

Cabinet

Agenda

MONDAY
15 JANUARY 2018
7.00 pm

COURTYARD ROOM
HAMMERSMITH
TOWN HALL
KING STREET
LONDON W6 9JU

Membership

Councillor Stephen Cowan, Leader of the Council
Councillor Sue Fennimore, Deputy Leader
Councillor Ben Coleman, Cabinet Member for Health and Adult Social Care
Councillor Wesley Harcourt, Cabinet Member for Environment, Transport & Residents' Services
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Andrew Jones, Cabinet Member for Economic Development and Regeneration
Councillor Sue Macmillan, Cabinet Member for Children and Education
Councillor Max Schmid, Cabinet Member for Finance

Date Issued
05 January 2018

If you require further information relating to this agenda please contact: Katia Richardson, Committee Coordinator, tel: 020 8753 2368 or email: katia.richardson@lbhf.gov.uk

Reports on the open Cabinet agenda are available on the Council's website: www.lbhf.gov.uk/councillors-and-democracy

PUBLIC NOTICE

The Cabinet hereby gives notice of its intention to hold part of this meeting in private to consider items (26 to 34) which are exempt under paragraph 3 of Schedule 12A to the Local Government Act 1972, in that they relate to the financial or business affairs of any particular person, including the authority holding the information.

The Cabinet has received no representations as to why the relevant part of the meeting should not be held in private.

Members of the Public are welcome to attend.
A loop system for hearing impairment is provided, together with disabled access to the building

DEPUTATIONS

Members of the public may submit a request for a deputation to the Cabinet on non-exempt item numbers **7-23** on this agenda using the Council's Deputation Request Form. The completed Form, to be sent to Kayode Adewumi at the above address, must be signed by at least ten registered electors of the Borough and will be subject to the Council's procedures on the receipt of deputations. **Deadline for receipt of deputation requests: Wednesday 10 January 2018.**

COUNCILLORS' CALL-IN TO SCRUTINY COMMITTEES

A decision list regarding items on this agenda will be published by **Wednesday 17 January 2018**. Items on the agenda may be called in to the relevant Accountability Committee.

The deadline for receipt of call-in requests is: **Monday 22 January 2018 at 3.00pm**. Decisions not called in by this date will then be deemed approved and may be implemented.

A confirmed decision list will be published after 3:00pm on **Monday 22 January 2018**.

Cabinet Agenda

15 January 2018

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<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.</p>	
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25. EXCLUSION OF PRESS AND PUBLIC

The Cabinet is invited to resolve, under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of the following items of business, on the grounds that they contain the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.

26. PROCUREMENT OF A WATER UTILITIES PROVIDER FOR LBHF NON-RESIDENTIAL PROPERTIES AS REQUIRED BY WATER DEREGULATION 2017: EXEMPT REPORT

27. COMMUNITY ASSET TRANSFER: EXEMPT ASPECTS (E)

28. ICT TRANSITION - ASSURING SERVICE CONTINUITY PHASE 4 - TELEPHONY NETWORK SERVICES UPGRADE: EXEMPT ASPECTS (E)

29. CORPORATE PROPERTY SERVICES FRAMEWORK: EXEMPT ASPECTS (E)

30. PROCUREMENT STRATEGY & BUSINESS CASE FOR INTEGRATED MANAGEMENT SYSTEMS: EXEMPT ASPECTS (E)

31. RISK FINANCING PROPOSALS 2018-19: EXEMPT ASPECTS (E)

32. ACQUISITION OF AN INTEREST IN LAND FOR PLANNING PURPOSES (STAMFORD BRIDGE GROUNDS, SW6), IN ORDER TO ENGAGE SECTION 203 OF THE HOUSING & PLANNING ACT 2016: EXEMPT ASPECTS (E)

33. DISPOSAL OF FULHAM NORTH HOUSING OFFICE (SW6 7RX) TO SHEPHERDS BUSH HOUSING ASSOCIATION (SBHA) TO DEVELOP NEW AFFORDABLE HOUSING: EXEMPT ASPECTS (E)

34. OLDER PEOPLE'S SUPPORT & SOCIAL INCLUSION SERVICES PROCUREMENT STRATEGY & BUSINESS CASE: EXEMPT ASPECTS (E)

London Borough of Hammersmith & Fulham

Cabinet Minutes



Monday 4 December 2017

PRESENT

Councillor Ben Coleman, Cabinet Member for Health and Adult Social Care
Councillor Stephen Cowan, Leader of the Council
Councillor Sue Fennimore, Deputy Leader
Councillor Wesley Harcourt, Cabinet Member for Environment, Transport & Residents Services
Councillor Lisa Homan, Cabinet Member for Housing
Councillor Andrew Jones, Cabinet Member for Economic Development and Regeneration
Councillor Max Schmid, Cabinet Member for Finance

ALSO PRESENT

Councillor Andrew Brown

62. MINUTES OF THE CABINET MEETING HELD ON 6 NOVEMBER 2017

RESOLVED:

That the minutes of the meeting of the Cabinet held on 6 November 2017 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

63. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Sue Macmillan.

64. DECLARATION OF INTERESTS

There were no declarations of interest.

**65. "NOTHING ABOUT DISABLED PEOPLE WITHOUT DISABLED PEOPLE":
REPORT OF THE DISABLED PEOPLE'S COMMISSION**

RESOLVED:

The Leader, Councillor Stephen Cowan, warmly welcomed members of the Disabled People's Commission (DPC) to the meeting and commended the report as an excellent piece of work.

Tara Flood, Chair of the DPC, led the presentation and explained their aims now that the report had been completed. She stressed that a key message of the report was that decision-makers and service commissioners must work with Disabled people to implement change in policy and services that affect them. The Council would need to endorse a co-production approach with Disabled people. This was about changing the culture.

It was hoped that the report would extend beyond the borough boundaries, and extend further to receive national recognition. The abolition of home care charges demonstrated that this Council was serious about progressing on this matter.

Tara Flood stressed on the need to have a Disabled representative working as a champion at a senior level within the Council to develop an action plan. The priorities areas to focus would be: independent living strategy, transition to adulthood, Disabled people housing, and accessibility incorporated in the Town Hall refurbishment.

The Cabinet Member for Health and Adult Social Care, Councillor Ben Coleman, thanked the DPC for producing a remarkable and well written report and identifying many challenges. It would be crucial to get the action plan right from the beginning.

The Deputy Leader, Councillor Sue Fennimore, stated that this report was ground breaking and she felt quite humble about what the DPC had achieved. She agreed that co-production and working alongside Disabled people was the way forward. She added that she was looking forward to seeing the action plan.

Councillor Andrew Brown congratulated the DPC for producing a report which he felt was one of the best ones to be presented at Cabinet and he fully endorsed it.

The Leader stated that he was very grateful to the Disabled People's Commission for providing the difficulties disabled people faced and for producing an independent report.

The Leader thanked the commissioners Tara Flood (Chair), Kate Betteridge, Victoria Brignell, Ali Buhdeima, Martin Doyle, Mike Gannon, David Isaac, Patricia Quigley, Ramona Williams and Jane Wilmot for putting a marker and lighting the path for what this Council wishes to achieve.

RESOLVED:

- 1.1. The DPC has engaged with council officers from across service areas to help inform and shape its recommendations and its meetings have been attended by the Deputy Leader and Cabinet Member for Health and Adult Social Care.
- 1.2. Cabinet is asked to consider and discuss the DPC's recommendations as below and agree these in advance of the development of an implementation plan.
- 1.3. The DPC's recommendations are as below.
 - (a) The Council implements a human rights approach to its policy and service development, using the UN Convention on the Rights of Persons with Disabilities as the framework for change.
 - (b) The Council adopts and implements a policy which commits it to working in co-production with Disabled residents.
 - (c) The Council develops and implements an accessible communication strategy that promotes the development of co-production across the borough.
 - (d) The Council, with a Co-production Hub, develops a co-production support strategy and resources the implementation of this to skill up and build the capacity of Disabled residents, local Disabled people's organisations, staff and councillors to participate in the co-production of policy and service development.
 - (e) The Council co-produces a quality assurance and social and economic value framework which defines the values, behaviours and characteristics of all service providers and organisations funded or commissioned by the Council.
 - (f) The Council analyses existing financial expenditure and resources for all co-production, engagement and consultation activities with Disabled residents with a view to reconfiguring this to develop a co-production budget.
 - (g) Recognising their unique role, values, and authentic voice, the Council works with Hammersmith & Fulham's Disabled people's organisations and their networks to identify and agree a long-term funding strategy which will ensure that local Disabled residents' rights are upheld, inclusion and equality advanced, and Disabled residents can lead on co-production.
 - (h) The Council monitors and evaluates the implementation of the recommendations and associated co-production work to evidence the impact and share learning within and beyond Hammersmith and Fulham.

- (i) The Council gives early consideration to co-production of specific policy areas, notably independent living, Disabled people's housing, transition to adulthood and the town hall redevelopment.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

66. TREASURY MID-YEAR REVIEW REPORT 2017/18

RESOLVED:

1. To note the Annual Treasury Strategy 2017-18 Mid-Year Review.
2. To approve the Council's intention to opt up to Professional Client status under MiFID II.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

67. CORPORATE REVENUE MONITOR 2017/18 MONTH 5 - 31ST AUGUST 2017

RESOLVED:

1. To note the General Fund and Housing Revenue Account Month 5 forecast revenue outturn variances.
2. To agree the departmental action plans amounting to **£1.855m**, seeking to address the General Fund gross overspend forecast variance of **£4.887m** and require that they identify and deliver further actions to reduce the net forecast overspend, after mitigating, actions of **£3.032m**.

3. To note that Children's Services will prepare an action plan to recover the £2.1m Dedicated Schools Grant (DSG) overspend within two years as required by the grant conditions and for progress to be reported monthly. Children's Services are considering recent announcements on DSG funding.
4. To approve the proposed virements requests in appendix 11.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

68. SUBSCRIPTIONS/AFFILIATIONS FOR EXTERNAL ORGANISATIONS 2018/19

RESOLVED:

1. To delegate the authority to renew the subscription to London Councils for 2018/19 to the Strategic Director of Finance in consultation with the Cabinet Member for Finance.
2. To delegate authority to approve the 2018/19 contribution to the London Boroughs Grant Scheme to the Strategic Director of Finance in consultation with the Cabinet Member for Finance.
3. To delegate authority to renew the subscription to the Local Government Association in 2018/19 to the Strategic Director of Finance in consultation with the Cabinet Member for Finance.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

69. IT TRANSITION PHASE 4 ASSURING SERVICE CONTINUITY – DESKTOP SUPPORT PROCUREMENT OPTIONS

RESOLVED:

The Cabinet Member for Finance proposed an amendment to recommendation 1 below:

“To approve the procurement strategy for the desktop and hosting support service.”

Cabinet agreed to amend recommendation 1 to the following:

“To approve the procurement approach for the desktop and hosting support service as set out in this report and to delegate the approval of the Procurement Strategy to the Commercial Director, in consultation with the Cabinet Member for Finance”.

RESOLVED:

1. To approve the procurement approach for the desktop and hosting support service as set out in this report and to delegate the approval of the Procurement Strategy to the Commercial Director, in consultation with the Cabinet Member for Finance.
2. To delegate to the Strategic Finance Director, in consultation with the Cabinet Member for Finance, the contract award based on the options evaluation relating to the desktop hosting and support running costs.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

70. SANDS END COMMUNITY TRUST

RESOLVED:

1. To approve the establishment of a Community Trust to govern the Sands End Arts and Community Centre.
2. That authority be delegated to the Lead Director for Regeneration, Planning, and Housing Services, in consultation with the Cabinet

Member for Economic Development and Regeneration and the Cabinet Member for Health and Adult Social Care, to take decisions associated with the establishment of the Community Trust and agreement of the Trust Business Plan.

3. That authority be delegated to the Lead Director for Regeneration, Planning, and Housing Services in consultation with the Director of Law, the Cabinet Member for Economic Development and Regeneration and the Cabinet Member for Health and Adult Social Care, to draw up and approve the Community Trust legal documents.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

71. ACQUISITION OF FREEHOLD AND LEASEHOLD PROPERTIES IN THE WEST KENSINGTON AND GIBBS GREEN ESTATES

RESOLVED:

1. To authorise the Lead Director of Regeneration, Planning & Housing Services in consultation with the Director of Finance and Resources (Regeneration, Planning & Housing Services) and the Cabinet Member for Economic Development and Regeneration to complete voluntary acquisitions of properties within the two Estates (West Kensington and Gibbs Green Estates) up to a combined value of £6m including settlement of Service Charge and Major Works costs as required.
2. To approve the use of external professional consultants with specialist knowledge of this locality, such as, but not limited to: valuation, legal and or conveyancing professionals to support those acquisitions. Appointment of external advisors will be in accordance with the Council's procurement standing orders and/or contractual agreements relating to the CLSA land, and such arrangements will be continuously reviewed to reflect the needs of the project throughout the project lifetime to ensure they are fit for purpose.
3. To note that that each individual purchase will required a delegated authority report approved by the Lead Director of Regeneration, Planning & Housing Services in consultation with the Director of Finance and Resource (Regeneration, Planning & Housing Services).

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

72. PROTECTING THE BOROUGH'S PARKS AND OPEN SPACES

RESOLVED:

1. To endorse the recommendation of the Parks Commission and the Community Safety, Environment and Residents Service Policy and Accountability Committee that the Council protect the borough's parks and open spaces via entering into individual site Deeds of Dedication with Fields in Trust as appropriate.
2. To delegate authority to the Director for Transport and Highways, in consultation with the Cabinet Member for Environment, Transport and Residents Services, the Cabinet Member for Finance and the Strategic Director of Finance to work with the Parks Commission and individual park groups to progress their specific deed of dedication with Fields in Trust.
3. To acknowledge the positive input from all those involved in the Parks Commission in reaching a common consensus.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

**73. PROPOSAL FOR THE FINANCIAL LEVEL OF NEW RUBBISH DUMPING
FIXED PENALTY NOTICES**

RESOLVED:

1. That officers continue to issue fixed penalty notices under section 88 of the Environmental Protection Act 1990 for the offence of leaving litter, including up to 1 bag of waste (or equivalent). The amount of the fixed penalty which has been specified by the Council for its area is £80 but it is reduced to £60 if it is paid within 10 days of the notice being issued.
2. That officers issue fixed penalty notices under section 33ZA of the Environmental Protection Act 1990, for a waste deposit offence involving larger deposits of waste and litter, for example 2 bags and above, or equivalent.
3. That the fixed penalty payable in pursuance of a notice under section 33ZA of the Environmental Protection Act 1990 should be £200 to be reduced to £150 if paid within 10 days following the date of the notice.
4. That officers use the approach outlined in this report when taking enforcement action in relation to leaving litter and waste deposit offences under section 88 and 33ZA of the Environmental Protection Act 1990.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

74. IMPROVING TRANSITIONS - TASK GROUP REPORT

RESOLVED:

That Cabinet endorses the recommendations of the task group listed below - and tasks officers with implementing the task group's proposals.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

75. FORWARD PLAN OF KEY DECISIONS

The Key Decision List was noted.

76. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the remaining items of business on the grounds that they contain information relating to the financial or business affairs of a person (including the authority) as defined in paragraph 3 of Schedule 12A of the Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.

[The following is a public summary of the exempt information under S.100C (2) of the Local Government Act 1972. Exempt minutes exist as a separate document.]

77. IT TRANSITION PHASE 4 ASSURING SERVICE CONTINUITY – DESKTOP SUPPORT PROCUREMENT OPTIONS: EXEMPT ASPECTS (E)

RESOLVED:

That the report be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

78. SANDS END COMMUNITY TRUST: EXEMPT ASPECTS (E)

RESOLVED:

That Appendices 1 and 2 be noted.

Reason for decision:

As set out in the report.

Alternative options considered and rejected:

As outlined in the report.

Record of any conflict of interest:

None.

Note of dispensation in respect of any declared conflict of interest:

None.

Meeting started: 7.00 pm
Meeting ended: 7.25 pm

Chair

Agenda Item 5

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	 <p>h&f hammersmith & fulham</p>
<p>ENDING ROUGH SLEEPING IN HAMMERSMITH & FULHAM - REPORT OF THE HAMMERSMITH & FULHAM ROUGH SLEEPING COMMISSION</p>	
<p>Report of the Deputy Leader - Councillor Sue Fennimore</p>	
<p>Open Report</p>	
<p>Classification: For decision Key Decision: No</p>	
<p>Consultation: The Rough Sleeping Commission has consulted with experts in the field, council officers, rough sleepers and people who have slept rough, along with key organisations supporting rough sleepers in Hammersmith & Fulham throughout the process of developing and drafting this report.</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Rachel Wright-Turner, Director Public Services Reform</p>	
<p>Report Author: Fawad Bhatti, Policy & Strategy Officer</p>	<p>Contact Details: Tel: 020 753 3437 fawad.bhatti@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The H&F Rough Sleeping Commission was launched in January 2017 as an independent, expert led commission, established to help the Council meet its vision to reduce the number of people sleeping rough in the borough to zero and to prevent people from sleeping rough in the first place.
- 1.2. The Commission identified the scale and nature of rough sleeping in H&F using available data, reviewed areas of good practice, took written and oral evidence from leading experts, policy makers and those delivering services to rough sleepers as well as directly consulting with people rough sleeping or who had previously slept rough in the borough.

- 1.3. This final report of the Commission sets out the key findings and recommendations arising from its work over the past year and was presented to the Health, Adult Social Care and Social Inclusion PAC on 12 December.

2. RECOMMENDATIONS

- 2.1. That the Council welcomes the H&F Rough Sleeping Commission report's findings.
- 2.2. That the Council promotes the report's findings and recommendations to (and seeks to influence) central government, the Mayor of London, the H&F Clinical Commissioning Group and other parties to whom the recommendations are directed for action.
- 2.3. That officers are tasked with producing an action plan with costings, for the implementation of the recommendations directed at the Council.

3. REASONS FOR DECISION

- 3.1. The recommendations are being put forward by the independent H&F Rough Sleeping Commission, not by council officers. However, officers have been involved in the discussions in advance of the Commission forming the recommendations.

4. PROPOSAL AND ISSUES

- 4.1. The Commission, chaired by Jon Sparkes, CEO of Crisis, consisted of six members with expertise in the field, including representatives of organisations delivering services to rough sleepers locally. The Commission met six times between January and November 2017.

Rough sleeping in H&F 2016/17

- 4.2. Over 2016/17, 246 people were seen rough sleeping in the borough, a small increase of 2% from the previous year. 61% of the 246 were not known by outreach teams to have slept prior. 28% were also seen sleeping rough in 2015/16. 11 % were "returners" and known to outreach teams, indicating that any interventions to help them may have broken down.
- 4.3. 81% of people who were new to the streets did not sleep rough for a second night, indicating interventions by outreach teams were successful. The proportion of rough sleepers that were UK nationals rose by 12% in 2016/17 whilst those from Central and Eastern Europe decreased by 14%.

