



## **ADVANCE PUBLICATION OF REPORTS**

This publication gives five clear working days' notice of the decisions listed below.

These decisions are due to be signed by individual Cabinet Members and operational key decision makers.

Once signed all decisions will be published on the Council's Publication of Decisions List.

- 1. MW HIF - PCSA FINAL SETTLEMENT** (Pages 1 - 86)
- 2. REVIEW OF FIXED PENALTY NOTICES (WASTE OFFENCES) 2023**  
(Pages 87 - 106)
- 3. TRANCHE 3 - ENERGETIK MEEF2 LOAN** (Pages 107 - 116)

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## London Borough of Enfield

<b>Title of Report:</b>	MW HIF – PCSA Final Settlement
<b>Report to:</b>	Ian Davis - Chief Executive
<b>Date of Report:</b>	28 November 2023
<b>Directors:</b>	Penny Halliday – Director of Meridian Water
<b>Report Author:</b>	Lydia Boxer – (lydia.boxer@enfield.gov.uk)
<b>Ward(s) affected:</b>	Upper Edmonton
<b>Key Decision Number</b>	KD5400
<b>Implementation date, if not called in:</b>	11 December 2023
<b>Classification:</b>	Part 1 & 2 (Para 3)
<b>Reason for exemption</b>	Paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended): Information relating to the financial affairs of any particular person including the authority holding that information

### Purpose of Report

1. The purpose of this report is to obtain approval of the settlement proposal with the first ranked Framework Contractor Taylor Woodrow to complete the Pre-Construction Service Agreement (PCSA), including additional services that have been provided by VINCI Construction UK Limited during the PCSA and prolongation of the programme period.

### Recommendations

- I. Approve the settlement proposal with the first ranked Framework Contractor VINCI Construction UK Limited to complete the Pre-Construction Service Agreement.
- II. Authorise expenditure in relation to the settlement proposal to complete the Pre-Construction Service Agreement (also detailed in the confidential Appendix A).

## Background and Options

2. In September 2020 Cabinet approved (KD5181) the entry by Council into a Contractor Framework Agreement, as well as entry into a Pre-Construction Services Agreement (PCSA) with VINCI Construction UK Limited for the delivery of the Strategic Infrastructure Works.
3. In February 2023 approval was obtained (KD5400) to vary the scope of the PCSA with VINCI Construction UK Limited to account for additional services that had been provided during the PCSA period and prolongation of the programme, as well as the instruction of demolition and archaeology works.
4. The February 2023 authority report (KD5400) also approved an allowance for additional scope items to cover critical items of work to maintain programme and potential prolongation and cost movement as result of protracted funding decision by DLUHC.
5. This report seeks to draw down against this approved allowance to approve the PCSA settlement offer, covering further variation requests, prolongation cost as well as additional payments due as a result of the Value Engineering (cost saving) /Shared Savings clause in the PCSA agreement.
6. Authorisation to enter into the Main Works contract with VINCI Construction UK Limited as well as authorisation of the associated expenditure was authorised in August 2023 (KD5570).

### PCSA Settlement Proposal

7. The final PCSA settlement covers the items set out in the table below:

Description of Change / Variation
New Planning Performance Agreement Strategy
Bridge B5 Design Amendments
Thames Water Utilities - Design Fee
Transport for London – Transport modelling fee
Additional Security Requirements Demolition Works
Prolongation PCSA Core Team Cost
Value Engineering/Shared Savings payment
<b>Total</b>

8. The first two items are historic items that have been instructed between August and December 2022 for which we are seeking authority:
  - New PPA strategy - instructed to produce a planning strategy for design changes and agree a Planning Performance Agreement with the LPA for those changes.
  - Bridge B5 design – instructed to amend bridge design for B5
9. The recent variation requests from VINCI Construction UK Limited for which Instructions have been give relate to the following items:
  - *Design of drinking water distribution system*
  - TfL Transport Modelling – fee to update the traffic model to reflect the latest junction layout as requested by TfL.

- Additional security – due to *risk* posed by travellers occupying nearby site, VINCI Construction UK Limited are undertaking additional security measures to prevent occupation of Orbital Business Park
  - Extended PCSA Core Team Cost – due to delayed funding decision / main contract award
  -
10. It should be noted that the PCSA was scheduled to be complete in March 2022 and some cost of core team up to October 2022 have been agreed as part of the settlement that was reached in July 2022. However, the PCSA wasn't completed in October 2022 and is expected to be ongoing until early 2024. Therefore, the additional core team cost picks up historic staff and subcontract PCSA commitments, as well as additional design change claims for the period after October 2022.
11. All variations, as well as the *delay* cost have been assessed by the Council's Cost Consultant and are considered reasonable and reflective of cost incurred, which Enfield Council has received the benefit of
12. The settlement figure *also* includes additional payments due because of the cost saving clause in the PCSA agreement. This clause sets out that the contractor is due the payment of shared savings equal to 50% of the total saving value.
13. VINCI Construction UK Limited developed several cost saving proposals that have been incorporated in the Main Works Price offer. Key savings identified by VINCI Construction UK Limited includes recycling of demolition waste for use on site

#### Cost and Funding

14. The total value of the settlement proposal is set out in part 2 of this report.
15. The anticipated total cost to complete the Pre-Construction Service Agreement can be covered from the budget allowance in the Meridian Water Capital Programme for HIF Street Works.
16. The PCSA costs are eligible for HIF funding and can be claimed back in arrears on a quarterly basis from DLUHC in the form of preliminary funding.

#### **Preferred Option and Reasons for Preferred Option**

17. Under the terms of the PCSA VINCI Construction UK Limited is entitled to additional fees for the additional services provided, the prolongation of the PCSA period, as well as the additional payments due because of the Value Engineering / Shared Savings clause in the PCSA. The settlement offer is considered reasonable and represent value for money and has been recommended by Council's Cost Consultants on the project (Turner & Townsend).
18. Refusal to pay reasonable additional fees may be a breach of contract by LBE and VINCI Construction UK Limited would be entitled to suspend services under the contract, which would result in significant disruption to the project delivery of SIW works.
19. It should also be noted that the settlement proposal made by VINCI Construction UK Limited has been put forward as their best and final offer in conjunction with

their price offer for the Construction Phase. Not accepting the settlement offer for the PCSA risk opening price negotiation for the main works contract, which is likely to delay the construction phase. Any delay *further* to the construction programme would put the HIF funding at risk.

### **Relevance to Council Plans and Strategies**

20. The Strategic Infrastructure Works delivered through the HIF funding is key to unlocking the development of Meridian Water and contributes to the priorities of the Council's Corporate Plan:

*a. Good homes in well-connected neighbourhoods*

The Strategic infrastructure at Meridian Water is key to building more and better homes in Enfield. It is also key to delivering and driving investment to deliver growth in Enfield. Further to this, a key aim in the Council Plan is to complete government funded strategic infrastructure works for Meridian Water, which include a major new road and public park.

*b. Safe, healthy, and confident communities*

The Strategic Infrastructure works underpin placemaking capability at Meridian water that will contribute to reducing reliance on cars and increasing walking, cycling and public transport at Meridian Water and it will also contribute to opportunities to visit and enjoy parks and open spaces.

*c. An Economy that works for everyone*

The Strategic Infrastructure Works at Meridian water are key to shaping the economy of Meridian Water and allowing the economic growth of Meridian Water to be filtered out to connecting areas throughout Enfield, attracting jobs, business growth and supporting Enfield residents and the local economy.

### **Financial Implications**

21. See Part 2 of the report.

### **Legal Implications**

22. The increase in the original contract sums under the PCSA that has previously been approved under separate reports (KD5400 and ROD309) and the increase in contract sum that is the subject of this report will need to be captured within a deed of variation (DOV) to the PCSA. The DOV shall be required to set out the detail of all the variations that amount to the increases in contract price. The form of DOV must be approved by the Director of Law and Governance.

23. The general power of competence in s.1 (1) of the Localism Act 2011 states that a local authority has the power to do anything that individuals may do provided it is not prohibited by legislation and subject to Public Law principles. This power would encompass the power to enter into contracts and any variations to the contracts entered into.

24. Please note the Equalities Implications set out below that are relevant to Meridian Water project and in particular the EQIA referred to there. The Council has a Public Sector Equality Duty under section 149 of the Equalities Act 2010., and sub-section 1 states:

25. (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;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Equalities Implications**

26. The Council has a duty to promote equality, diversity, and inclusion, and it recognises the issue of diversity specifically within the construction sector.
27. An Equalities Impact Assessment (EQIA) by Ottaway Strategic Management Ltd was commissioned by the Council to consider the impacts of the Meridian Water (Strategic Infrastructure Works) Compulsory Purchase Order. The EQIA concluded that there are no direct negative equality impacts identified against any of the protected characteristics. However, there are some groups with protected characteristics who are likely to experience proportionately higher consequences of the regeneration of Meridian Water and these are:
- White other staff, including Eastern European, Turkish and Greek
  - BAME Staff
  - Women in properties in third party ownership; and
  - Older members of the workforce potentially less able to re-engage in the labour market if their jobs are lost to the relocation programme.
28. The EQIA proposed several mitigation measures to address these indirect impacts which the Council intends to implement including the implementation of effective equalities monitoring by the Council and development and construction partners. The EQIA also acknowledges significant potential positive impacts of the regeneration of Meridian Water (including for example, new homes, social infrastructure, and employment growth) and that these benefits will likely impact on all the aforesaid groups having protected characteristics.
29. An EQIA was also prepared by the Council's Strategic Planning Team to support the ELAAP submission. The planning application for Phase 2 and more recently the approval of the Meridian West Supplementary Planning Document was also subject to an EQIA. No substantive negative impacts to persons or groups with protected characteristics were identified.

### **Environmental and Climate Change Implications (if any, delete if not relevant)**

30. There are no environmental implications arising directly from this decision. Increasing the train regularity at Meridian Water station is important for providing good public transport links and reducing reliance on private fossil fuel car use, but we understand and agree with this report to first prioritise unlocking the new homes to be built.

## Other Implications

### Procurement Implications

31. The original procurement of a framework for the Strategic Infrastructure Works was undertaken using the London Tenders Portal (ref DN372948) under an OJEU process overseen by the Procurement and Commissioning (P&C). The original procurement was also for the Council to enter into a PCSA with the top ranked contractor. KD5181 approved the framework award and the entry into a PCSA with the top ranked contractor. The contract has been uploaded to the London Tenders portal.

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### Background Papers

EQIA



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

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ENFIELD COUNCIL  
EQUALITY IMPACT  
ASSESSMENT  
MERIDIAN WATER  
STRATEGIC  
INFRASTRUCTURE WORKS

March 2020





**LB Enfield  
Equality Impact Assessment**

**Meridian Water Strategic Infrastructure Works**

**Independently Reported by Ottaway Strategic Management Ltd**

**March 2020**

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## 1 Executive Summary

### Introduction

- 1.1 The Council intends to make a Compulsory Purchase Order (CPO, the Order) in order to acquire land needed to deliver Strategic Infrastructure Works (SIW) as to unlock development of the area. This will have impacts and consequences to the businesses currently operating within the CPO boundary which need to be reviewed under the council's General Duty as set in the Equality Act 2010 through an Equality Impact Assessment.
- 1.2 Meridian Water is a major regeneration programme, of regional and sub-regional significance. Enfield Council is seeking to exercise its powers to CPO land critical to the completion of strategic infrastructure works (SIW) for the Meridian Water development scheme. The Council is the freeholder of the Orbital Business Park and the Stonehill Business Parkland, with its units occupied under non-protected tenancies. The CPO intends to acquire one business unit held in third party ownership that is currently operational on the site. Both the Council leaseholders and those occupying property in Third Party Ownership will have to vacate the site for the development and completion of the SIWs.

### Approach and methods

- 1.3 This Equality Impact Assessment (EQIA) has included a comprehensive desktop review of core legislation, policy and council papers (see appendix 3). It also includes a review of data held on the equality characteristic of the borough and the local ward, Upper Edmonton (see section 3). To support this desk top research an equalities survey of those businesses immediately affected by the regeneration proposals has been undertaken (see appendix 4). This specifically relates to those businesses occupying the land within the CPO red line, also referred to elsewhere as 'on site'.
- 1.4 There is no concrete information available about those who will be likely beneficiaries of the scheme once fully developed. However, it is clear that these potential beneficiaries will significantly outnumber those currently on the site and it is likely that they will be representative of all protected characteristics.

### Equality monitoring

- 1.5 Enfield is a borough with a diverse population. Ethnic profile data (2018) shows that in Enfield the Ethnic Minority<sup>1</sup> Population was 61.9% and the BAME<sup>2</sup> population was 36.8% and in Upper Edmonton, the ward where Meridian Water is situated, the Ethnic Minority population is 84.9% and the BAME population is 55.9%. The spread of other protected characteristics is broadly consistent between the Borough and Upper Edmonton, although in the case of age Upper Edmonton shows a higher

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<sup>1</sup> Ethnic minority is defined as people who differ in race or colour or in national, religious, or cultural origin from the dominant group of the country in which they live. For the purposes of this EQIA ethnic minority is used where people have not been defined as White British

<sup>2</sup> The acronym **BAME** stands for Black, Asian and Minority Ethnic and is **defined** as all ethnic groups except White ethnic groups

proportion of younger people with 26.0% aged 0-15 compared to 22.9% for the borough.

- 1.6 The equalities survey captured responses from 75% of businesses within the CPO red line. The findings addressed the protected characteristics of staff working in each business and key equalities data relating to business ownership. The survey was carried out via telephone and face to face engagement.
- 1.7 The survey identified that 66.1% of the workforce from responding businesses were from ethnic minorities and 33% BAME. These proportions are more consistent to the Borough than to Upper Edmonton, which in 2018 had a BAME population of 55.3%. The gender profile showed a 70%-30% male/female split, an age profile that shows 92% are aged between 22 and 54 years of age and a disability profile that shows 1.4% of the workforce. A fuller understanding of other protected characteristics is limited as many business managers and owners are not fully aware of their workforce make up in terms of faith, sexual orientation, and marriage and civil partnership. The level of pregnancy and maternity show 1.4% of the workforce are taking maternity leave.
- 1.8 Additional data showed that the workforce is predominantly local with 46% living in Enfield, and 72% living both in the borough and the immediate neighbouring boroughs. Moreover, the travel to work time for the workforce showed that 16% took less than 30 minutes and 82% took between 30 minutes and 1 hour. This also suggests that the workforce on the site is predominantly local.

### **Regeneration proposals and consequences**

- 1.9 From a regeneration impact perspective, the CPO of the site, to secure the SIW will unlock the development, enable the wider investment into Meridian Water and thus progress to the Phase 2 Master Plan.
- 1.10 Specifically, the SIW will enable the development of:
- The Central Spine Road
  - Leaside Link Road
  - Brooks Park and River 'Naturalisation'
  - Edmonton Marshes and Flood Alleviation Works
  - Access Works
  - Earthworks, Remediation, Utilities and other ancillary works
  - Rail enhancement works
- 1.11 There will be consequential impacts on the businesses on the site who will have to vacate the site and find new locations in which to carry out their trades. This will have impact both on the businesses, their staff and the owners of these businesses. These regeneration consequences were seen by the majority as negative impacts to their businesses, with some suggesting there could be job losses and or business closures.
- 1.12 Staff and business owners from all protected characteristics will equally experience the indirect negative consequences of this regeneration activity. For example, if businesses must relocate then this would be applied to all their workforce irrespective of their protected characteristics. If a business were to close down this would apply



to the owner and their workforce irrespective of their protected characteristics. If jobs were to be lost that would be irrespective of the protected characteristics of these employees. What can however be established is the proportionality/disproportionality of these consequences and how these apply to different protected characteristics and different groups within each protected characteristic.

- 1.13 Whilst this EQIA is related to the CPO, it is important to note that the Order intention is to unlock wider Meridian Water development which will provide benefits for a significant number of future beneficiaries. There will be many more people who will benefit from the scheme in terms of housing, employment, leisure and amenity space and the appropriate infrastructure and connectivity needed to support the potentially huge growth in the population. It is likely that these beneficiaries will be from all protected characteristics. Whilst an EQIA is not a purely numbers based exercise it is clear that the regeneration impacts felt by those currently occupying the site will be outweighed by the volume of future beneficiaries.
- 1.14 The major findings of the business survey, supplemented by the reports from the interview team, have prioritised equality issues against the 9 protected characteristics, these are summarised below.

### Summary of EQIA findings

Table 1: Summary of EQIA findings by all 9 Protected Characteristics

Race	Gender	Trans-Gender
<ul style="list-style-type: none"> <li>• High levels of racial diversity 66% Ethnic Minority and 33% BAME</li> <li>• Resultant outcomes of the SIW likely to have positive impact from a race perspective</li> <li>• <b>From the evidence gathered there are no identified negative impacts of the CPO from a race perspective</b></li> <li>• <b>There are proportionally higher numbers of Ethnic Minority Staff that are exposed to possible business relocation/job losses</b></li> </ul>	<ul style="list-style-type: none"> <li>• Staff gender profile shows 71% men and 29% women</li> <li>• Inevitable impacts of business relocations with possibility of job losses - likely to be applied equally between male and female workforce members.</li> <li>• <b>From the evidence gathered there are no identified negative impacts of the CPO from a gender perspective</b></li> </ul>	<ul style="list-style-type: none"> <li>• No individuals identified who have undergone or are undergoing a gender transition process</li> <li>• <b>From the evidence gathered there are no identified negative impacts of the CPO from a gender re-assignment perspective</b></li> </ul>

## Disability

- 1.4% of the workforce on the site are stated as having a disability
- There may be some disturbance experienced by disabled people through moving away from the site, however this should be mitigated by their respective employers.
- **From the evidence gathered there are no direct negative impacts from a disability perspective.**

## Age

- The profile shows 45% of the workforce are aged 22-34, 32% are aged 35-44 and 15% aged 45-54.
- The workforce is relatively young and potentially mobile
- Older members of the workforce may find it more difficult to get re-employment should opportunities of moving with current business not work out, resulting in redundancy
- **From the evidence gathered there are no direct negative impacts from an age perspective**
- **There are however older members of staff who may find it harder to secure employment due to their age and skill sets and should be supported where possible.**

## Marriage/Civil Partnership

- Details about the marriage and or civil partnership status of those working on the site are not known
- The regeneration proposals do not manifest in a way to impact on the grounds of Marriage or civil partnership and therefore this characteristic is potentially irrelevant to this EQIA.
- **From the evidence gathered there are no direct negative impacts from a marriage/civil partnership perspective.**

## Pregnancy/maternity

- 3 staff members on site are currently on maternity/paternity leave representing 1.4% of the workforce
- The regeneration proposals do not manifest in a way to impact on pregnancy and maternity and therefore this characteristic is potentially irrelevant to this EQIA.
- **From the evidence gathered there are no direct negative impacts from a pregnancy/maternity perspective**

## Sexual Orientation

- 4% of the workforce identified as being LGBTQ, although for 28% of the sample, business owners did not know
- The regeneration proposals do not manifest in a way to impact on a person's sexual orientation and therefore this characteristic is potential irrelevant to this EqIA
- **From the evidence gathered there are no direct negative impacts from a sexual orientation perspective**

## Religion/belief

- For 53% of the workforce sample a person's religion/faith was not known
- Of the remainder 22% were Christian, 7% Muslim and 6% stated they had no religion
- The regeneration proposals do not manifest in a way to impact on a person's religion/belief and therefore this characteristic is potential irrelevant to this EqIA
- **From the evidence gathered there are no direct negative impacts from a religion/belief perspective**

1.15 From the assessment above there are no direct negative equality impacts identified against any of the protected characteristics in respect of the SIW CPO. However, there are some protected characteristics who are likely to experience proportionately greater regeneration consequences of this proposal and these are:

- White other staff, including Eastern European, Turkish and Greek
- BAME Staff
- Female staff in businesses operating in properties in third party ownership
- Older members of the workforce potentially less able to re-engage in the labour market if their jobs are lost to the relocation programme

### Positive impacts

1.16 It is difficult to substantiate all the positive impacts to accrue from the CPO and the termination of leases on site to clear the site for the SIW. However, one way is to assess what is being proposed in Phase two of the scheme which will immediately follow the SIW. This is summarised by the following elements:

- Up to 2,300 new homes, of which 40% shall be affordable
- Option to provide a Hotel circa 250 rooms with up to 16,000 sqm
- Option to provide Purpose Built Student Accommodation (PBSA) and/or Large-Scale Purpose-Built Shared Living with up to 18,000sqm
- Up to 26,500 sqm of commercial workspace development
- Up to 2,000 sqm of retail
- Up to 5,500 sqm of social infrastructure and
- A three-form entry primary school.
- The associated works to create 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.

### Mitigations

1.17 There are however some key mitigating actions that can be considered as options to apply some level of relief to these regeneration impacts. Indeed, some of these mitigations can be of more value for some protected characteristics than others. These are set out as recommendations for action below. When and where an action is directly related to the CPO, it is referred to in the EQIA Action Plan (Section 7) with specified timescales and costs. Other mitigation actions are general recommendations for the Council to consider in future proposals including those relating to the wider Meridian Water development.

