547 1342 1704" style="list-style-type: none"> <li>• Rough sleeping (verified) – 19 housed</li> <li>• Moved on 40 families from TA</li> <li>• Prevented 107 families from going into TA</li> </ul> <p data-bbox="643 1731 1544 1962">We have joined ‘<i>Setting the Standard</i>’, this is a pan London initiative to ensure inspections/compliance across all HMO and studio sized accommodation across the London area. It is envisaged that 28 boroughs plan to join the initiative to ensure that standards are adhered to by landlords creating a database for condition/quality of accommodation.</p>
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**Action Plan Subject: Telephony and Customer Services**  
**Lead Director: Executive Director Resources**

Two Year Trend	Commentary																											
<p><b>Correlation between Customer Services staffing level &amp; number of calls answered</b></p> <table border="1"> <thead> <tr> <th>Quarter</th> <th>Total calls answered</th> <th>Staff FTE excl. trainees</th> </tr> </thead> <tbody> <tr> <td>Q3 2017/18</td> <td>~120,000</td> <td>~48</td> </tr> <tr> <td>Q4 2017/18</td> <td>~130,000</td> <td>~50</td> </tr> <tr> <td>Q1 2018/19</td> <td>~105,000</td> <td>~45</td> </tr> <tr> <td>Q2 2018/19</td> <td>~100,000</td> <td>~45</td> </tr> <tr> <td>Q3 2018/19</td> <td>~85,000</td> <td>~40</td> </tr> <tr> <td>Q4 2018/19</td> <td>~75,000</td> <td>~35</td> </tr> <tr> <td>Q1 2019/20</td> <td>~70,000</td> <td>~32</td> </tr> <tr> <td>Q2 2019/20</td> <td>~80,000</td> <td>~38</td> </tr> </tbody> </table>	Quarter	Total calls answered	Staff FTE excl. trainees	Q3 2017/18	~120,000	~48	Q4 2017/18	~130,000	~50	Q1 2018/19	~105,000	~45	Q2 2018/19	~100,000	~45	Q3 2018/19	~85,000	~40	Q4 2018/19	~75,000	~35	Q1 2019/20	~70,000	~32	Q2 2019/20	~80,000	~38	<p><b>Context</b>                      Customer Services is currently measured on how many customer calls and webchats are answered, and how long customers wait, and customer satisfaction.</p> <p>Call answer rates and wait times are determined largely by whether there are enough staff to meet the demand. Therefore, unexpected periods of high demand against a stable staff level pushes performance down, as does staff shortages when demand is stable or reducing. This correlation is illustrated by the first two charts to the left.</p> <p><b>Performance</b>                      The answer rate in Q2 19/20 was 85%, an improvement in performance from 78% in Q1, but still below the target of 88%. The average wait time in Q2 was 4 mins 12 seconds, an improvement in performance from 6 minutes 52 seconds in Q1, but still below the target of 3 minutes. Calls answered within 5 minutes was 77% in Q2, compared to 68% in Q1. Satisfaction with the web chat service was 76% in both Q2 and Q1, below the target of 85%.</p>
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<p><b>Gateway Telephones - Average Wait Time</b></p> <table border="1"> <thead> <tr> <th>Quarter</th> <th>Average Wait Time</th> <th>Target</th> </tr> </thead> <tbody> <tr> <td>Q3 2017/18</td> <td>00h 02m 35s</td> <td>00h 03m 00s</td> </tr> <tr> <td>Q4 2017/18</td> <td>00h 03m 29s</td> <td>00h 03m 00s</td> </tr> <tr> <td>Q1 2018/19</td> <td>00h 03m 40s</td> <td>00h 03m 00s</td> </tr> <tr> <td>Q2 2018/19</td> <td>00h 03m 40s</td> <td>00h 03m 00s</td> </tr> <tr> <td>Q3 2018/19</td> <td>00h 02m 47s</td> <td>00h 03m 00s</td> </tr> <tr> <td>Q4 2018/19</td> <td>00h 07m 17s</td> <td>00h 03m 00s</td> </tr> <tr> <td>Q1 2019/20</td> <td>00h 06m 52s</td> <td>00h 03m 00s</td> </tr> <tr> <td>Q2 2019/20</td> <td>00h 04m 12s</td> <td>00h 03m 00s</td> </tr> </tbody> </table>	Quarter	Average Wait Time	Target	Q3 2017/18	00h 02m 35s	00h 03m 00s	Q4 2017/18	00h 03m 29s	00h 03m 00s	Q1 2018/19	00h 03m 40s	00h 03m 00s	Q2 2018/19	00h 03m 40s	00h 03m 00s	Q3 2018/19	00h 02m 47s	00h 03m 00s	Q4 2018/19	00h 07m 17s	00h 03m 00s	Q1 2019/20	00h 06m 52s	00h 03m 00s	Q2 2019/20	00h 04m 12s	00h 03m 00s	<p>Over the course of 2019, as the restructure progressed, staffing levels increased, vacancies reduced, and performance improved. The direction of travel at the end of Q2 2019/20 was positive and it was anticipated that performance would continue to improve in line with staffing levels.</p> <p>However, at the start of Q3 the launch of the council's change to waste services generated a huge amount of interest amongst residents, and a dramatically increased volume of contact across all channels. October saw an 38% increase in calls to the contact centre, nearly 13,000 more than in September. The level of uptake of the new paid Green Waste service was more than double the predicted level - 11,000 subscriptions in the first few months were forecast, and in fact 25,000 were achieved. As a result, call wait</p>
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Two Year Trend	Commentary
	times increased and call answering rates suffered. Customer Services had to rapidly obtain and train new staff to cope with the demand.
<p>There was also a huge uptake in online activity: In October 2019:</p>	
<ul style="list-style-type: none"> <li>• 26,112 web payments taken for the month (a monthly average before the campaign was 14,000)</li> <li>• 19,819 webforms were filled in (a monthly average before the campaign was 5,500)</li> <li>• 6,413 new sign-ups for Enfield Connected accounts; a spike not seen since the introduction of Enfield Connected.</li> <li>• 159,762 visitors to the enfield.gov.uk website (a monthly average before the campaign was 120,000)</li> </ul>	
<p>Demand slowly normalised throughout November and December and this, along with 7 additional temporary staff enabled the call answering target to be met in December – 89% against the 88% target</p>	
<p><b><u>Timescales for Improvement</u></b></p>	
<ul style="list-style-type: none"> <li>• In December 2019, Customer Services achieved 89% answer rate against the 88% target.</li> <li>• In terms of Quarter 3 performance, due to the issues highlighted above for October and November, Q3 data is likely to be red or at best amber.</li> <li>• Recruitment and training will continue to ensure there is sufficient resource to meet all KPI targets in Q4 when demand will rise due to a combination of regular activities and new service changes. Demand and resourcing for the months of January, February and March based on the industry standard Erlang calculator and our goal to answer 95% of calls are projected as follows: <ul style="list-style-type: none"> <li>January volume 39,000 = 60 fte average</li> <li>February volume 64,000 = 83.5 fte average</li> <li>March volume 55,000 = 73.4 fte average</li> </ul> </li> <li>• As long as we are able to progress the actions below as planned, and no new unexpected challenges emerge, we expect to meet all KPIs in the final quarter of the year and have a good chance of hitting 95% calls answered.</li> </ul>	
<p><b><u>Actions</u></b></p>	
<ul style="list-style-type: none"> <li>• Planning is underway to ensure readiness for the next significant waste service change being communicated to residents in February and launching in March 2020; the launch of alternate weekly collections, to ensure that customers will be able to get quick answers to all their questions via the website and the phone service, and that there are sufficient staffing levels both in Waste and in Customer Services to support customers who need it. This requires working with all services to do robust forecasts of demand during this period to ensure we have sufficient trained staff in place.</li> <li>• Resourcing at the levels stated above is not sufficient to guarantee the achievement of the 95% KPI, it is vital also to be able to train staff to a proficient standard where average handling speeds are consistent, and make sure that peak times such as Mondays have a higher number of staff available. Customer Services has appointed a full-time trainer to ensure that all staff receive regular and timely training so that customers get the best possible service, who started in November 2019, and a full time Quality &amp; Performance Manager who is due to start in mid-January. Customer Services has also asked Property colleagues for a higher-capacity training room, as room capacity has been one of the logistical challenges experienced to date.</li> <li>• Intensive work is taking place to improve the experience of Housing customers who represent 20% of calls, by investing in staff training, team working, new systems and processes across the two services, and the insourcing of repairs, all of which will start to reduce demand caused by avoidable contact and improve customer services KPIs</li> <li>• Slow and old desktop computers in the Contact Centre are in the process of being replaced – 18 of 80 modern laptops have been received so far, supporting staff to work more efficiently and flexibly. There have been stock delays that have been escalated with the supplier, subject to resolution the remainder of the rollout will be completed by the end of January 2019.</li> <li>• Longer term, the 3 core systems that Customer Services uses – CRM, telephony and the website - are all being upgraded in the next 12 months, to support staff in delivering the best positive customer experience.</li> </ul>	