The voice of rough sleepers in H&F

- 4.4. A piece of peer led research informed the Commission report. Interviews and focus groups with current rough sleepers and people who have experience of rough sleeping in the borough. No one wanted to sleep rough, two thirds mentioned (affordable) accommodation would help them move on.

Participants also felt that the benefits system is also helping to perpetuate homelessness.

Key findings

- 4.5. *Rough sleeping can be significantly reduced in H&F.* There is a wealth of evidence from services that have worked to dramatically reduce rough sleeping. Success has been accompanied by a concerted effort from government.
- 4.6. *Welfare reform is making it much harder to resolve someone's homelessness and for people to sustain tenancies.* Universal Credit implementation and delays in payments have led to difficulties with rent and bill payments, increasing the risk of eviction.
- 4.7. *There is a lack of outreach staff and existing staff have limited power to quickly access specialised services for rough sleepers.* 80% of participants in the Groundswell research reported outreach staff were 'knowledgeable' and 'dedicated' but were limited in power to access accommodation and services, such as specialist addiction and mental health services.

Summary of recommendations directed at the Council

- 4.8. *Implementing a stronger prevention framework across a range of organisations in H&F.* Everyone at risk of sleeping rough is provided with some form of accommodation. The community, voluntary organisations and faith groups are actively involved to raise public awareness of rough sleeping and to better co-ordinate advice and support services. Urgent support provided to private tenants at risk and that people are not made homeless as a result of being evicted from social housing.
- 4.9. *Emergency Response.* Voluntary sector organisations are empowered to organise day services around the needs of rough sleepers. A sufficient number of outreach workers are also empowered to support people off the street along with more legal advice for rough sleepers or people at risk of homelessness. People who for some reason cannot access hostels are also provided somewhere safe to stay.
- 4.10. *Housing First and Housing Led Approaches.* The adoption of a housing led approach for people at risk of rough sleeping and those living in hostels, including a Housing First offer for people with multiple and complex needs. A sufficient number of homes are made available in the private and social rented sector and that services for clients are commissioned by the Council in collaboration with the H&F CCG.
- 4.11. *Ensuring access and adequate supply of secure and affordable housing for rough sleepers or people at immediate risk of rough sleeping.* Rough sleepers are not unfairly blocked from accessing social housing and making sure enough social housing is provided for people who are made a Housing First offer. Where appropriate, regeneration and development schemes are explored for the provision of Housing First and housing led tenancies.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The attached report is the product of an independent expert led Commission. This cover report recommends that the findings are welcomed by the Council and that the recommendations are taken forward by way of promotion and the development of an action plan.
- 5.2. The H&F Rough Sleeping Commission has fulfilled its brief and its report was welcomed by the HASCSI PAC in December. Cabinet is asked to discuss and endorse the Commission's recommendations.

6. CONSULTATION

- 6.1. Following the launch of the Commission, Commissioners visited a number of services across London including shadowing outreach workers in the borough. In April and May, the Commission called for written evidence to gather the views of external experts and to identify examples of good practice. A day long oral evidence session with the Police, council officers, local practitioners and other providers of support including faith groups was held in June.
- 6.2. A peer led engagement project to inform the Commission was undertaken by Groundswell over April to June. 108 current rough sleepers or people who had slept rough in the borough were consulted, enabling people with experience of homelessness to contribute to the Commission. A session with frontline workers in June, brought staff from various projects to explore further the causes and discuss practical solutions to homelessness.
- 6.3. The HASCSI PAC meeting on 12 December served to provide an opportunity to consult members of the public on the Commission's draft report.

7. EQUALITY IMPLICATIONS

- 7.1. The whole or in part implementation of the report's recommendations will have a significant impact on the lives of rough sleepers or those at risk of sleeping. This group of people often have multiple and complex needs including mental health issues and substance misuse.

8. LEGAL IMPLICATIONS

- 8.1. The Commission's key findings and recommendations are being considered for endorsement at Cabinet and therefore at this time there are no legal implications for the Council. The legal team can be consulted further if the Council decides to implement any of the recommendations. The Homelessness Reduction Act will come into force in April 2018 which places a new duty on local authorities to help prevent the homelessness of all families

and single people, regardless of priority need, who are eligible for assistance and threatened with homelessness.

- 8.2. *Implications verified/completed by: Hazel Best, Principal Solicitor, tel. 020 7641 2955*

9. FINANCIAL IMPLICATIONS

- 9.1. If the Council decides to adopt all or a number of the recommendations, then any financial implications will need to be evaluated as part of the Council's financial planning process.

- 9.2. *Implications completed by: Andrew Lord, Head of Strategic Planning and Monitoring, tel. 020 8753 2531.*

10. IMPLICATIONS FOR BUSINESS

- 10.1. At this stage, there are no direct economic development implications for businesses and local residents. Future work will involve development of services and their subsequent procurement, which will give rise to economic and social considerations for local residents and businesses. The Commissioning Manager for these services will work with Economic Development colleagues to ensure economic and social value is included in any future procurement process.

- 10.2. *Implications completed by: Alben Karameros, Economic Development Team, tel. 020 7938 8583.*

11. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name and contact details of responsible officer	Department/ Location
1.	Report of the H&F Rough Sleeping Commission - published	Rachel Casey x5474	Delivery & Value / HTH Rm 102

LIST OF APPENDICES

Appendix 1. Report of the H&F Rough Sleeping Commission

Ending Rough Sleeping in Hammersmith & Fulham

Report of the Hammersmith & Fulham Rough Sleeping Commission

November 2017

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Foreword

Jon Sparkes, Chair of the Commission

Rough sleeping is the sharpest end of the housing and homelessness crisis. It ruins lives, leaving people vulnerable to violence and abuse, and takes a dreadful toll on their mental and physical health. This is no way for anyone to live.

Since 2010 the number of people sleeping rough has doubled. Recent Crisis research has shown that without significant policy change, the current number of rough sleepers across Great Britain – 9,100 – is set to rise by 76% of the next decade.

But we know this is not inevitable. In this country, in the 21st century, we really should be able to work together to tackle this. That's why I was delighted to be asked by Councillor Sue Fennimore to chair this Commission on ending rough sleeping in Hammersmith and Fulham.

The Commission was tasked with the ambitious, but realisable, goal of reducing the number of people sleeping rough in borough to zero. I am pleased to present a robust set of recommendations that focus on shifting services more heavily on prevention and investing in a personalised housing-led approach. Grounded in the experience of rough sleepers and people who deliver services in Hammersmith and Fulham, I am confident that these recommendations will help the borough achieve their goal and act as a model for other London local authorities and the Greater London Authority.

I would like to thank the Commissioners for their hard work in bringing this report together as well as all those who gave evidence. In particular, I would like to thank the 108 people sleeping rough in Hammersmith and Fulham who were interviewed. Their insight and experience has been central in shaping this report.

With the Homelessness Reduction Act coming into force next Spring, I urge Hammersmith and Fulham to take these recommendations forward to end rough sleeping in the borough for good.

Message from Cllr Stephen Cowan, Leader of Hammersmith & Fulham Council

When I became Leader of the Council in 2014, this administration and I were determined to do things differently, to do things *with* people rather than *to* them. Social inclusion is at the heart of *everything we do*, this requires working with all the right people to co-produce solutions, including our residents and service users as well as respected experts in their fields.

We will continue to come up with radical new ways of working and not doing things in the way they were done before and as others continue to do.

To inform our decision-making we have established a number of commissions that truly engage local residents to shape policy development and service improvement. The great work being done by our commissions will provide sustainable longer-term positive outcomes for our communities.

I am especially proud that this council seeks to serve all our communities regardless of their background and life chances, whatever their needs or vulnerabilities and I very much look forward to the successful delivery of the Rough Sleeping Commission's recommendations, which will make a great impact locally and across London.

I am extremely grateful to the chair Jon Sparkes, all the other commissioners and colleagues from Crisis for all the hard work they have put in. This report is a testament to their determination to improve the lives of people who have nowhere to sleep.

Message from Cllr Sue Fennimore, Deputy Leader of Hammersmith & Fulham Council

I am really pleased to have been able to champion this Commission and I commend and thank the commissioners for their dedication in freely giving up their time to debate policy issues, to research current evidence and good practice and to produce this forensic report with firm recommendations for action.

We do not want anyone to have to sleep rough in this borough and we will strive to achieve this by working with all our partners and lobbying at the highest levels.

Introduction

H&F Council is committed to significantly reducing the number of people rough sleeping in the borough and preventing people from sleeping rough in the first place. The Rough Sleeping Commission was established to help meet this vision by developing ground-breaking new policies with the goal of reducing the number of rough sleepers to zero.

Rough sleeping has risen significantly across the country since 2010. According to the Department for Communities and Local Government (DCLG) survey figures, an estimated 4,134 people slept rough on a snapshot night in 2016 across the country. This represents an increase of 16% on the previous year's figure of 3,569, and more than double the 2010 figure. London accounted for 23% of the England total (960). In 2016/17, 246 people were seen sleeping rough in the borough¹ over the year, compared with 241 in 2015/16 representing an overall increase of 2%.

This expert-led Commission was chaired by Jon Sparkes, Chief Executive of the national homelessness charity Crisis and its membership included homelessness organisations within H&F. The membership was as follows:

- Michael Angus, Director, Barons Court Project
- Michael Buraimoh, Operations Director, The Upper Room
- Steven Platts, Senior Project Manager, Glass Door
- Thomas Neumark, Chief Executive, The Peel Institute
- Paul Doe, Chief Executive, Shepherd's Bush Housing Group²

The H&F Rough Sleeping Commission set out to:

1. Review and identify areas of good practice in services provided to rough sleepers and those at risk of rough sleeping in London, the UK and internationally.
2. Review the current H&F service against available good practice and identify gaps in current provision.
3. Formulate recommendations for interventions and/or service redesign, to deliver better outcomes for people that are rough sleeping in H&F, to support those at risk of rough sleeping and to reduce the number of rough sleepers down to zero.

Terms of Reference

¹ CHAIN Annual Report Hammersmith & Fulham, April 2016 – March 2017.

² (*Matt Champion, joined the Commission in June 2017 as a representative of the SBHG in place of Paul Doe who retired from this position).

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- Identify the scale and nature of rough sleeping in H&F using available data and intelligence.
- Conduct a review of the available literature on rough sleeping, drawing on studies and commissions from elsewhere in London and the UK, and, where directly relevant, internationally.
- Call for written evidence from leading experts, policy makers and practitioners and explore this through a series of thematic oral hearings.
- Call for evidence from local third sector, council funded and independent service providers including those providing services to those at risk of rough sleeping.
- Obtain evidence from residents who have interacted with the Council's current rough sleeping services and who are part of the Housing First pilot.
- Identify key principles on which to base services for rough sleepers and those at risk of rough sleeping.
- Make recommendations to the Council on how best to support rough sleepers and prevent those at risk of becoming rough sleepers.
- Propose interventions and potentially service redesign for implementation locally, or more widely, that will help people that are rough sleeping.

The Commission met every month, supported by lead council officers and experts in the field.

The Commission was launched in January 2017 and immediately embarked on a literature review of international, national and local evidence which explored issues and best practice in London, the UK and internationally, maintaining its focus on the relevance of this data to H&F. The evidence gathered enabled the Commission to build an accurate picture of why people sleep on the streets in H&F.

Alongside the literature review, the members of the Commission wanted to see as much face-to-face service delivery in all parts of the system. Therefore, the Commission arranged to shadow and visit services within H&F and across London. This included accompanying St Mungo's outreach workers from the Shepherd's Bush Centre, as well as visiting services such as the Fulfilling Lives Housing First Pilot in Islington and Camden, the No First Night Out Pilot (NFNO) in Tower Hamlets and the European Campaign to End Street Homelessness in Croydon.

In April and May a call for written evidence was launched to gather the views of external experts in the field and to identify examples of good practice that might inform the Commission's recommendations. The Commission assessed the formal evidence and drew conclusions from the literature review, the assessment of services in H&F, the data and the written evidence received. This went on to inform the verbal evidence session which took place in June. The Commissioners took verbal evidence from key stakeholders and experts on the causes and potential solutions to rough sleeping in H&F. This included an opportunity for anyone delivering formal or informal, commissioned or non-commissioned services within

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and outside of the Council such as third and voluntary sector services and faith-based groups.

A key element of the Commission's work was to hear directly from people who are, or are at risk of, sleeping rough in H&F. Groundswell³ were commissioned to conduct a peer-led research project with the aim of enabling people with experience of homelessness to contribute to the Rough Sleeping Commission. The study engaged 108 people who are currently homeless and who have experience of rough sleeping in H&F in the last year using focus groups and one to one survey based interviews.

The Commission held a Frontline Worker session in June with the purpose of bringing together staff from projects in H&F that work with people who have experienced rough sleeping to explore the causes and solutions to homelessness.

From July to September, the Commission began to shape and formulate its recommendations having gathered a wide range of evidence. This involved reviewing the draft report to understand which recommendations could be implemented with immediate effect, which needed further work and which need to be implemented over a period of time to fit in with commissioning cycles and budget considerations. Finally, the Commission made an assessment about which recommendations sit outside H&F's remit and will therefore need to be the subject of regional and national lobbying.

³ Groundswell is a registered charity that supports homeless and vulnerable people towards independence with client involvement at its core enabling people to have a greater influence on services by delivering innovative projects which put homeless people at the heart of solutions.

The Commission's vision for H&F to tackle rough sleeping

We believe that for H&F to achieve its vision of reducing the number of rough sleepers to zero it is vital that there is a:

- **Stronger focus on prevention** with all organisations and services that come into contact with someone who might be at risk of rough sleeping playing their part in working in a coordinated and joined up way to ensure that people do not rough sleep. Preventing homelessness is the most effective way of ending homelessness, whilst being the most cost-effective intervention.
- **Move from a hostel by default to a housing by default model** to ensure that people are able to access settled accommodation as rapidly as possible and move on from homelessness.
- **A more tailored and personalised approach** with a strong emphasis on developing services around the needs of rough sleepers. This should be accompanied by a tailored wrap around package of personalised support dependent on the level of need.
- **A better co-ordinated emergency response** to ensure that no one is forced to sleep rough. The commission recommends the provision of a 'crash pad' for people who face barriers to accessing hostels and to extend the commission of the street legal service for people with no recourse to public funds.
- **Strategy to mitigate against the effects of welfare reform** including the implementation of Universal Credit, such as the 6-week waiting period and Direct Payments. For the Council to collaborate with other local authorities and work with the Greater London Authority (GLA) in lobbying national government.
- **Adequate supply of secure, accessible and affordable housing** for rough sleepers or people at immediate risk of rough sleeping. The commission recommends that the Council procure more properties in the Private Rented Sector (PRS) to be made available through the Social Lettings Agency (SLA) and ring fence a proportion of social housing.

What do we already know about rough sleeping in H&F?

246 people were seen rough sleeping in the borough

In 2016/17, 246 people were seen sleeping rough in the borough⁴, compared with 241 in 2015/16, representing an overall increase of 2%. A similar trend can be seen across London boroughs in this period. Sixty-one per cent (151) of people seen by outreach teams are new to rough sleeping (flow) and were not seen prior to 2016/17. Twenty-eight per cent (68) of people were also seen sleeping rough in 2015/16 (stock). Eleven per cent (27) of people had previously slept rough, and had now returned to the streets. (returners).⁵ This indicates that if there had been an intervention in place, it may have broken down.

81% (123) of people who were new to the streets did not sleep rough for a second night

The high proportion of people who did not go on to sleep rough can likely be linked to the success of the No Second Night Out (NSNO) project and suggests that this is potentially an effective intervention for people who are new to rough sleeping. However, despite this success, there are still 50% (123) of the total, who continue to sleep rough for longer periods of time.⁶ This might include those that do not qualify for the NSNO offer, for example, people that are already rough sleeping and have done so for a long period, or rough sleepers that are worried that contact with NSNO will mean a reconnection back to their originating country.

In the last year the proportion of new rough sleepers coming from short to medium term accommodation rose by 3.5%

The proportion of new rough sleepers coming from short to medium term accommodation hostels, asylum support accommodation and temporary accommodation (non-local authority and local authority) rose by 3.5%.⁷ This is a higher proportion compared the rest of London where overall the number increased

⁴ CHAIN Annual Report Hammersmith & Fulham, April 2016 – March 2017.

⁵ The flow, stock and returner model categorises people seen rough sleeping in the year according to whether they have also been seen rough sleeping in previous periods.

⁶ CHAIN Annual Report Hammersmith & Fulham, April 2016 – March 2017. 2.3. Rough sleeping volume: Flow, stock, returner model.

⁷ CHAIN Annual Report Hammersmith & Fulham, April 2016 – March 2017. The short to medium term accommodation subtotal 12% compared to 8.5% 2015-2016.

by 2.3%.⁸ This figure relates to people who have been evicted from their accommodation or have chosen to leave. It is unclear as to why there has been an increase in people returning to rough sleeping from short to medium-term accommodation. Alongside this figure there has been a 5.7% decrease, since last year, in the number of new rough sleepers that are coming from long term accommodation in H&F.⁹ This decrease is also reflected across London.¹⁰

Growth in new rough sleepers who have been asked to leave or been evicted, alongside a reduction in the number of people struggling financially

According to the Combined Homelessness and Information Network (CHAIN is a multi-agency database recording information about rough sleepers and the wider street population in London) data, the proportion of people who have been asked to leave or evicted from their accommodation has risen from 32.5% in 2015/16 to 38.09% in 2016/17. Simultaneously, there has been a reduction in the number of people reporting financial problems, in the form of job losses and debt problems, as a reason for leaving their accommodation.

It is not clear from the CHAIN data, what type of accommodation people are being evicted or asked to leave from. However, there is a general trend across London and England showing that the leading cause of homelessness is the ending of an Assured Shorthold Tenancy (AST) in the private rented sector. The proportion of households accepted as homeless by local authorities has increased from 11% during 2009/10 to 32% during 2016/17.¹¹ In London, the proportion has increased during the same period from 10% to 39%. In England, the ending of an AST accounts for 74% of the growth in households who qualify for temporary accommodation since 2009/10.¹²

“You still want a reasonably secure tenancy, not one of these short-term contracts...At the whim of the landlord. And in horrendous conditions. I mean some of the slums I have seen.” Groundswell Focus Group Participant

This indicates that affordability is an increasingly significant issue as more households facing the end of a private tenancy are unable to find alternative accommodation without assistance. Since 2010, the cost of accommodation in the PRS has risen three times faster than earnings across England. In London, the increase was eight times higher.¹³

⁸ CHAIN Annual Report Greater London, April 2016-March 2017. The short to medium accommodation subtotal 10.8% compared to 8.5% in 2015-2016.