### Generic Actions

- The council and its agents to continue to maximise their engagement with businesses on site; licensees, leaseholders and those in third party ownership, ensuring that information flows and that parties are aware of the proposals for the site (See Section 7). The council and its agents to continue to provide information for businesses within the CPO boundary about when they need to vacate the site, which for the majority of business will be pursuant to powers under the Landlord and Tenant Act. Also conversely to inform businesses outside the CPO boundary, the timescale when they will not be affected by wider regeneration plans (See Section 7). The council to monitor locations with suitable industrial designation for relocation potential through regular property reviews (see Section 7).
- The council to consider impact of development on staff likely to be affected by the possibility of redundancy in its marketing and promotion of new business space and targeting job opportunities (see Section 7). Indeed, the Borough has completed its Meridian Water Employment Strategy 2020 and it

may consider Phase 2 planning application Section 106 provisions to enact some of the strategies priorities.

### **Specific Equalities Targeted Actions**

- The council to support businesses with information on alternative locations within the Borough and adjacent Boroughs (Section 7). This may be beneficial to safeguard the workforce that is both local and that has limited capacity to travel to locations too far outside the borough. This will have a potentially beneficial impact on older members of the workforce who may find the potential of relocation difficult/impossible.
- The Council to consider social value and impact on local supply chain when procuring a contractor for construction, development or service.
- The Council to consider a clause in the development agreement/contract and to monitor for a workforce that is made up of a proportion of local people and for a workforce that reflects the racial profile of the borough/ward. This would require construction companies to record their workforce profile by relevant protected characteristics and to report on regular basis.
- The Council develop Business Employment and Skills Plans with tenants to ensure that job opportunities are actively targeted to residents in the Upper Edmonton ward, and the uptake by BAME communities is monitored and supported, (through measures such as pre employment training, Information advice and guidance, and use of local networks to disseminate job opportunities) (see Section 7).
- Safeguard the Council's commitment to Equality and Diversity and to support the council's commitment to address its general duties under the Equality Act 2010 (see Section 7):
  - For development and construction partners to implement effective equalities monitoring so that outcomes proposed can be verified and based on clear equalities evidence
  - To ensure all residential buildings' ease of access and use where possible (Part M of the Building Regulations)
  - To ensure that new infrastructure including roads, footpaths, cycleways, and bridges meet inclusive design standards where possible
  - To ensure that local communities and representative equality groups are invited to engage in the future design and planning consultation to ensure that all people can have a say in the future development of Meridian Water and that regeneration is best suited to the needs of local people.

## **2 The regeneration proposals for the Meridian Water**

- 2.1 Meridian Water comprises approximately 85 hectares in the south east of the Borough and is one of the largest developable areas in London. Located within the Central Leaside growth area and the Mayor of London's wider Upper Lee Valley Opportunity Area. The timescale for the full scale development of Meridian Water is 20 years.
- 2.2 The Council's strategy is to acquire all land required for the Meridian Water scheme and to use its compulsory purchase powers to this end. This is justified in its Statement of Reasons through the extensive social, economic and environmental benefits it would derive for the regeneration of this part of the borough.
- 2.3 The Council's 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.
- 2.4 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. It is believed that the further development of new and existing economic sectors can unlock economic growth and thousands of new jobs. Meridian Water will make the most of the opportunities offered by a new railway station (potentially incorporating Crossrail 2), and its location in the Upper Lee Valley and Lee Valley Regional Park.
- 2.5 The Strategic Infrastructure Works (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.
- 2.6 The statement of reasons also states that only one business in Third Part Ownership that needs to be relocated as a result of the Order. The Council is in discussions with that business about possible options for relocation or compensation.
- 2.7 There are other businesses on the Orbital and Stonehill Business Parks, on the land owned by the council. These businesses are within the CPO red line but are already under the ownership of the council. These businesses will need to vacate the site to facilitate the SIW. These businesses lease their properties from the council under non-protected tenancies, with a mutual break in option enabling vacant possession of the site when the SIW commence.
- 2.8 Impacts on existing business not being relocated or outside the CPO boundary will be mitigated by the Council. This includes measures to minimise detrimental impact upon access for IKEA, and the Arriva Bus depot. The Council has also engaged in a significant programme of dialogue with existing business to understand and appropriately mitigate any effects during construction.

### 3 Summary of equalities evidence held by LB Enfield

- 3.1 This EQIA seeks to review the current CPO on the Meridian Water site to enable strategic infrastructure works to unlock the next phases of the scheme.
- 3.2 In any EQIA there is a need for equalities monitoring and set out below are some of the currently held data sets both for the borough and the Upper Edmonton ward and the research findings from businesses on the site and that are operating within the red line of the CPO.

#### Upper Edmonton Population Profile

- 3.3 Upper Edmonton Ward is situated in the south-east of the Borough, bordered by Haselbury and Edmonton Green wards to the north, Bowes Ward to the west and by the London Boroughs of Haringey and Waltham Forest to the south and east. It is covered by postal district N18.
- 3.4 This profile has been collated using the most up to date local-level data relating to 2018/19 as far as possible. A variety of statistical sources, both national and local, have been used in its compilation.

Table 2: Population Profile of Upper Edmonton

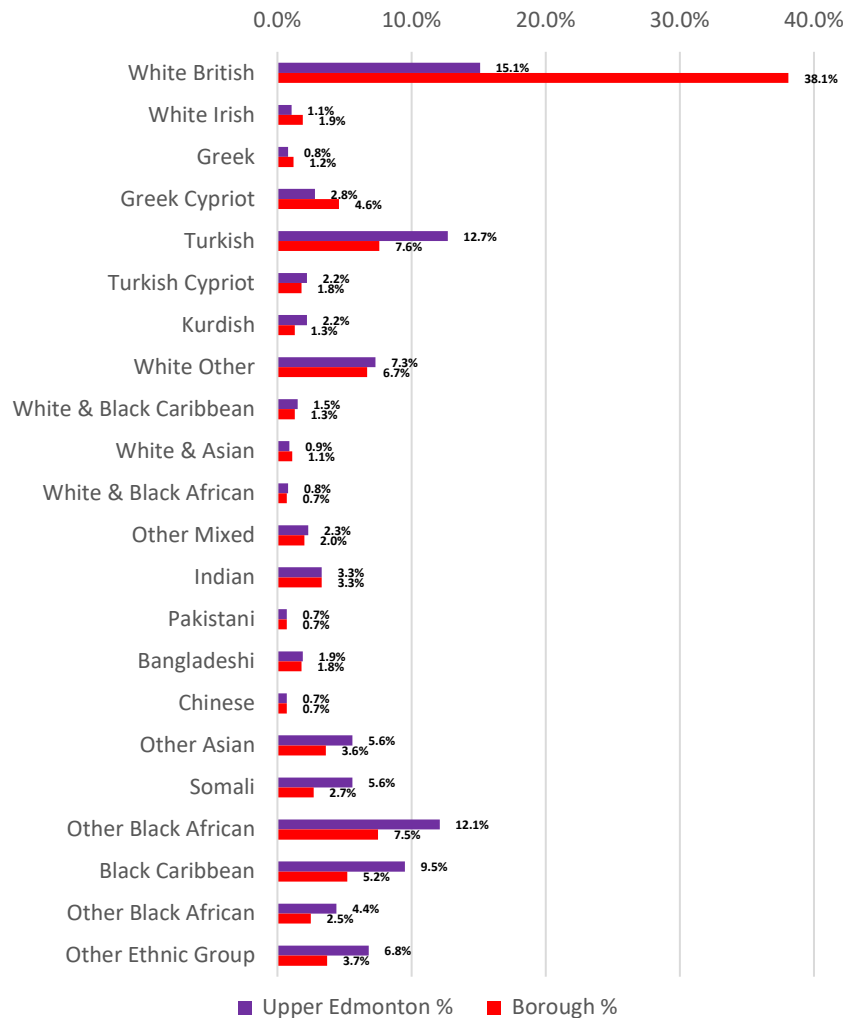
Measure	Upper Edmonton	Enfield	Source
Population Estimate (2018)	19,879	333,869	ONS mid-year estimates 2018
Children aged 0-15	5,174	76,366	ONS mid-year estimates 2018
Working-age people (16-64)	12,867	213,600	ONS mid-year estimates 2018
Older people aged 65+	1,838	43,903	ONS mid-year estimates 2018
% All Children aged 0-15	26.0%	22.9%	ONS mid-year estimates 2018
% All Working age (16-64)	64.7%	64.0%	ONS mid-year estimates 2018
% All Older people aged 65+	9.2%	13.1%	ONS mid-year estimates 2018
% BAME - 2018	55.9%	36.8%	Enfield Council Estimates 2018
% BAME - 2011	57.9%	39.0%	Census 2011
% Not Born in UK - 2011	48.4%	35.1%	Census 2011
% English is First Language of no one in household - 2011	22.7%	14.1%	Census 2011
Area - Square Kilometres	2.7	82.2	Ministry for Housing, Communities and Local Government
Population Density (People per sq km)	7,336	4,047	ONS mid-year estimates 2018/MHCLG

- 3.5 Upper Edmonton's total population is estimated to be 19,879. This is the largest population of the 21 wards in Enfield. The population of Upper Edmonton Ward has increased by 14.4% since the 2011 Census, according to the latest estimate, which is higher than the average Enfield increase. The percentages of male and female residents in Upper Edmonton ward are 48.8% and 51.2% respectively. The ward

contains a higher proportion of younger residents (children and adults under 44 years) than the Enfield average.

Chart 1: Upper Edmonton and Enfield Ethnicity % Profiles 2018

3.6 The ward contains relatively large numbers in the Turkish, Other Black African, Black Caribbean and Other Ethnic groups. As at the 2011 Census, the percentages of Black, Asian and Minority Ethnic Group (BAME) was 57.9% and Non-UK Born residents was 48.4%. The percentage of households without English as a first language was 22.7% Enfield Council's own 2018 estimates give the ward's BAME Group to be 55.9% of the total population.



3.7 The 2011 census identified that in Upper Edmonton the largest faith/religions groups was Christian with 50% of those included in the census, this is followed by 26.4% Muslim, 18.4% other, not stated or none.

3.8 In terms of socio-economic classifications, the 2011 Census results showed that Upper Edmonton had an above average proportion of people in routine occupations with about 23% more people than would be expected from the Borough average. Upper Edmonton residents are also underrepresented in managerial occupations.

3.9 Upper Edmonton had the 3rd lowest average (median) household income of the 21 wards in Enfield as estimated by CACI in 2019. Average household income in the ward is below the median level for the borough as a whole and lower than the London average. The proportion of households with an income of less than £15,000 was put at 23.8% compared to a Borough average of 16.4%. This was the 3rd highest proportion of the 21 wards and higher than the London average.

- 3.10 With regards to benefit claimants, at November 2018 the number of people claiming the main working-age DWP benefits (including in-work benefits)<sup>3</sup> was 2,211 – 17.2% of the estimated working age population. This is compared to a Borough average of 15.1%. The estimated proportion of people in work or looking for work (the economically active) was lower than the borough average in 2011.
- 3.11 Analysis carried out by the Local Government Association indicates that, within Enfield, Upper Edmonton is the second most deprived of the 21 wards in the Borough. The same analysis estimates that it is among the 10% most deprived wards in England.

**Summary Findings from the Business survey 2020** (Detailed findings in Appendix 3)

- 3.12 Equality analysis of the survey captured responses from 75% of businesses within the CPO red line. This survey collected the protected characteristics of staff working in each business that responded to telephone and face to face interviews. The survey also gathered key data relating to business owners.
- The survey engaged 75% of businesses on site and 78% of units on site

Business Park Workforce

Across the 18 businesses that responded 218 people are employed on site:

- 188 are employed in units that were leased from LB Enfield and 30 were employed in a business that holds a third party ownership and thus who would be subject to the CPO<sup>4</sup>.
- Gender profile shows 155 men (71.1%) and 63 women (28.9%)
- There are no staff that were undergoing or who had undergone a transition
- 1.4% of staff employed on the site have a disability
- 45.0% of staff are aged between 22-34, the largest represented age groups, 32.2% aged 35-44, 15.0% aged 45-54, 4.4% were aged 55-64, 2.0% were aged 17-21 and 1.4% were over 65.
- 33.8% of staff were white British and thus 66.1% were from other racial groups
- The ethnic minority population is made up of 33.4% White other, 2.8% mixed, 12.8% Asian/Asian British, 12.7% Black or Black British, and 4.5% other ethnic groups. The BAME population represents 33.0% of the workforce on site.

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<sup>3</sup> The benefits counted here are:

- Disability Living Allowance / Personal Independence Payment
- Incapacity Benefit / Severe Disablement Allowance
- Employment & Support Allowance
- Income Support (including Pension Credit for males aged 60 to 64)
- Jobseeker's Allowance
- Universal Credit

<sup>4</sup> In the case of this business the impact of the CPO is limited as that business would not need to leave the site, as the land to be compulsorily purchased is limited to the unit's forecourt.



- Within the White Other profile 12.9% of staff on site are of 'other' eastern European origin, 8.0% are Polish, and 5.7% are either Turkish or Turkish Cypriot and 2.7% are either Greek or Greek Cypriot, 0.6% are Italian, and 3.4% are other.
- 67.9% of staff are heterosexual, 3.7% are LGBTQ and for 28.4% their sexual orientation was unknown
- For 52.8% of staff their religion/faith was unknown, of the remainder 21.7% are Christian, 6.7% are Muslim and 6.4% have no religion
- 1.4% of staff are on maternity/paternity leave.
- There was no data collected on Marriage/civil partnership status of the workforce as this characteristic was deemed to be irrelevant to the regeneration scheme
- 46.4% of staff were recorded as living in Enfield, 10.2% in Haringey, 7.5% in Waltham Forest and 7.5% in Barnet with 28.4% living further afield.
- 98.5% of the workforce had a 1 hour travel to work journey.
- 69.8% of staff are full time and 30.2% part time
- English is the main language spoken in all businesses but other languages are also spoken including Polish, Italian, Turkish and Gujarati
- 67% felt that their perceived impact would be mostly negative, 22% did not know and 11% felt that it was mostly positive (see 1.9 for more details)

#### Business Park Business ownership data

- 88.8% of business owners were male and 5.6% female and 5.6% institutionally owned
- No businesses were owned by a person with a disability
- 38.9% of businesses are owned by a person aged between 45-54, 16.7% are owned by people aged between 22-34, 35-44, 55-64 and 5.6% are owned by a person over 65 and 5.6% were unknown.
- 44.4% of business are owned by a person who is white British, 33.3% by a person who is white other, 16.7% by a person who is Asian and the remainder 5.6% by an institutional investor and hence the ethnicity was unknown.

3.13 A summary of the likely issues/concerns were raised by businesses regarding their perceptions of the impact of the proposals are set out below:

#### Suggested Negative impacts to the CPO for the SIW on site

- The majority felt it was negative because they had to leave the site through the termination of their lease and or the CPO
- Some felt the need for support in trying to find alternative locations from which to do their business
- Several indicated the potential loss of jobs for those working in their business in part because of the relocation impact on their current staff
- Some suggested they may need to close down.
- There were some who felt the move would cause a loss of storage
- Some felt the likelihood of higher cost of new premises

- Some stated they did not know about the likelihood of having to relocate and others felt they had a lack of awareness and or clarity about the proposals.

#### Likely Positive impacts to the CPO for the SIW on Site

- Many businesses understood the net benefits to the local area with the increased levels of housing and new industrial / business space and enhanced environment, connectivity, and infrastructure
- Some wanted to return to trade in the new development, with show rooms and their heavy industrial work to be done at other locations.
- Some felt that their business (construction training and employment) would be enhanced by the new development.

#### **Perceptions of the survey team**

3.14 In completing this survey, the Ottaway survey team drew some key perspectives through the survey which we deemed useful to report. These were:

- Employers were overall easy to engage with and spent time in considering their responses to questions
- Whilst recognizing the overall negative impact for their businesses, many recognized the benefits of regeneration
- There was general recognition that both Enfield and London have a massive housing shortage which regeneration can address
- Many felt that it would be useful to have further discussions regarding the timescale of the regeneration and that there was potential scope in establishing partnerships with businesses
- Some were unclear as to whether compensation was available, especially where significant investment had been made in capital equipment
- Some felt that not enough support was being provided
- There was a level of concern as to what will happen to members of the workforce when they relocate as some would be unlikely to find new jobs

#### **Note: Business concerns regarding their awareness of the scheme and engagement.**

3.15 It is clear from research that the Borough has worked with its agents to engage with businesses. Letters and site proposals and plans have been sent out to both those businesses in third party ownerships (freeholders) affected by the CPO and leaseholders on the site.

- A letter dated 7 May 2019 was sent to third party owners of business units, which included the offer to negotiate a price based on CPO compensation including disturbance, statutory loss payments and professional fees. Specifically, the letter addressed the project description, the purpose of the SIW, Timeframe, Negotiations and Purchase Price, and the way forward
- A letter was sent out in January 2020 to Council tenants on terminable interests. These letters state that these tenancies will be terminated by the Council without compensation. Specifically, the letter addressed, the possible use of CPO, background, SIW, timeframe and the way forward.

## **4 Equality Impact Assessment**

4.1 This section incorporates analysis of key data to assess the regeneration proposals in light of the ways in which they may affect staff and owners of businesses that fall under the protected characteristics.

### **Aims of the proposal**

4.2 The Meridian Water regeneration scheme 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.

4.3 To release this development opportunity a CPO has been put in place to secure the site for the implementation of strategic infrastructure works (SIW).

4.4 To this end the EQIA will review the regeneration proposals under consideration and seek to assess plans in terms of their:

- Likely and actual benefits for the regeneration proposals
- Recognition of the negative impacts of the regeneration process
- An appraisal of impacts on staff in existing businesses with protected characteristics
- Assessment of the direct and indirect impacts of the regeneration programme and their proportional or disproportional distribution between different protected characteristics

### **Objective Justification for the Scheme**

4.5 The Statement of reasons for the CPO has made the case for the council to use its compulsory purchase powers to acquire the premises of the third party owned units on the site. This also sets out an objective justification for this regeneration scheme.

4.6 In short, the council has the powers through the Town and Country Planning Act 1990 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. Moreover, the proposals for SIW comply with existing and emerging local planning policy, the London Plan and the NPPF. To progress the regeneration of Meridian Water and to deliver further development the Council needs vacant possession of the site to secure both future investment and to fulfil the regeneration scheme and this cannot be achieved effectively by any alternative means.

4.7 In addition, the Council is satisfied that the Scheme is in accordance with the strategic objectives of the adopted planning framework in that it will contribute to the

economic, social and environmental well-being of the area. The benefits to be accrued from the scheme are.

4.7.1 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:

- a Scheme value of c.£6bn
- the creation of approximately 1,500 permanent jobs and thousands of jobs during construction with opportunities for apprenticeships for local people
- increased economic activity by reason of increased employment and expenditure during construction phase of the Scheme; and
- increased economic activity by reason of increased employment and expenditure during the operational phase of the Scheme and the introduction of expanded residential uses.

4.7.2 Promotion or improvement of *social well-being* will be achieved by:

- provision of new, well-designed, energy-efficient homes that will meet the needs of residents now and in the future
- provision of up to 5,000 new homes with the potential for a further 5,000
- the provision of c. 45% affordable housing on a habitable-rooms basis
- 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
- improved pedestrian, cycle and vehicular access links to improve permeability and to foster the creation of a healthy and safe community.

4.7.3 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:

- redevelopment of a brownfield site
- 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
- creating new employment opportunities close to people's homes

- provision of efficient layouts and high quality public open space, community and recreational facilities.

4.8 In summary the Objective Justification for the removal of existing businesses from the site through the CPO and the termination of leases are to enable the council to commence the SIW, thus unlocking the Meridian Water Regeneration scheme. This would enable c£6bn of regeneration by developing a brownfield site and creating employment (permanent jobs and construction jobs) up to 5,000 new homes, schools, retail, health, transport links and enhancing the local environment.

#### Relevance to the General Duty

4.9 The potential impact of the CPO and the SIW will secure the future development of the Meridian Water Scheme. However, businesses and their staff will in the majority of cases have to vacate the site to allow this work to commence. This will have impacts and consequences to these businesses which need to be reviewed under the council's General Duty as set in the Equality Act 2010. Moreover, where feasible this EQIA will review the potential impact that this will have on particular protected characteristic and where feasible to address the likely proportional and or disproportional impacts that will result from the CPO and the SIW.

4.10 The table below sets out the key components of the regeneration programme as described in the Cabinet Report. It seeks to describe generic impacts of the regeneration proposals (CPO for the SIW) and to draw from that likely equality impacts.