**Action Plan Subject: Council Housing Sickness**  
**Lead Director: Tinu Olowe (HR) and Joanne Drew (Housing)**

Two Year Trend	Commentary																											
<p><b>Average Sick Days - Council Staff (rolling 4 quarters)</b></p> <table border="1"> <caption>Average Sick Days - Council Staff (rolling 4 quarters)</caption> <thead> <tr> <th>Quarter</th> <th>Average Sick Days per FTE</th> <th>Target (Quarters)</th> </tr> </thead> <tbody> <tr> <td>Q3 2017/18</td> <td>8.90</td> <td>7.96</td> </tr> <tr> <td>Q4 2017/18</td> <td>8.91</td> <td>7.96</td> </tr> <tr> <td>Q1 2018/19</td> <td>9.10</td> <td>7.96</td> </tr> <tr> <td>Q2 2018/19</td> <td>9.00</td> <td>7.96</td> </tr> <tr> <td>Q3 2018/19</td> <td>9.07</td> <td>7.96</td> </tr> <tr> <td>Q4 2018/19</td> <td>9.07</td> <td>7.96</td> </tr> <tr> <td>Q1 2019/20</td> <td>9.03</td> <td>7.96</td> </tr> <tr> <td>Q2 2019/20</td> <td>9.08</td> <td>7.96</td> </tr> </tbody> </table> <p>■ Quarters    ● Target (Quarters)</p>	Quarter	Average Sick Days per FTE	Target (Quarters)	Q3 2017/18	8.90	7.96	Q4 2017/18	8.91	7.96	Q1 2018/19	9.10	7.96	Q2 2018/19	9.00	7.96	Q3 2018/19	9.07	7.96	Q4 2018/19	9.07	7.96	Q1 2019/20	9.03	7.96	Q2 2019/20	9.08	7.96	<p>Please note the following definitions for the purposes of this report.</p> <p><b>FTE:</b> Full Time Equivalent is the hours worked by one employee on a full-time basis.</p> <p><b>Average FTE Days:</b> This is the number of FTE working days lost to sickness absence divided by the number of FTE employees in the Service.</p> <p>The rolling 4 quarters for sickness absence up to Quarter 2 (July-September 2019) is in the chart on the left-hand side. Current Council wide performance is above target with 9.08 FTE days being lost to sickness every year. The target is 7.96 FTE days lost which was the London average in 2017/18.</p> <p>The annual target relates to 0.66 days per FTE per month and 1.99 FTE per quarter. The departmental breakdown of sickness for Quarter two shows the following:</p> <ul style="list-style-type: none"> <li>Average Sick Days per FTE for the <b>Chief Executive's Directorate</b> is 1.29</li> <li>Average Sick Days per FTE for the <b>Resources Directorate</b> is 1.94</li> <li>Average Sick Days per FTE –for the <b>People Directorate</b> is 1.63</li> <li>Average Sick Days per FTE for the <b>Place Directorate</b> is 2.91</li> </ul> <p>The Place department has continued to show the highest sickness rates. Analysis has shown that there has been high sickness rates within the Council Housing Service. Current figures are showing an improving picture with figures moving towards being in line with the corporate target for September 2019 (0.68 FTE days lost against a monthly target of 0.66 FTE days) and long-term absence reducing. The remainder of the action plan explains the improving trend and details the next steps needed to further reduce the sickness in this service.</p>
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Two Year Trend	Commentary
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The table below shows the Average FTE Days lost per FTE to sickness across the last 12 months for the Council Housing Service. This shows the service plus the 3 main teams that sit within Council Housing.