⁹ CHAIN Annual Report Hammersmith & Fulham, 2016-2017. Long term accommodation subtotal 44% compared to 49.7% in 2015/16.

¹⁰ In 2015/16 the long-term subtotal in Greater London stood at 56.6% compared to 52.4% in 2016/17.

¹¹ The National Audit Office report by the Comptroller and Auditor General on Homelessness, September 2017. <https://www.nao.org.uk/wp-content/uploads/2017/09/Homelessness.pdf>

¹² DCLG (2017) Statutory Homelessness and Prevention and Relief Statistical Release, January to March 2017. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/621556/Statutory_Homelessness_and_Prevention_and_Relief_Statistical_Release_January_to_March_2017_corrected.pdf

¹³ The National Audit Office report by the Comptroller and Auditor General on Homelessness, September 2017.

The Joseph Rowntree Foundation links the increasing eviction rates to the overall growth of the PRS and caps to Local Housing Allowance rates with the greatest impact being in London and across other high-pressure areas. Anecdotally, people are being asked to leave or evicted because their accommodation is in a high demand area and a landlord can accrue more rent for the property. Due to the use of 'no-fault' Section 21 (S21) Notice of Possession, there is very little that can be done to prevent that from happening, because tenants have no grounds to challenge this (unless the notice has been served incorrectly).¹⁴ The Joseph Rowntree Foundation report on evictions and forced moves states that over four-fifths (83%) of the increase in repossessions in recent years can be attributed to the increasing use of 'no fault' evictions with the most common reasons being that the landlord wanted to raise the rent, sell or live in the property or 'revenge' evictions and rent arrears.¹⁵

Anecdotally, from the verbal evidence session, a particular concern was raised by the H&F Law Centre that a housing association (now known as a registered providers of social housing) had been using Section 8 of the Housing Act 1988 for mandatory grounds for eviction for rent arrears or previous anti-social behaviour. However, Ministry of Justice (MoJ) Mortgage and Landlord Possession Statistics in England and Wales, shows that the figure of evictions by social landlords, such as housing associations, fluctuates each year and the general trend has been a decrease in the proportion of social landlord claims from 83% in 1999 to 62% in 2015. Whereas, the proportion of private landlord claims increased from 9% in 1999 to a peak of 17% in 2010.¹⁶

Numbers of UK nationals rough sleeping has increased and Central and Eastern European (CEE) nationals has decreased in the last year

In line with the general trend across London, the percentage of UK nationals rough sleeping increased by 12% over the last year.¹⁷ The percentage of CEE nationals has decreased by 13.9% in H&F. Historically, there has been an increasing number of CEE nationals rough sleeping within the borough.

The Commission thinks that a recent change in Home Office policy on European Economic Area (EEA) administrative removals and significant changes in UK net migration are potential factors contributing to the decrease of CEE nationals sleeping rough in H&F. The experiences gathered from frontline workers in H&F attribute the decline to people with an insecure immigration status evading outreach services rather than being reconnected to their country of origin.

¹⁴ A 'Section 21 Notice of Possession' operates under section 21 of the Housing Act 1988, is the legal eviction notice template a landlord can give to a tenant to regain possession of a property at the end AST.

¹⁵ Clarke, A., Hamilton, C., Jones, M. and Muir, K. (2017) Poverty, evictions and forced moves. Joseph Rowntree Foundation.

¹⁶ Ministry of Justice (MoJ) Mortgage and Landlord Statistics: January to March 2016.

¹⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522479/bulletin-jan-march-2016.pdf

¹⁷ CHAIN Annual Report Greater London, April 2016 - March 2017.

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Previously, a CEE national living in the UK would be in breach of their treaty rights and reconnected to their country of origin if they were unemployed or unable to provide proof of employment or any prospect of work. However, since the change in policy, rough sleeping is now a category deemed to be a breach of treaty rights and enforcement agencies have the right to serve administrative removals, regardless of whether they are otherwise exercising treaty rights.¹⁸ The Home Office policy data around the removal of rough sleepers is not currently available and without this we cannot determine the demographics and number of those people being returned to their country of origin because of this policy change.

The latest UK net migration figures to be released from the Office for National Statistics indicate from year ending March 2016 to year ending March 2017, there was a significant decrease in net migration of EU citizens, particularly from EU8 countries. This trend might also be contributing to the decreasing numbers of CEE nationals sleeping rough in H&F.

¹⁸ Home Office (2017) European Economic Area (EEA) administrative removal. Version 3.0. Instructions for assessing whether to administratively remove a European Economic Area (EEA) national (or a family member of an EEA national). https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/590663/GI-EEA-admin-removal-v3.pdf

What are rough sleepers telling us?

The findings in this section have emerged from the focus groups and one-to-one survey based interviews conducted by peer researchers from Groundswell. The research engaged 108 people who are currently homeless and who have experience of rough sleeping in H&F.

No one wanted to sleep rough

There was a strong message from the Groundswell research that no one interviewed wanted to sleep rough. Participants were asked what it would take to help them move away from rough sleeping and the most common response was to have a home, two thirds mentioned (affordable) accommodation.

“Give people a guarantee of accommodation, people need stability. Affordable accommodation.”
Groundswell Focus Group Participant

Only two people out of the 108 homeless people interviewed wanted to live in a hostel

Groundswell strongly recommended in its research the decommissioning of some hostels and a move away from a hostel by default to a housing by default system. They cited in their findings that only two people out of the 108 participants wanted to live in a hostel. Principally participants wanted a home and thought that was the solution to their homelessness.

“We all want to be in a place where we can just be at home...we just want the basics, we want a home. That is what we want.” Groundswell Focus Group Participant

The current level of support provided, despite the resourcing, is not meeting need

The current level of resources and services within the borough were described as adequate, however, the way the services were being designed, from the experiences of those participants in the focus groups, were not necessarily meeting the needs of those rough sleeping. For example, almost all of the participants had used a day centre and commonly acknowledged the pressure homelessness services were under due to funding cuts. They also explained that staff based in day centres were often less able to support them. In particular, that the reduction in operating hours of St Mungo’s Broadway Day Centre to one hour a day may be a barrier to rough sleepers who want to access services, such as showers, food and a place to charge phone, earlier or at other times.

The benefits system is perpetuating homelessness

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Half of the participants in the Groundswell research had experienced difficulties with the benefits system, and for some this had been a trigger for them becoming homeless. Sixty-two per cent highlighted that the most common problem was the delay in benefit payments; 35% reported that their benefits had been stopped and 35% identified unhelpful staff at the job centre.

“It was between me the housing and the job centre and I didn’t get help till on the street. JSA Advisor thought I would be ok but housing benefit was stopped cos of sanction.” Groundswell Survey Participant

Difficulty searching for work and attending appointments whilst rough sleeping meant that sanctions were common. Participants from the Groundswell research also reported concerns around the administration of Universal Credit (such as direct payments), particularly for people who have drug and alcohol misuse support needs.

“Well there was a change in my housing benefits, I don’t know why. And all of a sudden actually after six weeks you get a letter. It’s not actually that they say. Because I phoned them and I said listen there is a change in my circumstances. Alright Mr [unclear] you go to the council over at the town hall. They don’t know anything. After six weeks they actually sent me a letter and they said you are not entitled anymore for housing benefits. Although I earned just £20 or £30 actually more a month. And there we go. Six years actually in a one-bedroom flat. And now I am on a bench in a cemetery.” Groundswell Focus Group Participant

Key findings

We can end rough sleeping in H&F

Reflecting on what the Commission has learnt from the literature review, there is a wealth of evidence from services that have worked to dramatically reduce rough sleeping. In most circumstances, this success has been accompanied or driven by a concerted effort from national government. For example, the establishment of the Rough Sleepers Unit saw a dramatic decrease in rough sleeping at the end of the 1990s and 2000s. Housing First is also an important component to add to this suite of interventions that can end rough sleeping as an evidence-based approach supporting homeless people with high needs and histories of entrenched and repeat homelessness, including rough sleeping.¹⁹ The Housing First model is currently being piloted in H&F. The Commission also took evidence on housing led interventions that work to support people with lower support needs.

Hostels are not always conducive to people moving on from homelessness

Rough sleepers interviewed in the Groundswell research described the hostel environment as being very chaotic, with people who have high levels of support needs. Research participants with lower support needs felt they would be resistant to moving into temporary accommodation, like hostels, because of the effect that this would have on their ability to exit homelessness.

***"It is a little bit of an oxymoron, because you have got to understand that a lot of the people who have substance misuse issues and alcoholism, these people have chaotic lifestyles. And if one person has got a chaotic lifestyle, imagine what 20 people is going to be like in one enclosed space. And then you get the people who are nice and who don't have issues and get thrown into that, it's like oh my god what is going on here."** Groundswell Focus Group Participant*

Welfare reform is making it much harder to resolve someone's homelessness and for people to sustain tenancies

Implementation of Universal Credit

The Universal Credit seven day waiting day period combined with the six week assessment period and delays in the housing element of Universal Credit before an initial payment is paid is having serious consequences for claimants maintaining their rent and bill payments and is the cause of many tenants' arrears.²⁰ This was highlighted strongly in the Groundswell research and in the Frontline Worker session

¹⁹ Literature Review, pg. 41-46

²⁰ Foley, B. (2017) Delivering on Universal Credit Citizens Advice Bureau.

<https://www.citizensadvice.org.uk/Global/CitizensAdvice/welfare%20publications/Delivering%20on%20Universal%20Credit%20-%20report.pdf>

as an issue for rough sleepers and as a trigger factor causing rough sleeping in H&F. Sixty-two per cent of the Groundswell participants highlighted that the most common problem was the delay in benefit payments. For some, delays in first payments had failed to prevent people becoming homeless after losing their job.

“It was between me, the housing and the job centre and I didn’t get help till on the street. JSA advisor thought I would be ok but Housing Benefit was stopped cos of sanction.” Groundswell Survey Participant

Research has shown that in 2016, 73% of Universal Credit claimants surveyed in council and arms-length management organisations were in rent arrears because of the six-week assessment period, whilst 40% of tenants were not in arrears prior to moving onto Universal Credit.²¹ On average, 42% of households in London owe approximately five weeks’ rent arrears. Difficulties associated with claiming Universal Credit whilst rough sleeping and sanctioning of rough sleepers were also factors highlighted by the Groundswell research, frontline workers and the H&F Link Service.

“What we have experienced with Universal Credit is if somebody fails to attend an interview or work commitment interview or ID verification interview, they simply stop the benefit without letting us know, but landlords like us, other associations, local authorities and even private sector landlords they haven’t got a clue, they are waiting for nothing. So, from the point of view of welfare reform and benefit access, I think it is crucial that we work together” H&F Link Service

The introduction of the new method of payments has caused concern amongst people specifically around tenancy sustainment as the housing element of Universal Credit is not necessarily paid directly to their landlord. Participants from the Groundswell research felt that this would lead to rising levels of homelessness.

“But I don’t agree with this [Universal Credit] being paid...the rent into your account. Because that is like telling...that is basically they are blatantly telling you we want you to be homeless. We don’t want you to live in a house. Even people who have got somewhere to live, they don’t want their-like people who have got somewhere to live, the Housing Benefit is being paid, they might have a drink problem or a drug problem or something like that. You put £1000 in their account...way! It’s party time, they don’t care.” Groundswell Focus Group Participant

Capping and freezing of Local Housing Allowance rates

There are also significant issues arising from the capping and freezing of Local Housing Allowance (LHA) rates, particularly around finding affordable accommodation for people living within the borough. The LHA is used to work out the amount of Housing Benefit an individual is entitled to. The National Federation of

²¹ Birchall, L. (2017) Pause for Thought: Measuring the impact of Welfare Reform on tenants and landlords, 2017 Survey Results. National Federation of ALMOS and ARCH.

ALMOs (Arms-length Management Organisations) welfare reform report in 2017 and others found that the LHA and the benefit cap was having an impact on a person's ability to sustain their accommodation. The Valuation Office Agency calculations on the monthly shortfalls between LHA rates and 30th percentile local rents for 2016/17 show that for the broad rental market area of Inner West London a room £32, one bed £178, two bed £160, three bed £333 and four bed £786.²²

"Cost of living. LHA shortfall can be £200-£300 in H&F, people have to make up that shortfall." Frontline Worker, in response to 'what are the factors that cause people to rough sleep in the borough of H&F?'

The 2017 National Audit Office report on homelessness highlights that freezing LHA rates has caused a shortfall between the amount of Housing Benefit claimants receive and market rents, and that this has very likely contributed to the rise in homelessness since 2010.²³ As a result, tenants have needed to find additional income or move to a more affordable home. In Central London, there is an average shortfall of around £371.

Extension of the Shared Accommodation Rate

"...I think the guidance should be clearer so that people would be clear in terms of the parameters of the exemption because sometimes it is open to interpretation..." H&F Link Service

The capping and freezing of LHA, coupled with the extension of the Shared Accommodation Rate (SAR), has reduced the amount of affordable and accessible housing options for young single people under 35. In theory if you are living in a hostel you should be exempt from the SAR. However, due to the technical definition of hostel accommodation, it is often difficult to secure this exemption as it can be interpreted differently, or the Department for Work and Pensions (DWP) are not aware of someone's accommodation status. If a rough sleeper is under 35 and is not exempt from the rule, they are not entitled to claim benefits based on one-bedroom self-contained accommodation.

"In terms of this year's accommodation rights, if the rough sleeper is under 35 and they are not exempt from the rules, they are not entitled to claim benefits based on a one-bedroom self-contained accommodation...there is a shortage of hostel accommodation for this group, and therefore for that reason there is limited access ..." H&F Link Service, Verbal Evidence Session

Suitability of move-on accommodation

²² Value Office Agency, the 30th percentile figures derived from twelve months' worth of lettings information collected up to the end of September 2016. Table 5: Monthly shortfalls between LHA rates and 30th percentile local rents, by BRMA, in Clarke, A., Hamilton, C., Jones, M. and Muir, K. (2017) Poverty, evictions and forced moves. Joseph Rowntree Foundation, Poverty, evictions and forced moves, Joseph Rowntree Foundation, July 2017.

²³ The National Audit Office report by the Comptroller and Auditor General on Homelessness, September 2017. <https://www.nao.org.uk/wp-content/uploads/2017/09/Homelessness.pdf>

The Groundswell research and the Frontline Worker session also raised issues around the suitability of PRS accommodation, specifically around the affordability, security and conditions of that accommodation.

“You see it all the time. New apartments and flats. And you see them all the time. I mean obviously that is not something that we could get now because we can’t afford it. They say affordable housing but how can we afford it? How is it affordable to us?” Groundswell Focus Group Participant

The participants from the Groundswell research also raised issues around the limited move-on options that were available in hostels. The research highlights that the lack of move-on opportunities means that some people are unwilling to move into temporary accommodation.

“You speak to most people in the hostels they have been there for multiple years. Whereas in times gone by a year, 18 months or so. But now people have been four or five years and haven’t even had a chance to move on.” Groundswell Focus Group Participant

When participants in the Groundswell research were asked which type of accommodation they would like to move into, 64% hoped to move into social housing and only 14% into private rented. Participants felt that private rented accommodation was of poorer quality and that they faced the threat of retaliatory or illegal eviction.

Problems for people with no local connection accessing services

The lack of ability to prove local connection was identified as a key barrier to accessing statutory and non-statutory homelessness services in the Frontline Worker session. Despite having lived in H&F immediately prior to sleeping rough, 32% of survey participants from the Groundswell research struggled to prove local connection.

“Well at Hammersmith council the other week, I went up there and I went with one of the workers here [Day Centre]. And I have been in here, told them the situation like...they phoned me cousin up and she told them no. I don’t want him here, can’t live here. Nothing. So you’d think they’d help me. You know like. I got told to go back to Harrow train station. That was the council. They literally told me to go back on the streets. You know what I mean. I’ve got an illness. They didn’t want to know...I don’t think she had the right to say to me get back on the streets back to harrow train station. Back to where you come from. I think that is wrong that.” Groundswell Focus Group Participant

Frontline workers did say that services in H&F were very good in comparison to some other boroughs, however this meant that people travelled from other areas to access services, particularly day centres. Frontline workers also expressed concern around access to hostels for people who struggled to prove that they had a local connection. They described that it was cuts that had led homelessness services to require a higher burden of proof of local connection.

Problems for people with No Recourse to Public Funds and EEA nationals who are sleeping rough

There are winter night shelters operating in H&F, such as Glass Door, which offer open access provision that provides a place for people with no recourse to public funds (NRPF). During the winter months (November – March), a series of winter shelters open in locations within H&F and neighbouring boroughs. These are organised by charities and faith-based organisations and use local churches to provide rough sleepers with overnight protection from the elements. Services such as Glass Door have identified that the people using these shelters predominately have NRPF or are otherwise inappropriately or tentatively housed. The winter shelters are usually full and in the last couple of years Glass Door have operated a waiting list. Winter shelters are not long term, stable or independent forms of accommodation; they are emergency respite centres.

The Street Legal model already exists in H&F and is funded by the GLA, with bed spaces peppered across London. St Mungo's provide the bed spaces alongside Praxis to give legal advice to help people to move on. By commissioning two services together, this allows for partnership working between the migrant and homelessness sectors, providing a route out of rough sleeping by resolving their immigration status, securing necessary documentation, housing or other support during and following the process.²⁴

“Without access to immigration advice, housing, food, the people we support have no chance of resolving their status and moving out of destitution.” Street Legal Staff Feedback

These are important parts of the solution; however, they are not sustained and systemic. The common theme in all the responses from the Frontline Worker session was that there was generally lack of support for asylum seekers and EEA nationals. Frontline workers responded that people with an insecure immigration status will often not bed down at all, preferring to sleep in the day, for fear of the consequences.

Missing opportunities to end homelessness for people at risk of rough sleeping

The Groundswell research showed that 66% of the people they interviewed had been in contact with Housing Options following their current experience of homelessness before they slept rough.²⁵

“The council [need] to give more than the phone number to no second night out. They could have seen if I was healthy, asked what I needed and given accommodation. I had to sleep in the park for two weeks and no one from outreach called me.” Groundswell Focus Group Participant

²⁴ Street Legal Partnership Advisory Group Report.

²⁵ This figure is not representative of just Housing Options in H&F but also encompasses Housing Option Units in other areas. A key issue for accessing support in H&F is people rough sleeping with no local connection.

Other services and public organisations, such as hospitals, GPs and probation that have capacity to identify people that are at risk of homelessness were also identified as having missed opportunities to prevent rough sleeping in H&F. The Groundswell research highlighted that 52% of the participants said that help to find or keep accommodation might have prevented homelessness. The Frontline Worker session highlighted that people would value more interagency communication around sharing information about different services that are available in the borough. The Homelessness Reduction Act will place a statutory duty on other public organisations to make referrals to Housing Options if someone is homeless or is at risk of homelessness. H&F estimates that the financial impact of the Homelessness Reduction Act implementation will result in an increase of demand and workload of at least 50% of the borough's Housing Options service. This will mean an increase in both staff resources and finance to meet the duties within the Act.