#### Regeneration activity, programme rationale, regeneration consequences and likely equality impacts.

Activity planned	Programme Rationale	Regeneration consequences	Likely Equality impacts (Positive and Negative)
Demarcation of CPO area	This is central to assemble the development site and to commence investment required to unlock the Meridian Water scheme	<ul style="list-style-type: none"> <li>▪ The CPO highlights which business units are due to be included within the development red line area.</li> <li>▪ At present there are only 6 businesses that are affected by the CPO who are not in units owned by the council.</li> <li>▪ Those units owned by the council whilst within the CPO red line are on leases which have been given extension until the CPO phase is complete and until the site needs to be cleared for development</li> </ul>	<ul style="list-style-type: none"> <li>▪ This may have disproportionately negative impact on some businesses who have seen the development as 'forcing' them to move off the business parks</li> <li>▪ There is a general sense of stress, anxiety and disturbance for staff and business owners within the development red line area.</li> </ul>

Activity planned	Programme Rationale	Regeneration consequences	Likely Equality impacts (Positive and Negative)
Planning	Strategic Planning guidance	<ul style="list-style-type: none"> <li>▪ There is extensive strategic planning guidance which highlights Meridian Water as a strategic site for development both in Local and London wide plans</li> </ul>	<ul style="list-style-type: none"> <li>▪ The planning process itself should be equalities neutral</li> <li>▪ Residents of new homes and those accessing the new development and its infrastructure will benefit extensively</li> </ul>
CPO to enable the commencement of Strategic Infrastructure Works (SIW)	<p>The Strategic Infrastructure Works (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. 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</p>	<ul style="list-style-type: none"> <li>▪ There will be 6 businesses that will directly impacted on by the CPO. In most cases these businesses are only likely to lose a level of access to their site. There is however 1 business where they will lose their current site and thus will need to relocate.</li> <li>▪ There are 17 business occupying business units within the red line but they will be addressed as tenants of LB Enfield who have the Freehold interest in the Orbital and Stonehill Business Parks.</li> <li>▪ There will be 24 business that will need to vacate the site to enable the SIW to commence.</li> <li>▪ These businesses have been aware of the proposals as Meridian Water has been a site under consideration for many years.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There are staff and owners that represent all protected characteristics.</li> <li>▪ Whilst the regeneration scheme is proposing the unlocking of the site through the CPO for SIW the impacts on staff are likely to be as a consequence of the regeneration per se rather than due to their protected characteristics.</li> <li>▪ The loss of jobs whilst not a direct Equality Impact is likely to have indirect impacts on those who suffer this consequence of the SIW CPO and termination of council leases for businesses occupying the site. This may have greater detriment for those older workers on site who may be less likely to re-engage in the labour market</li> </ul>

Activity planned	Programme Rationale	Regeneration consequences	Likely Equality impacts (Positive and Negative)
Generating the future outcomes of the scheme including the provision of increase housing	Council commitment to increase housing per se and social housing in particular	<ul style="list-style-type: none"> <li>▪ Increasing opportunities for those on the housing waiting list to access social housing in the borough</li> <li>▪ Benefits of enabling more people to access social housing. The waiting list is highly diverse with higher levels of people from ethnic minority communities and single parents on the housing waiting list</li> <li>▪ Future residents would be keen to see all new property built to lifetime homes standards, more energy efficient and with potentially less problems</li> </ul>	<ul style="list-style-type: none"> <li>▪ There are no people residing on the site, other than infrequent rough sleepers</li> <li>▪ The net gain for housing is likely to have benefits for people of all protected characteristics. (2,300 in Phase 2 with significantly more in future phases)</li> <li>▪ There is wide diversity of people on the borough's housing lists who will be supported through any social housing provided on the site.</li> </ul>
Socio economic growth and impact	Creation of employment on the future phases on the site.	<ul style="list-style-type: none"> <li>▪ There will be a range of infrastructural and employment opportunities arising out of phase 2 including:</li> <li>▪ Up to 26,500 sqm GEA of commercial workspace development</li> <li>▪ Up to 2,000 sqm GEA of retail</li> <li>▪ Up to 5,500 sqm GEA of social infrastructure and</li> <li>▪ A three-form entry primary school.</li> <li>▪ Additionally, the Phase 2 development is 'likely to support between 690-2,140 jobs are expected at the London scale, with 365-1,415 at the pan-Borough scale (defined as Enfield + Waltham Forest + Haringey)</li> </ul>	<ul style="list-style-type: none"> <li>▪ The benefits of this employment growth will be positive and will likely be impacting on all protected characteristics.</li> <li>▪ From a pure numbers' perspective, the loss of employment on the site (based on 75% response rate) is likely to be up to 300 staff. However, this will be outweighed by new employment post Phase 2 of the development of between 365-1,415 jobs at the pan-Borough scale.</li> </ul>

## Meridian Water SIW CPO Equality Impact analysis in summary

- 4.11 As part of this analysis and for each characteristic this EQIA has indicated the type of impact (i.e. positive, negative, positive and negative, none, or unknown). This EQIA seeks to explain these impacts. Data and evidence collected including from surveys has been incorporated.

### Ethnicity: EQIA Findings

#### Context:

- 4.11.1 Enfield has one of the highest ethnic minority populations in the country (61.9% in 2018 compared to 20% in England in 2011). The borough has a white other population of 25.1%, a Black, African/Caribbean/Black British population of 17.9% compared to England at 3%, an Asian/Asian British population of 10.1% compared to England at 8% and a 3.7% other ethnic group population compared to England at 1% and a mixed ethnic group of 5.1% compared to 2% in England. Upper Edmonton has a higher level again (84.9% ethnic minority). The business within the Meridian Water business parks had an ethnic minority population of 66.1%, larger than the borough but lower than upper Edmonton. The profile of was 33.9% White British, White other was 33.4%, Black and Asian categories were 12.7% each, mixed 2.8% and other ethnic groups came to 4.5%.

#### Racial profile of the Site

- 4.11.2 The business survey shows that the racial profile of the site to be 66.1% ethnic minority and 33.0% BAME. Hence the staff working within the red line of the CPO represent strong levels of racial diversity. This is broken down in the table below:

Table 3: Ethnic minority profile of the Workforce on site

Ethnic profile of the workforce	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
White: British	74	33.9%	70.6	37.6%	3	10.0%
Other White	73	33.4%	48.8	26.0%	24	80.0%
Mixed/multiple ethnic group	6	2.8%	6.1	3.2%	0	0.0%
Asian/Asian British	28	12.7%	28	14.9%	0	0.0%
Black/African/Caribbean/Black British	28	12.7%	24.6	13.1%	3	10.0%
Any other ethnic group	10	4.5%	9.9	5.3%	0	0.0%
Prefer not to say	0	0.0%	0	0.0%	0	0.0%
Total	218	100%	188	100.0%	30	100.0%
Ethnic Minority Profile	144	66.1%	117	62.4%	27	90.0%
BAME Profile	72	33.0%	69	36.5%	3	10.0%



- 4.12 The white British population at 33.9% is the largest racial category, although only just, with the White other racial category with 33.4%. The proportions of Asian and Black members of the workforce was the same at 12.7%. There are clear differences in the workforce profile of council leased units and Third Party owned units. However only one business from a Third Party owned unit responded to the survey. Indeed, this business employs high levels of White other employees (80%) and as per the table below 50% are Eastern European, 30% are Polish, and 20% are Turkish or Turkish Cypriot.
- 4.13 Enfield has a large white other population 25.1% based on 2018 data sets. The White other profile of staff within the businesses that responded to the survey was 33.4% which is clearly higher. The table below shows how this group of staff is broken down. 38.6% of staff are of 'other' eastern European origin, 23.9 are polish, and 17.2% are either Turkish or Turkish Cypriot and 8.2% are either Greek or Greek Cypriot. However, the column in the table titled '% all ethnicities' shows how these ethnic groups fit into the overall sample. To this end the Eastern European proportion of the workforce represent 12.9% of the sample, Polish represent 8.0%, Turkish and Turkish Cypriot represent 5.7% and Greek/Greek Cypriot represent 2.8%, other 3.4% and Italian 0.6%.

Table 4: White Other Sub-profile of staff within responding businesses.

White Other profile of the workforce	All Units			Council Leases		Third Party Owned	
	Count	% White Other	% all ethnicities	Count	%	Count	%
Greek	5	6.8%	2.3%	5	10.1%	0	0.0%
Greek Cypriot	1	1.4%	0.5%	1	2.2%	0	0.0%
Turkish	10	13.9%	4.6%	8	15.8%	2	10.0%
Turkish Cypriot	2	3.3%	1.1%	0	0.0%	2	10.0%
Italian	1	1.9%	0.6%	1	2.9%	0	0.0%
Polish	17	23.9%	8.0%	10	20.9%	7	30.0%
Other Eastern European	28	38.6%	12.9%	16	33.0%	12	50.0%
Other	7	10.2%	3.4%	7	15.2%	0	0.0%
Total	73	100%	100.0%	49	100.0%	24	100.0%

### Assessment

- 4.13.1 The likely negative regeneration consequences for those on site, with a requirement to vacate their units either through the termination of their council lease or the CPO is real for these businesses. However, their departure will have a consequentially beneficial impact for the wider community and future uses on the site, in that the development of Meridian Water will be unlocked and this will have greater benefits going forward and many of these benefits will be experience with ethnic diversity.
- 4.13.2 As can be seen from the data above, the diversity of the staff in businesses currently operating within the site is strong. A critical factor is the need to

minimise the amount of negative impact i.e. loss of jobs. This will be inevitable particularly given the requirement for businesses to leave the site. Some businesses have indicated that they may want to return to the site once the scheme had been developed, however this is likely to be a longer time in the future and in the interim businesses will still need to vacate the site.

- 4.13.3 The data tells us that there are more people employed in the site from White Other backgrounds (predominantly Eastern European, Polish and Turkish). The CPO will have a greater impact on White Other staff than others. It is not inevitable that there will be job losses although this is a potential issue if they are unable to relocate their business. To this end the council may want to prepare to prioritise actions that would support those who may experience a negative consequence of this regenerations scheme and particularly to assess the needs of the white other population who seem to proportionally more likely to be affected.
- 4.13.4 From the evidence gathered there are no direct negative impacts of the CPO from a race perspective. However, there are proportionally higher numbers of ethnic minority staff that are exposed to possible business relocation/job losses and thus the following potential forms of mitigation should be considered.

**Potential mitigation actions:**

- The Council to consider a clause in the development agreement/contract and to monitor for a workforce that is made up of a proportion of local people and for a workforce that reflects the racial profile of the borough/ward. This would require construction companies to record their workforce profile by relevant protected characteristics and to report on regular basis.
- The Council develop Business Employment and Skills Plans with tenants to ensure that job opportunities are actively targeted to residents in the Upper Edmonton ward, and the uptake by BAME communities is monitored and supported, (through measures such as pre employment training, Information advice and guidance, and use of local networks to disseminate job opportunities).
- For the Council and development and construction partners to implement effective equalities monitoring so that outcomes proposed can be verified and based on clear equalities evidence.

## Gender: EOIA Findings

### **Context**

- 4.13.5 Enfield's gender split is 49% male and 51% female. The percentages of male and female residents in Upper Edmonton ward are 48.8% and 51.2% respectively.

### **Gender profile of the site**

- 4.13.6 Based on the business survey carried out the gender profile of the site indicated that there were 155 men (71.1%) and 63 women (28.9%) working in the businesses that responded to the survey. The profile for those working in businesses with council leases was 80.3% male and 19.7% female and for those working in businesses in units under third party ownerships was 13.3% male and 86.7% female.

### **Assessment**

- 4.13.7 There is a clear suggestion from the survey that the majority of the workforce within the site are men and this corresponds to the kinds of industrial uses and businesses operating with the site.
- 4.13.8 A critical factor is the need to understand the impact of businesses moving away from the site on both men and women and their respective abilities to move to new business premises to continue their employment.
- 4.13.9 From the evidence available there are no direct negative impacts of the CPO from a gender perspective and plans are broadly consistent for both genders. However, there will be inevitable indirect impacts of business relocations and the possibility of job losses which are likely to be applied equally between male and female members of the workforce. It will be subject to the departing businesses finding a suitable venue to recommence their work and one where the workforce can manage to travel to.
- 4.13.10 There are proportionally higher numbers of women working in businesses affected by the CPO with 86.7% staff in the one business that responded that are in this category. This business operates in the textile and clothing industry and the women on site are predominantly machine operators. Moreover, this business will however not need to relocate as their CPO interest relates simply to their forecourt.

### **Potential mitigation actions:**

- 4.13.11 The Council develop Business Employment and Skills Plans with tenants to ensure that job opportunities are actively targeted to residents in the Upper

Edmonton ward, and the uptake by BAME communities is monitored and supported, (through measures such as pre employment training, Information advice and guidance, and use of local networks to disseminate job opportunities).

### Gender re-assignment: EQIA Findings

#### Context:

- 4.13.12 Borough wide data for people going through or having gone through a transition is not available.

#### Gender re-assignment profile of the estate

- 4.13.13 There were no staff in any businesses surveyed that were undergoing or who had undergone a transition.

#### Assessment

- 4.13.14 It is arguable whether trans-gender is relevant to the CPO to support this regeneration scheme.
- 4.13.15 From the evidence gathered there are no direct negative impacts of the CPO from a gender re-assignment perspective.

### Disability: EQIA Findings

#### Context:

- 4.13.16 The most reliable data to quantify the level of the disabled population in any area is that from the 2011 Census. The question asked in the Census was: 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? Subsequent estimates are produced by applying the rates of disability by age to the latest population projections. For Enfield this results in a total disabled population at mid-2018 of 52,101 (15.61%)<sup>5</sup>

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<sup>5</sup> <https://new.enfield.gov.uk/services/your-council/borough-and-wards-profiles/borough-profile-2019-your-council.pdf>

### **Disability profile of the site**

- 4.13.17 Based on the business survey carried out the disability profile of the site indicated that there were 3 members of the workforce with a disability representing 1.4% of the total workforce.
- 4.13.18 The regeneration proposals do not manifest in a way so as to impact particularly on disabled people. Assessments suggests that the impacts on Disabled people are equality neutral. It could be argued that the disturbance of moving from the site may have a disproportionately greater impact on disabled workers, although this will need to be addressed by individual businesses.

### **Future mitigation opportunities**

- 4.13.19 To ensure all residential buildings' ease of access and use where possible (Part M of the Building Regulations).

## **Age: EQIA Findings**

### **Context:**

- 4.13.20 There are proportionately more children and young people under 20 in Enfield than in both London and England overall. Enfield has a higher proportion of adults aged 20 to 44 years than the England average, but a significantly lower proportion than in London on average. Unsurprisingly, London attracts more adults of younger working age than any other part of the country. Despite the increase in the percentage of over 65s in Enfield, this proportion is still lower in Enfield than in England overall in all age bands from 65-69 to 90+<sup>6</sup>.

### **Age profile of the workforce on the site**

- 4.13.21 The age profile of staff working for businesses engaged through this survey showed that 45% were aged between 22-34, the largest represented age group, this was followed by 32% 35-44, 15% 45-54, 4% were aged 55-64, 2% were aged 17-21 and 1% were over 65.
- 4.13.22 The regeneration proposals for the site will require those businesses with expired leases and those within the CPO to vacate the site. Any

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<sup>6</sup> <https://new.enfield.gov.uk/services/your-council/borough-and-wards-profiles/borough-profile-2019-your-council.pdf>

consequential regeneration impact will apply itself to all members of staff irrespective of their age.

- 4.13.23 The Regeneration proposals do not manifest in a way so as to impact on age. Thus, the assessment finds that there are no direct negative impacts identified from an age perspective.
- 4.13.24 However, there was a view from some businesses owners that older members of the workforce may find it more difficult to find work should they need to as a result of the business moving away from the site. This concern may require mitigating actions.

**Potential mitigation actions:**

- The council to support businesses with information on alternative locations within the Borough and adjacent Boroughs (Section 7). This may be beneficial to safeguard the workforce that is both local and that has limited capacity to travel to locations too far outside the borough. This will have a potentially beneficial impact on older members of the workforce who may find the potential of relocation difficult/impossible
- The council to develop Business Employment and Skills Plans with tenants to ensure that job opportunities are actively targeted to residents in the Upper Edmonton ward, and the uptake by BAME communities is monitored and supported, (through measures such as pre employment training, Information advice and guidance, and use of local networks to disseminate job opportunities).

## Sexual Orientation: EQIA Findings

**Context:**

- 4.13.25 There is only a limited amount of information on sexual orientation of the general population available. There are national survey samples that have generated a series of estimates. Therefore, assuming and applying those estimates to Enfield's population of 333,869, the LGB population in Enfield may be anywhere between around 6,677 (National estimate) and 8,681 (London estimate) by the ONS Annual Population Survey Estimate and to around 33,387 according to the Stonewall estimate. With 2,777 estimated to be males and 1,534 estimated to be females<sup>7</sup>

**Sexual orientation profile of the workforce on the site:**

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<sup>7</sup> <https://new.enfield.gov.uk/services/your-council/borough-and-wards-profiles/borough-profile-2019-your-council.pdf>

- 4.13.26 Based on the business survey carried out; 68% of staff were heterosexual and 4% were LGBTQ and the sexual orientation of 28% was unknown.

**Assessment:**

- 4.13.27 From a regeneration perspective the impacts are likely to be applied equally to both the heterosexual staff population as to the LGBTQ staff populations.
- 4.13.28 The regeneration proposals do not manifest in a way to impact on a person's sexual orientation and therefore this characteristic is irrelevant to this EQIA.
- 4.13.29 From the evidence gathered there are no direct negative impacts of the CPO from a sexual orientation perspective

## Religion and belief: EQIA Findings

**Context:**

- 4.13.30 Data for religion in Enfield is sourced from the 2011 Census. This states that Christianity is the most common religion in the borough in all its different forms (53.58%). 16.69% of residents are of the Muslim faith, and 15.53% hold no religion or belief at all.

**Religion and belief profile of the workforce on the site:**

- 4.13.31 From the business survey it was clear that, for the majority of staff working on site, their religion and or faith was unknown (53%), and of those that were known 22% are Christian, 7% are Muslim and 6% have no religion.

**Assessment:**

- 4.13.32 There were no discernible negative impacts, raised by businesses through the survey, which were seen to be a result of religion and beliefs.
- 4.13.33 The regeneration proposals do not manifest in a way to impact on a person's religion/belief and therefore this characteristic is potential irrelevant to this EQIA.
- 4.13.34 From the evidence gathered there are no direct negative impacts of the CPO from a religion/belief perspective.

### Pregnancy and maternity: EQIA Findings

#### Context:

- 4.13.35 The pregnancy/maternity profile was based on those staff identified by business managers and owners as being on maternity or paternity leave, this is a proxy measurement of pregnancy and maternity. However, it was something that it was felt would elicit an understanding of the proportions who are in this protected characteristic. From the responses given 3 members of staff (1.4%) of the sample were described as being on maternity or paternity leave.

#### Assessment:

- 4.13.36 There is little evidence that there will be any direct or indirect equality impacts on the grounds of pregnancy and maternity. There are no direct negative impacts identified from a Pregnancy/Maternity perspective.

### Marriage & Civil Partnership: EQIA Findings

#### Context:

- 4.13.37 The council recognises gay relationships and civil partnerships with respect to household composition. In the context of a business environment and from the perspective of the workforce within the site that are no known negative impacts on these groups.
- 4.13.38 There was no data collected on Marriage/civil partnership status of the workforce as this category was deemed to be irrelevant to the regeneration scheme.

#### Assessment

- 4.13.39 Details about the marriage and or civil partnership status of those working on the site are not known.
- 4.13.40 The regeneration proposals do not manifest in a way to impact on the grounds of Marriage or civil partnership and therefore this characteristic is potentially irrelevant to this EQIA.
- 4.13.41 From the evidence gathered there are no direct negative impacts from a marriage/civil partnership perspective.



**Language: EQIA Findings****Context:**

- 4.13.42 The impact of the regeneration proposals on staff who do not speak English as a primary language is unknown. However, the business survey identified that all businesses engaged spoke English as their main business language. There were staff that spoke other languages, and the research reported Polish, Italian, Turkish and Gujarati. It is likely that other languages are also spoken particularly given the diversity of the workforce.

**Assessment**

- 4.13.43 Language, on its own, is not likely to have any significant equality impacts as a result of the regeneration programme itself other than the ability to communicate and understand the implications of the regeneration process as it applies to different businesses. However, given that all business managers and owners engaged spoke English and that they stated that all used English as their main business, language this is unlikely to present any negative impacts.

## 5 Summary of Key Findings

- 5.1 Meridian Water is a major regeneration scheme, of regional and sub-regional significance. To secure this scheme the LB Enfield are undertaking a CPO to enable the completion of strategic infrastructure works (SIW) on the site. This is not the first CPO the borough has used in securing the Meridian Water development and this is likely not to be the last.
- 5.2 The SIW will enable development of, the Central Spine Road, Leaside Link Road, Brooks Park and River 'Naturalisation', Edmonton Marshes and Flood Alleviation Works, Access Works, Earthworks, Remediation, Utilities and other ancillary works and Rail enhancement works.
- 5.3 Prior to the commencement of the SIW the Council needs to have unencumbered access to the site so that these works can commence. The CPO is in place to acquire the business units which are held in third party ownership. The Council is also the freeholder of the Orbital Business Park and the Stonehill Business Park, and its units are occupied by the businesses under non-protected tenancies.
- 5.4 From a regeneration impact perspective, the CPO of the Site, is critical and will potentially unlock the development and hence enable the wider investment into Meridian Water and thus progress to the Phase 2 Master Plan.