Month and Area	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19
<b>Council Housing</b>	1.39	2.00	1.57	1.97	1.32	1.12	1.22	1.09	1.02	1.33	1.11	0.68
Housing Business Partnerships	0.50	0.33	0.73	0.26	0.50	0.62	0.53	1.15	1.16	0.00	0.53	0.00
Housing Management Services	1.73	2.55	1.93	2.34	1.52	1.35	1.23	1.22	1.22	1.61	1.14	0.80
Housing Property Services	0.22	0.12	0.12	0.70	0.60	0.04	0.88	0.75	0.26	0.25	1.13	0.27

- September has seen a significant decrease in Sickness absence rates across all areas
- Sickness rates are now just above target for September 2019
- The figure for September is 0.68 against a target of 0.66
- This ongoing improvement is, in part, a reflection of the management focus on making attendance support and absence management business as usual.
- As of the end of October 2019 Housing Management Services had an almost full complement of permanently appointed managers for the first time in more than two years. The only manager who remains a non LBE employee has successfully applied for the post and will be formally appointed from January 2020. This consistency of leadership, from Head of Service down, should help to ensure that this improving trend continues despite the challenges and changes ahead.

The table below shows the split between long term and short term absence for each area within Council Housing for the financial year so far. From this information we are able to adapt our plans and strategies to support staff and managers to manage sickness absence effectively.

Longer Term absence continues to reduce in this area. This has fallen from 77% in September 2018 to 65% in September 2019

Area	FTE days lost to sickness absence per FTE				
	All	Long Term		Short Term	
Housing	6.45	4.22	65%	2.23	35%
Housing Property Services	3.54	0.95	27%	2.59	73%
Housing Business Partnerships	4.13	2.41	58%	1.72	42%
Housing Management Services	7.31	5.10	70%	2.22	30%

The following information gives a breakdown showing the top 5 reasons for sickness absence between April-September 2019. Across the last financial year (May 2018-April 2019) the percentage of sickness that was attributed to Anxiety/Stress and Depression was 32.4%. This has increased to 50.78% across the first 6 months of this financial year and this will be at the heart of our strategies as we move forwards. The figures illustrate clearly the high levels of Anxiety/Stress and Depression within the service.

Two Year Trend	Commentary
<b>Sickness Category</b>	<b>Housing</b>
Anxiety/stress/depression/other psychiatric illnesses	50.78%
Injury, fracture	12.16%
Gastrointestinal problems (e.g. abdominal pain, gastroenteritis, vomiting, diarrhoea) - exclude dental and oral problems	11.89%
Other known causes ( <i>nec</i> ) - not elsewhere classified	5.50%
Headache / migraine	4.88%

### **Occupational Health (OH) data provided by Medigold (external provider)**

We have undertaken some analysis to look at Occupational Health Data to understand underlying trends. Referrals to Occupational Health occur where managers need specific advice and guidance on how best to support attendance in work whether that be a phased return, reasonable adjustments or greater understanding of a medical condition / illness and how we can effectively support the individual in the workplace

- For the period April to September 2019 there were 205 referrals to OH of which 47, or 23% were made by the Place Directorate.
- The highest proportion of these referrals, approximately 61%, were for male employees
- Over 35% of Place referrals were made for employees aged 55 to 64.
- For the period July 18 to June 2019 there were a total of 35 referrals across the Council for work related stress. This is defined as stress where **only** work stressors are present.
- Of these 35 referrals, 8 or 23% were from the Housing & Regeneration directorate

Medigold also provide OH support for 6 other London councils and undertook some comparative benchmarking analysis for the period July 18 to June 19. This has provided some interesting data which we will be using to support attendance and develop management training and targeted support:

- Enfield has the second highest referral rate as a percentage of headcount at 12% vs an average of 11.4%.
- 37% of all Management Referrals were Musculoskeletal related. This is the highest percentage compared to the other 6 London Councils which varied from 22% to 36%. This will be impacted by the types of manual roles within each council.
- As a percentage of the workforce Enfield had the second highest rate of Musculoskeletal related referrals at 4.4%, v the average of 3.4%.
- Enfield has the highest score of Work-Related Stress referrals as % of total workforce at 1.17%
- Other councils ranged from 0.47% to 1.16% with the average being 0.84%

In addition to the Occupational Health Service, the Council also provides an Employee Assistance Programme. Recent data relating to the wider Council highlights:

- There were 60 new contacts to the EAP service between April and September 2019. 70% of these contacts were from females.
- The primary reasons that triggered the employee to reach out for help were related to stress support, mental health support and personal support in over 62% of cases.