Cuts to support services

The Groundswell research and the Frontline Worker session also highlighted that support services were becoming harder to access and that funding cuts meant that the threshold for support is much higher. The Groundswell research highlighted the issue of 'priority need' criteria to access support services. Participants often felt they had been misjudged as not being 'vulnerable' enough and being turned away from services because they were not deemed a priority. Thirty-one per cent of research participants considered themselves to have a disability.

"It's getting harder now to actually book yourself into [Mental Health Support Service]. I would have done that a long time ago. I will be honest with you. They think you are not mad enough or whatever. You are not running around the streets naked and trying to jump on front of buses and stuff like that. You can't be suffering from depression or anything like that. Even though depression usually makes people jump off bridges and stuff like that. Which is something that mental health [service] should help you avoid. But they don't admit you for a simple thing like depression." Groundswell Focus Group Participant

It is not just cuts to welfare and statutory/non-statutory homelessness services for rough sleepers which are having an impact on the ability of H&F to reduce rough sleeping, it is also cuts to wider support services. Participants in the Groundswell research felt that access to other support services such as counselling, debt/money management and drug and alcohol services would have helped to prevent them from becoming homeless. A common theme to come out of the Frontline Worker session and the Groundswell research was that cuts to legal aid, particularly tenancy related issues, were a contributing to homelessness.

"I don't have the money to defend myself [In Court], I have to rely on the public purse and at the end of the day if I had won anything, all that money would have gone back to the public purse but it...I know I should never have been evicted after fighting that man for such a long time. He wouldn't let me in to get my belongings, he got private bailiffs and dogs to get me out as if I was some sort of animal. No, he really had it in for me and I think that should not be allowed because

it's...again, it should be illegal somehow. You know, private landlords it feels like they can come and beat you up." Groundswell Focus Group Participant

Support services, including day centres, not providing flexible enough services

The Groundswell research highlighted that support services including day centres were not providing enough flexible services for people sleeping rough. Day centres in H&F are a valued resource in supporting people who are street homeless and participants valued the way they met their day to day needs, for example being able to access showers, food and a place to charge phones.

However, participants reported that there was less support for clients than had previously existed in the borough due to cuts to funding and organisations running day centres needing to reduce opening hours. Staff were reported to be increasingly under pressure and could not provide the personalised and open-ended support that they had done previously. This was identified as a particular problem for people who had multiple and complex needs.

"So homeless centres yeah, they are primarily targeting homeless people on the streets, to get them off the streets. But most of them are opening up at 9 o'clock in the morning, office hours. We need for them to open at seven o'clock in the morning so we can get off the street early in the morning, get showered up and stuff and be out at nine o'clock looking for work and stuff. But if you go in there nine o'clock you are not going to be able to get out until about eleven o'clock. Open earlier." Groundswell Focus Group Participant

There is a lack of outreach staff, and existing staff have limited power to quickly access specialised services for rough sleepers

Eighty per cent of participants in the Groundswell research, who had contact with the street outreach workers, commonly reported they were 'knowledgeable' and 'dedicated'. However, there was an awareness that they were limited in power to access services and participants reported slow response time and a lack of outreach staff on the street.

"Well in one way it's not nice that they wake you up at one or two o'clock in the night. But in the other way they check on you and that is important because then you know...alright they don't come every day around but at least you know somebody is looking after you. Somebody there [unclear] police or whatever it is. Of the people who sleep out on the street, it is never safe. And that's a thing with an outreach worker, actually, you know someone is around." Groundswell Focus Group Participant

For example, they had limited access to accommodation and specialist addiction and mental health services

"Usually they come qualified and if they are not they are with somebody who is. So I can't really tell an outreach worker what to do. Because I have found with outreach, one minute they have the

power, the next minute they didn't have the power at all. Example – one minute they were putting people in hostels next minute they weren't able to put people in hostels.” Groundswell Focus Group Participant

Section 1: Implementing a stronger prevention framework across a range of organisations in H&F

Adopt a ‘No First Night Out’ approach for those at risk of sleeping rough

There is strong evidence emerging from the No First Night Out (NFNO) interim report that the tri-borough project working across Hackney, Tower Hamlets and the City of London is working well to prevent homelessness. A key element of this pilot is the collection of detailed data from people who use the service and information on their journey into homelessness. The project conducted some research into risk factors associated with rough sleeping. Using this information, the borough could determine the most appropriate response to help end their homelessness.

The Commission recognise that the process of assessing levels of risk for someone at immediate risk of rough sleeping was based on statistically small numbers and is exclusive to people in their boroughs. However, the Commission found on a visit to Tower Hamlets that those people at immediate risk of rough sleeping did not leave Housing Options until they were accommodated which it found to be a powerful principle.

CASE STUDY BOX: No First Night Out

No First Night Out – Help for Single Homeless People is a tri-borough project, working across Tower Hamlets, Hackney and The City of London. The project, which is funded by the GLA, is working to develop new approaches to prevent individuals from sleeping rough for the first time. An important element of the pilot is the collection of detailed data from people who use the service and information on their journeys into homelessness. Using this data, the borough has been able to create typologies of new rough sleepers, which have been used to determine the most appropriate response to help end their homelessness.

Key findings:

- *24% of people, their primary needs were access to accommodation.*
- *24% of people, their homelessness was linked to support needs including drug used, offending, often combined with mental ill health.*

- **6% of people, their homelessness was linked to mental health and family problems. three quarters of people were placed in a B&B and a quarter of people stayed where they were and succeeded in prevention and that Housing Options staff felt empowered to support rather than just advise and could say 'yes' more.**

There are examples in H&F already of the NFNO approach being adopted for those at risk of rough sleeping. H&F have a number of projects starting based on NFNO principles with funding from the DCLG and in partnership with St Mungo's.

Homelessness preventions and evictions policy

There is also work to be done around evictions from social housing tenancies and the relationship between housing associations and early intervention and prevention.

The Commission is of the view that the Council needs to review its allocations policies to ensure rough sleepers are not unfairly excluded (e.g. because of time spent in prison or previous financial difficulty), and eviction policies to ensure accommodation is not lost.

Improve advice and information services

There was a very strong steer from the verbal evidence and Frontline Worker session that there was a lack of knowledge across key stakeholders of what services are available in the borough. Better communication is needed, for example, the police to be made more aware of what support services are available and to make it easier for frontline workers to know about the most appropriate service to refer to.

The Council is currently starting to review all its literature in advance of the Homelessness Reduction Act coming in to force. H&F has also made efforts to harness public awareness and has used the business improvement district to raise awareness with outreach teams leafleting and providing training. There is also a regular Homelessness Forum which hosts statutory and non-statutory homelessness organisations that operate within the borough and provides a platform to share information.

Develop community engagement and public support

Public awareness about homelessness and rough sleeping is important in prevention because it helps raises awareness and can promote services and interventions for rough sleepers.

Findings from recent research conducted by Crisis²⁶, show that public thinking about homelessness is significantly centred around individualism (the idea that a person's circumstances are shaped by their willpower, character and choices), related concepts of charity and morality, and the belief that the only solution to

²⁶ O'Neil, M., Gerstein Pineau, M., Kendall-Taylor, N., Volmert, D., Stevens, A. (2017) Finding a Better Frame: How to Create More Effective Messages on Homelessness in the United Kingdom. FrameWorks Institute.

homelessness is direct remedial services such as clean beds and hot meals. Currently, homelessness is not thought of in the context of broader economic trends. When members of the public see people sleeping rough, read news stories about abused women living in refuges or hear about immigrants living in overcrowded housing, they don't make the connection to larger economic forces such as rising housing costs, wage stagnation and the unemployment rate. This individualism prevents people from thinking about solutions to preventing homelessness.

The Commission is of the view that partnership with the voluntary and public sector is crucial in order to build public understanding and awareness of homelessness and rough sleeping. The community can play a greater part in highlighting people they think are very vulnerably housed or at risk of homelessness.

The CRZero campaign in Croydon is an example of how to engage the community in raising awareness of rough sleeping and demonstrates the importance of community engagement in finding potential solutions and implementing them. There is still much to learn from the CRZero campaign as the engagement of the voluntary sector has just only just started.

Within H&F, work does go on between the high support need hostels and business, and there are other methods of communication being used. For example, Barons Court are using Nextdoor which is a new social networking app hosted by H&F, aimed at promoting community engagement and has proven to be a useful way of communicating with the local community. There is scope to build on this work constructively across the borough.

Formalise arrangements between prisons and housing teams

A recent report from the All-Party Parliamentary Group on Ending Homelessness highlighted that homelessness and or unstable accommodation is often associated with significantly higher levels of reoffending. MoJ research shows that 79% of people who were previously homeless were reconvicted in the first year after release compared to 47% who had accommodation prior to custody.²⁷ Out of the Groundswell participants, 42% said they had been in prison and 8% had been in a young offenders' institution. The report identifies that getting help from the local authority can be difficult for a prison leaver. There are also with applying for Universal Credit as claims cannot be made until a tenancy is secured.

In the first half of 2017/18, on average 15% of referrals to the Placement and Assessment Team for Homeless Singles (PATHS) for supported accommodation came directly from prisons and/or the probation service. During the same period, 3%

²⁷ APPGEH (2017) *All-Party Parliamentary Group for Ending Homelessness: Homelessness prevention for care leavers, prison leavers and survivors of domestic violence*. London: Crisis.

of all households who approached the Council directly (i.e. who were not referred by a prison or probation), stated that they had recently been released from prison.

This demonstrates that a significant proportion of single homeless people have support needs around offending behaviour and have a housing need, so a focus on assisting people who are leaving the prison system is important to address homelessness amongst this group with a view to breaking the cycle of re-offending.

The borough already works closely with the probation service and prison housing teams. It is anticipated that the Homelessness Reduction Act will require the prison and probation services to notify the local authority in advance about people known to them who are at risk of homelessness upon release, and that this will enable the Council to begin homelessness prevention and Housing Options work with people at a much earlier stage.

Recommendations:

For action by the Council

- **Ensure that everyone at risk of sleeping rough is accommodated by adopting a No First Night Out approach.** Based on the evidence taken from the No First Night Out project in the London Boroughs of Hackney, Tower Hamlets & the City of London Corporation, the Commission recommends that H&F implement a similar approach based on research about the routes into homelessness for various cohorts. The overall aim of this approach should be to ensure that anyone at risk of sleeping rough is provided with some form of temporary accommodation, and no one in this situation is turned away by the local authority without having their homelessness resolved. As well as those at risk of sleeping rough, this offer should be made to people already rough sleeping. To support the delivery of this approach, H&F should invest in training for frontline housing and homelessness teams to ensure that they are applying a personalised and creative approach to tackling homelessness.
- **Involve the public in tackling rough sleeping.** There are numerous places that people go when they are sleeping rough or are at risk of sleeping rough, but where they are not currently able to access housing advice. These might include places of worship, libraries and GP practices. The Council may wish to hold a 'Rough Sleeping Hackathon' involving community and voluntary organisations to engage the public around raising awareness of rough sleeping and involving them in generating and implementing solutions. This would also help ensure these organisations and individuals across the borough are better able to sign post people to the appropriate advice and services. The H&F Homelessness Forum could be used as the vehicle to engage the community, voluntary and faith sector.

- **Ensure no one sleeps rough when they leave prison by working jointly with local prisons and probation teams to review existing referral systems and processes.** In the run up to the introduction of the Homelessness Reduction Act, H&F should look specifically at how prisoners are identified as having a housing need and how they are referred to the prison housing teams well in advance of their release date.
- **Provide urgent support to private tenants who are at risk of sleeping rough.** H&F should ensure that tenants who are renting privately and deemed at risk of rough sleeping or losing their home can easily access Discretionary Housing Payments (DHPs), whether this be through targeted promotion to tenants and landlords or through the SLA. There has been a significant increase in PRS rents, which is leaving a shortfall that cannot be met by any other intervention. H&F should review internal processes to ensure that anyone approaching the Council who is facing financial difficulty, regardless of which team they approach (e.g. Housing Benefit, Housing Options or council tax), should be assisted to make an application for a DHP if they are at risk of, or have already accrued, rent arrears.
- **Ensure that people are not made homeless as a result of being evicted from social housing.** H&F should carry out a full review of housing association and council eviction policies to ensure accommodation is not lost. H&F should work with housing providers in the borough to put in place effective early notification and response arrangements where housing association tenants are at risk of tenancy failure and to ensure that a joint landlord/Housing Options approach is adopted to working with the tenant to prevent homelessness. This might include referral to routine multi-agency panel meetings to review cases and develop person-centred plans to prevent homelessness in individual cases.

For action by the GLA and regional bodies

- **The GLA should put in place a pan-London approach to protect people who are homeless from having their benefits sanctioned.** The GLA should help coordinate the DWP, local Jobcentre Plus (JCPs) and London local authorities to work together to offer protection from sanctioning for people rough sleeping or at immediate risk of homelessness. There must be a contactable link within the DWP who has the power to halt or change a sanctioning decision and a process whereby the local authority is notified prior to sanctioning to check someone's current housing and welfare status. The effect of sanctioning has been identified as both a cause and contributory factor of homelessness.

- **The GLA should ensure that sufficient help is put in place for people moving onto Universal Credit.** As Universal Credit is rolled out across London, the GLA should help facilitate the work between London local authorities and JCPs to ensure that vulnerable groups are properly supported to move onto Universal Credit. This work should focus specifically on ensuring that JCPs are well connected to local housing and homelessness teams and flagged as quickly as possible if there is any risk of homelessness so that the appropriate support package is put in place.
- **The GLA should ensure that everyone at risk of sleeping rough is accommodated by supporting all London local authorities to adopt a No First Night Out approach.** A pan London adoption of this approach will help to ensure that no one council is overburdened by high demand.

For action by the Government

- **The Government should increase the level of funding needed to successfully implement the Homelessness Reduction Act.** The current level of funding is not sufficient for the local authority to meet the increased level of demand. H&F estimates that the financial impact of the Homelessness Reduction Act implementation will result in an increase of demand and workload of at least 50%.
- **The DWP needs to work better with JCPs to ensure that they have better training, and understanding of, homelessness and housing related matters and the consequences of sanctioning someone who is homeless.** Training for work coaches on housing issues should be integral in this awareness raising.
- **The MoJ should obligate prison Governors to introduce integrated transition plans for all prisoners and introduce measurable housing outcomes for Community Rehabilitation Companies (CRCs).** This will ensure that prisoners are fully supported upon their release from prison.

Section 2: Emergency Response

Support for people forced to sleep rough

In addition to a strong prevention framework, H&F must also ensure that there is a robust emergency response for people who find themselves sleeping rough. This is particularly the case for people who do not qualify for a NSNO offer or have difficulties accessing current hostel provision.

There was strong acknowledgement from rough sleepers in the Groundswell research that outreach workers provided valuable support. The Commission visit with the St Mungo's outreach team and evidence from the verbal and Frontline Workers session reiterated the importance of this resource. It also highlighted that workers were often stopped from providing support because of NSNO specifically targets new rough sleepers rather than those with more entrenched needs. It was also clear that outreach workers were not sure what services they could access to support people with acute mental health or drug and alcohol difficulties on the street.

Personalised and robust support for rough sleepers

Participants in the Groundswell research and frontline workers both spoke of the pressure day centres are under and reported that staff do not have enough time to provide personalised support. People felt that the day centre hours did not fit around the life of someone sleeping rough. Frontline workers recommended that rough sleepers should be involved in the commissioning process to offer important insight into the needs of those that use the day centres.

Support for people without recourse to public funds to support their housing

During 2016/17, when met with H&F's outreach team, 48 (19%) rough sleepers were recorded on CHAIN with NRPF. Ninety-five (39%) rough sleepers' status was not known or recorded. It is the view of the Commission that if H&F wants to meet its

goal of reducing rough sleeping to zero then the needs of those rough sleepers without recourse to public funds must be addressed. Rough sleepers with no recourse to public funds are unable to access benefits or housing assistance due to their immigration status.

There are winter night shelters operating in H&F, such as Glass Door which offers open access service, providing a place for people with NRPF to sleep. This is an important resource; however, it is not a sustained systemic solution. The Commission also heard from faith based and community based organisations that provide extremely valuable homelessness provision to people with limited or no recourse to public funds. The Street Legal model, funded by the GLA with bed spaces peppered across London, provides support for rough sleepers without recourse to public funds. St Mungo's provide the bed spaces alongside Praxis to give legal advice to help people to move on. This already exists in H&F.

The Council's housing NRPF service provides limited support and accommodation for households who are homeless, destitute and have significant ongoing needs. In addition to being destitute, the adult must have eligible needs as set out in the Care Act 2014. This ensures that only the most vulnerable single adults are provided with support. Housing services manage the budgets and the provision of accommodation (procurement, rent, service charges etc.) on behalf of Adult Social Care and Children's services if accommodation for a NRPF household is required. The NRPF service currently supports 18 families and eight single person households. In the past 12 months, the NRPF team has assessed five single NRPF adults, all five were not approved.

Changes to the Home Office policy on administrative removals of EEA citizens, as outlined earlier in the report, and the reluctance of this cohort to access services for fear of being removed highlights just some of the difficulties being experienced by people with no or limited recourse to public funds.

Recommendations:

For action by the Council

- **Enable and empower the voluntary sector to organise and design day services around the experience of people who sleep rough.** H&F should take a greater role in working with the voluntary sector to help better coordinate the provision of day services for people sleeping rough to ensure that the complexity of need is sufficiently met. Crucially the design and coordination of services should be centred around the experience of rough sleepers, particularly with regards to opening times and the nature of the support provided.

- **Ensure that there are a sufficient number of outreach workers and that they are empowered to support people off the street immediately.** H&F should commission a greater number of outreach staff and ensure that they are sufficiently empowered to support people who are sleeping rough off the streets, even if they do not necessarily qualify for a NSNO offer. Future specification for the commissioning of outreach teams should ensure that health, drug and alcohol services are commissioned and funded to dovetail with outreach provision. These outreach teams should not only be commissioned to deliver services for people who are new to the streets, but also to undertake potentially more intensive work with people who have entrenched needs. Mental health and substance misuse trained outreach workers should be specifically commissioned to provide emergency specialist support on the streets. Improved partnership working with the H&F Clinical Commissioning Group should lead to better health outcomes for rough sleepers. As well as ensuring that rough sleeping is considered by the Health & Wellbeing Board.
- **Provide more legal advice for people who are, or are at risk of, sleeping rough.** H&F should extend the commissioning of Street Legal within H&F. The service provides specialist legal advice for people with NRPF to regularise their status and get them the right help and support alongside the provision of emergency bed spaces.
- **Make sure that people who cannot access hostels have somewhere safe to stay.** H&F should assess the need for, and design a 'crash pad' service targeted at people who struggle to access hostel accommodation. This should be designed to include people who have limited or no NRPF, people who struggle to prove that they have a local connection to H&F, and those who have been barred from the hostel system (e.g. due to rent arrears or antisocial behaviour). The crash pads should be designed to provide people with a safe space where they can access support services and move into hostels or permanent accommodation. H&F should also work with faith based and other community based organisations to help increase the availability of open-access provision so nobody is forced to spend nights sleeping rough.