### Generic Regeneration consequences

- 5.5 Clearly from this action there will be consequential impacts on the businesses on the site who will have, in time, to vacate the site and find new locations in which to carry out their trades. This will have impacts both on the businesses themselves and clearly the staff and owners of these businesses. These impacts are direct consequences of this regeneration activity. From the research undertaken these are seen by the majority of businesses as negative impacts to their businesses many of which have traded from the site for many years.
- 5.6 The purpose of this EQIA has been to establish the extent to which these negative regeneration impacts have implications on those within this development site from an equality and diversity perspective.
- 5.7 What seems clear is that these impacts are not directly negative from a purely equality perspective. Indeed, staff and business owners from all protected characteristics will equally experience indirect negative impacts as a consequence of this regeneration activity. For example, if businesses must relocate then this would be applied to all their workforce irrespective of their protected characteristics. If a business were to close down this would apply to the owner and their workforce irrespective of their protected characteristics. If jobs were to be lost that would be irrespective of the protected characteristics of these employees.
- 5.8 It is important to consider this CPO in a context of the wider regeneration scheme. Land assembly is critical to unlocking Meridian Water development. Looking to the proposals for Meridian Water there is an argument that there will be significant future beneficiaries to the regeneration of the site. Clearly there will be many people who

will benefit from the scheme in terms of housing, employment, leisure and amenity space and the appropriate infrastructure needed to support the potentially huge growth in the population. These numbers are hard to substantiate but will be extensive. Moreover, it is likely that these beneficiaries will be from all protected characteristics. Whilst an EQIA is not a purely numbers based exercise it is clear that the regeneration impacts felt by those currently occupying the site will be significantly outweighed by the volume of future beneficiaries. Equally it is critical that in pursuit of its General Duty the Council will want to ensure that the future regeneration of the Meridian Water Site will procure positive equality outcomes benefiting the whole community and to have due regard for the needs of all protected characteristics both in the design, development, construction and end use of the homes, offices, community buildings, infrastructure and services that will operate on the new site.

- 5.9 From the equality monitoring undertaken, this EQIA has identified a workforce where there is strong racial diversity with 66% being from ethnic minority communities, a 70%-30% male/female gender split, an age profile that shows 92% are aged between 22 and 54 years of age and a disability profile that shows 1.4% of the workforce. A fuller understanding of other protected characteristics is limited as many business managers and owners are not fully aware of their workforce make up against faith, sexual orientation, and marriage and civil partnership. The level of pregnancy and maternity show 1.4% of the workforce are taking maternity leave.
- 5.10 There were additional elements of data that show that the workforce working on the site are predominantly local with 46% living in Enfield, and 72% living both in the borough and within the immediate neighbouring boroughs. Moreover, the travel to work time for the workforce on site shows that 16% took less than 30 minutes and 82% took between 30 minutes and 1 hour. This suggests that the workforce on the site is predominantly local. It would also appear that if businesses were to want to retain their workforce, they would prefer to identify a site for relocation that was local to the area rather than to move further afield say outside the M25. Indeed, some businesses were keen to relocate to the new development if and when the opportunity arose.
- 5.11 It is critical that these needs are understood when working with businesses going forward to support their move from the site and to simply understand the needs that their workforce present.

### **Positive impacts**

- 5.12 It is difficult to substantiate the positive impacts to accrue from the CPO and the termination of leases on site to clear the site for the SIW. However, one way is to assess what is being proposed in Phase two of the scheme which will follow the SIW. This is summarised by the following elements:
- Up to 2,300 new homes (Use Class C3), of which 40% shall be affordable
  - Option to provide a Hotel (Use Class C1) circa 250 rooms with up to 16,000 sqm GEA (allowing for a range of specification from budget to luxury)

- Option to provide Purpose Built Student Accommodation (PBSA) and/or Large-Scale Purpose-Built Shared Living (LSPBSL) (Sui Generis) with up to 18,000sq m GEA in total
- Up to 26,500 sqm GEA of commercial workspace development (Use Class B1a, b, c)
- Up to 2,000 sqm GEA of retail (Use Class A1 and/or A2 and/or A3 and/or A4)
- Up to 5,500 sqm GEA of social infrastructure (Use Class D1 and/or D2); and
- A three-form entry primary school.
- The associated works to create 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.

5.13 Another way is to review the environmental impact and the effects of the scheme. In 2019 ARUP completed their Environmental statement for the site and in particular for the next phase immediately after the SIW. To this end a set of clear positive impacts were identified. The table below summarises some of the health and socio-economic impacts.

Table 5: Effects of the of the Proposed development grouped by receptor/area<sup>8</sup>

Area	Positive Effect/Impact
Health	Health significant beneficial effects on health arising from: <ul style="list-style-type: none"> <li>• increased access to affordable housing</li> <li>• effects on mental and physical health resulting from new employment opportunities. Effects are likely significant depending on how many of the jobs are taken up by local people.</li> <li>• changes to social capital. Effects are likely to be beneficial but dependent on the quality and timing of measures introduced to encourage social cohesion and build social capital.</li> </ul>
	Effects on health resulting from changes in exposure to air emissions, crime and antisocial behaviour; noise impacts; provision of community facilities and access to education and training would not be significant
	Health effect arising from reduced access to green space would be minor-moderate adverse and therefore significant
Socio-economic	Significant beneficial effects on housing for existing and future residents resulting from delivery of 2,300 new homes including affordable housing and community cohesion resulting from new employment opportunities, mix of uses, good residential mix and new improved public spaces
	Effects from the proposed development on educational provision, play space provision and social infrastructure provision would be not significant

<sup>8</sup> Environmental Statement June 2019 ARUP

Area	Positive Effect/Impact
	Effects from the proposed development on open space provision would be adverse as open space would not meet the threshold with respect to local plan policy, however, effects are assessed as not significant as the Proposed Development includes proposals to improve quality and access to Tottenham Marshes to the immediate south of the site and an area of the Lee Valley Regional Park to the north-east.
	There is likely to be between 690-2,140 jobs are expected at the London scale, with 365-1,415 at the pan-Borough scale (defined as Enfield + Waltham Forest + Haringey)

- 5.14 From an equalities perspective it is most likely that these regeneration benefits will be shared across all protected characteristics.

### Mitigations

- 5.15 There are however some mitigating actions that can be considered as options to apply some level of relief to these regeneration impacts. Indeed, some of these mitigations can be more impactful for some protected characteristics than others. When and where an action is directly related to the CPO, it is referred to in the EQIA Action Plan (Section 7) with specified timescales and costs. Other mitigation actions are general recommendations for the Council to consider in future proposals including those relating to the wider Meridian Water development.

#### Generic mitigation activity

- The council and its agents to continue to maximise their engagement with businesses on site; licensees, leaseholders and those in third party ownership, ensuring that information flows and that parties are aware of the proposals for the site (Section 7). The council and its agents to continue to provide information for businesses within the CPO boundary about when they need to vacate the site, which for the majority of business will be pursuant to powers under the Landlord and Tenant Act. Also conversely to inform businesses outside the CPO boundary, the timescale when they will not be affected by wider regeneration plans (See Section 7). The council to monitor locations with suitable industrial designation for relocation potential through regular property reviews (see Section 7).
- The council to consider impact of development on staff likely to be affected by the possibility of redundancy in its marketing and promotion of new business space and targeting job opportunities (see Section 7). Indeed, the Borough has completed its Meridian Water Employment Strategy 2020 and it may consider Phase 2 planning application Section 106 provisions to enact some of the strategies priorities.

#### Equalities targeted mitigation activity

- The council to support businesses with information on alternative locations within the Borough and adjacent Boroughs (Section 7). This may be beneficial

to safeguard the workforce that is both local and that has limited capacity to travel to locations too far outside the borough. This will have a potentially beneficial impact on older members of the workforce who may find the potential of relocation difficult/impossible.

- The Council to consider social value and impact on local supply chain when procuring a contractor for construction, development or service.
- The Council to consider a clause in the development agreement/contract and to monitor for a workforce that is made up of a proportion of local people and for a workforce that reflects the racial profile of the borough/ward. This would require construction companies to record their workforce profile by relevant protected characteristics and to report on regular basis.
- The Council develop Business Employment and Skills Plans with tenants to ensure that job opportunities are actively targeted to residents in the Upper Edmonton ward, and the uptake by BAME communities is monitored and supported, (through measures such as pre employment training, Information advice and guidance, and use of local networks to disseminate job opportunities) (see Section 7).
- Safeguard the Council's commitment to Equality and Diversity and to support the council's commitment to address its general duties under the Equality Act 2010 (see Section 7):
  - For development and construction partners to implement effective equalities monitoring so that outcomes proposed can be verified and based on clear equalities evidence,
  - To ensure all residential buildings' ease of access and use where possible (Part M of the Building Regulations),
  - To ensure that new infrastructure including roads, footpaths, cycleways and bridges meet inclusive design standards where possible.

To ensure that local communities and representative equality groups are invited to engage in the future design and planning consultation to ensure that all people can have a say in the future development of Meridian Water and that regeneration is best suited to the needs of local people.

## 6 Mitigation Recommendations

### Recommended Action

6.1 Set out below are the key recommended mitigation actions as identified by EQIA.

### Generic Actions

- The council and its agents to continue to maximise their engagement with businesses on site; licensees, leaseholders and those in third party ownership, ensuring that information flows and that parties are aware of the proposals for the site (See Section 7). The council and its agents to continue to provide information for businesses within the CPO boundary about when they need to vacate the site, which for the majority of business will be pursuant to powers under the Landlord and Tenant Act. Also conversely to inform businesses outside the CPO boundary, the timescale when they will not be affected by wider regeneration plans (See Section 7). The council to monitor locations with suitable industrial designation for relocation potential through regular property reviews (see Section 7).
- The council to consider impact of development on staff likely to be affected by the possibility of redundancy in its marketing and promotion of new business space and targeting job opportunities (see Section 7). Indeed, the Borough has completed its Meridian Water Employment Strategy 2020 and it may consider Phase 2 planning application Section 106 provisions to enact some of the strategies priorities.

### Specific Equalities Targeted Actions

- The council to support businesses with information on alternative locations within the Borough and adjacent Boroughs (Section 7). This may be beneficial to safeguard the workforce that is both local and that has limited capacity to travel to locations too far outside the borough. This will have a potentially beneficial impact on older members of the workforce who may find the potential of relocation difficult/impossible.
- The Council to consider social value and impact on local supply chain when procuring a contractor for construction, development or service.
- The Council to consider a clause in the development agreement/contract and to monitor for a workforce that is made up of a proportion of local people and for a workforce that reflects the racial profile of the borough/ward. This would require construction companies to record their workforce profile by relevant protected characteristics and to report on regular basis.
- The Council develop Business Employment and Skills Plans with tenants to ensure that job opportunities are actively targeted to residents in the Upper Edmonton ward, and the uptake by BAME communities is monitored and supported, (through measures such as pre employment training, Information

advice and guidance, and use of local networks to disseminate job opportunities) (see Section 7).

- Safeguard the Council's commitment to Equality and Diversity and to support the council's commitment to address its general duties under the Equality Act 2010 (see Section 7):
  - For development and construction partners to implement effective equalities monitoring so that outcomes proposed can be verified and based on clear equalities evidence,
  - To ensure all residential buildings' ease of access and use where possible (Part M of the Building Regulations),
  - To ensure that new infrastructure including roads, footpaths, cycleways and bridges meet inclusive design standards where possible.

To ensure that local communities and representative equality groups are invited to engage in the future design and planning consultation to ensure that all people can have a say in the future development of Meridian Water and that regeneration is best suited to the needs of local people.



## 7 Action Plan

- 7.1 The EqIA was completed in March 2020. Its assessment was that there were no direct negative equality impacts identified against any of the protected characteristics in respect of the SIW CPO. Nonetheless it identified that there were some protected characteristics who are likely to experience proportionately greater regeneration consequences of this proposal. To address these consequences of the SIW CPO, Council staff reviewed the mitigating actions set out in section 6 and the following action has been proposed for implementation.
- 7.2 It should be noted that the EQIA reports contains more mitigation actions apart from those listed below, as general recommendations for the Council to consider in future proposals including those relating to the wider Meridian Water development

Ref	Identified Issue	Action Required	Lead officer	Timescale/By When	Costs	Review Date/Comments
<b>MW EQIA 20.1</b>	The need to maintain and intensify the information flow to business impacted on by the SIW and CPO on the Meridian Water site	The council and its agents to continue to maximise their engagement with businesses on site; licensees, leaseholders and those in third party ownership, ensuring that information flows and that parties are aware of the proposals for the site.	<b>MW Lead on Meanwhile Uses / Land Acquisition</b>	<b>Ongoing</b>	<b>Within existing budgets</b>	<b>CPO notices to be served in Q2 2020 with accompanying information: Qualifying parties to be served with Statutory Notices. Article on CPO to be included in summer Meridian Water newsletter</b>
<b>MW EQIA 20.2</b>	Need to ensure that Business impacted by the SIW CPO are informed of when they need to vacate from the site with sufficient notice to aid business planning	The council and its agents to continue to provide information for businesses within the CPO boundary about when they need to vacate the site, which for the majority of business will be pursuant to powers under the Landlord and Tenant Act. Also, conversely to inform	<b>MW Lead on Meanwhile Uses / Land Acquisition</b>	<b>Ongoing</b>	<b>Within existing budgets</b>	<b>November 2020</b>

Ref	Identified Issue	Action Required	Lead officer	Timescale/By When	Costs	Review Date/Comments
		businesses outside the CPO boundary, the timescale when they will not be affected by wider regeneration plans				
<b>MW EQIA 20.3</b>	Some businesses may request support in identifying alternative sites for relocation.	The council to monitor locations with suitable industrial designation for relocation potential through regular property reviews. This to be undertaken either in Council or through Council's Property agent. The council to support businesses with information on alternative locations within the Borough and adjacent Boroughs.	<b>CPO Officer</b>	<b>Ongoing</b>	<b>Under £10,000 for market bulletin (subject to market testing).</b>	<b>Half yearly market bulletin to inform of alternative locations.</b>
<b>MW EQIA 20.4</b>	Possibility of a loss of business unit operating at the site which is in third party ownership.	To agree measures to mitigate against disruption. To progress negotiations.	<b>CPO Surveyor</b>	<b>Ongoing</b>	<b>CPO budget</b>	<b>Ongoing</b>
<b>MW EQIA 20.5</b>	Need to safeguard the council commitment to Equality and Diversity and to support the council's commitment to address its general duties under the Equality Act 2010.	Specify key equality actions to support the future use of the CPO site including to:  The delivery of the CPO and implementation of the wider scheme will have regard to the following equality duties and commitments: <ul style="list-style-type: none"> <li>For development and construction partners to implement effective equalities monitoring so that outcomes proposed can be verified and based on clear equalities evidence</li> </ul>	<b>MW Lead on Employment, MW Lead on Design, MW Socio-economic Lead</b>	<b>Ongoing</b>	<b>Case by case</b>	<b>Ongoing</b>

Ref	Identified Issue	Action Required	Lead officer	Timescale/By When	Costs	Review Date/Comments
		<ul style="list-style-type: none"> <li>• The marketing and promotion of new business space to have specific regard to engaging ethnic minority and BAME businesses within the Borough</li> <li>• To develop Business Employment and Skills Plans with tenants to ensure that job opportunities are actively targeted to residents in the upper Edmonton wards, and the uptake by BAME communities is monitored and supported, (through measures such as pre employment training, Information advice and guidance, and use of local networks to disseminate job opportunities).</li> <li>• To ensure all residential buildings' ease of access and use where possible (Part M of the Building Regulations)</li> <li>• New infrastructure including roads, footpaths, cycleways, and bridges to meet inclusive design standards where possible</li> <li>• That local communities and representative equality groups are invited to engage in the future design and planning consultation to ensure that all people can have a say in the future development of Meridian Water and that regeneration is best suited to the needs of local people.</li> </ul>				



## 8 Appendix 1: Key Definitions

### Key Definitions

#### 8.1 **Diversity** equals difference:

The concept of diversity encompasses acceptance and respect. This means understanding that every person, family and group in the Enfield Estates Regeneration project is unique and has specific needs. The skill when offering services to individuals and groups is to take account of these characteristics sensitively and positively throughout this project.

#### 8.2 **Equality** is the concept of knowing when to 'treat people the same' in this regeneration project and when to 'treat them differently'.

Often, we have policies, guarantees and standards which guide us to treat people the 'same' so that they receive their entitlements. But regularly in 2019 we are also faced with challenges to deliver individualised and tailored housing services to individuals, families and groups. The skill is to know when 'sameness or difference' applies and having a rationale to explain your actions.

#### 8.3 **Inclusion** has been described as a sense of belonging.

A feeling of being respected, valued for who you are; feeling a level of support and commitment from others who consult and negotiate with you over important matters, so that your voice is heard as a tenant, leaseholder or owner of a property and you can then help, shape and make important decisions.

#### 8.4 **Human Rights** are the basic rights and freedoms that belong to all of us from birth until death. Our right to live, eat, be clothed and to be respected for private and family life.

The act protects ordinary people's freedom, safety and dignity and helps us hold authorities to account when things go wrong. In Britain, these important international rights are protected by the Human Rights Act of 1998, which is now enshrined as part of UK domestic laws.

#### 8.5 **Ethnic Minority**: is defined as people who differ in race or colour or in national, religious, or cultural origin from the dominant group of the country in which they live. For the purposes of this EQIA ethnic minority is used where people have not been defined as White British.

#### 8.6 The acronym **BAME** stands for Black, Asian and Minority Ethnic and is **defined** as all ethnic groups except White ethnic groups

## 9 Appendix 2: Equality Impact Assessments, introduction and context

9.1 This Equality Impact Assessment (EQIA) has been commissioned as an independent report by LB Enfield's Regeneration team and it will focus on the key elements of the Strategic Infrastructure Works proposed for the Meridian Water site. It will address the equality impacts of:

- The proposals and master plan for Meridian Water
- The Compulsory Purchase Order (CPO)
- The requirement to move businesses off site to enable the Strategic Infrastructure Works, including those that have leases on units owned by LB Enfield
- The profile of the businesses and staff currently working in the site

### What is an Equality Impact Assessment for?

9.2 The Council must have due regard to its Public Sector Equality Duty (PSED) when making decisions at member and officer level. An EQIA is the best method by which the Council can provide the evidential analysis to comply with the equality duty, particularly for major decisions. However, the level of analysis required should only be proportionate to the relevance of the duty to the service or decision. Some decisions will require detailed equalities consideration, e.g. a decision on adult social care provision or reduction of grants to voluntary organisations, whereas the performance of other functions will have less of an equalities impact, e.g. the appointment of committees where only a limited assessment is required. In rare cases, the Courts have said there may be no impact.

9.3 In the context of this regeneration programme a full independent Equality Impact Assessment has been deemed appropriate.

### Equality Act 2010

9.4 The LB Enfield - like all other public must meet the public sector equality duty (s.149, Equality Act 2010) which requires the Council, when exercising its functions, to have "due regard" to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act,
- advance equality of opportunity between those who share a "protected characteristic" and those who do not share that protected characteristic and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it (this involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding).

9.5 These are collectively referred to in this EQIA as the equality aims. Advancing equality (the second equality aim) involves having due regard, in particular, to the need to:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people’s disabilities *and*
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to “level the playing field” with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

**Equality Impact Assessments**

9.6 This EQIA broadly adopts the borough’s model for EQIAs set by the borough’s equalities policy leads. However, like most other authorities, Enfield’s EQIAs are a self-assessment tool to help look at the likely positive and negative impacts of the borough’s work on staff, citizens, partners and communities regarding equality of opportunity, and promoting diversity in employment and service delivery.

9.7 Enfield is one of the most diverse boroughs in the country and equalities is expressed through an ambition of fairness and the guiding values of equal opportunity and social justice. The protected characteristics and Enfield’s priority characteristics are set out below. Each of these protected characteristics were deemed relevant and appropriate will be assessed in this EQIA.

**Chart 2: Protected Characteristics Equality Act 2010 + 3 additional Characteristics**



9.8 The Equalities Impact Assessment will cover the following areas in the context of the council's general duty to:

- Address identified barriers
- Eliminate discrimination
- Promote equality of opportunity
- Promote good relations between different people
- Support employment opportunities
- Secure inclusive design

9.9 From a methodological perspective, the EQIA will focus on addressing:

- Likely regeneration programme impacts.
- Likely / expected equality impacts.
- Direct equality impacts.
- Indirect equality impacts.
- Proportionality of impact across protected characteristics/local characteristics including proportion and disproportional, thereby assessing proportional positive impacts and negative impacts and/or disproportional positive and negative impacts.
- As part of this process it is critical to enable the council to assess what it will undertake to address the outcomes of these assessments.
- This analysis will enable a process of prioritising these impacts, which will enable Enfield the opportunity to choose options for the mitigation of negative impacts accordingly.