Over this same period 154 counselling sessions were provided by the EAP

Two Year Trend	Commentary
<b><u>Next Steps and Further Actions:</u></b>	
<ul style="list-style-type: none"> <li>• We will continue to monitor absence to ensure absence &amp; attendance is proactively managed using the recently available occupational health data above</li> <li>• A detailed 6 monthly deep dive of sickness absence has been started and we will use this data to identify where to focus support. This will be completed in early January and will inform further actions and discussions with the management team within Housing.</li> <li>• Absence due to poor mental health has increased so we will roll out additional training and support</li> <li>• Mental Health &amp; Resilience training is currently in place for both managers and staff, HR with the support of the Housing senior management will target specific areas within Council Homes to attend this training.</li> <li>• Proactively target existing and new managers to attend bitesize Absence &amp; Attendance training – both on-line and face to face modules.</li> <li>• Communal Services within Housing Management will have a new management structure in place from mid-Jan. This will provide additional support for this area.</li> <li>• The L&amp;OD team are currently creating management and leadership development programmes which will focus on the role of the manager, key competencies and what is expected when managing people within the Council – this will be aligned to the cultural transformation initiatives.</li> <li>• HR will work with Line Management and their staff within Council Homes to identify issues of work-related stress. This would be undertaken by staff completing a standard work-related stress questionnaire tool e.g. HSE's management standard for addressing work related stress. The analysis of the questionnaires will enable an informed action plan to be developed to address key concerns</li> </ul>	
<b><u>Timeframes for Improvement</u></b>	
<ul style="list-style-type: none"> <li>• Reducing absence is a priority for the Council. Reductions are being seen in Council Housing and we would expect these to continue for Quarter 3 and Quarter 4</li> <li>• Further timeframes for improving Sickness absence across the Council will follow when the current deep dive analysis around Sickness absence that is underway has been completed. This is crucial to understand patterns and trends further. This will be done by the end of January and the Quarter 3 report will then provide further information.</li> <li>• As managers start to address sickness absence and record this information more accurately, there may be a slight rise in the short to medium term of our absence figure. It is anticipated through the deep dive exercise, and reporting sickness absence on a 12-month rolling year, these figures should show a reduction in the longer term.</li> <li>• It is anticipated that by addressing the root causes of work-related stress and supporting staff through mental health and wellbeing, this will significantly improve the overall attendance and sickness absence figures.</li> </ul>	

**Action Plan Subject: Complaints, FOI's and MEQ's**  
**Lead Director: Jeremy Chambers**

Two Year Trend	Commentary																											
<p><b>All Departments - FOIs answered within 20 days</b></p> <table border="1"> <caption>All Departments - FOIs answered within 20 days</caption> <thead> <tr> <th>Quarter</th> <th>Performance (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr><td>Q3 2017/18</td><td>65.0%</td><td>95%</td></tr> <tr><td>Q4 2017/18</td><td>65.3%</td><td>95%</td></tr> <tr><td>Q1 2018/19</td><td>68.2%</td><td>95%</td></tr> <tr><td>Q2 2018/19</td><td>63.5%</td><td>95%</td></tr> <tr><td>Q3 2018/19</td><td>79.2%</td><td>95%</td></tr> <tr><td>Q4 2018/19</td><td>79.7%</td><td>95%</td></tr> <tr><td>Q1 2019/20</td><td>70.4%</td><td>95%</td></tr> <tr><td>Q2 2019/20</td><td>81.8%</td><td>95%</td></tr> </tbody> </table>	Quarter	Performance (%)	Target (%)	Q3 2017/18	65.0%	95%	Q4 2017/18	65.3%	95%	Q1 2018/19	68.2%	95%	Q2 2018/19	63.5%	95%	Q3 2018/19	79.2%	95%	Q4 2018/19	79.7%	95%	Q1 2019/20	70.4%	95%	Q2 2019/20	81.8%	95%	<p><b>Context and Explanation of Graphs:</b></p> <p>The charts to the left show the current performance for Freedom of Information Requests (FOIS), MEQS and Complaints. The red line relates to the target.</p> <p>For Quarter 2 for FOIs, performance was 81.8% answered in 20 working days against a target of 100%.</p> <p>For Quarter 2 for MEQ's, performance was 83.9% answered in 8 working days against a target of 95%.</p> <p>For Quarter 2 for Complaints, performance was 81.9% answered in 10 working days against a target of 95%.</p>
Quarter	Performance (%)	Target (%)																										
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Quarter	Performance (%)	Target (%)																										
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Quarter	Performance (%)	Target (%)																										
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Two Year Trend					Commentary
<b>FOIA Further improvement</b>					<p><b>Action plan and Timescales for Improvement in MEQ performance.</b></p> <ul style="list-style-type: none"> <li>Regular liaison with departmental Heads of Service, and an on-going dialogue with colleagues responsible for answering the members enquiries has seen a significant improvement in all areas of the council.</li> <li>Place department continue to receive the bulk of all members enquiries and the Head of Governance &amp; Scrutiny with the MEQ Team Leader have met with all Heads of service from this area to see if there are areas the team can assist in improving their performance, and this has proved to be helpful.</li> <li>Tighter management of all co-ordinated cases has improved results. Provisional information shows performance increasing to 87% in October and November.</li> <li>It should be noted with regard to the quality assurance of MEQ responses, we will be reminding departments about ensuring sufficient detail and explanation are provided, through the interactions that we have with departments.</li> <li>The RAG rating is now amber and should be green by end of March 2020.</li> </ul> <p><b>Action plan and Timescales for Improvement in FOI performance.</b></p> <ul style="list-style-type: none"> <li>FOIAs are now showing a vast improvement with many departments in the last 2 months approaching 100%. The table to the left shows a breakdown of Quarter 2 which details the improvement and shows a substantial improvement in September.</li> <li>The process is now much better understood by the wider Council, as are the departments' understanding of FOIA law and exemptions.</li> <li>Link officers within the Complaints and Access to Information team (CAIT) are liaising well and having regular meetings with designated colleagues across the Council departments.</li> <li>Further improvements include Training for CAIT and for the department officers,</li> </ul>
<b>Compliance %</b>	<b>June</b>	<b>July</b>	<b>August</b>	<b>September</b>	
Volume of FOIs	131	176	174	118	
Volume completed in time	87 (66%)	117 (67%)	152 (87%)	114 (97%)	