For action by the Government

- **Government should suspend the removal of EEA migrant rough sleepers to their country of origin until there has been a full review of Home Office Guidance on EEA administrative removal regulation.** Without greater transparency on this policy, there is no way of establishing the consequences of the removal on the individual.

Section 3: Housing First and Housing Led Approaches

“If you are homeless instead of getting stuck on some course somewhere, instead of going somewhere on a course while they are homeless, forget about going on a course. Help them get a house first...And gradually build their lives back up together not just throw them in some courses. Say oh by the way when you finish your course you are still sleeping under that bridge down there because you haven’t got find somewhere to live.” Groundswell Focus Group Participant

There is overwhelming evidence internationally and regionally that resettling someone with multiple and complex needs quickly into long-term accommodation with access to support services has shown improvements in their health and wellbeing. Having sustained tenancies through housing-led and Housing First approaches can end homelessness.²⁸ Only two people out of the 108 interviewed in the Groundswell research wanted to live in a hostel.

The Housing First model is designed to work best for people that are chronically homeless and have high rates of severe mental health problems, poor physical health, problematic drug and alcohol use and low-level criminal or anti-social behaviour.²⁹ There is no single definition of Housing First but the basic principles of the model, developed by Housing First England and based on the key international principles³⁰, are described in the following terms:

- Housing as a basic human right
- Immediate provision of permanent housing
- Respect, warmth and compassion for all clients
- No requirement regarding housing readiness
- A commitment to working with clients for as long as they need
- The separation of housing and services
- Use of either an assertive case management (social workers, nurses, psychiatrists, peer counsellors and employment workers, on-call 24/7, time

²⁸ see Appendix A, pg. 41-46

²⁹ Homeless Link (2015) ‘Housing First’ or ‘Housing Led?’ The current picture of Housing First in England. Homeless Link Policy and Research Team.

³⁰ Homeless Link (2015) ‘Housing First’ or ‘Housing Led?’ The current picture of Housing First in England. Homeless Link Policy and Research Team.

unlimited and based in client's home or neighbourhood) and intensive case management teams (working with chronically homeless people with fewer support needs with some direct work, connecting people into services and support)

- Choice and self-determination regarding housing and support
- A recovery orientation
- Harm reduction rather than abstinence approach with regards to substance misuse.

A Homeless Link report on the current picture of Housing First in England, indicates that 70% of projects target those with multiple and complex needs. Using this model, multiple and complex needs are defined as people with two or more of the following support needs which impact an individual's life and ability to function in society: mental health, learning disability, substance misuse, offending behaviour, physical health needs, experience of domestic violence and abuse. Other categories included people with multiple exclusions from other services and repeat service use; those that were stuck in the housing pathway and single men who are non-priority need.³¹

There is currently no data to quantify exactly the number of people appropriate for Housing First projects, however scoping research from Homeless Link estimates it to be between 10-20% of people currently rough sleeping or using homelessness services.

Locally, according to CHAIN data, during 2016/17 in H&F, out of 102 rough sleepers, 86 people, with recourse to public funds, were recorded to have high or multiple and complex support needs.³² Out of this number, 50 were identified as having multiple support needs. The data reflects the persons' circumstances at their initial meeting by outreach on the street.

With regards to supported accommodation in H&F, support pathways vary depending on the needs of the individual. Supported accommodation in H&F is only commissioned for medium to high needs. Individuals assessed as high need will have multiple, complex support needs which are impacting significantly upon their quality of life and potentially upon the lives of others and which require a level of staffing / supervision on a 24-hour basis and significant or intensive one to one support to meet their needs. Those assessed as medium need will have multiple, ongoing support needs which are impacting somewhat significantly upon their quality of life and potentially upon the lives of others and which require staffing and supervision during the day (7 days) but not necessarily at night and regular one to one support to meet their needs.

³¹ Homeless Link (2015) 'Housing First' or 'Housing Led?' The current picture of Housing First in England. Homeless Link Policy and Research Team.

<http://www.homeless.org.uk/sites/default/files/site-attachments/Housing%20First%20or%20Housing%20Led.pdf>

³² Clients with 'high' recorded for at least one of their drug, alcohol, and mental health support needs. Clients with multiple needs were recorded with more than one drug, alcohol, and mental health support need, at any level (low, medium, high).

Of the 537 individuals, 340 (63.5%) were living in supported accommodation on 31/03/17. Local data indicates that 80% of residents who were living in supported housing services during the period did not rough sleep, or did not rough sleep sufficient to be verified. Only outreach teams can officially verify a rough sleeper, therefore some of these people may be sofa surfing or intermittently rough sleeping and the outreach team has not been able to find them. For people the Council has reason to believe are rough sleeping, out of the 537 recorded as living in supported accommodation between 01/04/15 and 31/03/17, 111 people (20.6%) have a CHAIN number. Out of the 340 people living in supported accommodation it is estimated that 75% have multiple support needs.

The total of single homeless (rough sleepers, ex-offenders, substance misuse) bed spaces in H&F is 138. Within the single homeless supported accommodation pathway, 126 out of 138 bed spaces are for single homeless with high support needs. In total, there are 359 supported accommodation spaces in H&F as of April 2017, including 'hostel type' spaces. Between 01/04/15 and 31/03/17, 340 out of 537 people (counted once) were accessing supported accommodation spaces in H&F.

CASE STUDY: The Fulfilling Lives Islington and Camden Housing First (FLIC) Project

The Fulfilling Lives Islington and Camden Housing First (FLIC) project, running for two years, has a small cohort of 15 people housed using the PRS. All the clients were previously rough sleeping and have significant mental health and drug and alcohol needs. Findings from the report show that 90% of this cohort have sustained their tenancies after 12 months, 80% have reduced re-offending, 100% engaged with healthcare services and 60% engaged with positive activities.³³

H&F has a Housing First pilot with a cohort of five people running over 18-months, all of whom are housed in council properties. The pilot is currently running in parallel with other pathways and packages of support. The pilot started in May 2016 and aimed to house five residents during the period. Four out of five people have been housed. The Housing First residents were rough sleepers who have had multiple unsuccessful placements in supported housing and identified that supported housing could not meet their needs and residents with complex and multiple needs who were not managing well and were at risk of losing their supported accommodation.

- Two out of four have reduced their offending significantly and increased their engagement with health and actively engaged with positive activities.
- One out of four is about the same. Not worse but not better.
One client lost their accommodation as a result of anti-social behaviour but engaged with health services more than they did prior to Housing First and engaged positively with activities.

³³ Rice, B., Reed, L. and Satchell, J. (2016) London Boroughs of Tower Hamlets & Hackney & the City of London, No First Night Out: Help for Single Homeless People, Interim Report. St Mungo's: London.
<https://www.mungos.org/wp-content/uploads/2017/07/No-First-Night-Out-Help-for-Single-Homeless-People-Interim-report.pdf>

The total cost of the pilot over 18 months is £63,781 or £42,521 per year. This sum includes £5000 for personal budgets for five residents. The costs equate to a unit support cost of £163.00 for five days. The weekly unit costs are considerably cheaper than the majority of the weekly unit costs for hostel placements which range from £188 to £539.

The review of the pilot uncovered challenges that would need to be addressed if the Housing First model were to be rolled out in H&F. The complexity of need of the individuals from the target group highlighted that it would be necessary to:

- review the staff to resident ratio as more travelling time will be required and it is likely to be harder to get people linked into services such as substance misuse and health services;
- expand to a seven-day service;
- the waiting time for a suitable property has been identified as the main barrier to scaling up Housing First in H&F. If the pilot is extended the Council may need to consider alternative types of housing including PRS in order to increase the amount of available housing stock, as the FLIC project has done, although the costs of the PRS in H&F may make this more challenging to secure this accommodation within Local Housing Allowances.
- increase capacity of the PATHS team to conduct assessments due to the time taken to conduct an in-depth assessment for each individual;
- recognise that the nature of social housing is such that the neighbours are likely to have some degree of vulnerability and that they may be adversely affected. H&F will also need to consider if housing is dispersed outside of the borough, the impact this will have on other communities.

The Homeless Link report on the current picture of Housing First in England also highlighted that the biggest barrier to setting up projects is access to suitable and affordable accommodation in both the social and private rented sectors. PRS landlords are reluctant to rent to people on Housing Benefit and providers struggle to find affordable properties within the LHA rate and to raise money for the deposit to secure a property. Housing First services in London reported that it took typically between 12-24 weeks to house someone and in many cases people are placed in temporary accommodation before they are able to find a permanent tenancy.

Increasing the supply of affordable housing for people who have slept rough, or are at immediate risk of sleeping rough

Improving access to social housing is already taking place in London, Lewisham's Housing First project in Deptford (Bench Outreach) is an example of where a small percentage of housing is ring fenced specifically for this purpose.

The H&F Housing First pilot nominees were only referred to Council tenancies. The purpose of this was to increase the security of tenure for the nominee which is thought to be a key factor in making Housing First successful. However, only using Council stock reduces the potential number of properties available. Secondly, Housing First nominees require a bespoke and well thought out offer of accommodation as this is also key to making the tenancy work. Where a nominee has for example, mobility problems or they cannot live in a certain area of the borough, these factors reduce the potential pool of council properties even further. The Council must then also take into consideration the sensitivity of the void and any neighbourhood related issues as illustrated below. Where we need to accommodate a person quickly, e.g. to get them off the streets, or because of discharge from hospital, Housing First is unlikely to be the immediate solution.

Funding for Housing First and housing led approaches

The current picture of Housing First in England report establishes that the main source of funding for Housing First is housing related support (31%). Twenty-seven per cent receive local authority grants and 15% Housing First projects were funded through fundraising and charitable sources. Little funding comes from social service (4%), criminal justice (2%) and substance misuse (2%). The report also highlights that there is inconsistent buy in from other agencies such as Adult Social Care, health, criminal justice and substance misuse agencies.³⁴

How are we going to fund the Housing First model?

The Liverpool City Region (LCR) feasibility study, undertaken by Crisis and funded by the DCLG,³⁵ shows that Housing First, implemented within a broader housing-led model, is cheaper than housing people in hostel accommodation. However, transitional funding would be required to allow for the double running of hostels and housing-led projects in the first two years whilst the new system is implemented. The LCR feasibility study, provides a toolkit on how Housing First and housing led projects could be implemented at scale.

Analysis undertaken as part of the LCR Feasibility Study found that Housing First is between three and five times more cost-effective than current services in delivering sustained tenancies for homeless people with high and complex needs. The study modelled various scenarios to consider the potential cash savings for local authorities in the LCR, depending on the level of service transformation. A conservative scenario, in which Housing First operates alongside reduced but still

³⁴ Homeless Link (2015) 'Housing First' or 'Housing Led?' The current picture of Housing First in England. Homeless Link Policy and Research Team.

<http://www.homeless.org.uk/sites/default/files/site-attachments/Housing%20First%20or%20Housing%20Led.pdf>

³⁵ Blood, I., Copeman, I., Goldup, M., Pleace, N., Bretherton, J. and Dulson, S. (2017) Housing First Feasibility Study for the Liverpool City Region. Crisis: London.

https://www.crisis.org.uk/media/237544/housing_first_feasibility_study_for_the_liverpool_city_region_2017_es.pdf

significant provision of supported housing is estimated to have cost savings of £3.29 million, and a more ambitious scenario, in which most 24/7 supported housing is replaced by Housing First, is estimated to have cost savings of £5 million.

The Commission recognises that the feasibility study is not a 'one-size-fits-all' model and that the LCR housing market is much less overheated in comparison to H&F. However, there is a significant amount of evidence that this model reduces rough sleeping and if implemented at scale could have potential long-term savings.

The Commission is of the view that health and adult social care services should play a role in funding and commissioning Housing First alongside housing teams because it acts not only as a solution to homelessness, but also a number of health-related issues such as substance misuse and mental health problems.

Ensure public support for the growth of Housing First provision in the community

The H&F Housing First pilot has provided valuable learning around the community engagement strategy the Council should take to ensure public support for the growth of the provision. When Housing First tenants are placed in social housing accommodation, this is often amongst other vulnerable residents, and can be challenging for them and their neighbours.

For the long-term sustainability and growth of Housing First provision, the Commission recommends that the Council consider whether a 'CRZero Style Campaign' could sit alongside Housing First to engage the public in solutions and build greater understanding of the approach. The Council may also wish to consider the possibility of awareness raising approaches with social housing tenants, who are likely to live alongside Housing First tenants, whilst being mindful of the confidentiality of the Housing First client.

Housing-led approach for people with lower support needs

Housing First is one model of a housing-led approach which is focussed on resolving homelessness for people with multiple and complex needs. Other housing-led models such as Help to Rent schemes are targeted at people with lower support needs. Built on similar principles, the approach aims to resettle people in permanent housing as quickly as possible and provide appropriate support to help someone access and sustain a tenancy. The key difference between the Housing First and housing-led approach, is that the package is that the support provided is less intense. system is a model based on the principles of Housing First, in which all those experiencing or threatened with homelessness are resettled quickly in their own tenancies with support provided where needed.

The Commission recommends that anyone living in a hostel with lower support needs should be supported towards a 'housing-led' solution as quickly as possible. Hostels will remain integral in providing emergency accommodation to get people off the streets as quickly as possible. However, anyone moving into a temporary accommodation should have a pathway plan put in place immediately to ensure quick move on. Housing-led' support could include providing financial assistance (a tenancy deposit or helping with the cost of moving in), or more low level floating support to sustain a tenancy.

Apply a peer-mentoring approach to support people into, and to sustain, housing

In 28% of Housing First projects peer support was being used and was integral in engaging with difficult clients who had a history of non-engagement with services and authorities.³⁶

Peer mentors can provide empathetic and non-judgmental support and can quickly relate to and build someone's trust. They act as role models, demonstrating that change is possible. Turning Point Scotland's Housing First project evaluation highlighted how the inclusion of peer support in its Housing First project was 'universally welcomed' by service users.³⁷ Peer support workers were able to break down perceived barriers and offer non-judgmental support. The evaluation highlighted the need to include peer mentors within staff teams.

"You see people who do a job...The job I do in here [Day Centre], talking with people. Even I am volunteer at the moment. You get the streets better than anybody else because you have been there, you did that. Working with homeless people you have been homeless before. It's good. It is a very good skill." Groundswell Focus Group Participant

The Groundswell research demonstrated that linking a housing-led approach to peer-mentoring support would ensure that people who have already been through that process could offer support and provide opportunities for people that have already slept rough. Participants in the Groundswell research frequently highlighted the value of having support from someone who has personal experience of homelessness in helping to build trust and ultimately help them move on from homelessness.

"...employ more people from the homeless sector that have used services and they want to give back something. These people they will get a chance, they will, they will get a chance to

³⁶ Homeless Link (2015) 'Housing First' or 'Housing Led?' The current picture of Housing First in England. Homeless Link Policy and Research Team.

<http://www.homeless.org.uk/sites/default/files/site-attachments/Housing%20First%20or%20Housing%20Led.pdf>

³⁷ Johnson, S. (2013) Turning Point Scotland's Housing First Project Evaluation: Final Report. Heriot-Watt University. <http://www.turningpointscotland.com/wp-content/uploads/2014/02/TPS-Housing-First-Final-Report.pdf>

rehabilitate that are currently in the homeless sector. And they know a lot more about it. They know exactly what you are going through and they will be able to relate to you better as well. So homeless people would be given a lot more chances to work in homeless centres after.”
Groundswell Focus Group Participant.

Recommendations:

For action by the Council

- **Adopt a housing-led approach for people at risk of rough sleeping and people living in hostels, including a Housing First offer for people with multiple and complex needs.** H&F should implement a Housing First approach for rough sleepers, people at risk of rough sleeping and people living in hostels, who have multiple and complex needs as the default option to ending their homelessness. We estimate that 68% of all rough sleepers, based on CHAIN data, have high and/ or multiple complex needs and would be eligible for a Housing First offer.

Based on the Homeless Link report, the current scope of Housing First projects house 10-20% of their rough sleeping cohort. Based on this, the Council should aspire to set up at least 15-20 placements (estimate) and set targets for the implementation of Housing First by default.

The Commission took evidence from H&F’s Looked After Children’s service and found an excellent model of best practice with regards to an unconditional and open-ended model of support provided to care leavers. Out of a cohort of 185 there were no Looked After Children (LAC) or care leavers experiencing homelessness. The Commission recommends that the council should adopt a similar support model for Housing First.

The Council should conduct a feasibility study similar to that in the Liverpool City Region to assess the longer-term savings against the roll out cost and the implementation of Housing First for people with complex needs and a housing led approach for people with lower support needs.

There is likely to be a two-year period of ‘double running’ of services. Thereafter the Council can look to decommission a proportion of hostel services and invest this funding into Housing First in year three and four. The Commission recommends that hostel provision should only be commissioned as emergency provision with a focus on move-on.

- **Ensure that homes are made available in the private and social rented sector for people who are made a Housing First offer.** H&F should explore the use of the PRS using the H&F SLA to secure accommodation for Housing

First clients. It has been demonstrated that the PRS can help to successfully deliver Housing First, relieving pressure on social rented stock and housing people more quickly.

- **Ensure that health structures within the local authority are involved in commissioning Housing First.** Housing First is not only a solution to rough sleeping and homelessness, but also addresses a range of other support needs including mental health and substance misuse. The Commission therefore recommends that services are not purely commissioned and funded by H&F housing and homelessness teams, but in collaboration with Health and Wellbeing Boards and Clinical Commissioning Groups.
- **Implement a housing led approach to move people with lower support needs out of hostels and into settled housing as quickly as possible.** H&F should ensure that move on plans from hostels aim to make it easier and faster for someone to ultimately move into independent living. These are currently completed on individual needs basis and constantly reviewed. There is no minimum or maximum time limit. With housing led approaches, whilst someone might not need an intense package of support they might require some tenancy support. This could be done through the SLA.
- **Engage homeless people and people with experience of homelessness in commissioning and delivering services.** The Commission recognises the value added by peer-mentoring to homelessness services. It is therefore recommended that H&F include a requirement to provide a peer mentoring service in homelessness services, including Housing First. Involving (including employing) more people with experience of homelessness will provide a vital opportunity for people that have used services to give something back and support the rough sleeper to navigate the avenues of support available.