## 10 Appendix 3: Equalities and regeneration policy consideration local, regional and national

10.1 This appendix sets out the core policy position for this Equality Impact Assessment and strategic policies and planning documents that would impact on the Strategic Infrastructure Works for the Meridian Water site.

### **Enfield Equality Policy<sup>9</sup>**

10.2 The policy states that, 'The Council will work towards equality of opportunity for all and will devote its energies and resources to the achievement of this aim'.

10.3 The Council will not discriminate on grounds of age, colour, disability, ethnic origin, gender, HIV status, immigration status, marital status, social or economic status, nationality or national origins, race, faith, religious beliefs, responsibility for dependents, sexual orientation, gender identity, pregnancy and maternity, trade union membership or unrelated criminal conviction. The Council will promote equality of access and opportunity for those within the community who suffer from unfair treatment on any of these grounds including those disadvantaged through multiple forms of discrimination.

10.4 The Council will strive to eliminate all forms of discrimination. The Council recognises that this requires not only a commitment to remove discrimination but also action through positive policies to redress the inequalities produced by past discrimination.

10.5 The policy recognises the Council's General duty to

- promoting equal opportunity for all
- opposing all forms of discrimination, intolerance and disadvantage by reducing inequalities that limit people's life chances
- making sure our workforce reflects the diverse communities of Enfield at all levels
- providing inclusive, accessible and excellent services to all

10.6 The borough's policy statement applies to all nine protected equality characteristics under the Equality Act 2010:

- age
- disability
- gender
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief

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<sup>9</sup> <https://new.enfield.gov.uk/services/your-council/about-equality-and-diversity-in-enfield/equality-and-diversity-information-valuing-diversity-and-equal-opportunities-policy-2012.pdf>

- sex and sexual orientation

10.7 The Policy states that the council will:

- review and improve our services regularly to make sure they respond to the needs of all parts of the community, making particular efforts to involve the usually under-represented groups
- take action on issues of major importance to the diverse communities who make up Enfield's population
- prepare and adopt service strategies that properly address the needs of traditionally under-represented groups
- improve access to the Council's services by providing appropriate information, translation and interpreting services, induction loops, minicom facilities, training of relevant staff and adaptation of buildings
- lead, train and encourage staff and elected members to become responsible for the achievement of equality of opportunity in their services and portfolios
- ensure that the specifications for contracted out or purchased services require contractors and sub-contractors to meet the needs of all sections of the community and monitor their performance to ensure that they do
- as an aid to the improvement of service quality, take steps to ensure that the workforce of each service better reflects the composition of the local community, and
- monitor and evaluate the effectiveness of all our services in meeting the needs of all parts of the community.

10.8 As an employer the Council will

- take action to ensure that the Council comes to be seen as a more attractive and safer place in which to work by all parts of the community, and as an employer of choice
- make sure that all parts of the community are aware of Council job opportunities
- introduce policies and practices that better reflect the needs of the under-represented groups, for example, in relation to the care of dependents
- regularly monitor the composition of the workforce to ensure that there is fairness in its employment policies and practices, and to establish the nature of positive action to redress imbalances as required. This will include recruitment, promotion, training opportunities, pay, grievances and exit from employment
- make further efforts to ensure that recruitment and selection procedures lead to the appointment of the best person for the job.
- ensure that employee development and training policies for all employees give fair and equitable attention to the needs of under-represented groups,
- continue to take determined action to ensure that employees are protected from all forms of harassment.

10.9 The Council will seek to promote a more effective "voice" for traditionally under-represented groups by

- setting up new means of consultation and involvement in the Council's decision-making that are more appropriate to their needs. This will be reflected in the Council's Engagement Framework and the Sustainable Community Strategy
- developing existing means of consultation and involvement
- advocating their views to other key bodies that have significant effects on their lives
- encouraging groups to express their own views and promoting opportunities for them to do so
- working to ensure that all parts of the community have an equal opportunity to vote in local and national elections, and
- discussing issues of under-representation with the local political parties responsible for nominating candidates.

10.10 In its relationship with other bodies and interests in the Borough, the Council will

- recognise and value the diversity that exists in the voluntary and community sector
- work to redress the disadvantage created by past discrimination
- ensure equal access to the Council's support through grant aid and in other ways
- seek to ensure equal access to other sources of funding and support
- ensure that the bodies supported by the Council through grant aid and in other ways have effective equal opportunities policies
- take action to ensure that the talents of traditionally under-represented groups are developed to the full, and
- work to ensure that the particular aspirations and needs of under-represented groups are understood and acted upon

10.11 The Council will also act in appropriate ways to encourage understanding and co-operation between the various parts of the community.

### **Compulsory Purchase Order (CPO)**

10.12 Compulsory purchase powers are provided to enable Acquiring Authorities to compulsorily purchase land to carry out a function, which Parliament has decided is in the public interest. Anyone who has an interest in land acquired is generally entitled to compensation. Local authorities have CPO powers under the Acquisition of Land Act 1981, the Town and Country Planning Act 1990 and other specific Acts of Parliament in order to promote development and regeneration and for other public purposes.

10.13 The CPO process comprises a number of stages, including Decision to make a CPO, Public Inquiry (if objection to the CPO), Decision, Implementation and Assessment/Payment of Compensation stages. The acquiring authority does not have the powers to implement the compulsory acquisition of land until the CPO is

confirmed by the relevant Government Minister. However, they can acquire by agreement at any time and the general presumption is that they should endeavour to do so before acquiring by compulsion.

### Statement of reasons<sup>10</sup>

- 10.14 The Council's Statement of Reasons for the use of its compulsory purchase powers is based on the scheme's contribution to the social, economic and environmental well-being of the area.
- 10.15 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:
- a Scheme value of c.£6bn
  - the creation of approximately 1,500 permanent jobs and thousands of jobs during construction with opportunities for apprenticeships for local people
  - increased economic activity by reason of increased employment and expenditure during construction phase of the Scheme; and
  - increased economic activity by reason of increased employment and expenditure during the operational phase of the Scheme and the introduction of expanded residential uses.
- 10.16 Promotion or improvement of *social well-being* will be achieved by:
- provision of new, well-designed, energy-efficient homes that will meet the needs of residents now and in the future
  - provision of up to 5,000 new homes with the potential for a further 5,000
  - the provision of c. 45% affordable housing on a habitable-rooms basis;
  - 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
  - improved pedestrian, cycle and vehicular access links to improve permeability and to foster the creation of a healthy and safe community.
- 10.17 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:
- redevelopment of a brownfield site
  - 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

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<sup>10</sup> London Borough of Enfield Meridian Water Strategic Infrastructure Works Compulsory Purchase Order – Statement of Reasons

consistent with the London Plan (adopted and emerging) and NPPF targets for optimising density

- creating new employment opportunities close to people's homes
- provision of efficient layouts and high quality public open space, community and recreational facilities.

10.18 For the above reasons, the well-being tests set out in Section 226(1A) of the 1990 Act are fully satisfied in respect of the CPO as made and submitted for confirmation.

### **National Planning Policy Framework**

10.19 The National Planning Policy Framework July 2018 ("NPPF") sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in planning decisions. The NPPF confirms that the development plan continues to be the starting point for the determining the acceptability of development. There is a presumption in favour of sustainable development, which the NPPF identifies as having three overarching objectives, namely economic, social and environmental. The development of Meridian Water will meet the economic, social and environmental objectives and the relevant policies are:

- In relation to economic objectives the NPPF supports the building of a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right paces and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- In relation to social objectives the NPPF supports strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.

10.20 In terms of housing supply, Paragraph 59 states: "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

10.21 Paragraph 119 of the NPPF states that Local Planning Authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring forward more land for meeting development needs and/or secure better development outcomes.

### **Enfield Local Plan 2018 to 2032<sup>11</sup>**

- 10.22 The Council's emerging growth vision is to deliver transformational change, unlocked through strategic infrastructure investments. The key aim is to reduce inequality to regenerate deprived neighbourhoods for the benefit of local residents, to promote development along key growth corridors and to enhance the borough's rich resource of green and blue infrastructure - which includes parks, river valleys, gardens, street trees, canals and more.
- 10.23 The council's local plan provides a framework for how the area will take shape over the coming years. The Plan covers major issues including housing, jobs and community facilities. This Local Plan will have a major influence on the borough's priorities up to 2032. The plan identified that the borough needs to plan for:
- A population of more than 400,000 people by 2032
  - Up to 2,300 new homes per year till then
  - 20 primary and 32 secondary forms of entry by 2029
  - 65,000M2 of retail by 2029
  - Over 13,000 jobs by 2036
  - Extra infrastructure facilities including utilities and transport
- 10.24 To address this need, the Local Plan is proposing to:
- Develop at Existing Green Belt Settlements; Settlements within the green belt existed long before the green belt was formed in the 1950s. Is there potential for development in these areas?
  - Develop Town Centres; Concentrating development within town centres and existing built up areas through better use of this space
  - Develop at Transport Hubs and Growth Areas: Focusing development within the growth corridors such as Upper Lee Valley and around transport nodes such as around stations on the Piccadilly Line and other rail routes.
  - Develop Industrial Land; Development of redundant or poorly sited industrial land or locations where regeneration benefits outweigh alternatives.

### **The Upper Lee Valley Opportunity Area Planning Framework (ULVOAPF)<sup>12</sup>**

- 10.25 The Upper Lee Valley Opportunity Area Planning Framework (ULVOAPF) (adopted July 2013) covers c. 3,900 hectares shared between the London Boroughs of Enfield, Haringey, Waltham Forest and Hackney. The headline objectives for the Upper Lee Valley include:
- Over 15,000 new jobs by 2031
  - Over 20,100 new well designed homes by 2031

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<sup>11</sup> <https://new.enfield.gov.uk/services/planning/enfield-draft-local-plan-2036-planning.pdf>

<sup>12</sup> <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/opportunity-areas/opportunity-areas/upper-lee-valley>

10.26 The OAPF sets out eight objectives:

- Growth at Tottenham Hale, Blackhorse Lane, Meridian Water in Central Leaside and Ponders End
- Optimised development and redevelopment opportunities along the A10/A1010 Corridor, in particular the Tottenham High Road Corridor and Northumberland Park
- Over 15,000 new jobs by 2031 across a range of industries and a green industrial hub creating greater learning and employment opportunities
- Over 20,100 new well designed homes by 2031
- Full integration between the existing communities and the new jobs, homes and services provided as part of the new developments
- A Lee Valley Heat Network linked to the Edmonton Eco Park
- Significant investment and improvements to transport infrastructure, including four trains per hour on the West Anglia Main Line and improvements to help people walk and cycle more easily through the area
- A fully accessible network of green and blue spaces which open up the Lee Valley Regional Park. The networks between them will be improved benefitting both people and wildlife

10.27 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:

- Realising the scale of opportunity and the opportunity of scale,
- Delivering 5,000 new homes, and
- Facilitating economic growth: delivering at least 3,000 new jobs of varied types.

10.28 The ULVOAPF is currently being updated.

### **Edmonton Leaside Area Action Plan Jan 2017<sup>13</sup>**

A New Urban Neighbourhood

10.29 Delivering new homes and employment opportunities are key priorities for Enfield Council. At Meridian Water the council has a once in a lifetime opportunity to build a community for everyone through the transformation of derelict brownfield land. The riverfront location, combined with far better transport links, including a new railway station, will help to make Meridian Water a new and vibrant part of London. New shops and cafes, schools, community facilities and leisure facilities, with better access to the Lee Valley Regional Park, will make this a highly desirable place to live, work and spend time.

10.30 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

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<sup>13</sup> <https://new.enfield.gov.uk/services/planning/edmonton-leaside-area-action-plan-planning.pdf>

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

- 10.31 There will be ongoing development in growth sectors of the economy including the creative, digital media, e-commerce 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.
- 10.32 Edmonton Leaside's 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

- 10.33 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 four-train per-hour service, rising later to an eight train-per-hour rail service. The expected -tracking or Crossrail 2 schemes will provide additional capacity to support further growth and regeneration. This increased service will result in improved accessibility and attractiveness of the area as a place to live, work and visit.
- 10.34 A new road – the Causeway – 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.
- 10.35 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.

#### Employment

- 10.36 The Upper Lee Valley contains London's second largest reservoir of industrial employment land, classified as SIL (Strategic Industrial Sites) or LSIS (Locally Significant Industrial Locations). The majority of the industrial estates are well used and have limited vacancies, which suggest 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>.

### **Enfield Economic Development Strategy 2020-2030**

- 10.37 This includes an objective of diversifying and intensifying employment uses in industrial areas to attract higher quality employment to the borough. The strategy identifies the loss of 26,000 sq.m. of office accommodation within the borough through permitted development since 2013 and the need to provide an additional 24,000 sq.m. required up to 2036.
- 10.38 31% of businesses reporting that their premises cannot support additional jobs. Key actions on Inward investment and supporting businesses relate to the Council utilising its property portfolio to increase the availability and diversity of workspace and of working closely with business and training providers to ensure residents are equipped with the skills needed to take advantage of future roles.

### **The Meridian Water Employment Strategy Feb 2020**

- 10.39 The Meridian Water Employment Strategy sets out Enfield Council's approach to employment for the next 20-25 years. It is the council's ambition that Meridian Water will deliver 6,000 new high-quality jobs, 1,000 meanwhile employment uses and 1,000 construction related jobs.

#### **Outcomes:**

- Outcome 1) Create 6,000 permanent, high quality jobs paying London Living Wage or above, of which no less than 25% will be from local labour
- Outcome 2) Deliver 1,000 new high-quality jobs through Meanwhile Employment Uses on land intended for redevelopment, where possible rehoming these businesses within the new development
- Outcome 3) Enabling local Enfield employers to Supply Meridian Water, starting with its construction, with no less than 10% of all investment benefiting local employers
- Outcome 4) Deliver 1,000 construction jobs, sustained over 25 years, of which no less than 25%<sup>14</sup> will be from local labour

- 10.40 The current site is designated as Strategic Industrial Land (IL) and there is a mix of employment-generating activities including transport and storage, wholesale, manufacturing, construction, utility and retail. The current employment profile of

<sup>14</sup> This is the minimum percentage expected through Section 106 planning obligations

the working population is dominated by low skilled and low payed roles in transport, distribution, industrial processing and big box retail.

10.41 The economic impact of Meridian Water is summarised below:

### Summary

- Meridian Water is in the Upper Edmonton ward, which has a number of challenges around deprivation: household income, part time employment and low skills.
- Meridian Water presents an opportunity to reshape Enfield's economy, generating thousands of higher-quality new jobs and driving prosperity in the local area
- Meridian Water has the key ingredients to deliver a step change in the local economy, including development scale, regeneration and placemaking, accessibility, local leadership and investment.
- Evidence established in the Edmonton Leaside Area Action Plan (ELAAP) demonstrates that Meridian Water can achieve significant employment growth and with the right approaches to land use and design, 6,000 jobs or more could be achieved, but densities require significant office and research footprints to deliver this target.
- Transformational change at Meridian Water requires a shift in the economic base away from big box retail and distribution, toward higher value sectors with denser job yields, such as office/serviced office and small studio spaces.
- The profile of change in the borough demonstrates that Meridian Water is well placed to capitalise on significant growth around micro businesses, office and research activities and the public sector.

10.42 A key outcome is the enablement of local Enfield employers to Supply Meridian Water, starting with its construction, with no less than 10% of all investment benefiting local employers.

### Summary

- The development will generate £3.9 Billion of investment, with the target being to secure 10% or £390 million of contracts through local employers
- This is regionally significant development with substantial benefit to the local economies of Enfield and adjacent boroughs
- All major capital works contracts will have obligations to optimise their use of the local supply chain
- The value of the contracts will help Enfield Business to grow, supporting additional employment within the borough

- 10.43 A further key outcome is the delivery of 1,000 construction jobs, sustained over 25 years, of which no less than 25%<sup>15</sup> will be from local labour

### Summary

- Over 1,000 construction jobs will be sustained every year over a 25-year period
- 25% or 250 local jobs per year of employment will go to Enfield Residents, or residents of adjacent boroughs
- The duration and geography of employment enables significant delivery of work-based apprenticeships that benefit local people
- Build Enfield, the vehicle for these job opportunities will be developed to support local people into work over a 25-year period
- A construction skills strategy with Construction Trades profiling will be produced to support the ongoing upskilling of the local community to ensure local benefit

### London-wide policy

#### London Plan

- 10.44 The new London Plan was adopted with amendments in March 2016. The Plan includes strategic and planning policies to encourage equal life chances for all, in recognition of social inequalities existing within the city. A number of policies outlined in the Plan are relevant to the proposed regeneration, including tackling deprivation, promoting equality and enabling different groups to share in the benefits of development, specifically:

#### Policy 2.9

- Inner London Strategic planning requires that Boroughs and other stakeholders should work to realise the potential of London in ways that sustain and enhance its recent economic and demographic growth while also improving its distinct environment, neighbourhoods and public realm, supporting and sustaining existing and new communities, addressing its unique concentrations of deprivation, ensuring the availability of appropriate workspaces for the area's changing economy and improving quality of life and health for those living, working, studying or visiting there.

#### Policy 2.13

- This 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 seeks to ensure the area's potential is optimised. The Upper Lee Valley (in which Meridian Water is situated) is identified in the London Plan, as an opportunity area. In October 2015, the GLA designated Meridian Water one of 20 new, Housing Zones in London, unlocking funding

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<sup>15</sup> 25% local labour is the target sought through Section 106 planning obligations on new developments

for key infrastructure and enabling works, including the station, remediation and boulevard.

Policy 3.1

- 'Ensuring Equal Life Chances for All' requires that development proposals should protect and enhance facilities that meet the needs of particular groups and communities. The plan does not support proposals involving loss of these facilities without adequate justification or provision for replacement.

Policy 3.2

- 'Improving Health and Addressing Health Inequalities' is also relevant, requiring due regard to be had to the impact of development proposals on health inequalities in London.

Policies 3.17 - 3.19

- Concerning the provision of social infrastructure, including health and social care, education, sports and recreation facilities, are all relevant to equal opportunities.

Housing policies 3.3 - 3.16

- Concerning housing provision, affordable housing provision, mixed and balanced communities, housing choice and provision of associated play facilities, are all relevant to equal opportunities.

Policy 4.12

- Improving Opportunities for all requires that strategic development proposals should support local employment, skills development and training opportunities. The Plan notes continuing large inequalities in access to jobs and levels of worklessness, with Londoners from Black, Asian and Minority Ethnic (BAME) groups more than twice as likely to be unemployed as those from White groups.

Policy 7.1

- Lifetime Neighbourhoods policy for development which enables people to live healthy active lives, and maximises opportunity for community diversity and inclusion, and the design of places that meet the needs of the community at all stages of people's lives.

10.45 The London Plan suggests Major Centres should have Borough-wide catchment areas and are typically smaller than metropolitan centres. These centres may have developed sizeable catchment areas and normally have over 50,000 m<sup>2</sup> of retail floor space.

### **Equal Life Chances for All, the Mayor's equality strategy revised in June 2014<sup>16</sup>**

- 10.46 Equal Life Chances for All, the Mayor's equality strategy revised in June 2014 sets out priorities for achieving equality across a range of dimensions. It emphasises enabling the most vulnerable and disadvantaged people to benefit from London's success; supporting deprived communities, vulnerable people and promoting community cohesion; supporting businesses to consider social issues in their corporate planning to bring real change to people's quality of life; increasing the levels of employment of excluded groups; and decreasing the difference in income between the equality groups and others from deprived communities and the wider community.

### **Draft London Plan<sup>17</sup>**

- 10.47 The London Plan is the statutory Spatial Development Strategy for Greater London prepared by the Mayor of London ("the Mayor") in accordance with the Greater London Authority Act 1999 (as amended) ("the GLA Act") and associated regulations.
- 10.48 The legislation requires the London Plan to include the Mayor's general policies in respect of the development and use of land in Greater London and statements dealing with general spatial development aspects of his other strategies. The Mayor is required to have regard to the need to ensure that the London Plan is consistent with national policies. When published in its final form the Plan will comprise part of the statutory development plan for Greater London.
- 10.49 The current 2016 Plan<sup>18</sup> is still the adopted Development Plan, but the Draft London Plan is a material consideration in planning decisions. The significance given to it is a matter for the decision maker, but it gains more weight as it moves through the process to adoption.
- 10.50 Information about the Mayor's planning functions, including the preparation and content of the London Plan, is set out in the London Planning Statement Supplementary Planning Guidance published in May 2014.
- 10.51 A draft new London Plan was published by the Mayor for consultation in December 2017. The consultation period ended on Friday 2<sup>nd</sup> March. Greater London Authority officers are currently registering all representations received and preparing a report which will summarise the main issues.
- 10.52 In accordance with section 338 (3) of the GLA Act, the Secretary of State has appointed a Panel to conduct an examination in public ("EIP") of the London Plan. The Mayor may suggest changes to the draft London Plan in response to the

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<sup>16</sup> Mayor of London (Revised 2014) *Equal Life Chances for All* [online] available at:

[https://www.london.gov.uk/sites/default/files/equal\\_life\\_chances\\_for\\_all.pdf](https://www.london.gov.uk/sites/default/files/equal_life_chances_for_all.pdf)

<sup>17</sup> <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan>

<sup>18</sup> [\*\*The London Plan consolidated with alterations since 2011\*\*](#)

representations received, issues and questions raised by the Panel, or discussions at the EIP.