Two Year Trend	Commentary
	<p>better use of Power BI for reporting, and publication of FOIA responses.</p> <ul style="list-style-type: none"> <li>• The RAG rating is now amber and should be green by end of March 2020.</li> </ul> <p><b>Action plan and Timescales for Improvement in Complaints performance.</b></p> <p>CAIT are now applying the same methodology to focus on improving the complaints statistics.</p> <p><b>The Complaints procedure has been rewritten and streamlined to 2 stages in line with the Ombudsmen procedure, and as such there is no historical or comparative information.</b> As a result of a restructure of the team, a new process for responding to complaints was introduced in July of this year. The aim of the new process was to give responsibility for the final stage complaints to Heads of Service and to have the Senior Officers in the Central Team co-ordinating and quality checking the responses. Some departments are managing to answer complaints within the timescales, others are showing many complaints as overdue.</p> <p>Action Plan to reduce overdue complaints:</p> <ul style="list-style-type: none"> <li>• The Head of Legal Services has met with the Head of Housing repairs and the Head of Waste Services which are the main areas where complaints are overdue and has discussed plans for improvement.</li> <li>• Waste Services have a dedicated complaints officer for a fixed term period to deal with the increase in complaints due to the service change.</li> <li>• Repairs will have more dedicated complaints resource from the new year and are also in-sourcing the repairs and maintenance. This should show a positive effect by the end of March 2020.</li> <li>• Members of CAIT are also learning new areas of work so that there is greater cover for absence and greater long-term resilience and succession planning within the team.</li> <li>• RAG rating for Complaints is expected to be amber by the end of March 2020.</li> </ul>

## THE CABINET

**Draft list of Items for future Cabinet Meetings  
(NOTE: The items listed below are subject to change.)**

<b>MUNICIPAL YEAR 2019/2020</b>
---------------------------------

<b>28 JANUARY 2020</b>
------------------------

- |           |  |            |
|-----------|--|------------|
| <b>1.</b> | <b>2020/21 Corporate Capital Condition Programme</b> | Sarah Cary |
|-----------|--|------------|

This will set out the capital programme of major repairs to corporate buildings determined from prioritised condition survey data. **(Key decision – reference number 5004)**

- |           |   |            |
|-----------|---|------------|
| <b>2.</b> | <b>Compulsory Purchase Order for the Redevelopment of The Montagu Industrial Estate</b> | Sarah Cary |
|-----------|---|------------|

This will seek approval of the Compulsory Purchase Order (CPO) and amended capital budget to cover the estimated CPO cost, demolition, remediation and on-going vacant property management as part of the Montagu Industrial Estate Redevelopment. **(Key decision – reference number 4873)**

- |           |  |            |
|-----------|--|------------|
| <b>3.</b> | <b>Business Case for Capital Funding for Highways, Street Scene and Parks Infrastructure 2020/21</b> | Sarah Cary |
|-----------|--|------------|

This will set out a business case for capital funding for additional programmes for flood management, bridge schemes and parks infrastructure in addition to the previously agreed business case for Highways and Street Scene for 2020/21. **(Key decision – reference number 5044)**

- |           |   |            |
|-----------|---|------------|
| <b>4.</b> | <b>Housing Revenue Account 30-Year Business Plan Update</b> | Sarah Cary |
|-----------|---|------------|

This will update Cabinet on the HRA 30-year business plan, capital programme and rents. **(Key decision – reference number 4969)**

- |           |  |            |
|-----------|--|------------|
| <b>5.</b> | <b>Housing Development Delivery Strategy</b> | Sarah Cary |
|-----------|--|------------|

This will set out the Council's Housing Development Strategy and seeks delegated authority from Cabinet to deliver the strategy. **(Key decision – reference number 4998)**

- |           |   |             |
|-----------|---|-------------|
| <b>6.</b> | <b>Capital Budget Monitor (Month 8) 2019/20</b> | Fay Hammond |
|-----------|---|-------------|

This will update Cabinet on the Council's capital budget up to month 8.

**7. Local Authority Trading Companies – Annual Accounts**

Jeremy Chambers

This will report the contents of the annual audited accounts of the Council's wholly owned trading companies. **(Key decision – reference number 5013)**

**12 FEBRUARY 2020**

**1. Meridian Water – Meridian Two Developer** Sarah Cary

This will seek approval to the procurement to appoint the Meridian Two Developer. **(Key decision – reference number 4952)**

**2. 10 Year Treasury Management Strategy 2020/21** Fay Hammond

This will update Cabinet on the Council's 10-year treasury management strategy. **(Key decision – reference number 5027)**

**3. Quarterly Revenue Monitoring (including HRA) 2019/2020 Quarter 3** Fay Hammond

This will present the quarterly revenue monitoring 2019/20 quarter 3. **(Key decision – reference number 5086)**

**4. Budget Report 2020/21 and Medium Term Financial Plan 2020/21 to 2029/30** Fay Hammond

This will present the budget report 2020/21 and the medium term financial plan 2020/21 to 2029/30. **(Key decision – reference number 5076)**

**5. Ten Year Capital Strategy and Capital Programme 2020/21 to 2029/30** Fay Hammond

This will present the capital strategy and capital programme 2020/21 to 2029/30. **(Key decision – reference number 5026)**

**6. HRA Business Plan Budget 2020/21 and Rent Setting and Service Charges Report 2020/21** Fay Hammond

This will present the HRA Business Plan and Rent Setting Report 2020/21. **(Key decision – reference number 5008)**