For action by the Government

- **The Government should provide additional funding at a realistic level for Housing First implementation.** This will allow for a smooth transition from a hostel based system to a housing led approach so there is no drop off in services. Over the period of scaling up Housing First provision there will be double running costs until the council begins to decommission some bed spaces in hostels.
- **The NHS and Public Health England should allocate budgets on a pan-London basis for homelessness interventions, including Housing First and housing led services.** The NHS is a major point of contact for rough sleepers. Housing First is not just about tenancy sustainment but also focuses on tackling drug, alcohol and mental health issues.

Section 4: Ensuring access and adequate supply of secure and affordable housing for rough sleepers or people at immediate risk of rough sleeping

Review allocations policies to ensure rough sleepers are not unfairly excluded (e.g. because of time spent in prison or previous financial difficulty), and eviction policies to ensure accommodation is not lost

A recent Crisis report demonstrated the issues experienced by people with a history of rent arrears, anti-social behaviour and recent criminal convictions in accessing social housing as result of changes to social housing allocations policies.³⁸

Evidence taken by the Commission also found that it was becoming increasingly difficult for people to access housing association tenancies. The Commission believes that this trend must be reversed if H&F is going to reduce the number of people sleeping rough. Even if the Council revised their own allocations procedure however, housing associations have their own. Therefore, this is as much about the commercial model of housing associations as well as local authority policy.

A SLA focusing on supporting people who are homeless or at risk of homelessness to create and sustain tenancies.

Between 2001 and 2011 the size of the PRS in H&F increased from 23% to 33%. It is likely that this has continued to rise. H&F's new SLA scheme aims to modernise property acquisition and improve procurement of PRS properties with a new commercial property management service. Options will include: leasing with full management, assured shorthold tenancies (ASTs) with full management and ASTs with a matching service only.

³⁸ Rowe, S. and Wagstaff, T. (2017) Moving on: Improving access to housing for single homeless people in England. *Crisis: London*

Properties will be mainly procured within the borough but as housing pressures continue sometimes homes are acquired in neighbouring local authorities. H&F have identified target areas that will be within and no further beyond Ealing, Brent and Harrow.

Pre-tenancy training for tenants and package of support for tenants and landlords

It was clear from the verbal evidence that tenants would benefit from pre-tenancy training which will be an important offer made through SLA. In addition to the pre-tenancy training and financial support to move people into private rented accommodation, the Commission recommends that a package of ongoing support for tenants and landlords is put in place to ensure that tenancies are sustained. This may also apply to landlords across London, for example, if accommodation is out of the borough.

“So it means to say if you were a landlord and you have someone who doesn’t present well, who has limited affordability, you need to look after your business, it is a no-brainer. I am not going to give it to you, I will give it to someone who can afford it because they are working. So, for that reason that need extra support...Private rented sector brokers and tenancy support and at the same time having access to a sound affordability calculation so that they know exactly where the money is going to come from.” H&F Link Manager, Verbal Evidence Session

The Private Rented Access Development Programme began in 2010 and was devised by Crisis, working with and funded by the Department for Communities and Local Government. The programme aimed to increase the number and geographic spread of access work and to encourage the creation of sustainable tenancies. An evaluation of the programme conducted by the University of York, indicated that 90% of the tenancies under the programme had reached their sustainment target of six months or longer, demonstrating the clear benefits of a package of pre-tenancy and in-tenancy support.³⁹

“I suppose if you want to go into independent living you are still having to manage all those things. Who is going to give you the support for benefits? Who is going to be responsible for making sure you pay rent? There is all sorts of responsibility. See my bills and things like that, I like just doing it directly so I don’t have to worry about it.” Groundswell Focus Group Participant

We recommend that the Council offer pre-tenancy training for all tenants and package of support for tenants and landlords (like previous DCLG PRS Access Development Scheme) through the SLA, including Housing First tenants.

Amending eviction policies to ensure that accommodation is not lost

³⁹ Rugg, J. (2014) *Crisis Private Rented Sector Access Development Programme: Year Two to April 2013*. York: University of York.

In addition to putting in place a package of support tailored to meet individual needs, housing providers should ensure that housing management and information management systems are capable of identifying and responding swiftly to early indicators of tenancy sustainment problems that might trigger enforcement action, including if caused by under or non-payment of rent. Housing providers are required by the Tenancy Standard (2.2.7) to support tenants to maintain their tenancies and prevent unnecessary evictions.⁴⁰ There is a high cost associated with tenancy failure, including for the landlord, the tenant and the wider community – and it is in the interests of all parties that housing associations intervene proactively to prevent evictions where possible. Research has shown that while the provision of support can make a difference in terms of tenancy sustainability, it is not (in isolation) the solution to tenancy failure prevention and it is not a key driver of rental payment rates.⁴¹

The characteristics of an effective preventative response include:

- Holding up to date and robust information about tenants;
- Maintaining regular contact with tenants in a way that helps build trust and communication. This should include regular and routine contact with tenants through the full range of available opportunities, both tenancy and property maintenance related, and using communication mechanisms tailored to the requirements of the tenant.
- Delivering routine, person centred engagement through housing management, maintenance and/or support services (whether financial inclusion support, employment support or tenancy related support) may require a review in management practice to embed homelessness prevention as an objective alongside other business objectives.
- Adopting proactive approaches to rent collection that identify where wider financial pressures may trigger arrears or other forms of debt.
- Considering the need for a service navigator/key worker to help the tenant navigate services and ensure the activities of the landlord and other agencies are co-ordinated (where this role is not provided by a housing related support service).
- Identifying and responding to adverse events that can trigger tenancy sustainment problems, whether economic (loss of or reduction in earnings or benefits), personal (relationship breakdown or bereavement), routine domestic (e.g. washing machine breakdown) etc.
- Where it has not been possible to prevent the commencement of enforcement proceedings, housing providers should notify the local authority Housing Options service using agreed protocols.

⁴⁰ Homes & Communities Agency (2012) Tenancy

Standard. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419209/Tenancy_Standard_2015.pdf

⁴¹ Ambrose, A., Eadson, W., Hickman, P. and McCarty, L. (2015) *Tenancy Sustainment amongst those aged under 35: final report*. Sheffield: Sheffield Hallam University

As part of its preparations for implementation of the Homelessness Reduction Act, the Council should work with housing providers in the borough to put in place effective early notification and response arrangements where housing association tenants are at risk of tenancy failure, and to ensure that a joint landlord/Housing Options approach is adopted to working with the tenant to prevent homelessness. This might include referral to routine multi-agency panel meetings to review cases and develop person-centred plans to prevent homelessness in individual cases.

Housing Affordability

Using care leavers as an example (from the verbal evidence) who have less entrenched needs and who are more likely to be in work or study, although they qualify for “affordable” 80% market rate housing association properties from care, it is unlikely that they will be able to take them up.

The Council is currently experiencing problems as a result of housing association properties not being affordable to those under the age of 35. Housing association rents are set at “affordable” levels which causes issues for those in this group. Therefore, it falls to the Council to provide housing that is within the means of this cohort. There is uncertainty around the availability of affordable properties to meet the growing demand in the future, which is a concern.

The Commission recommends that when nominating someone who has slept rough, it must be to a property that is genuinely affordable and is sustainable

H&F has also secured £600k in Trailblazer funding and is working with voluntary sector partners to provide preventative services for those in the PRS.⁴²

Robust support for vulnerable groups moving on to Universal Credit

H&F was one of the first local authorities to pilot Universal Credit roll out in October 2013 and full roll out was completed in June 2016. For the Council and tenants the impact of this roll out has been financial, namely the widening discrepancy between Universal Credit payments and rent to landlords. This shortfall is caused by the benefit cap and freezing of LHA rates, which has impacted on the procurement of private rented property. There is a squeezed middle who remain vulnerable but are not entitled to be exempt from the benefit cap. H&F is outpriced in the market and has to incentivise private landlords to procure suitable properties, with local authorities outpricing each other for properties in the market. Cheaper property is sourced outside of H&F and potentially further away from someone’s support networks.

⁴² DCLG Homelessness Prevention Trailblazers.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/581202/HPP_Trailblazer_Prospectus_-_archived.pdf

A key theme to arise from the Frontline Workers Session and the verbal evidence given by the H&F Link Service was the need for a robust and coordinated support package for vulnerable people moving onto Universal Credit. Many frontline workers felt that a more joined up approach between the Council and the Job Centre would help ensure that the appropriate support is in place particularly when people are waiting for their first Universal Credit payment. A need for more coordinated work between the DWP, the Council and hospitals and GPs to support rough sleepers in substantiating their benefit claim was also identified.

Protection from sanctioning for people rough sleeping or at immediate risk of homelessness

Another theme to arise from the Frontline Workers Session is that there could be more coordination between the DWP, the Job Centre and the Council to prevent people from being sanctioned. Evidence has highlighted that often the Council became involved after someone was sanctioned, which was too late to mitigate against the impact. The final decision to sanction someone rests with the DWP and the Commission found that there is currently no clear line of communication or formal mechanism between the council and DWP to prevent the decision to sanction someone from being made if someone is at risk of homelessness.

There is scope to provide more preventative work to avoid someone from being sanctioned in the first place. The Commission is of the view that addressing someone's homelessness is the priority before finding employment. If the Job Centre can work with the Council to engage a person in finding accommodation, this should be considered a tangible step in finding employment and could be offered as a way of mitigating the impact of sanctioning.

Exempt people who have been in hostel accommodation from the Shared Accommodation Rate (SAR)

Evidence from the Frontline Worker session and from the H&F Welfare Reform Manager strongly recommended that people who have lived in hostel accommodation should be exempt from the SAR. There appeared to be uncertainty around what the exemption rules are. People who were making applications for benefits may be exempted. However, the DWP do not have a list of hostels for them to acknowledge residence there. Also, the better quality hostels that have self-contained facilities often fail to meet the description of hostel accommodation as

defined for the purposed of the exemption from the SAR. As discussed, the SAR can stop people from moving on into more sustainable accommodation.

Availability of DHPs for people in PRS

The analysis of the national picture shows that social housing tenants were claiming more DHP than private tenants. In England, three fifths of total DHP spend in 2013/14 was primarily to mitigate the problems that were being generated by the removal of the spare room subsidy.⁴³ Housing Association and council staff are much more aware of the use of DHPs than private landlord, and will offer their tenants advice on how to apply for them. There is clearly a need to ensure that private tenants are better able to access financial assistance when they fall into, or are at risk, of rent arrears.

One way of making the system more accessible would be for the Council to set up a single point of access for financial assistance for housing related issues, rather than tenants having to apply for local welfare allowance assistance and various other types of funding, including DHPs, separately as this can be difficult to navigate

Invest in the supply of affordable shared accommodation for under 35s

Currently, there is joint work going on between Housing and Children Services in H&F and neighbouring boroughs to identify solutions to mitigate against homelessness for young people, including care leavers. This will require further discussion and negotiation between the Council and housing associations as it is possible and must be a priority.

The Commission is of the view that the Council needs to consider increasing supply of affordable shared accommodation for under 35s whether this is converting existing properties or new build supply for shared accommodation. The benefit cap and changes in benefit rules means that under 35s have little or no access to self-contained accommodation and there is a lack of accessible and affordable accommodation.

Recommendations:

For action by the Council

⁴³ Fitzpatrick, S., Pawson, H., Bramley, G., Wilcox, S. and Watts, B. (2017) The Homelessness Monitor: England 2017. Crisis: London. https://www.crisis.org.uk/media/236823/homelessness_monitor_england_2017.pdf


- **Ensure that rough sleepers are not unfairly blocked from accessing social housing.** H&F needs to negotiate with / apply pressure on housing associations (Registered Providers) to review and change their allocations policies to make sure that rough sleepers are not unfairly excluded, for example, because of time spent in prison or previous financial difficulty.
- **Make sure social housing is provided for people who are made a Housing First offer.** H&F should ring fence a portion of social housing for people who have slept rough, including those made a Housing First offer so it is readily available once a client has been identified and assessed. Based on the estimated number of Housing First placements, approximately ten could be ring-fenced for Housing First by the Council from its stock. The rest could be sourced from housing associations and private rented stock via the SLA.
- **Provide shared accommodation solutions for young adults.** H&F should seek to increase the supply of affordable shared accommodation for under 35s. This could be achieved by converting existing properties or building new shared accommodation. The extension of the SAR has had a negative impact on the affordability of accommodation for people under the age of 35 and in turn accessibility of the PRS. If a rough sleeper is under 35 and is not exempt from the rule, they are not entitled to claim the benefit rate for one-bedroom self-contained accommodation.
- **Make sure that regeneration and development provides more housing solutions for homeless people.** H&F should, where possible, ringfence a portion of housing development as part of regeneration and planning initiatives (e.g. the new Hammersmith Town Hall development) specifically for the provision of stock for Housing First and housing led tenancies. The Council should explore how Section 106 could be used most effectively to deliver homes at social rents specifically for the provision of housing units for rough sleepers and people who have experience of, or are at risk of, homelessness.

For action by the Government

- **The Government should undertake a review of Local Housing Allowance (LHA) rates to reduce the gap between Housing Benefit and affordable (market) rents to improve access to homes.**
- **The Government should reassess the Housing and Planning Act 2016's impact on social housing.** Evidence taken indicates that currently national policy is undermining the supply of social housing.

- **The Government should increase the grant for social house building.** The Housing and Planning Act 2016 widens the definition of 'affordable housing' to include Starter Homes, which is likely to be prioritised above genuinely affordable homes such as social housing and other forms of low cost housing. As a result, the policy will lead to a further decline of genuinely affordable housing for people who have experienced, or are at risk of, homelessness.

Agenda Item 6

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
REPORT OF THE HAMMERSMITH AND FULHAM BIODIVERSITY COMMISSION	
Report of the Cabinet Member for Environment, Transport and Residents' Services - Councillor Wesley Harcourt	
Open Report	
Classification: For review and comment Key Decision: No	
Consultation: The Biodiversity Commission has consulted with council officers, residents and organisations in Hammersmith & Fulham throughout the process of developing and drafting this report and it was presented to the CSERS PAC meeting on 20 November for further debate and discussion.	
Wards Affected: All	
Accountable Director: Sarah Thomas, Director of Delivery and Value	
Report Author: Peter Smith, Head of Policy & Strategy	Contact Details: Tel: 020 8753 2206 peter.smith@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. Biodiversity is a vital aspect of living healthy lives. LBHF aims to be the greenest borough in London and putting biodiversity at the heart of council policy is fundamental to this, as it reconnects us all to nature. The H&F Biodiversity Commission was launched in January 2017 and completed its work in October 2017.
- 1.2. The Commission's work has included a literature review, an evidence gathering exercise and a survey of borough residents. Specialist council officers and external experts in the field were called to give evidence to the Commission on planning policy and practice, estate management, the variety of trees across the Borough, flood risk management, parks and open spaces and other environmental matters affecting biodiversity.

- 1.3. The Commission's recommendations are intended to establish the primary importance of biodiversity in making Hammersmith & Fulham a thriving community in which people and wildlife flourish and our surroundings are enhanced, making it a beautiful place to be. The recommendations are aimed at the Council and local businesses, the Mayor of London and regional bodies, as well as national bodies, including the NHS and the Government, as all have a role to play in protecting and enhancing biodiversity and its place in a sustainable UK future.

2. RECOMMENDATIONS

- 2.1. That the Council welcomes the Biodiversity Commission report's findings.
- 2.2. That the Council promotes the report's findings and recommendations to central government, the Mayor of London and other parties to whom the recommendations are directed for action.
- 2.3. That officers are tasked with producing an action plan and costings for the implementation of the recommendations directed at the Council.

3. REASONS FOR DECISION

- 3.1. The Biodiversity Commission is a resident-led commission that was charged by the Council with examining the issues affecting biodiversity in the borough and reporting back to the Council with recommendations for action. The attached report is the result of the Commission's research and evidence gathering over the past year and is presented to Cabinet for consideration and action.

4. PROPOSAL AND ISSUES

- 4.1. The Biodiversity Commission was launched in January 2017 to review, research and gather evidence on biodiversity in the borough, with a view to reporting back on its findings to the CSERS PAC in autumn 2017.
- 4.2. The Commission, chaired by Morag Carmichael, consists of nine local residents from across the borough and from a range of professional backgrounds who have selflessly provided the time and effort required to produce this report without payment of any kind. The Commissioners were appointed following a call for expressions of interest and they have studied recent research in this area and gathered evidence from experts and other residents of the borough to inform their discussions and debates.
- 4.3. The final report of the Biodiversity Commission (attached) is the fruits of that labour and it makes a series of recommendations aimed at central government, the Mayor and the GLA, the Council, local businesses, schools, community groups and individual residents.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The Biodiversity Commission is the seventh H&F resident-led commission to report to the Council on its findings and recommendations. Since 2015, the Council has received reports from: the Commission on Airport Expansion; the Commission on Council Housing; the Air Quality Commission, the Business Commission, the Poverty and Worklessness Commission and the Disabled People's Commission. A further commission - the Rough Sleeping Commission - is also at the final report stage of its work. A ninth commission – the Older People's Commission – held its inaugural meeting in November 2017.
- 5.2. These commissions demonstrate the Council's commitment to "Working with residents to get things done". The commissions are an example of how the Council is engaged with residents in the co-production of council policies.
- 5.3. The Biodiversity Commission has engaged with council officers from across service areas to help inform and shape its recommendations. It has also gathered evidence from experts in the field and via a survey of borough residents. Cabinet is asked to consider and discuss the Commission's recommendations.
- 5.4. This cover report recommends that the findings are welcomed by the Council and that the recommendations are taken forward by way of promotion and the development of an action plan.

6. CONSULTATION

- 6.1. The Commission has been engaged in consultation with borough residents, environmental organisations, council staff and councillors throughout the year, as it has gathered evidence to inform this final report.

7. EQUALITY IMPLICATIONS

- 7.1. The implementation of these recommendations will have no equality implications.