10.53 The plan states:

10.53.1 This London Plan is different to those that have gone before it. It is more ambitious and focused than any previous London Plans. The concept of Good Growth – growth that is socially and economically inclusive and environmentally sustainable – underpins the London Plan and ensures that it is focused on sustainable development.

10.53.2 This London Plan takes a new approach. It plans for growth on the basis of its potential to improve the health and quality of life of all Londoners, to reduce inequalities and to make the city a better place to live, work and visit. It uses the opportunities of a rapidly-growing city to plan for a better future, using each planning decision to improve London, transforming the city over time. It plans not just for growth, but for Good Growth – sustainable growth that works for everyone, using London's strengths to overcome its weaknesses.

10.53.3 To ensure that London's growth is Good Growth, each of the policy areas in this Plan is informed by the six Good Growth policies:

- Policy GG1 Building strong and inclusive communities
- Policy GG2 Making the best use of land
- Policy GG3 Creating a healthy city
- Policy GG4 Delivering the homes Londoners need
- Policy GG5 Growing a good economy
- Policy GG6 Increasing efficiency and resilience

10.54 In this context the Meridian Water Scheme seeks to meet these six Good Growth Priorities.

## 11 Appendix 4: Findings from the Business survey 2020

- 11.1 This survey was specifically designed for this EQIA and was agreed with LB Enfield to ensure that the relevant and appropriate equality characteristics were captured. The survey was carried out over the phone with businesses between the 5<sup>th</sup> March and the 11<sup>th</sup> March 2020. A site visit had been undertaken previously on 24<sup>th</sup> February 2020.
- 11.2 The businesses targeted were those within the CPO red line and included businesses that were under leases provided by the Council and third party owned sites where an independent business was actively trading. Thus, some sites affected by the CPO were excluded including those that were owned by institutional investors and where there was no current activity on site. This also applied to those that were adjacent to the site and where minimal impact would be caused, this included Tesco and IKEA to the north of the CPO boundary/ site.
- 11.3 In total there were 24 separate business entities in the scope of the survey and these businesses occupied 27 units. Through the course of the survey each business was contacted between 2-3 times to ensure as complete a sample as possible. In our initial proposal we identified the possibility of securing between 60%-70% of surveys from the units affected. However, following completion of the telephone interviews, and to allow time for analysis to be included in this EQIA 21 units were surveyed and this represented 18 businesses. Thus, in terms of the rate of return on the survey completed this represented 77.8% of the units on the site and 75.0% of the businesses trading on the site.
- 11.4 Achieving 75% of the businesses on the site affected by the CPO provides a reasonable level of statistical validity to these survey findings.
- 11.5 As with any EQIA based survey our preoccupation was to target those most likely to be affected by the regeneration scheme and to draw together data that identified their protected characteristics. To this end the survey focused on the staff working in each business and the ownership of those businesses. Business managers and or owners of the business provided responses over the phone to the questions raised in the survey, on average each survey took between 20-30minutes to complete.
- 11.6 In addition, the data set out below has been broken down by all businesses engaged in the survey and then subsequently broken down by those businesses that hold a lease from the council and those that are in third party ownership (freeholds). This section will start with the profile of staff within the site:

### **Total staff numbers**

- 11.7 Across the 18 businesses that responded to the survey (75.0% of all businesses) the survey showed that there were 218 people employed on site. Of these 188 are

employed in units that are leased from LB Enfield and 30 are employed in businesses that are in units with a third party ownership.

### Gender of Staff

- 11.8 In response to questions 2, 3 and 4 the survey established that there are 155 men (71.1%) and 63 women (28.9%) working in the businesses that responded to the survey. The profile for those working in businesses with council leases was 80.3% male and 19.7% female and for those working in businesses in units under third party ownerships was 13.3% male and 86.7% female.
- 11.9 There were no staff in any businesses surveyed that were undergoing or who had undergone a transition.

Table 6: Gender profile of staff within responding businesses.

Q2, Q3 & Q4. How many women, men and trans people work in this business?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Female	63	28.9%	37	19.7%	26	86.7%
Male	155	71.1%	151	80.3%	4	13.3%
Trans	0	0.0%	0	0.0%	0	0.0%
Total	218	100.0%	188	100%	30	100.0%

### Disability

- 11.10 In response to question 5 there were three members of staff working in the businesses that completed the survey that were classified as having a disability this represented 1.4% of all staff working within the site. All three disabled staff worked in units that were leased from the council representing 1.6% of the staff working in these units.

Table 7: Disability profile of staff on site

Q5 How Many disabled people work in this business?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Disabled People	3	1.4%	3	1.6%	0	0.0%



## Age

- 11.11 The age profile of staff working for businesses engaged through this survey showed that 45% were aged between 22-34, the largest represented age groups, this was followed by 32% 35-44, 15% 45-54, 4% were aged 55-64, 2% were aged 17-21 and 1% were over 65. The full breakdown, including the age distribution of council leased businesses and units that were in third party ownerships, is set out in the table below.

Table 8: Age profile of staff within responding businesses.

Q6. What proportion of your workforce are in the following age groups?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
17-21	4.4	2.0%	4.4	2.3%	0	0.0%
22-34	98	45.0%	83	44.1%	15	50.0%
35-44	70.2	32.2%	58.2	31.0%	12	40.0%
45-54	32.7	15.0%	32.7	17.4%	0	0.0%
55-64	9.7	4.4%	9.7	5.2%	0	0.0%
65+	3	1.4%	0	0.0%	3	10.0%
Total	218	100%	188	100.0%	30	100.0%

## Ethnicity

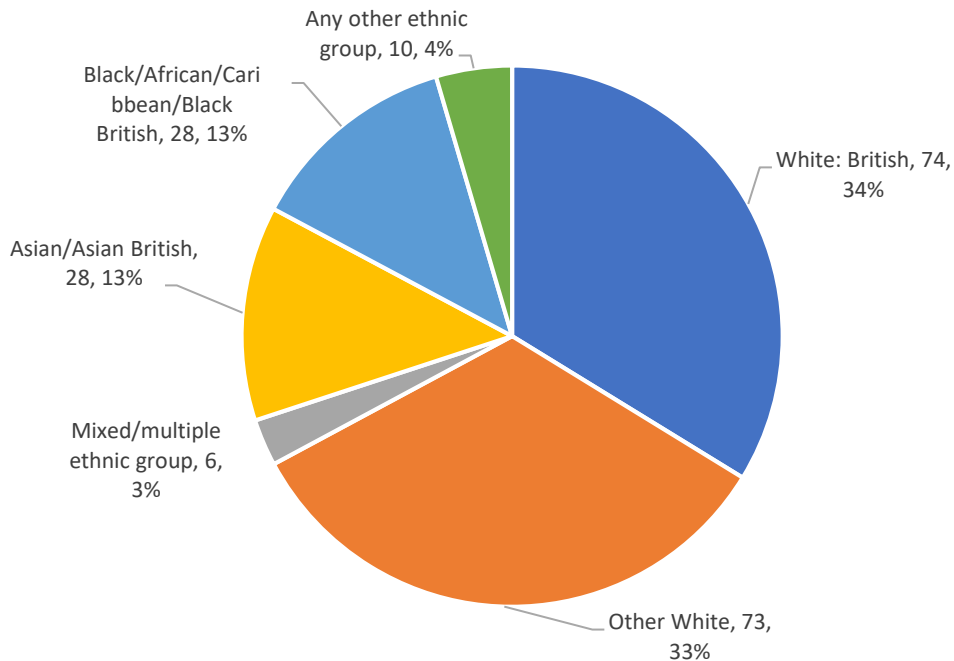
- 11.12 The ethnic profile was provided by business managers and owners. In designing the survey, it was agreed with Enfield that the survey would use broad ethnic categories of White British, White other, Asian/Asian British, Black/Black British, Mixed/multiple ethnic and other ethnic groups. This was so that business owners and managers responding to the survey were able to respond to the survey even if they did not have detailed racial profile of their staff. However due to the higher proportion of White other groups in the Borough, particularly the Greek and Turkish/Cypriot populations it was felt that a further examination of the White other population could be undertaken to better understand the workforce population as set against the Borough's population.
- 11.13 Respondents were asked to provide the different percentages of their staff that came from the main ethnic categories of White British, White Other, Mixed, Asian, Black and Any other ethnic group.
- 11.14 The profile of the staff within responding businesses shows that 34% of staff were White British and thus 66% were not. This demonstrates a strong level of racial diversity of those employed within the properties within the red line of the CPO. White other was 33% and this ethnic category is further broken down in Table 6 below. Black and Asian categories were 13% each and other ethnic groups came to 5%.
- 11.15 It is noted from the table below, that there is a level of comparison in the ethnic profile of staff within the red line and the borough. Indeed, the White British Population is below the boroughs' White British profile. The White Other and Asian profiles on the site are above these respective borough's profile. In contract the

Black profile on site is below the borough profile. In summary the ethnic minority profile of staff on the site is 66% compared to the Borough's ethnic minority profile of 61.9%, showing that there is a higher proportion of staff that were not white British on the site.

Table 9: Ethnic profile of staff within responding businesses.

Q7. What % of your workforce come from the following ethnic groups?	All Units		Council Leases		Third Party Owned		Borough
	Count	%	Count	%	Count	%	%
White: British	74	33.8%	70.6	37.6%	3	10.0%	74
Other White	73	33.4%	48.8	26.0%	24	80.0%	73
Mixed/multiple ethnic group	6	2.8%	6.1	3.2%	0	0.0%	6
Asian/Asian British	28	12.8%	28	14.9%	0	0.0%	28
Black/African/Caribbean/Black Other/Black British	28	12.7%	24.6	13.1%	3	10.0%	28
Any other ethnic group	10	4.5%	9.9	5.3%	0	0.0%	10
Prefer not to say	0	0.0%	0	0.0%	0	0.0%	0
Total	218	100%	188	100.0%	30	100.0%	218

Chart 3: Ethnic Profile Business staff Feb 2020

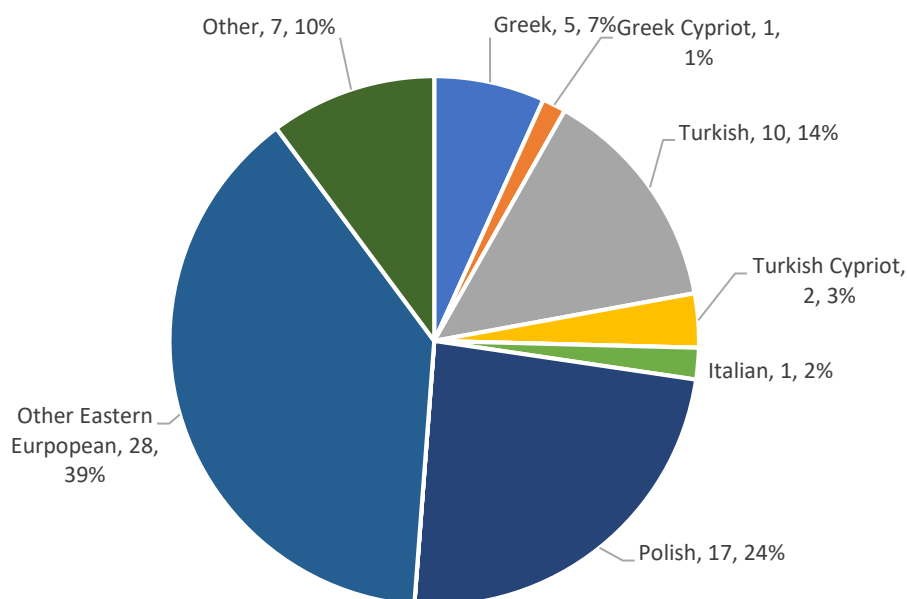


11.16 The table below sets out the White Other profile of staff in more detail. Enfield has a large white other population 25.1% based on 2019 data sets, however the white Other profile of staff was 33% which is significantly higher. The table below shows how this group of staff is made up. 39% of staff are of 'other' eastern European origin, 24% are polish, and 17% are either Turkish or Turkish Cypriot and 8% are either Greek or Greek Cypriot.

Table 10: White Other Sub-profile of staff within responding businesses.

Q8. If you answered Whiter Other, please can you judge the % of those that are white other by the following categories?	All Units			Council Leases		Third Party Owned	
	Count	% White Other	% all ethnicities	Count	%	Count	%
Greek	5	6.8%	2.3%	5	10.1%	0	0.0%
Greek Cypriot	1	1.4%	0.5%	1	2.2%	0	0.0%
Turkish	10	13.9%	4.6%	8	15.8%	2	10.0%
Turkish Cypriot	2	3.3%	1.1%	0	0.0%	2	10.0%
Irish	0	0.0%	0.0%	0	0.0%	0	0.0%
Italian	1	1.9%	0.6%	1	2.9%	0	0.0%
Polish	17	23.9%	8.0%	10	20.9%	7	30.0%
Russian	0	0.0%	0.0%	0	0.0%	0	0.0%
Kurdish	0	0.0%	0.0%	0	0.0%	0	0.0%
Gypsy Irish Traveller	0	0.0%	0.0%	0	0.0%	0	0.0%
Other Eastern European	28	38.6%	12.9%	16	33.0%	12	50.0%
Other	7	10.2%	3.4%	7	15.2%	0	0.0%
Total	73	100%	100.0%	49	100.0%	24	100.0%

Chart 4: White Other Business Staff Profile Feb 2020



### Sexual Orientation

- 11.17 The sexual orientation of staff within the site area is set out in the table below. It is clear that for a significant number of staff on the site respondents to the survey did not know the Sexual Orientation of their staff (28%). However, of those that did 68% were described as Heterosexual/Straight and 4% were described as LGBTQ.

Table 11: Sexual orientation profile of staff within responding businesses.

Q9. What proportion of your workforce is made up by the following sexual orientations?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Heterosexual/Straight	148	67.9%	148	78.7%	0	0.0%
LGBTQ	8	3.7%	8	4.3%	0	0.0%
Don't Know	62	28.4%	32	17.0%	30	100.0%
Prefer not to say	0	0.0%	0	0.0%	0	0.0%
Total	218	100%	188	100.0%	30	100.0%

### Faith

- 11.18 The faith and religions of staff within the site area is set out in the table below. It is clear that for a majority of staff on the site respondents to the survey did not know the Faith of their staff (53%). However, of those that were known 22% are Christian, 7% are Muslim and 6% have no religion. What this suggests is that for business managers and owners the knowledge of their staff's faith was not seen as relevant to their employment or their needs whilst in employment.

Table 12: Faith profile of staff within responding businesses

Q10. What proportion of your workforce practice the following religions/faiths?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Christian	47.4	21.7%	47.4	25.2%	0	0.0%
Buddhist	0	0.0%	0	0.0%	0	0.0%
Hindu	5.5	2.5%	5.5	2.9%	0	0.0%
Jewish	2	0.9%	2	1.1%	0	0.0%
Muslim	14.6	6.7%	14.6	7.8%	0	0.0%
Sikh	5.5	2.5%	5.5	2.9%	0	0.0%
Other	0	0.0%	0	0.0%	0	0.0%
No Religion	14	6.4%	14	7.4%	0	0.0%
Don't Know	115	52.8%	85	45.2%	30	100.0%
Prefer Not to Say	14	6.4%	14	7.4%	0	0.0%
Total	218	100.0%	188	100.0%	30	100.0%

### Maternity/Paternity

- 11.19 The maternity/paternity profile was based on those number of staff identified by business managers and owners as being on maternity or paternity leave. This is a proxy measurement of maternity and paternity however it was something that it

was felt would elicit an understanding of the proportions who are in this category. From the responses given 3 members of staff (1.4%) of the sample were described as being on maternity or paternity leave.

Table 13: Maternity/Paternity profile of staff within responding businesses

Q11. How many members of your workforce are on either maternity or paternity leave?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Maternity/Paternity Leave	3	1.4%	1	6.7%	2	0.53%

### Marriage and Civil Partnership

- 11.20 If was felt that this protected characteristic was not relevant to this survey and hence this data was not gathered as part of this business survey. Equally for many of the businesses it was assumed that this information may not have been gathered and or known.

### Where staff live

- 11.21 Whilst not a protected characteristic it was felt that it would be helpful to understand where staff live in relationship to their place of work. Businesses were asked the proportion of their workforce that live in Enfield and or in adjacent boroughs. In response 45% of staff were recorded as living in Enfield, 10% in Haringey, 7% in Waltham Forest and 7% in Barnet with 28% living further afield. What this suggests is that just under 50% live locally, and 72% live locally and within the immediate neighbouring boroughs with 28% living further away. It is clear that the majority of staff are local to the site and hence moves from this locality will have an impact on their travel to work and indeed their capability of continuing in employment locally to themselves,

Table 14: Profile of where staff within responding businesses live

Q12. What proportion of your workforce live in Enfield, or in adjacent boroughs?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Enfield	101	46.4%	101	53.8%	0	0.0%
Haringey	22	10.2%	22	11.9%	0	0.0%
Waltham Forest	16	7.5%	13	7.1%	3	10.0%
Barnet	16	7.5%	16	8.7%	0	0.0%
Other	62	28.4%	35	18.6%	27	90.0%
Total	218	100.0%	188	100.0%	30	100.0%

### Travel to work

- 11.22 Respondents were asked their awareness of the travel to work times for their workforce. This combined with the question above provides a strong indication of the local nature of many of the workforce's place of work. 99% of the workforce

had a 1 hour journey in order to travel to work. This suggests a relatively localised workforce. It is also a reflection of the logistical access the site as a one hour journey could encapsulate a journey of up to 40-50 miles or more. However, what this does suggest is that an hour is seen as acceptable for staff to get to work in a north London location which is relatively well service by public transport and road access.

Table 15: Profile of the time taken to get to work of staff within responding businesses

Q13. On average what proportion of your workforce take the following time to get to work?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Less than 30 minutes	34	15.6%	34	18.1%	0	0.0%
30 minutes to 1 hour	180	82.5%	150	79.7%	30	100.0%
1 -2 hours	3	1.5%	3	1.7%	0	0.0%
More than 2 hours	1	0.5%	1	0.5%	0	0.0%
Total	218	100.0%	188	100.0%	30	100.0%

### Full time and Part time staff

11.23 Respondents were asked about whether their workforces were made up of full time or part time employees. Across the site 70% of staff are full time and 30% part time. This is slightly higher in those businesses with a council lease but the opposite was the case for those businesses that were third party owned where there was 70% that were part time and 30% full time.

Table 16: Profile of Full time and Part time workers within responding businesses

Q14. What proportion of your workforce are employed full time or part time?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Full Time	152	69.8%	143	76.2%	9	30.0%
Part Time	66	30.2%	45	23.8%	21	70.0%
Total	218	100.0%	188	100.0%	30	100.0%

### Language

11.24 Business managers and owners were asked what the main language is that is spoken in their businesses and all stated that this was English. However, within this there were clearly other languages spoken and this included Polish, Italian, Turkish and Gujarati. It is clear from a business and operational sense that language is not a factor for the way these business function.

### Perceptions of how the development will impact on their business

- 11.25 Business managers and owners were asked 'overall how would the regeneration of Meridian Water (Stone Hill Business Park/Orbital Business Park) impact on their business. It was interesting to see these responses as 67% felt that their perceived impact would be mostly negative, 22% did not know and 11% felt that it was mostly positive. 100% of those that were in third party owned units, and hence subject to the CPO felt this development would have a mostly negative impact.

Table 17: Overall how would the regeneration of Meridian Water (Stone Hill Business Park/Orbital Business Park) impact on your business

Q17. Overall how would the regeneration of Meridian Water (Stonehill Business Park/Orbital Business Park) impact on your business?	All Units		Council Leases		Third Party Owned	
	Count	%	Count	%	Count	%
Mostly Positive	2	11.1%	2	11.8%		0.0%
Mostly Negative	12	66.7%	11	64.7%	1	100.0%
Not Known	4	22.2%	4	23.5%		0.0%
Total	18	100.0%	17	100.0%	1	100.0%

- 11.26 Respondents were given the opportunity to identify why they responded to this question in this way. What is clear is that the majority of those that felt the scheme has a mostly negative impact related to their requirement to leave the site through the termination of their lease and or the CPO. This is clearly a significant factor but some they needed support in trying to find alternative locations from which to do their business. Several indicate the potential loss of jobs for those working in their business in part because of the relocation impact to their current staff but also for some because they will have to close down. Issues of the loss of storage and the higher cost of new premises are also likely negative development consequences for these businesses. For those that said they 'did not know' cited the lack of awareness and clarity about the proposals. More detailed responses are set out below.

Table 18: Perception as to why respondents either felt the regeneration was mostly negative, Don't Know and mostly positive.