**7. Getting to School Policy** Tony Theodoulou

This policy will set out how the Council will identify and support those children and young people who need travel assistance to their school or setting and provide it in a consistent, transparent and fair way. **(Key decision – reference number 4851)**

8. **Corporate Property Investment Programme (CPIP)** Sarah Cary

This will seek approval to a block programme of capital investment into the Council's Corporate Property assets to support the delivery of the Strategic Asset Management Plan (SAMP). **(Key decision – reference number 5006)**

9. **Enfield Repairs Direct** Sarah Cary/Joanne Drew

Report seeking approval for the operating model and associated policies of the new housing in-house repairs service. **(Key decision - reference number 5070)**

10. **Community Infrastructure Levy and Section 106** Sarah Cary

**(Key decision - reference number 5029)**

11. **Housing Infrastructure Fund (HIF) Grant Agreement To Deliver Strategic Infrastructure Works at Meridian Water**

Sarah Cary

This will seek authority to enter into the funding agreement for the receipt of housing infrastructure funding for the delivery of strategic infrastructure at Meridian Water. **(Key decision – reference number 5085)**

<b>11 MARCH 2020</b>
----------------------

1. **Future Company Decisions** Jeremy Chambers

**(Key decision – reference number tbc)**

2. **Housing Allocations Scheme** Sarah Cary

The allocations scheme will set out who can apply for affordable and social rented housing in Enfield, how applications are assessed and how the Council sets the priorities for who is housed. It also sets out other housing options, including private rented sector, intermediate rent and shared ownership. **(Key decision – reference number 4682)**

3. **Estate Renewal Update and Approvals** Sarah Cary/Joanne Drew

An update on estate renewals and approvals. **(Key decision – reference number 5059)**

4. **Future Strategy for Later Living Housing** Sarah Cary/Joanne Drew

Review of the sheltered housing stock, re-designation of the stock, and service offer improvement for older residents living in council housing stock.

Recommendations for future development plans of housing for older people. **(Key decision - reference number 5073)**

**5. Multi-agency hoarding and self-neglect policy** Tony Theodoulou

This policy sets out the cross-council and cross-partnership approach to dealing with hoarding and self-neglect issues for vulnerable adults in Enfield. **(Key decision - reference number 5071)**

**6. Modern Slavery Strategy** Bindi Nagra

This will seek approval of the Council's Modern Slavery Strategy.

**7. Good Growth Fund – Angel Edmonton** Sarah Cary

The Good Growth Fund – Angel Edmonton aims to facilitate community engagement and build capacity, deliver employment and skills opportunities and provide the foundation for a strategic spatial plan. The programme will deliver an 'Urban Room', affordable workspace, public realm improvements and a spatial strategy to inform area-based policy. **(Key decision – reference number 5080)**

**8. Updated School Condition and Fire Safety Programme 2020/21 to 2021/22** Tony Theodoulou

This will seek approval of the Schools' capital programme for 2020/21 to 2021/22. **(Key decision - reference number 5082)**

**9. Meridian Water Employment Strategy** Sarah Cary

This will seek approval to the employment strategy for Meridian Water. **(Key decision – reference number 4881)**

**APRIL 2020**

**1. Quarterly Corporate Performance Report** Fay Hammond

This will present the quarterly corporate performance report. (Non key)

**2. Company – Regulatory Compliance** Fay Hammond  
**(Key decision – reference number tbc)**

**3. Re-appointment of Company Directors** Fay Hammond  
**(Key decision – reference number tbc)**

**4. Broomfield House** Sarah Cary

This will refer to the Broomfield Conservation Management Plan and Options Appraisal and, set out options for the next steps. **(Key decision – reference number 4419)**

5. **Company Business Plans** Jeremy Chambers

**(Key decision – reference number tbc)**

6. **Temporary Accommodation Placement Policy** Sarah Cary

This policy will explain how the Council will assist homeless households in finding accommodation. **(Key decision – reference number 4676)**

7. **Economic Development Strategy 2020-30** Sarah Cary

This will seek approval of Enfield's Economic Development Strategy 2020-30. **(Key decision – reference number 5088)**

<b>NEW MUNICIPAL YEAR 2020/2021</b>
-------------------------------------

1. **Partially Owned Companies Update** Jeremy Chambers

This will provide an update on the partially owned companies. **(Key decision – reference number 5052)**

2. **Meridian Water Environmental Sustainability Strategy** Sarah Cary

This will seek approval for the adoption and assimilation of the Meridian Water Environmental Strategy, combined with the ambitions of the Council's climate emergency declaration, which together will steer processes for sustainable development excellence and future proof the Meridian Water legacy. **(Key decision – reference number 5089)**

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## CABINET - 4.12.2019

**MINUTES OF THE MEETING OF THE CABINET  
HELD ON WEDNESDAY, 4 DECEMBER 2019****COUNCILLORS**

**PRESENT** Nesil Caliskan (Leader of the Council), Ian Barnes (Deputy Leader), Alev Cazimoglu (Cabinet Member for Health and Social Care), Rick Jewell (Cabinet Member for Children's Services), Mary Maguire (Cabinet Member for Finance and Procurement), Gina Needs (Cabinet Member for Social Housing) and George Savva MBE (Cabinet Member for Licensing and Regulatory Services)

**Associate Cabinet Members (Non-Executive and Non-Voting):** Mustafa Cetinkaya (Enfield South East), Ahmet Hasan (Enfield North)

**ABSENT** Guney Dogan (Cabinet Member for Environment and Sustainability), Nneka Keazor (Cabinet Member for Community Safety and Cohesion), Mahtab Uddin (Cabinet Member for Public Health) and Claire Stewart (Associate Cabinet Member for Enfield West), Claire Stewart (Associate Cabinet Member (Enfield West))

**OFFICERS:** Ian Davis (Chief Executive), Tony Theodoulou (Executive Director People), Sarah Cary (Executive Director Place), Fay Hammond (Acting Executive Director Resources), Jeremy Chambers (Director of Law and Governance), Jayne Middleton-Albooye (Head of Legal Services), Joanne Drew (Director of Housing and Regeneration), Matt Bowmer (Interim Director of Finance), Geoff Waterton (Head of Collection Services), Tinu Olowe (Director of Human Resources and Organisational Development), Deanna Hobday (Strategy and Policy Officer) and Andrea De Lucy (Press and New Media Officer) Penelope Williams (Secretary)

**Also Attending:** Press representative

**1**

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dogan, Keazor, Stewart and Uddin.