8. LEGAL IMPLICATIONS

- 8.1. The attached report is that of an independent resident-led Commission and there are no legal implications for the Council in considering the Biodiversity Commission's findings and adopting the report. Any legal implications arising from the implementation of the proposals will need to be considered as part of the action plan referred to at paragraph 5.4 of this report.
- 8.2. *Implications verified/completed by: Adesuwa Omoregie, Principal Solicitor, tel. 020 8753 2297.*

9. FINANCIAL IMPLICATIONS

- 9.1. The Commission has produced its draft report without any public funding. In considering the findings and recommendations of its report there are no direct financial implications arising from the officer recommendation to the Cabinet. If the Council adopts the Commission's findings and recommendations then there will be financial implications for the Council and these will need to be costed and considered as part of the Council's financial planning process.
- 9.2. *Implications completed by: Andrew Lord, Head of Strategic Planning and Monitoring, tel. 020 8753 2531.*

10. IMPLICATIONS FOR BUSINESS

- 10.1. If an Ecology Officer is appointed then he/she will have a specific remit to work with local businesses and their CSR agendas, hence, will be in a position to enhance the council's current engagement work with businesses.
- 10.2. An Ecology Officer would work closely with colleagues in the Economic Development Team who already have comprehensive partnerships with local businesses in relation to creating economic and social value.
- 10.3. *Implications completed by: Albena Karameros, Economic Development Team, tel. 020 7938 8583.*

BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None

LIST OF APPENDICES

Appendix 1: Report of the H&F Biodiversity Commission



**Report of the
Hammersmith & Fulham
Biodiversity Commission
November 2017**



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Foreword



“We, after all, are the architects of the urban world... The ingenuity with which we continue to reshape the surface of our planet is very startling....It’s also sobering.... It reminds me just how easy it is for us to lose our connection with the natural world. It’s on this connection that the future of both humanity and the natural world depends....Surely it’s our responsibility to do everything within our power to create a planet that provides a home not just for us but for all life on earth.”

David Attenborough, Planet Earth I

The actions of human beings have become so influential on the wellbeing of all life on earth that scientists have named this as the Anthropocene age (‘anthropos’ is Greek for human being). A crucial factor in the resilience of all life on earth is biodiversity. This is especially true now that extreme climate events are becoming more frequent.

The Biodiversity Commission was set up because of the need to provide more and better habitats for wildlife in the Borough and London-wide. We need more joined up space for nature to flourish. This is challenging in the current economic climate, but we fail to do so at our peril.

We are hoping that when our report is acted on there will be more opportunities in the Borough to enjoy green spaces which are rich in wildlife. We will see more bees, butterflies and hoverflies, more birds and bats, maybe an occasional hedgehog. Children will be more likely to find a range of “minibeasts” and wild flowers. All this has big implications for our health and wellbeing and, we hope, will increase our awareness of the importance of looking after nature now and in the future.

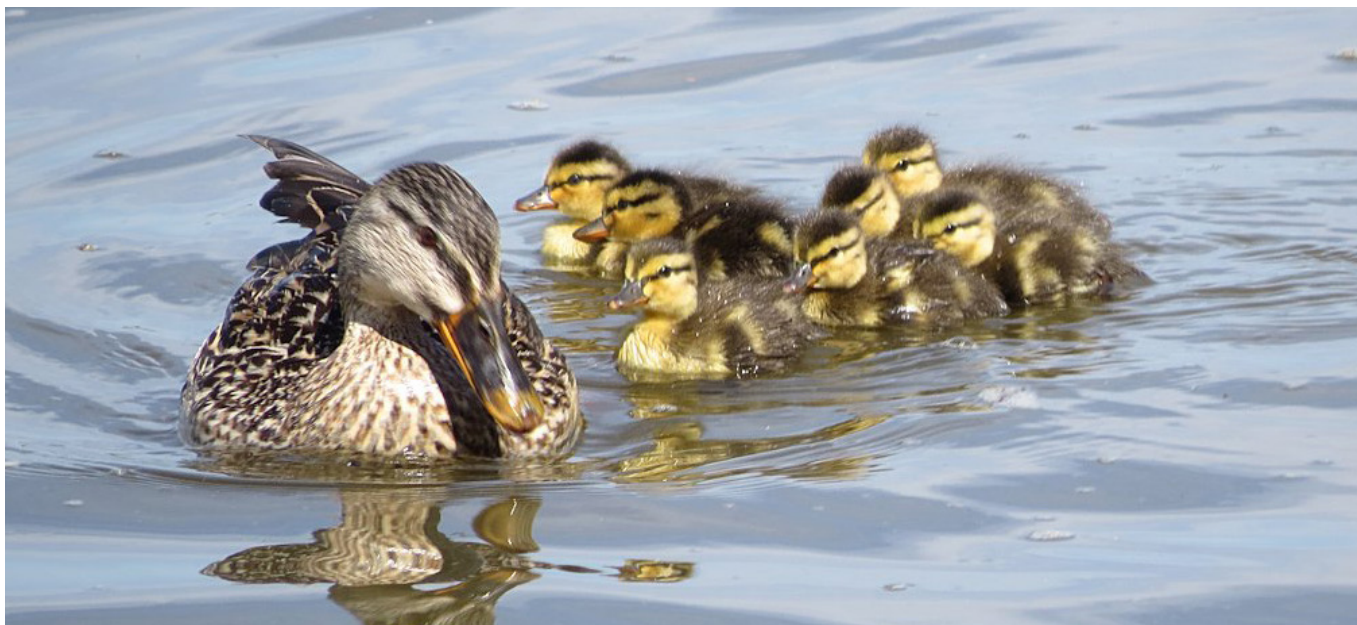
The Commissioners are all local residents and we hope it will be possible to engage more volunteers to help enhance our green spaces, and more children with opportunities to explore the wildlife and their habitats. At the same time, we hope to influence planning policies so that all stakeholders are working together to enrich the biodiversity of the Borough.

The Commission was launched in January 2017 and completed its work in October 2017. It was established to follow up a report on H&F’s current biodiversity, presented to Council in November 2016 by Richard Buckley.

The work has included a literature review (see Appendix B) and an evidence gathering exercise. Specialist council officers and external experts in the field were called to give evidence to the Commission on planning policy and practice, estate management, the variety of trees across the Borough, flood risk management, parks and open spaces and other environmental matters affecting biodiversity. A summary of responses to a request for written evidence is attached as Appendix C. The results of the biodiversity survey which the Commission circulated to residents of the Borough, and which has helped to form our recommendations, is attached as Appendix D.

Morag Carmichael
Chair, H&F Biodiversity Commission

Executive Summary



Biodiversity is a vital aspect of living healthy lives. LBHF aims to be the greenest borough in London and putting biodiversity at the heart of council policy is fundamental to this, as it reconnects us all to nature. In this report we describe what biodiversity is, and show how it contributes value in economic and environmental terms and should be seen as a primary way of promoting a healthy community.

This is demonstrated by examples and reference to research and development in other places with current Government policy described in a series of POSTnotes (from the Parliamentary Office of Science and Technology) within their green infrastructure programme, in which biodiversity is a primary ingredient.

Our recommendations are intended to establish the primary importance of biodiversity in making Hammersmith & Fulham a thriving community in which people and wildlife flourish and our surroundings are enhanced, making it a beautiful place to be. As well as the Council, our recommendations will be communicated to the Mayor of London and national bodies, including the NHS and the Government, as all have published intentions and some policies about biodiversity and its place in a sustainable UK future.

Key Recommendations

For action by Government and national bodies

1. Tenets of EU Environmental legislation to be maintained undiluted post Brexit, in particular those of the Bird and Habitat Directives and the Natura 2000 ecological network of protected areas this legislation supports.
2. The Government to extend the Wildlife and Countryside Act to enable designated green areas (including private gardens) to be established in inner city areas to enhance biodiversity, or to create new legislation specifically for this purpose.
3. The NHS to ensure that every hospital or health centre is a pleasant place to visit with green space, trees and flowers for pollinators and/or a food garden as a teaching tool for nutrition.

For action by the GLA, regional bodies, the OPDC and the Corporation of London

1. The Mayor of London is urged to progress his proposal to make London a National City Park.
2. Herbicides and pesticides to be banned in all public spaces and, where exceptions are necessary to control invasive species such as Japanese knotweed, glyphosate based pesticides to be used only on a cut-and-paste basis.
3. Artificial grass/Astroturf to be banned in public green spaces other than for use to replace existing asphalt sports surfaces, with the possible exception for use on cricket pitches, between the wickets, and in small children's play areas.
4. Efforts to be made to reduce hard standing footprints of sports grounds in parks and commons.
5. Assurances should be given by the Old Oak and Park Royal Development Corporation (OPDC) that the biodiversity of Wormwood Scrubs will be maintained throughout the development of the Old Oak and Park Royal site. Specifically, points of access and the use of the common should be managed to protect the wildlife.
6. Proper consideration must be given to the biodiversity value of Wormwood Scrubs, Mitre yard and North Kensington Gate, and especially to those parts which are designated as a Local Nature Reserve. In particular this means:
 - (a) Keeping the area "more wild than tamed", and consulting all the wildlife surveys of the site, including that of Leanne Brisland in 2015 **and that of the London Wildlife Trust in 2016** before commencing any development close to the green spaces.
 - (b) Ensuring that new high-rise buildings are sited well away from the perimeter of the site, because of light pollution.
 - (c) Not allowing new access to the

site anywhere near the Local Nature Reserve. We also recommend that an alternative plan should be found to the proposed sewer realignment as part of HS2 works because of the heavy impact it would have in a sensitive area.

- (d) Providing green spaces in the new developments to prevent over-use of Wormwood Scrubs by the greatly increased numbers of local residents.
- (e) Rigorous assessment of the probable impact on wildlife, before any decision is taken to move QPR to the Linford Christie site.
- (f) The railway embankment to the north of the Scrubs is a major site for biodiversity and should be retained. It has a very high boundary permeability into the Scrubs and so enhances to ecological value of the local nature reserve areas adjacent to it.

For action by the Council

1. For the Council to appoint a permanent Ecology Officer and establish an Ecology Centre in or near one of the parks in the Borough. The Ecology Officer's role would be to ensure that ecology and biodiversity are given proper consideration in every aspect of Council policy and to set up and run an attractive Ecology Centre which would provide a focus for the public to become more interested in nature and biodiversity. This could be done with the help of assistants and volunteers. Part of the Ecology Officer's role would be to act as volunteer co-ordinator which would involve organising greening projects around the Borough, training and recruiting volunteers.
2. With the ecology officer in the lead, promote and encourage volunteering initiatives for environmental improvement in the Borough's parks and green spaces. This could involve Friends of Parks groups, Residents' and Tenants' Associations,

- existing volunteer groups and organisations and local businesses, as well as individuals of all ages who would benefit from contact with nature and a sense of purpose.
3. Promote and encourage volunteering initiatives for local biodiversity, e.g. Friends Groups, volunteers and Residents Associations to enable them to galvanize, fundraise and make environmental improvements.
 4. Planning policies to be made clearer and more robust to ensure the footprints of existing valuable green spaces are maintained and that suitable/adequate green space accompanies all new developments. (See pp 13-14)
 5. Suitable streets or sections of them to be closed where schools are located opposite public parks and converted to natural habitats. This could be done in conjunction with sustainable drainage system (SuDS) schemes.
 6. The Council to take a more active role in preventing building development in gardens and in promoting diversity within gardens.
 7. Significant weight should be given to the biodiversity aspect of trees in all planting situations. This means, for example, more oaks, willows, silver birches, pink/white hawthorn, rowan and alders and fewer exotic trees or double-flowered cherries in future planting.
 8. Hedges in all planting situations to include a greater variety of native species.
 9. All parks, commons and cemeteries to support "wild" areas, where possible including ponds and wild flower meadows to promote biodiversity - with improved signage to increase understanding and public acceptance.
 10. Parks and other public spaces to be re-vegetated to compensate for the loss of vegetation caused by over-pruning, disease, vandalism and old age.
 11. Large expanses of asphalt in parks/commons, such as the area near the Effie Road entrance of Eel Brook Common, to be replaced with lawn, shrubs or wild flower meadows.
 12. Enshrine good practice protocols within grounds maintenance for streets and open spaces – pruning, mulching, peat-free, mowing, for example, no mowing under tree canopies, pruning of shrubs limited to 50% of the shrub cover in any one year and any pruning not to be severe, and 1 in 3 street trees at a time (as recommended in the Air Quality Commission report).
 13. Herbicides and pesticides to be banned in all public spaces and where exceptions are necessary to control invasive species such as Japanese knotweed, glyphosate based pesticides to be used only on a cut-and-paste basis.
 14. Artificial grass/Astroturf to be banned in public green spaces other than for use to replace existing asphalt sports surfaces, with the possible exception for use on cricket pitches, between the wickets, and in small children's play areas.
 15. Efforts to be made to reduce hard standing footprints of sports grounds in parks and commons.
 16. The Council to access a brochure on planting for biodiversity including pollinators to be published on its website and sent to all householders with their council tax bills.
 17. The Council to promote a scheme to green gardens called "From Grey to Green" and to sponsor an annual award for the best transformation.
 18. The Council to ensure the Biodiversity Commission's recommendations are incorporated in the work towards the re-tendering of a new Grounds Maintenance contract in 2021, and that biodiversity is a key deliverable with clear targets in this contract. This should involve basic training for the workers on maintenance techniques for gardening for wildlife.
 19. The railway embankment to the north of the Scrubs is a major site for biodiversity and should be retained. It has a very high boundary permeability into the Scrubs and so enhances to ecological value of the local

- nature reserve areas adjacent to it.
20. To sponsor the revival of Greenfest as an annual event.
 21. To facilitate the expansion of outdoor education about nature with schools in the Borough. Also to enable Hammersmith Community Gardens Association to expand its work or a sister organisation to be formed which would enable more families to access informal outdoor learning in our parks and green spaces. We would like biodiversity to be given a higher profile in local schools and for publicity to be provided to highlight how well the topic fits into the national curriculum's requirements. The Ecology Officer would be well-placed to assist with delivering and expanding on outdoor education and advising schools on how to improve biodiversity within the school grounds.
 22. The proposed Ecology Officer and Centre would also increase the opportunities for informal learning, both at the centre and as outreach, delivering events and activities in other areas or educating, training and empowering others to do so. We would like this kind of work to be expanded, so that every family in the Borough could easily access one of these schemes, without needing a car to reach it. In addition to engaging the children, their parents are likely to become more interested in nature and biodiversity.
 23. To eventually extend the excellent work it has done to make some housing estates more wildlife-friendly to all the housing estates in the Borough. The Ecology Officer, as stated more fully in 4.5 above, would be well-placed to provide support for these groups to pro-actively improve their own neighbourhood.
 24. To continue to work on improving air quality in the Borough, as this is also essential to supporting the growth of biodiversity, is important to many people, above all in preventing the early deaths of 203 residents per year.
 25. To encourage businesses to provide green spaces and trees on their sites with examples of best practice and its benefits to improve the health and wellbeing of their employees and consequently the efficiency of the business.
 26. To maintain and ultimately increase the number of Green Flag parks in the borough which include biodiversity and community participation among their criteria.

For action by businesses

1. Many businesses now engage in Corporate Social Responsibility (CSR) to give back to the community and environment in which they are based. If an employee spent 1% of their working year on CSR, this would equate to approximately 2 working days per year. We would urge local businesses, in particular medium and large businesses (>200 employees) to commit to a minimum of one environmental improvement action day, for 25% of employees, per year in the borough. The Ecology Officer, would be well-placed to provide support for facilitating CSR days by providing links for businesses to the relevant local organisations, community groups, individuals, Tenants and Residents Associations to help them deliver these environmental improvements.

1. Introduction



1.1 What is biodiversity and why is it important?

Biodiversity – or biological diversity – means the variety of life on earth. It refers to all the living organisms and ecosystems that have evolved over three billion years, from the tiniest living cell to plants, animals, their habitats and their genes. Living things form an interdependent ecosystem and our survival depends on this biological diversity.

Biodiversity is the foundation of life on earth. It is crucial for the functioning of ecosystems which give us the products and services without which we couldn't live. Oxygen, food, fresh water, fertile soil, medicines, shelter, protection from storms and floods, stable climate and recreation - all have their source in nature and healthy ecosystems.

Biodiversity is extremely complex, dynamic and varied like no other feature of the earth. Its innumerable plants, animals and microbes physically and chemically unite the atmosphere (the mixture of gases around the earth), geosphere (the solid part of the earth) and hydrosphere (the earth's water, ice and water vapour) into one environmental system which makes it possible for millions of species, including people, to exist. This complex web allows ecosystems to act as carbon sinks and adjust to disturbances like extreme fires and floods.

“Biodiversity is the backbone of life on earth”

“Its how the planet continues to live”

Respondent to the H&F Biodiversity Survey, 2017

Through biodiversity, we may live healthy and happy lives. Huge numbers of plants give us oxygen to breathe and a vast array of foods and materials. Without a diversity of pollinators, plants and soils, our supermarkets would have far less produce. Parks, woodlands and allotments provide habitat for wildlife, beauty to lift our spirits and invisible support for our immunity through plants' airborne microbes and volatile oils.

In 2014 the Food and Agriculture Organisation of the United Nations reported that, of about 100,000 edible plant species, just three (maize, wheat and rice) supply the bulk of humans' protein and energy needs, with 95% of the world's food energy needs being supplied by just 30 plant species. This is contributing drastically to reduced use and eventual loss. We need wild foods for their richer nutrients, microbiota and medicinal value.

Promotion of Underutilised Indigenous Food Resources for Food Security and Nutrition in Asia and the Pacific (FAO 2014) <http://www.fao.org/3/a-i3685e.pdf>

Ecosystems are a vital part of the urban green infrastructure providing drainage and pollution control, and contribute greatly to our economy, but the economic value of wetlands absorbing chemicals from water, microbes transforming waste into usable products, trees and plants cleaning the air, or green spaces reducing healthcare costs is often ignored in policy development.

Genetic diversity prevents **diseases** and helps species adjust to changes in their environment. Many medical discoveries, to cure diseases and lengthen life spans, were made through research into plant and animal biology and genetics.

Every time a species becomes extinct or genetic diversity is lost, we lose the potential source of a new vaccine, drug or plant medicine.

No other feature of the earth has been so dramatically influenced by man's activities. By reducing biodiversity, we strongly affect human wellbeing and the wellbeing of every other living creature.

Refs <https://www.nwf.org/Wildlife/Wildlife-Conservation/Biodiversity.aspx>

<https://www.biodiversitywales.org.uk/What-is-Biodiversity->

The Importance of Green Space

Only half of people in England live within 300 metres of green space and the amount of green space available is expected to decrease as urban infrastructure expands. The health benefits of green spaces include:

- spaces for physical activity to offset illnesses associated with sedentary urban lifestyles, which are an increasing economic and social cost;
- better mental and physical health;
- the risk of mortality caused by cardiovascular disease is lower in residential areas that have higher levels of 'greenness';
- there is evidence that exposure to nature could be used as part of the treatment for some conditions;
- crime tends to be less in green space areas;
- people tend to feel less lonely when living near green space.¹

There are challenges to providing green spaces in urban areas, such as the increasing competition for space to establish parks and how to fund both their creation and maintenance. Biodiversity within the green infrastructure setting gives good value since the effects on health can decrease NHS costs.

The Economic Value of Biodiversity

Edinburgh City Council found that for every £1 invested it returned £12 in social, environmental and economic benefits.²

See also The Economics of Ecosystems and Biodiversity: <http://www.teebweb.org>

There are challenges to providing green spaces in urban areas, such as the increasing competition for space to establish parks and how to fund both their creation and maintenance. Biodiversity within the green infrastructure setting gives good value since the effects on health can decrease NHS costs.