Mostly Negative	Don't Know	Mostly positive
We have to move after 16 years as our lease is up to 2022. We need another property for business. Require assistance from Enfield council. Concern about future rent doubling	We are hoping to relocate and would like to discuss this with Enfield council	We are a delivery partner with local authority and Mayors office: developing and investing in workspace in Meridian water and provide machinery 500 active members
Mostly negative impacts as we have to leave	Our business is not aware of regeneration proposals	
Losing storage space and the project's timescale is not clear	We rent this site so have to relocate	
We hope to incorporate a new venue with Enfield council	We are unclear about plans	

Mostly Negative	Don't Know	Mostly positive
Trying to move . Rent level increased 6-fold. Alternatively, it would cost £ 1.5 million to purchase a similar property		
We will be losing land and we need to move site. Going Lakeside or Chadwell Heath so people are likely to lose their jobs		
We see this a negative as we will have to relocate, and we are likely to lose some of our customers		
Its negative because we will have to close or move		
This could result in the loss of loss of 60 jobs, this will finish the business, we will have no access for deliveries. Require a more detailed discussion with council. Think there a lack of communication.		

### General Comments

- 11.27 A final mop up questions was asked whether respondents had any further comments to make. There was a mix of perceptions ranging from the view that their business will likely close down to concerns regarding job losses, redundancy and the cost of moving and the cost to their business. Several respondents understood the principles behind Meridian Water and the benefits that would be accrued for the locality and for people who need housing but there was an equal sense that their loss would be for this wider gain.

Table 19: Further comments about the regeneration proposals

Q18. As a local business in Meridian Water (Stonehill Business Park/Orbital Business Park) do you have any comments about the regeneration proposal?
More information is required
Business will not survive
Like to stay where we are
We can see overall benefit
Keen to know timeframe
I see benefits of regeneration as a local. We are trying to develop a new business with a showroom shop in the new development with yard elsewhere. Developers need to offer units to current occupiers. Takes a month to assemble our machinery and so moving will require good time planning.
We will have to relocate
Recognise need for housing. More support for industrial businesses but means more pollution by lorries as travel further, some of my staff may find it hard to get another job given their age and their skills levels
Need new location for business so massive impact, higher rent. Like having to start again after 7 years
Will close business if not relocated



**Q18. As a local business in Meridian Water (Stonehill Business Park/Orbital Business Park) do you have any comments about the regeneration proposal?**

Need update

All good if can stay here

The scheme is largely positive, but the development needs to be handled sensitively. We are prepared for change

Concerns re: Redundancy costs, negotiating costs and loss of business. £2 million of machinery garment processing logistics

### **Profile of business ownership by equality characteristics.**

11.28 Four additional questions were asked about the gender, disability, age and race of business owners. Of the 18 businesses included in this sample 17 were identified as having an owner and one business was owned by an institutional investor. In summary:

- 89% of business owners were male and 6% female and 6% institutionally owned
- No businesses were owned by a person with a disability
- 37% of businesses are owned by a person aged between 45-54, 17% are owned by people aged between 22-34, 35-44, 55-64 and 6% are owned by a person over 65.
- 44% of business are owned by a person who is white British, 33% by a person who is white other, 17% by a person who is Asian and the remainder 6% by an institutional investor.

Table 20: Gender profile of business owners

Gender profile of Business owners		
Male	16	88.9%
Female	1	5.6%
Institutionally Owned	1	5.6%
Total	18	100%

Table 21: Disability profile of business owners

Disability profile of business owners		
Yes		0.0%
No	17	94.4%
Institutionally Owned	1	5.6%
Total	18	100.0%

Table 22: Age profile of business owners

Age Profile of business owner		
17-21		0.0%
22-34	3	16.7%
35-44	3	16.7%
45-54	7	38.9%
55-64	3	16.7%
65+	1	5.6%
Not known/not applicable	1	5.6%
Total	18	100.0%

Table 23: Ethnic profile of business owner

Race of Business owners		
White British	8	44.4%
White Other	6	33.3%
Black African/Caribbean	0	0.0%
Asian	3	16.7%
Other	0	0.0%
Not known/ not applicable	1	5.6%
Total	18	100.0%

## 12 Appendix 5: Acknowledgements and thanks

Name	Organisation
Paul Gardener	Senior Regeneration Manager Meridian Water LB Enfield
Elizabeth Paraskeva	Principal Lawyer, Regeneration and Contracts Teams LB Enfield
Madi Mukhametaliyev	Principal Regeneration Officer, Meridian Water LB Enfield
Jayne Paterson	Business Development Manager for Place LB Enfield
Ilhan Basharan	Equalities, LB Enfield
Sam Collyer	Glenny Asset and Property Management
Nick Finney	Arup
Mathew Bodley	Matthew Bodley Consulting
Melanie Dawson	Senior Regeneration Lawyer LB Enfield
Julie Thornton	Senior Planning Lawyer

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## London Borough of Enfield

<b>Title of Report:</b>	Review of Fixed Penalty Notices (Waste offences) 2023
<b>Report to:</b>	Cllr Susan Erbil, Cabinet Member for Licensing, Planning & Regulatory Services
<b>Date of Report:</b>	1 December 2023
<b>Cabinet Member:</b>	Cllr Susan Erbil
<b>Directors:</b>	Doug Wilkinson Director of Environment & Street Scenes Simon Pollock Interim Executive Director Environment and Communities
<b>Report Author:</b>	Esther Hughes, Esther.Hughes@enfield.gov.uk
<b>Ward(s) affected:</b>	All
<b>Implementation date, if not called in:</b>	20/12/2023
<b>Classification:</b>	Part I Public

## 1. Purpose of Report

1.1 The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 came into force on the 31st of July 2023, this gave local authorities the option to increase the fines issued under fixed penalty notices (FPN) for the unauthorised or harmful deposit, treatment or disposal of waste and duty of care for household waste.

1.2 This report seeks authority to revise the current fixed penalty for offences related to littering, fly-tipping, and household waste duty of care to new levels; and to introduce a discount for early payment, whilst extending the period during which a payment for FPNs can be made. This would also apply to any authorised third-party contractor who enforces waste offences on our behalf.

## Recommendations

- 1) Adopt new levels for fixed penalty notice (FPN) for offences related to littering, fly-tipping, household waste duty of care, graffiti and fly posting and to give a discount for early payment detailed in the following table.

Offence	Proposed FPN Level	Proposed early payment discounted FPN Level
s33 - Fly tipping	£1,000	£500
s87 - Littering (dropped litter & dumped household waste (black bags) *)	£500	£250
S34 ZA -Household Duty of Care	£600	£500
Graffiti	£500	£250
Fly Posting	£500	£250

- 2) Amend the payment period for FPNs for littering, fly-tipping, household waste duty of care, fly tipping and graffiti to 28 days and the early payment (discounted FPN level) period to 14 days.

- 3) We introduce the new FPN levels from the 1 January 2024

## 2. Background and Options

- 2.1. In the 2023 Anti-social Behaviour Action Plan, the government set out that it wanted councils to take a much tougher stance on these forms of environmental offences and therefore set out new upper limits for Fixed Penalty Notices (FPNs).
- 2.2. The FPN provides an alternative to other enforcement options and prosecution. It allows an individual to discharge their liability for the relevant offence by payment of a financial penalty. There is no obligation for the Council to offer an offender the option to discharge liability through an FPN and retains the right to prosecute for all offences regardless of the type or size. However, for some cases and offences, it can be more proportionate than proceeding with a prosecution through the courts. An FPN is offered as an alternative under various legislation and the proposed penalty levels can vary. The Government provides penalty levels at which local authority FPN levels must be set.
- 2.3. Offenders do not have to accept an FPN offered to them (which discharges their liability to conviction for the offence), and the council cannot make anyone pay an FPN. There is no right of appeal to any FPNs, but offenders retain the right to not pay any FPN issued to them and can at any time (before making payment) opt to have their case heard through the court system.
- 2.4. A maximum sentence for FPNs has been set by legislation, and the Council has given careful consideration to the proposed level of penalty charged for each offence. The levels proposed are to ensure a consistent approach across various offences of a similar seriousness and are set at an appropriate level to promote responsible behaviour and to act as a deterrent to future offending.
- 2.5. The Environmental Protection Act 1990 creates an offence of depositing-controlled waste, or knowingly causing or permitting controlled waste to be deposited in or on any land. The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 amends this framework enabling authorities to increase the level of fine they issue if they so choose. The Environmental Protection Act 1990 is amended:
  - Section 33ZA(9)(a) from £400 to £1,000 - this relates to the offence of unauthorised or harmful deposit, treatment, or disposal of waste i.e., fly-tipping, or illegal dumping.
  - Section 34ZA (8) from £400 to £600 - this relates to duty of care etc. in respect to household waste.
- 2.6. The Regulations also amend the Environmental Offences (fixed Penalties) (England) Regulations 2017 to amend regulation 5 in relation to the littering offences:
  - Under s88(6A) (a) of the Environmental Protection Act 1990 and s43A(1)(a) of the Antisocial Behaviour Act 2003. The minimum fine is not less than £65 and maximum £500

## 2.7. Summary Table

Offence	Previous Maximum FPN Level	New Maximum FPN Level
Fly tipping	£400	£1,000
Littering	£150	£500
Household Duty of Care	£400	£600
Graffiti	£150	£500
Fly Posting	£150	£500

2.8. The changes to the level of fines **have not altered** the Waste Duty of Care offence (**commercial**) under Section 34(5)/34A of the Environmental Protection Act 1990. These are currently set locally at **£300 with no early payment**.

2.9. When an FPN has been issued, an authority cannot prosecute for the alleged offence if the FPN is paid within 14 days of it being issued. Where the FPN is not paid and there is sufficient evidence to prosecute for the substantive offence this may ensue.

2.10 Currently there are no proposed changes to the sentencing guidelines<sup>1</sup> issued to courts and therefore consideration should be given to the fine levels currently issued by the courts. If the FPN level is higher than the average court fine issued, there is a possibility that some defendants will no longer see the FPN as the more attractive option and may favour attending court, hoping for the case to either be quashed or a lower fine imposed.

2.11 By means of a deterrent and to demonstrate how seriously the Council takes this issue, the number of FPNs issued per month and the Court results are published on social media.

2.12 To recognise and be consistent with most billing arrangements and salary payments it is recommended to extend the existing payment period to 28 days and provide an early repayment opportunity of 14 days. Payment for FPNs can only be accepted by the council for the relevant amount (either full or discounted rate depending on the time since it was issued). However, in cases of extreme financial difficulties, officers will continue to have discretion to be able to extend the lower threshold payment period (subject to legal restrictions) and will work together with those issued FPNs to avoid prosecution where possible.

## 3 Options

3.1. Option 1. Do Nothing and retain current levels.

3.2. Option 2. Increase the FPN to the maximum permitted level and offer no early payment

3.3. Option 3. Increase the FPN to the maximum permitted level and offer an early payment

<sup>1</sup> <https://www.sentencingcouncil.org.uk/explanatory-material/magistrates-court/item/fines-and-financial-orders/approach-to-the-assessment-of-fines-2/2-fine-bands/>



3.4. Option 4. Increase the FPN below the maximum permitted level and offer no early payment

3.5. Option 5. Increase the FPN below the maximum permitted level and offer an early payment.

#### 4. Preferred Option and Reasons for Preferred Option

4.1. Option 3 Increase the FPN to the maximum permitted level and offer an early payment.

##### 4.2. Advantages

- The Government has recognised this a serious issue, increasing the maximum FPN amounts that Local Authorities may issue.
- Enfield has historically set the FPN at the maximum permitted level, demonstrating how serious the Council takes this matter. Retaining this strong stance will continue to support this and the priorities in the Investing in Enfield Council Plan 2023-2026.
- The level of fine should act as a deterrent.
- Whilst accepting the highest FPN value but offering a discount demonstrates the seriousness of the offence but offers a reasonable approach.
- We have benchmarked with other boroughs and our approach is consistent with them. Subject to formal notification we understand that neighbouring Authorities (Haringey and Waltham Forrest) are also proposing to increase the FPNs to either the maximum or near to.

#### 5. Relevance to Council Plans and Strategies

- **Priority One: Clean and Green Spaces** by keeping our streets and public spaces clean and welcoming. Additionally, the 2022 Labour Manifesto Pledge committed to *“continue to issue fines and prosecute those who fly tip.”*

Environmental enforcement services contribute positively towards clean and green spaces improving quality of life.

- **Priority Two: Strong, healthy, and safe communities**

The provision of environmental enforcement contributes positively towards creating strong, healthy, and safe communities. It directly contributes to discouraging the “broken window theory” where visible signs of crime, anti-social behaviour create an environment that encourages further crime.

- **Priority Five: An Economy that works for everyone**

The provision of environmental enforcement contributes positively towards creating an environment to those who wish to invest in

the economy of the borough by creating an attractive place to live and work.

### Financial Implications

6. This report seeks authority to revise the current fixed penalty for offences related to littering, fly-tipping, and household waste duty of care to new levels; and to introduce a discount for early payment, whilst extending the period during which a payment for FPNs can be made. This would also apply to any authorised third-party contractor who enforces waste offences on our behalf.

Adopt new levels for fixed penalty notice (FPN) for offences related to littering, fly-tipping, and household waste duty of care and to give a discount for early payment detailed in the following table.

Offence	Proposed FPN Level	Proposed early payment discounted FPN Level
s33 - Fly tipping	£1,000	£500
s87 - Littering (dropped litter & dumped household waste (black bags) *)	£500	£250
S34 ZA -Household Duty of Care	£600	£500
Graffiti	£500	£250
Fly Posting	£500	£250

Amend the payment period for FPNs for littering, fly-tipping, household waste duty of care, fly tipping and graffiti to 28 days and the early payment (discounted FPN level) period to 14 days.

We introduce the new FPN levels from the 1 January 2024

### Legal Implications

7. The Council has a duty under section 89 of the Environmental Protection Act 1990 to, as far as is practicable, ensure that the highways and land for which it is responsible are kept clear of litter and refuse.

The Council has a duty under section 89 of the Environmental Protection Act 1990 to, as far as is practicable, ensure that the highways and land for which it is responsible are kept clear of litter and refuse.

The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 make changes to the Environmental Offences (Fixed Penalties) (England) Regulations 2017 and the Environmental Protection Act 1990, to enable local authorities to amend the level of fine for prescribed offences; the Regulations came into force 31 July 2023.

The 2023 Regulations increases the upper limit of Fixed Penalty Notices for littering, graffiti, and fly-posting offences from £150 to £500. In relation to fly-tipping, the upper limit of the Fixed Penalty Notice is increased from £400 to £1,000. For Household Duty of Care offences, the upper limit for Fixed Penalty Notices has increased from £400 to £600. The Council can set the level of fines for Fixed Penalty Notices to a level it considers appropriate, as long as those levels are within the legislative framework.

The Council's preferred option to increase the Fixed Penalty Notice to the maximum permitted level and offer an early payment, is a recommendation it is entitled to make. This recommendation is consistent with the amendments to the Environmental Offences (Fixed Penalties) (England) Regulations 2017.

The Council's understanding of The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 is legally sound, and the decision to increase the FPN to the maximum permitted level is directly linked to three of the Council's priorities as listed above in section 5. The Council's decision to increase the FPN to the maximum level is therefore a rational decision, and less prone to successful legal challenge.

In considering the level of Fixed Penalty maximum, the Council needs to set it at a level that will act as a deterrent to offending and promote its duty of ensuring land and highways are kept clear of litter and refuse.

The risk of legal challenges to the Council's recommendation has been mitigated by ensuring that the recommendation made was reached through a rational process, and within the restrictions of environmental legislation.

There is no duty of consultation prior to making this decision.

An Equalities Impact Assessment has been undertaken to mitigate the risk of a legal challenge on the grounds of direct or indirect discrimination. The Council is required to give due consideration to the impact recommendations may have on persons with protected characteristics under the Equality Act 2010; and therefore, the Council's equality impact assessment should regularly be reviewed, updated, and considered.

In addition, the Council will allow for adjustments to FPN levels if this is required.

### **Equalities Implications**

8. Please see Appendix A - EQIA

The Equality Impact Assessment demonstrates that the project is expected to have a positive impact on Enfield residents who will see a reduction in these environmental offences as a result of the proposed changes. In cases of extreme financial difficulties, officers will continue to have discretion to be able to extend lower threshold payment periods (subject to legal restrictions). In the event of enforcement action being

taken against any person who may have a disability, medical verification will be sought prior to a final decision.

**Public Health Implications (if any, delete if not relevant)**

9. The provision of an Environmental Enforcement will help to maintain the street scene and thereby contribute to the wellbeing of the borough.

**Climate Action Implications**

10. Effectively tackling waste offences reduces the environmental impact of waste on our communities, not only the dispersing of harmful plastics, but also contamination from toxic materials and polluting public spaces, contributing to more efficient waste management and our recycling rates.

**Safeguarding Implications**

11. Enforcement action will not be instigated against any minors.

**Crime and Disorder Implications (if any, delete if not relevant)**

12. It is hoped that enforcement will act as a deterrent to persons committing waste offence, improve the overall street scene and avoid the “broken window theory,” whereby visible signs of crime create an environment that encourages further crime.

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020 8132 2147

**Background Papers**

(\*) <https://www.sentencingcouncil.org.uk/explanatory-material/magistrates-court/item/fines-and-financial-orders/approach-to-the-assessment-of-fines-2/2-fine-bands/>

(\*\*)  
[https://assets.publishing.service.gov.uk/media/652e72fed86b1b000d3a50f2/Part\\_1A\\_-\\_Effective\\_enforcement.pdf](https://assets.publishing.service.gov.uk/media/652e72fed86b1b000d3a50f2/Part_1A_-_Effective_enforcement.pdf)

Costs of Fly tipping

[https://www.legislation.gov.uk/ukxi/2023/770/pdfs/ukxiem\\_20230770\\_en\\_001.pdf](https://www.legislation.gov.uk/ukxi/2023/770/pdfs/ukxiem_20230770_en_001.pdf)

## Enfield Equality Impact Assessment (EqIA)

### Introduction

The purpose of an Equality Impact Assessment (EqIA) is to help Enfield Council make sure it does not discriminate against service users, residents and staff, and that we promote equality where possible. Completing the assessment is a way to make sure everyone involved in a decision or activity thinks carefully about the likely impact of their work and that we take appropriate action in response to this analysis.

The EqIA provides a way to systematically assess and record the likely equality impact of an activity, policy, strategy, budget change or any other decision.

The assessment helps us to focus on the impact on people who share one of the different nine protected characteristics as defined by the Equality Act 2010 as well as on people who are disadvantaged due to socio-economic factors. The assessment involves anticipating the consequences of the activity or decision on different groups of people and making sure that:

- unlawful discrimination is eliminated
- opportunities for advancing equal opportunities are maximised
- opportunities for fostering good relations are maximised.

The EqIA is carried out by completing this form. To complete it you will need to:

- use local or national research which relates to how the activity/ policy/ strategy/ budget change or decision being made may impact on different people in different ways based on their protected characteristic or socio-economic status;
- where possible, analyse any equality data we have on the people in Enfield who will be affected eg equality data on service users and/or equality data on the Enfield population;
- refer to the engagement and/ or consultation you have carried out with stakeholders, including the community and/or voluntary and community sector groups you consulted and their views. Consider what this engagement showed us about the likely impact of the activity/ policy/ strategy/ budget change or decision on different groups.

The results of the EqIA should be used to inform the proposal/ recommended decision and changes should be made to the proposal/ recommended decision as a result of the assessment where required. Any ongoing/ future mitigating actions required should be set out in the action plan at the end of the assessment.

## Section 1 – Equality analysis details

<b>Title of service activity / policy/ strategy/ budget change/ decision that you are assessing</b>	Review of Fixed Penalty Notices (Waste offences) 2023
<b>Team/ Department</b>	Waste Enforcement
<b>Executive Director</b>	Doug Wilkinson Director of Environment & Street Scenes Simon Pollock Interim Executive Director Environment and Communities
<b>Cabinet Member</b>	Cllr Susan Erbil
<b>Author(s) name(s) and contact details</b>	Esther Hughes <a href="mailto:Esther.Hughes@Enfield.gov.uk">Esther.Hughes@Enfield.gov.uk</a> 020 8132 2147
<b>Committee name and date of decision</b>	n/a

<b>Date the EqIA was reviewed by the Corporate Strategy Service</b>	
<b>Name of Head of Service responsible for implementing the EqIA actions (if any)</b>	<b>Esther Hughes</b>
<b>Name of Director who has approved the EqIA</b>	<b>Doug Wilkinson</b>

The completed EqIA should be included as an appendix to relevant EMT/ Delegated Authority/ Cabinet/ Council reports regarding the service activity/ policy/ strategy/ budget change/ decision. Decision-makers should be confident that a robust EqIA has taken place, that any necessary mitigating action has been taken and that there are robust arrangements in place to ensure any necessary ongoing actions are delivered.

## Section 2 – Summary of proposal

Please give a brief summary of the proposed service change / policy/ strategy/ budget change/project plan/ key decision

**Please summarise briefly:**

What is the proposed decision or change?  
 What are the reasons for the decision or change?  
 What outcomes are you hoping to achieve from this change?  
 Who will be impacted by the project or change - staff, service users, or the wider community?