**2**

**DECLARATIONS OF INTEREST**

There were no declarations of interest.

**CABINET - 4.12.2019**

**3  
DEPUTATIONS**

There were no deputations.

**4  
MEDIUM TERM FINANCIAL PLAN 2020/21 AND TRANCHE TWO BUDGET  
PROPOSALS 2024/25**

Councillor Mary Maguire, Cabinet Member for Finance and Procurement, introduced the report of the Executive Director of Resources, Fay Hammond. (Report No: 158)

**NOTED**

1. This report updates on progress following on from the report on the report on the Medium-Term Plan in July and the first tranche budget proposals in October 2019. The budget was constantly being updated to ensure it was resilient, sustainable and realistic.
2. The Council was committed to investing in its most vulnerable residents.
3. New budget pressures, including in adult social care, children's services and SEN transport had been identified since the last report which had to be addressed. There had been over 100 extra special needs children identified.
4. Good news was that the Enfield Pension Fund had been found to be in surplus which has released an extra £3.6m into the budget.
5. Separate, one off, funding had been obtained from government grants and receipts from the London Business Rate Pool. This funding, although welcomed, could not replace proper regular funding, which was badly needed.
6. The current gap had been reduced to £1.565m, which would be closed using reserves, but only if absolutely necessary. Alternative solutions would be sought.
7. Concern about the ability of the Council to fund even statutory social service requirements in the future if no more government funding was provided. Ninety Four percent of Local Authority social service directors had expressed similar concerns.
8. Long term planning was difficult with so much funding uncertainty. Information about the level of future Government funding had been due on the 5 December 2019, but this was not going to be ready because of the election. After the election, the new government would call an emergency budget meeting and the Council should have some idea about future funding levels.
9. Social Care was a priority for the Council, which had increased the social care budget by 10.5m, but because of demographic pressures more money was desperately needed.

**CABINET - 4.12.2019**

10. Workforce was central to the quality of the service provided. Enfield was one of the lowest spenders but had excellent outcomes. There were difficulties recruiting social workers but the Council was investing in an apprenticeship scheme which should help in the future.
11. The Council's income generation projects had also helped fill the funding gap including meanwhile income from Meridian Water of £1m.
12. Despite funding pressures, the Council was continuing to invest in projects to improve people's lives, including the recent creation of a Modern Slavery Team, continuing the successful investing Summer University Programme and other measures to prevent youth crime. Enfield was number 7 in London for the incidence of modern slavery.

**Alternative options considered** - Details are set out in the report.

**DECISION**

1. To note
  - 1.1 The continued financial uncertainty facing local government.
  - 1.2 The reduction in the funding gap from £3.322m to £1.565m.
  - 1.3 An increase in the estimated funding of £2.225m following confirmation of the CPI increase on the SFA (£1.000m), that the Flexible Homelessness Support Grant (£0.800m) maintained at current levels and the London Business Rate Pool will continue (£0.425m).
  - 1.4 The increase proposed in Adult Social Care and Children's Social Care budgets of 9% (£10.549m), investing to support the most vulnerable in the Borough as exemplified in paragraph 6.13.
  - 1.5 Updated savings proposals of £9.743m and income generation proposals of £1.653m for 2020/21.
  - 1.6 It is proposed that the gap of £1.565m will be met by the one off use of reserves in 2020/21. However, work will continue on options to reduce the call on reserves but will only be proposed where achievable.
  - 1.7 The next update on the Budget to Cabinet in February which will provide a further update on funding levels, additional savings and income generation proposals.
2. To approve the updated savings and income generation proposals in Appendix 2B of the report for further development and consultation.

**REASONS FOR RECOMMENDATIONS**

Cabinet need to manage the 2020/21 to 2024/25 financial planning process with due regard to the available resources.

**5**

**COUNCIL TAX SUPPORT SCHEME 2020/21**

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Executive Director Resources (No: 157)

**CABINET - 4.12.2019**

recommending Council approval on the Council Tax Support Scheme for 2020/21.

**NOTED**

1. This scheme is about how we help the poorest families with their council tax.
2. For 202/21 it was proposed to make a 2% reduction in the amount the poorest would have to pay, which would affect about 12,000 council tax payers, and increase the income taper. Some people will have to pay 60p less and others affected 49p more.
3. It was also proposed to make an administrative change to respond to alterations in the way universal credit is implemented and make it fairer to those in receipt of universal credit compared to those who are not.
4. One hundred and eight people responded to the public consultation.
5. There will be a transitional hardship fund supplementing the existing discretionary Council Tax Hardship Scheme, available to those who need it. The Citizens Advice Bureau receives a grant from the Council of £345,000, including for the provision of debt advice to Enfield residents
6. The scheme will help those of working age in certain protected groups, including war widows and care leavers.
7. Work is being carried out to further support those in debt. The Council is reducing the use of bailiffs and providing help to get people out of debt.
8. Members were pleased to have been able to reduce the amount the poorest households will have had to pay, after a number of years of increase. They hoped to reduce it further in the future.