**Proposal:**

- 1) Adopt new levels for fixed penalty notice (FPN) for offences related to littering, fly-tipping, household waste duty of care, graffiti & fly posting and to give a discount for early payment detailed in the following table.

Offence	Proposed FPN Level	Proposed early payment discounted FPN Level
s33 - Fly tipping	£1,000	£500
s87 - Littering (dropped litter & dumped household waste (black bags) *)	£500	£250
S34 ZA -Household Duty of Care	£600	£500
Graffiti	£500	£250
Fly Posting	£500	£250

- 2) Amend the payment period for FPNs for littering, fly-tipping, household waste duty of care, fly tipping and graffiti to 28 days and the early payment (discounted FPN level) period to 14 days.
- 3) We aim to introduce the new FPN levels from the 1 January 2024

**Reason for Decision**

- The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 came into force on the 31st July 2023, this gave local authorities the option to increase the fines issued under fixed penalty notices (FPN) for the unauthorised or harmful deposit, treatment or disposal of waste and duty of care for household waste.
- Wish to increase the fines to support the Council Plan 2023-2026.
- Demonstrate that Enfield takes a robust approach to this type of anti-social behaviour
- Act as a deterrent.

**Outcomes achieved**

- Reduction in this type of offending
- This will have a positive impact on all protected groups as the proposed changes are expected to achieve a reduction in environmental offences.

**Who will be impacted**

- Persons on whom fines are issued
- Residents and businesses in the Borough who will hopefully see a reduction in these environmental offences.



## Section 3 – Equality analysis

This section asks you to consider the potential differential impact of the proposed decision or change on different protected characteristics, and what mitigating actions should be taken to avoid or counteract any negative impact.

According to the Equality Act 2010, protected characteristics are aspects of a person's identity that make them who they are. The law defines 9 protected characteristics:

1. Age
2. Disability
3. Gender reassignment.
4. Marriage and civil partnership.
5. Pregnancy and maternity.
6. Race
7. Religion or belief.
8. Sex
9. Sexual orientation.

At Enfield Council, we also consider socio-economic status as an additional characteristic.

“Differential impact” means that people of a particular protected characteristic (eg people of a particular age, people with a disability, people of a particular gender, or people from a particular race and religion) will be significantly more affected by the change than other groups. Please consider both potential positive and negative impacts, and provide evidence to explain why this group might be particularly affected. If there is no differential impact for that group, briefly explain why this is not applicable.

Please consider how the proposed change will affect staff, service users or members of the wider community who share one of the following protected characteristics.

**Detailed information and guidance on how to carry out an Equality Impact Assessment is available [here](#). (link to guidance document once approved)**

### Age

This can refer to people of a specific age e.g. 18-year olds, or age range e.g. 0-18 year olds.

Will the proposed change to service/policy/budget have a **differential impact [positive or negative]** on people of a specific age or age group (e.g. older or younger people)? No

Please provide evidence to explain why this group may be particularly affected.

- Enforcement action will not be taken against minors.

### Mitigating actions to be taken

- Age verification always sought. Any FPNs that are issued in error to minors will be withdrawn and no further action taken,

### Disability

A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on the person's ability to carry out normal day-day activities.

This could include: physical impairment, hearing impairment, visual impairment, learning difficulties, long-standing illness or health condition, mental illness, substance abuse or other impairments.

Will the proposed change to service/policy/budget have a **differential impact [positive or negative]** on people with disabilities? No

Please provide evidence to explain why this group may be particularly affected.

- 

### Mitigating actions to be taken

In the event of enforcement action being taken against any person who may have a disability, medical verification of this will be sought before any further action is taken &/or the enforcement action withdrawn.

### Gender Reassignment

This refers to people who are proposing to undergo, are undergoing, or have undergone a process (or part of a process) to reassign their sex by changing physiological or other attributes of sex.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on transgender people?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on transgender people.

#### **Mitigating actions to be taken**

### **Marriage and Civil Partnership**

Marriage and civil partnerships are different ways of legally recognising relationships. The formation of a civil partnership must remain secular, where-as a marriage can be conducted through either religious or civil ceremonies. In the U.K both marriages and civil partnerships can be same sex or mixed sex. Civil partners must be treated the same as married couples on a wide range of legal matters.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people in a marriage or civil partnership?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on a person because of their marital or civil partnership status.

#### **Mitigating actions to be taken**

### **Pregnancy and maternity**

Pregnancy refers to the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on pregnancy and maternity?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on people because they are pregnant or expecting a baby.

**Mitigating actions to be taken**

**Race**

This refers to a group of people defined by their race, colour, and nationality (including citizenship), ethnic or national origins.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people of a certain race?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on people because of their race.

**Mitigating actions to be taken**

**Religion and belief**

Religion refers to a person's faith (e.g. Buddhism, Islam, Christianity, Judaism, Sikhism, Hinduism). Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who follow a religion or belief, including lack of belief?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on people because of their religion or belief.

**Mitigating actions to be taken**

**Sex**

Sex refers to whether you are a female or male.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on females or males?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that will have a differential impact on people because of their sex.

**Mitigating actions to be taken****Sexual Orientation**

This refers to whether a person is sexually attracted to people of the same sex or a different sex to themselves. Please consider the impact on people who identify as heterosexual, bisexual, gay, lesbian, non-binary or asexual.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people with a particular sexual orientation?

Please provide evidence to explain why this group may be particularly affected.

There is no evidence to suggest that this will have a differential impact on people because of their sexual orientation.

**Mitigating actions to be taken****Socio-economic deprivation**

This refers to people who are disadvantaged due to socio-economic factors e.g. unemployment, low income, low academic qualifications or living in a deprived area, social housing or unstable housing.

Will this change to service/policy/budget have a **differential impact [positive or negative]** on people who are socio-economically disadvantaged?

Please provide evidence to explain why this group may be particularly affected.

It is not anticipated that this will have a differential impact on people due to any of the protected characteristics as defined in law.

**Mitigating actions to be taken.**

In exceptional circumstances we may consider allowing an extended period for payment, but this would be on a case by case basis.

## Section 4 – Monitoring and review

How do you intend to monitor and review the effects of this proposal?

Who will be responsible for assessing the effects of this proposal?

Quarterly contract monitoring meetings & annual review will be in place.

## Section 5 – Action plan for mitigating actions

Any actions that are already completed should be captured in the equality analysis section above. Any actions that will be implemented once the decision has been made should be captured here.

Identified Issue	Action Required	Lead officer	Timescale/By When	Costs	Review Date/Comments





### London Borough of Enfield

<b>Report Title</b>	<b>Tranche 3 – Energetik MEEF2 Loan</b>
<b>Report to</b>	<b>Executive Director Resources</b>
<b>Date of Report</b>	<b>4 Dec 2023</b>
<b>Cabinet Member</b>	<b>Cllr Tim Leaver</b>
<b>Executive Director / Director</b>	<b>Fay Hammond</b>
<b>Report Author</b>	Olga Bennet Director of Finance (Capital) <a href="mailto:Olga.Bennet@enfield.gov.uk">Olga.Bennet@enfield.gov.uk</a>  Nadeem Akhtar Interim Finance Manager- Capital & Treasury <a href="mailto:Nadeem.Akhtar@enfield.gov.uk">Nadeem.Akhtar@enfield.gov.uk</a>
<b>Ward(s) affected</b>	All
<b>Key Decision Number</b>	<i>KD5693</i>
<b>Classification</b>	Part 1 & 2 (Para 3)
<b>Reason for exemption</b>	By virtue of paragraph(s) marked below with * of Part 1 of Schedule 12A of the Local Government Act 1972:  3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).

## **Purpose of Report**

1. This paper seeks approval to on-lend (and receive back from Energetik) £15m MEEF2 funding by 31 December, in line with loan conditions.

## **Recommendations**

The Executive Director Resources, in consultation with the Cabinet Member for Finance & Procurement and the Director of Law and Governance:

- I. Approves the Council on-lending the MEEF2 Loan proceeds of £15m to Energetik by 31 December 2023 to meet a legal obligation that the Council has under the MEEF2 loan agreement. On-lending will be transacted via an on-lending agreement.
- II. Approves the Council entering an On-Lending agreement between the Council (the Lender) and Energetik (the Borrower) (i.e., lending £15m to Energetik).
- III. Approves the Council entering an On-Loan agreement between the Council (the Borrower) and Energetik (the Lender) (i.e., receiving the £15m back from Energetik)
- IV. Delegates authority to the Director of Finance (Capital) to approve the final MEEF2 On-lending and On-Loan Agreement between the Council and Energetik.
- V. Delegates authority to the Director of Finance (Capital) to agree any changes to the MEEF2 loan agreement to enable the proposals in this report, and to approve any documentation required to bring those changes into effect.

## **Background and Options**

2. On 9th of June 2021 the Council approved a plan to extend Energetik's heat network along the east and south of the borough (KD5304). The funding for this plan came from a mix of loans amounting to £37m (£12m HNIP; £15m MEEF; and £10m PWLB) and a grant from HNIP of £12m and is referred to as Tranche 3 financing.
3. The Council has secured the following Tranche 3 repayable loan financing from Central Government Agencies to onward lend to Energetik for the delivery of the Tranche 3 works:
  - i. Heat Networks Investment Programme (HNIP) loan - £11.86m (received March 2021)
  - ii. Mayor of London's Energy Efficiency Fund (MEEF) loan - £15.00m (received April 2023) ('MEEF 2 Loan').

4. Energetik is currently delivering the Tranche 3 investment programme, which is connecting the Energy Centre at Meridian Water to the Ponders End Heat Network. As at 31 October 2023 loans of £34.9m have been advanced to Energetik to deliver Tranche 1 and Tranche 2 works. The Council has transferred the £12m HNIP grant as equity investment in return for £1 shares in the Company. Advances of £1.3m from the working capital facility have been drawn by Energetik, which have been financed from the Council's own cash resources.
5. A Tranche 3 on-lending loan agreement was executed on 29/11/2023 for the delivery of contractually committed A1 and A2 works that transfers loans up to £11.9m to Energetik to fund the respective works.
6. A working capital facility has also been provided by the Council to allow Energetik to support its operational costs in the absence of connection fee income. A legal agreement was signed on 24<sup>th</sup> October 2023 to provide a facility of £3.5m and approved under KD5645.
7. The remainder of the £37m Tranche 3 funding agreed by Cabinet in 2021 will be made available once Cabinet has reviewed and approved a refreshed business plan.
8. This report is seeking approval for the on-lending (to Energetik) and on-lending (back from Energetik) of the £15.0m MEEF2 loan that the Council received in April 2023, which the Council is required to pass on the loan on to Energetik by 31 December 2023. (i.e. to loan it to Energetik who immediately loan it back to the Council and then draw it down as required in the future). There is precedent for this arrangement – the Council and Energetik entered into the same arrangement for LEEF/MEEF1.
9. The secured MEEF2 loan is below current PWLB rates and therefore it is in both Energetik and the Council's interest to comply with the lender's requirements and therefore keep this secured funding.
10. Any interest the Council receives from holding MEEF2 cash before it is required by Energetik will be used in the following order
  - (i) to cover the interest payments to MEEF and direct costs of holding the loan;
  - (ii) to cover Council costs relating to Energetik lender and shareholder activities (eg the legal costs to draw up the agreements) and then
  - (iii) separated in a reserve which can be held to mitigate financial risks related to Energetik and provide working capital to Energetik.
11. Options to consider:
  - Onward lend the loan without Energetik lending it back to Enfield Council – this is not practical as Energetik does not require the loan proceeds until financial year 2024/25. Energetik is currently undertaking the A1 and A2 contractual works that are financed by the HNIP2 loan proceeds. These works are expected to continue into 2024/25 financial year. On-lending the loan also requires an on-lending agreement to be signed by the Council and Energetik.

- Return loan to lender – given the Council’s and Energetik’s contractual obligations, this would be poor value for money compared to using the MEEF2 loan. The Council would be required to finance the equivalent loan from the PWLB and capital markets when Energetik are ready to commence the specific works required (due to HNIP match funding requirements). Current PWLB loans for a similar size loan are priced at 5.49% (Standard Rate 30/10/2023 14.5 year annuity loan). PWLB rates are expected to remain at current levels therefore returning the loan does not offer any value and is not recommended.

### **Tranche 1 Approach**

12. In 2015 the Council was in a similar situation as now whereby Tranche 1 funding had been secured in advance of works starting. Therefore the Council had entered into an on-lending agreement with Energetik to on-lend the loan proceeds that were transferred to Energetik. The funds were returned to the Council under an on-lending agreement until the first loan drawdowns in 2017. During the period of the on-lending agreement the Council was servicing the debt with its Lenders (European Investment Bank and LEEF).

### **MEEF2 Approach**

13. It is proposed that the Council adopts a similar strategy as per the Tranche 1 loans and seeks to on-lend the MEEF2 loan proceeds (£15m) by 31 December 2023 to Energetik, and asks for the loan proceeds back via an on-loan agreement whereby the Council acts as a Borrower. The loan proceeds are held in immediately accessible Money Market Funds until such time the funds are required by Energetik. The Council uses the interest income to offset its own servicing loan costs to MEEF2. Council returns any surplus income (net of Council's loan costs) to Energetik.

14. This approach does not breach the borrow to invest regulations. Borrowing to invest is prohibited under capital finance regulations. The Council secured the funding with the intention of funding the expansion of the heat network as approved by Council in June 2021 via an on-lending of the MEEF2 loan. The delay in developments due to the ongoing economic conditions (high inflation, high interest rates) has had an impact on Energetik’s ability to progress with the works. Therefore, as the Council is incurring loan costs it needs to retain the funding (as it was secured on favourable terms in light current interest rates) and manage the loan proceeds that the Council has secured in advance to support the construction of Energetik’s heat network.

### **Legal Agreements**

The legal agreements (on-lending and on-lending) should be prepared by an external legal organisation with specialism in this area to ensure that the Council has a commercially sound legal agreement in operation.

### **Any alternative options considered and rejected**

15. The alternative options for the MEEF2 have been discussed in the report. The Council has secured a low fixed rate loan financing from a Central Government Agency in April 2023 that matures in May 2038. The equivalent 14.5-year PWLB loan will cost the Council circa 5.49% (Standard Rate 30/10/2023 14.5 year annuity loan).

### **Main Considerations for the Council**

16. In reaching a decision on this matter, the Council must consider the possible reputational damage and financial loss through breaching the MEEF2 Loan Agreement and potentially being required to repay the £15.0m loan if the loan agreement is not adhered to.
17. The Council considered and approved the proposal for two extensions to Energetik's heat network on 9th June 2021 under KD5304. The business plan, financial model and assumptions that were considered in reaching that decision have now changed due to wider economic conditions and a revised business plan will be reported to Council in the Spring of 2024.

### **Risks that may arise if the proposed decision and related work is not taken**

18. Energetik's financial model identifies the need for this loan financing to fund the development of the heat network. Without the loan it is not clear how Energetik would be able to continue to operate and deliver the approved expansion of the heat network.
19. The MEEF2 loan was obtained with the intention of financing the expansion works. As the works are delayed, and pending the outcome of the business plan update, the Council is not in the position to on-lend the loan proceeds or related match funding in accordance with the loan agreement clause 15.3.a.(i). The clause stipulates an on-lending agreement to be in place by mid December 2023 and the funds to be lent by 31 December 2023. Neither of these events have taken place and therefore the Council needs the lending deadline to be revised and proactively manage the loan funds until such time the funds are needed. This requires permission of the Funder and Energetik.
20. The risks that may arise if the related work is not undertaken is the potential repayment of a low cost loan; future funding jeopardy of the project; and reputational damage to the Council for future funding opportunities from the Mayor of London's Office, and Amber Infrastructure.
21. If the on-lending agreement is not enacted then there is a risk that the funds could be used by Energetik to fund operational costs in the absence of reduced connection fee income; and or be used for non-approved purposes.

## **Preferred Option and Reasons For Preferred Option**

22. The Executive Director of Resources, in consultation with the Cabinet Member for Finance & Procurement and Director of Law and Governance approves the on-lending of £15m to Energetik by 31 December 2023 to meet the MEEF2 loan agreement obligation; investing the Energetik loan proceeds in accordance with the approved Treasury Management Strategy via an on-lending agreement between Energetik (the Lender) and the Council (the Borrower); and utilisation of interest earned on investing £15m to net off the Council's costs associated with servicing the MEEF2 loan.

## **Relevance to Council Plans and Strategies**

23. The MEEF2 Loan supports delivery of the extension to Energetik's heat network that was approved by the Council on 9th June 2021 (KD5304).

24. In line with Enfield Council's Vision to make Enfield a better place to live and work, delivering fairness to all, growth, sustainability, and strong communities, Energetik provides the Council with the opportunity to reduce carbon emissions as properties and businesses connect over time.

25. Energetik shares the Council's values and principles and is working to improve Enfield for the long term. The company's activities play a key role in creating good homes in well-connected neighbourhoods and supports the borough's ambitious regeneration and housebuilding programme through its provision of an environmentally friendly heat source.

## **Financial Implications**

26. The Council has lent Energetik £34.9m as at 30 November 2023 (financed by low interest loans obtained from Government) as well as £1.5m from the working capital facility. Loans lent to date relate to the Tranche 1 and Tranche 2 works, whilst the working capital facility has been financed from the Council's own cash resources.

27. A MEEF2 loan of £15.0m was received by the Council on 17 April 2023 and relates to the expansion of the heat network Tranche 3 .

28. The accounting for the MEEF2 loan relates to two parts. Firstly, interest and capital repaid to the Council's Lender, Amber Infrastructure. To date the council has paid £0.08m in interest on the loan, and over the life of the loan the Council will pay £3.49m. Capital payments are expected to commence from 31 December 2026. Final loan instalment is 31 May 2038 when the loan is expected to be paid back in full (the maturity date). Interest is charged to the Corporate Debt Management Budget.

29. And secondly, interest collected from Energetik is recorded as interest income, which is used to offset the Council's costs relating to Energetik shareholder activities and part-finance a working capital loan. Capital

payments received will be regarded as the equivalent Minimum Revenue Provision (MRP) charge payment in accordance with current capital finance regulations.

30. Current MRP Regulations allow for loan repayments received from Council companies to be treated as the equivalent MRP charge for the respective year. Therefore, the Council is not required to set aside any MRP to cover the loan.
31. The Council will collect total interest from Energetik once an On-Lending Agreement is in place and Energetik has drawn down the MEEF2 loan. The interest collected from Energetik will be used to finance the interest costs to the Council.

### **Legal Implications**

32. The Council has the power under Section 1(1) of the Localism Act 2011 to do anything which individuals generally may do provided it is not prohibited by legislation and subject to public law principles (the 'general power of competence'). Further statutory powers exist to establish and invest in Energetik, and Section 1 of the Local Government Act 2003 permits the Council to borrow and lend (subject to complying with the Prudential Code for Finance in Local Authorities). The recommendations detailed in this report are in accordance with legal justifications previously reported to Cabinet and/or Full Council (June 2015, September 2019, and May/June 2021) for establishing and implementing the business.
33. The Council must be satisfied that the on-lending arrangements do not constitute an unlawful subsidy under the Subsidy Control Act 2022 or – in the case of the MEEF funding (as it derives from legacy European Regional Development Funding)- the EU state aid regime. External legal and financial advice is being sought on a continuous basis in relation to the project as a whole and having taken advice on the on-lending arrangements proposed in this Report, Council officers are satisfied that such arrangements fall within an exemption ('GBER') under EU state aid law.
34. The On-Lending and On-Loan documentation is being prepared by an external legal firm with specialism in this area. As the Council is the signatory to the MEEF 2 Loan, it will be responsible for ensuring compliance with the terms and conditions attached to the MEEF funding. Accordingly, the obligations and requirements imposed on the Council should be mirrored and passed down via the on-lending documentation.
35. As detailed elsewhere in this Report, the Council must comply with its obligations under the MEEF2 Loan to sign an on-lending agreement with Energetik and pass on the funding by 31 December 2023, or it will be in breach of the MEEF 2 Loan Agreement. Where Council officers are required seek the agreement of MEEF as Funder, any subsequent variations to the MEEF 2 Loan must be in a form approved by Legal Services on behalf of the Director of Law and Governance.

### **Equalities Implications**

36. An Equalities assessment identified one potential effect under disabilities: indirectly, customers with any disability (either physical or mental) could be at greater risk of falling below their credit threshold into debt and losing heat supply
37. This is already an existing risk for the company's current connections. Energetik manages this risk by maintaining a register of vulnerable customers and having separate debt protocols for liaising with these customers, including restrictions on withdrawing supply.

### **Environmental and Climate Change Implications**

There are no direct environmental and climate change implications as the matter is primarily about funding

### **Public Health Implications**

There are no direct public health implications as the matter is primarily about funding.

### **Property Implications**

38. There are no direct property implications as the matter is primarily about funding. However, the purpose of the funding is to provide heat network infrastructure on/under/within Council properties and land assets. As and when detailed proposals come forward for these works' property implications will arise as part of the implementation and these should be addressed then.

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

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