**Alternative Options Considered:** Included within the report.

**DECISION**

1. That Cabinet recommends to Council that Council agrees the Local Council Tax Support Scheme for 2020/21 as summarised in Appendix A to provide financial support for households on low incomes in paying their Council Tax taking into account the Equality Impact Assessment (Appendix B) and the results of the customer consultation shown at Appendix C. The 2020/21 scheme is based on the 2019/20 scheme, updated for legislative amendments, income uprating and administrative changes and the following changes which were the subject of public consultation:

For the 2020/21 scheme:

- Reducing the council tax support minimum payment for working age claimants from 26.5% to 24.5% and increasing the excess income taper from 20% to 22.5%, and

**CABINET - 4.12.2019**

- To reduce the earned income threshold for working age council tax support claimants receiving Universal Credit from £1,265 to £1,100 per month (note the one-year transitional protection for existing claimants to be provided as part of the council tax support hardship scheme).

**Reason for Recommendations:**

The recommendations contained in this report follow an assessment of options, experience of operating the scheme to date and the Equality Impact Assessment. The recommended changes introduced in 2014 for defined protected groups and the further extension of care leavers under the Equality Impact Assessment support the Council's aims to build strong, stable communities and are recommended to be continued next year.

**6  
PREVENTING HOMELESSNESS STRATEGY**

Councillor Needs (Cabinet Member for Council Housing) introduced the report of the Executive Director Place (No: 156) on the Preventing Homelessness and Rough Sleeping Strategy.

**NOTED**

1. Since 2011 there had been a 246% increase in the number of homeless in Enfield. Enfield has the second highest number of households in temporary accommodation nationally.
2. This strategy sets out the Council's ambitions to end homelessness in Enfield.
3. The most common reason for people becoming homeless is through evictions in the private rented sector. Welfare reforms have also had a significant impact on these tenants.
4. The strategy sets out 5 ambitions for the Council, with prevention at the heart.
5. These were to make homelessness prevention a priority for everyone, to treat people with empathy, dignity and respect, to support people to access the right accommodation, to support people to plan for their lifetime housing needs and to end rough sleeping in Enfield.
6. The proposed Homelessness Prevention Partnership Board would oversee the delivery of the strategy.
7. Members welcomed the strategy to help those most in need and congratulated officers for their work.
8. The strategy aimed to proactively target those who are most likely to become homeless using special software, to enable the Council to intervene at an early stage.
9. This strategy was part of a wider Housing and Growth Strategy which would be brought to Cabinet in January 2020.

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10. The new policy acknowledged that the private rented sector had a role to play and to enable the Council engage with landlords to help prevent evictions. To be able to offer help before people become homeless which was a change from previous policy where people had to actually be homeless before the Council could offer to help.
11. Rough sleeping was a particular problem. There had been some success with reducing the numbers of rough sleepers. Out of 78 people found earlier in the year 31 had now found homes. The winter shelter would provide much needed support.
12. The consultation had found that the Council needed to be better at communicating with the community about the help was available.
13. Preventing homelessness saves lives and money.
14. London was underfunded and the Council had been lobbying the government for more money for more early intervention.
15. The current service model was a reflection of funding arrangements.
16. Poor housing had a major impact on health and wellbeing.

**Alternative Options Considered:**

An alternative option considered was to not renew the 2013 Preventing Homelessness strategy. However, under the Homelessness Act 2002, local authorities are required to have a Homelessness Strategy that is updated at least every five years and that includes plans for; preventing homelessness, ensuring sufficient accommodation and satisfactory support services for people who are, or who may become, homeless. If we decided to not renew our Preventing Homelessness strategy, we would not meet our statutory duty. The Ministry of Housing, Communities and Local Government has advised that our new Preventing Homelessness strategy must be approved and implemented by December 2019.

With the introduction of the Homeless Reduction Act 2017 (HRA), the Council has a duty to focus on prevention and early intervention, requiring an emphasis on joined-up, partnership working. Without the renewed strategy, it would be unlikely that we could achieve these aims, homelessness would continue to rise and costs to the Council would increase.

**DECISION**

1. To approve the strategy for adoption and implementation
2. To note the establishment of a multi-agency Homelessness Prevention Partnership Board to take forward delivery of the strategy.

**Reasons for Recommendations:**

Increasing homelessness; a growing private rented sector which in many cases is offering sub-standard accommodation; a growing population and ambitious new housing targets mean that we require a bold new approach to deliver more and better homes and prevent homelessness in Enfield.

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Homelessness in Enfield has increased significantly in recent years, with a 250% increase since 2011/12. We have seen a 74% rise in temporary accommodation rates since 2012 and rough sleeping has increased from 7 in 2017/18 to 78 in 2018/19. The human cost of homelessness and households spending years in temporary accommodation is enormous. At the same time the financial cost to the Council of an ever-increasing number of households in temporary accommodation is growing.

As such, we require a radically different approach to preventing and ultimately ending homelessness. This strategy sets out our approach for preventing homelessness, giving an overarching vision and guiding principles that will ensure consistency across relevant Council departments and set out how we will work in partnership to achieve our vision. The new strategy provides the opportunity to design and develop our services to intervene as early as possible to prevent homelessness and to facilitate partnership working across the Council, with partners and with the community to prevent homelessness. The strategy aims to prevent and reduce homelessness which will improve outcomes for residents and reduce costs to the Council.

This strategy takes a 'Health in all Policies' (HiAPT) approach in how we propose to work together to prevent and address homelessness.

The strategy will significantly contribute to the Council's Corporate Plan, addressing all key priorities; Good Homes in Well-Connected Neighbourhoods, Sustain Strong and Healthy Communities & Build our Local Economy to Create a Thriving Place.

**7**

**CABINET AGENDA PLANNING - FUTURE ITEMS**

NOTED, for information, the provisional list of items scheduled for future Cabinet meetings.

**8**

**MINUTES**

The minutes for the meetings held on Wednesday 6 November and Wednesday 13 November were agreed as a correct record.

**9**

**DATE OF NEXT MEETING**

NOTED the date agreed for the next meeting of the Cabinet:

- Wednesday 22 January 2019

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