1.2 Threats to biodiversity

Extinction is a natural part of life. Most of the species that ever existed gradually went extinct because of natural shifts in the environment over long periods of time, such as ice ages. But today, species are going extinct at a dangerously fast rate, largely due to non-natural environmental changes caused by human activity, particularly our economic and population growth. Every species lost means that biodiversity is weakened, including:

- **habitat loss/ degradation**, e.g. nectar for bees, caterpillars for blue tits;
- **over exploitation**, such as overfishing;
- spread of non-native species and diseases;
- climate change;
- **pollution and pesticides**.

Extinction Today

(State of Nature UK report 2016)

<https://www.nwf.org/Wildlife/Threats-to-Wildlife/Disease.aspx>

<http://www.globalissues.org/article/171/loss-of-biodiversity-and-extinctions>

1.3 Consequences of biodiversity decline

No one knows the result of this extremely rapid extinction rate, although the impact on processes such as crop pollination is well documented. The ecosystem has been kept in balance through complex interaction between a huge number

of species. This rapid extinction may, therefore, precipitate global collapses of ecosystems like **agriculture**, threatening food supplies to hundreds of millions of people. This ecological prediction does not include the effects of global warming which will further aggravate the situation, reducing the planet's resilience to fires, floods and other natural disasters.

“If we don’t do this, the web of life collapses”

Respondent to the H&F Biodiversity Survey, 2017

1.4 Biodiversity in Hammersmith & Fulham

As a densely urbanised inner London borough, little remains of Hammersmith and Fulham's original natural ecosystem complexes. Despite this, many quality wildlife habitats exist along the Borough's waterways and rail tracks and within its parks, cemeteries and community gardens where these are not over-manicured. Wormwood Scrubs is our largest green space and the River Thames and the Grand Union Canal also form two important 'blue' wildlife corridors.

A total of 225 hectares of green space was identified in the Borough, which constitutes 14% of its surface. More than 60% of green space (150 hectares) comprises formal parkland, sports pitches, and amenity grassland. The rest is mainly grassland (30 hectares) and herbaceous communities (18 hectares). Only around six hectares of native woodland remains in the entire Borough. An up to date study is required to inform future policy.

“If we lose what little biodiversity H&F has left it will be lost to future generations for ever”

Respondent to the H&F Biodiversity Survey, 2017

The Borough's housing estates have a mix of both hard and soft external surfaces. The large and small estates contain some 4,000 trees of varied species. There is potential to improve local biodiversity, surface water management, and air quality through improvements to both the ground level surfaces, and to the footprint of 45,000sqm of flat roofed buildings managed by the Council.

The Borough's streets are lined with approximately 9,000 trees. The traditional species, like London planes and limes - a legacy from the first wave of planting in the late 19th century and early 20th century - account for some 2,000 trees. The remaining 7,000 are comprised, predominately, of the smaller ornamental species such as cherry blossom, rowan, pear and whitebeam trees.

The larger species, chosen for their ability to tolerate the heavily polluted air from industry and coal fires and regular pollarding, now make the largest contribution to canopy cover. This cover is an important factor in mitigating the effect of urban heat islands and extreme rainfall events.

Best Practice example: Ealing Council, Winner London in Bloom's 2017 Biodiversity Discretionary Award 2017

Some of Ealing's key achievements in 2016-17

- New meadows created on 100,000m² of open space in 2016-17, with a further 200,000m² planned for 2017-18
- 760,000 bulbs planted
- Creation of four new orchards
- Completed four 'grey to green' projects
- Created four new swales in parks with drainage issues
- Three roundabouts cleared of over-mature shrub beds and seeded with meadow plants
- 250 bird boxes and 153 bat boxes installed in parks and conservation areas
- 20,000 trees planted in parks and open spaces, in partnership with Trees for Cities
- Over 2km in native hedgerows planted since 2013

2. Planning Policy and Practice



The Commission recognises the need to raise awareness of biodiversity among decision-makers, strategic planners, development planners and developers. There needs to be a unity of purpose to enhance and maintain biodiversity in the capital in keeping with the Mayor of London's aims and also the aspirations of Government as set out in their various POSTnotes. Local authorities are, by law (section 40 of the Natural Environment and Rural Communities Act 2006), responsible for conserving biodiversity, which includes restoring or enhancing a population or habitat, in exercising its functions.

2.1 The London Plan

The Commission welcomes the Mayor's endorsement of the importance of the environment and welcomes his consultation on the London Environment Strategy. We particularly endorse his aim to make London a National Park City and his pioneering of a capital accounting framework for the natural world within London. By revealing the economic value of public parks and green spaces within the London area it will demonstrate their worth to all decision makers, making it easier to justify investment in them.

“Every pound invested in parks and nature reserves contributes £30 towards health and wellbeing benefits and £23 towards crime reduction and community safety.”

The Land Trust, January 2016

2.2 The Local Plan

It is the view of the Commission that Hammersmith and Fulham Council needs to make biodiversity a priority in setting out planning policy. The Local Plan, which is the strategic planning policy document produced by the Council, must recognise the many values that biodiversity brings to the environment in shaping planning policies and seeking to ensure that developments take account of the need to enhance biodiversity in the Borough.

To ensure this objective is achieved Commissioners believe planning policies should be strengthened to ensure existing green space is protected and suitable and sufficient green space accompanies new developments. Too often the wording of policies is not sufficiently robust or encompassing. Greater clarity would both improve the environment and reduce the

lead time to development by preventing costly disputes about the nature of development.

The Commission also believes there is scope to create new habitats by closing streets or parts of them, particularly where schools are located beside parks. This would also reduce pollution and improve child safety.

The scale of garden loss within the Borough and the impact this is having on biodiversity is a major concern of the Commission. We fully appreciate that central government planning policy limits the Council's ability to stop this development but believe there are initiatives open to the Council to mitigate the overall decline in the Borough's garden footprint.

The Commission believes it is essential that the Council first determines the scale of historic garden loss within the Borough and that it continues to monitor this decline. Such information will allow mitigating policies to be formulated as well as inform central government decision-making in the hope that policies will be introduced to prevent/reduce future garden "grabbing".

There are also residents who feel passionately about protecting their gardens for future generations. The Council could facilitate such action by promoting a scheme which would allow householders to covenant their gardens by providing a template and legal advice.

A more ambitious scheme would involve creating protected garden areas - "*Sites of Special Garden Interest*" - within the Borough in which garden development would be prevented and incentives provided to enhance gardens to improve their biodiversity. Such a scheme would be easier to implement with central government support as it would give the Council greater authority (through extending the Wildlife and Countryside Act to include urban gardens, or by establishing completely new legislation for urban gardens) and allow it to tap into central government funds.

Recommendations

For action by Government and national bodies

1. Tenets of EU Environmental legislation to be maintained undiluted post Brexit, in particular those of the Bird and Habitat Directives and the Natura 2000 ecological network of protected areas this legislation supports.
2. Government to extend the Wildlife and Countryside Act to enable designated garden areas to be established in inner City areas to enhance biodiversity, or to create new legislation specifically for this purpose.

For action by the GLA and regional bodies

3. The Mayor of London is urged to progress his proposals to make London a National City Park.

For action by the Council

4. Planning policies to be made clearer and more robust to ensure the footprints of existing valuable green spaces are maintained and that suitable green space accompanies all new developments
 - (a) All commercial and residential development, including householder extensions undertaken within permitted development rights, to provide green space on a 1:1 basis at the very least.

Such a policy enshrines the Council's objective and, at the same time, recognises that green roofs and walls would not provide a total solution in major housing developments. Commissioners recognise that further discussion is required with the Council regarding the definition of a large housing development and the ratio of 70% of green open space at ground level. Commissioners advise that green wall infrastructure should be built into walls. Plastic frameworks which can be draped down walls should not be recognised as green walls for planning purposes.

(b) Development to be confined to existing building footprints in all open green space in Hammersmith and Fulham.

For the avoidance of doubt this includes green space of Metropolitan, Borough wide and Local importance, as well as allotments. There should be zero tolerance to any encroachment into green space - this is a heavily populated Borough. "Salami slicing" of green space to accommodate development is taking place (witness the recent Hurlingham Club planning application). Repeated small incursions into green space to accommodate development over time will seriously reduce the footprints of the Borough's green space. Green roofs and walls provide some mitigation but it is only mitigation. If development is to take place, it must be on existing building footprints.

(c) To ensure maximum tree planting flexibility, all proposed cellar/lower ground floor extensions in existing properties must not protrude beyond their ground level footprints, similarly, cellars in new housing developments.

This policy will ensure that additional impediments are not presented to tree planting in existing streets and give maximum flexibility for tree planting within new housing developments.

(d) All commercial house builders required to show in their landscape strategy reports for planning applications, how they intend to improve their development sites for pollinators.

The government introduced the National Pollinator Strategy in 2014. As a voluntary initiative few developers take it into consideration when landscaping. Creating initiatives to improve habitats for pollinating insects will also help the bird and mammal populations.

(e) All developers to seek information from Greenspace Information for Greater London (GIGL) to better understand baseline conditions when preparing their baseline reports for planning applications.

Research conducted in 2016³ by the Greater London Authority (GLA) shows that approximately 18% of planning applications have the potential to impact adversely on nature in the capital and that only 1% of applications are informed by a data search from GIGL. This implies that Local Authorities are not being correctly informed about baseline conditions and that inadequate measures are being taken to maintain biodiversity when development is taking place.

(f) Governance improvements required to ensure the Council receives impartial advice when seeking second opinions on the size of green space and affordable housing allocations in new housing developments.

Large housing developers often attempt to avoid implementing local plan commitments on green space and affordable housing allocations. Councils seek second opinions from outside consultants but often these consultants are working/or have worked for the developers through other subsidiaries. This means there are conflicts of interest. To avoid such conflicts, the Council should ensure any consultant appointed to give a second opinion on these matters should not have worked for the applicant developer in any capacity, for the last five years.

5. Suitable streets or sections of them to be closed where schools are located opposite public parks and converted to natural habitats. This could be done in conjunction with SuDS schemes.

Closing strategic streets will create additional habitats as asphalt can be replaced by shrubs, lawn and even vegetated swales. This policy will also improve air quality and safety for school children and could be linked in with SuDS schemes. South Park, for example, presents two opportunities as there are schools on opposite sides of the park: The Fulham Bilingual on Clancarty Rd, (London, SW6 3AA) and Thomas's School, Hugon Road (London SW6 3ES). Also Phoenix School and Cambridge School adjoin Wormholt Park. Consideration should also be given

to closing sections of roads where housing estates face public parks, for example, a section of Broomhouse Lane which separates the Sullivan Court Estate from Hurlingham Park – preferably closer to the Sullivan school end.

6. The Council to take a more active role in preventing building developments in gardens and in promoting diversity within gardens.

- (a) H&F to undertake a study of the decline in garden green space within the Borough since 2000 using aerial photographs and knowledge gained through planning applications and to continue to monitor this decline on a yearly basis.

The Commission recognises that central government policy on permitted development rights makes it difficult to stop garden development but that it is important to understand the scale of the decline in garden green space as a precursor to policy formulation for initiatives to mitigate the impact and to inform central government. To enable the Council to more easily monitor garden consumption in the future, all householders proposing developments, either within permitted development rights or via a formal planning application, should be required to notify the Council of the garden area to be consumed by development and the nature of that land being displaced - garden or hard surface/ artificial surface.

- (b) The Council to assist householders to covenant their gardens to prevent development.

The Commission recognises that the Council has limited powers to restrict development in gardens due to central government planning policy but believes it should exercise the power it has to help residents to preserve their gardens for future generations. One way in which this could be achieved would be to provide information or a “tool kit” to enable residents to covenant their gardens to prevent development. The covenant would be registered with the Council as well as with property deeds.

- (c) H&F to pioneer an initiative to designate areas of the Borough: “*Sites of Special Garden Interest*”.

Again, this is an initiative designed to preserve gardens and provide oases of green within an urban context in a similar manner to Areas of Outstanding Natural Beauty (AONB) and Sites of Special Scientific Interest (SSSIs) in the countryside. Preferably the Council should be supported by central government legislation – either extending the Wildlife and Countryside Act to include urban gardens, or by establishing completely new legislation for urban gardens. This would make it easier to implement such an initiative and allow H&F to tap central government funds to execute such a scheme.

3. Greening Policy and Practice



3.1 Parks, Open Spaces and their Interconnections

The Borough has 61 green spaces including some good quality parks. 13 of the green spaces have green flag awards. However, the Borough faces many pressures that are relevant to biodiversity - increased population, increased pollution and declines in central government funding, but there is also a highly relevant social change. As society becomes more urbanised, wealthy and technologically sophisticated, it is becoming increasingly divorced from nature and does not "see" the relevance of biodiversity. This is one of the major challenges the Council faces as a successful biodiversity strategy depends on "buy-in" from local residents.

"We look after nature, we look after mankind"

Respondent to the H&F Biodiversity Survey, 2017

Parks, commons, greens, cemeteries, allotments, private gardens, housing estates, road verges, waterways, industrial estates and the

interconnections between these and other natural features play a major part in supporting the Borough's biodiversity – but it will take a concerted effort by all stakeholders for improvements to take place.

(a) Green Corridors

Green corridors are a feature of landscape that allows organisms to move across landscapes. They are particularly important to small animals that find protection for cover as they move. The banks of water features act as green corridors for non-aquatic species. Railway embankments form a similar function. These are potentially long distance features. On a smaller scale, hedges and street trees provide this in a more local manner. Rows of houses with gardens also provide green corridors. All these provide a pathway for organisms to move under protection of cover and in a habitat that provides shelter and food.

(b) Parks and Commons

Parks are an important source of biodiversity but they face growing pressures. Existing parks are being required to accommodate more children for sports events due to the lack of sizeable green space in new housing developments, while central government funding cuts to councils have led to reduced spending on parks and shortcuts

with their maintenance. In particular, shrubs are being over-pruned and rubbish-laden compost strewn too heavily under trees and shrubs to reduce maintenance, causing the death of some shrubs. Often there is no budget to replace these shrubs and, when there is, there is reluctance to plant as it means additional maintenance.

Regulation has also gone too far – shrubs/hedges have been emasculated in order to reduce anti-social behaviour but the balance is not right. There are virtually no intact hedges in parks or gardens of council housing estates and similarly few shrubs above chest level height. This, coupled with the loss of garden space discussed in 3.2, has resulted in a very severe decline in habitat area and variety in the Borough and has contributed to the fall in small bird populations in inner London.

“The full-throated dawn chorus has disappeared”

Respondent to the H&F Biodiversity Survey, 2017

Meanwhile contractors spend a great deal of time dispersing and collecting leaves from parks. This over-concern with cleanliness reduces invertebrate numbers by depriving them of leaf habitat for over-wintering, leading to fewer bird numbers as they are deprived of a food source. It is also a possible contributory factor in the dramatic decline in hedgehogs.

But, given the will, much can be done to rejuvenate the parks through more sensitive pruning, changes in the nature of planting and by setting aside areas which can be left to grow wild or be used to create Ecology Gardens with wildflower areas and ponds (see Habitats for Wildlife in 3.5). There are also parks and commons with disused asphalted areas that could be replaced with vegetation and opportunities to reduce the surface areas of hard standings for sports grounds.

There have been various initiatives put forward over the years to replace grassed areas in parks

and commons with Astroturf/artificial grass surfaces, although most have been unsuccessful. The Commission would like the Council to ban the replacement of grass surfaces with Astroturf/artificial grass in all open spaces, with the possible exception for use on cricket pitches, between the wickets, and in small children’s play areas. Should existing asphalt sports surfaces be replaced with Astroturf, every effort should be made to establish whether the area of hard surfacing could be reduced, as has been successfully achieved in South Park.

Wormwood Scrubs deserves separate comment given its size. It is Common Land and has special protection under the Wormwood Scrubs Act 1879. It is also Metropolitan Open Land and parts of it are a Local Nature Reserve. It currently has several uses: sports, local nature reserve and a historical role of military training ground. The advice from the Open Spaces Society is that where common land has not been made into a formal park, it should be retained in its more natural state. The Commission is concerned that attempts will be made to turn part or all of the Common into a park in the future, and urges the Council to retain this Common in its natural state.

Our main concern is the potential effect of the proposed redevelopment of the railway land south of the canal on the Scrubs. The designated nature reserve, the main habitat of the common lizard and ground nesting birds, Meadow Pipit and Stonechat, is close to the boundary of the redevelopment area. Access from the redevelopment site to the Scrubs will need careful management to maintain habitat variety and biodiversity. It should be possible to direct access to the east where the sports fields are and to plant more trees or hedges to protect the Local Nature Reserve area.

The railway embankment to the north of the Scrubs is a major site for biodiversity and should be retained. It has a very high boundary permeability into the Scrubs and so enhances to ecological value of the local nature reserve areas adjacent to it.

The impact of moving Queen’s Park Rangers to the Linford Christie stadium site is unknown.

We are very concerned about the impact of the building footprints and the sheer number of people at football matches on wildlife. This is the largest area for wildlife in the Borough by a wide margin. It should be preserved as a wildlife site for future generations and the Commission seeks assurances from the Old Oak and Park Royal Development Corporation (OPDC) and Queens Park Rangers football club that the biodiversity of Wormwood Scrubs will be maintained or even enhanced during the period of development in the area.

We very much agree with The Hammersmith Society's concerns about the proposed OPDC development's effect on the Scrubs and with the submission by the Friends of Wormwood Scrubs to the consultation. In general, we endorse the description of the Scrubs as "more wild than tamed" and wish it to remain that way for the sake of its wildlife. In particular we are concerned about the numbers of visitors to the site, which is set to increase greatly and agree that "priority should be given to preserving its informal character rather than increasing hard-surface walking and cycling routes or attracting visitors from further afield." We endorse their rejection of the proposal for "new and enhanced access from Old Oak Common station and surrounds" because of the Local Nature Reserve on Wormwood Scrubs that would be disturbed, as we have mentioned in our report already.

The proposed sewer realignment, parallel to the railway, as part of HS2 works, is of concern, especially as in the current plan it would include a satellite construction compound right next to Chats Paddock. This would impact very heavily on this sensitive area for wildlife. We recommend an alternative plan be found. Also, if Crossrail and HS2 are put in place as currently planned, particular care must be taken to ensure that any new paths on the Scrubs avoid the nature reserve areas. Extra protection can be provided by planting more trees or hedges around them.

We agree that light pollution from multiple tall towers would also be detrimental to the wildlife on the Scrubs as well as the noise and disturbance while building work is in progress, and agree that new buildings must be set well

back from the perimeter of all green spaces affected. The inclusion of ponds or scrapes could enhance biodiversity and also prevent flooding.

A fuller extract from the Hammersmith Society's response to the consultation is included in Appendix D.

Parks and other public green spaces offer wonderful opportunities for education about biodiversity. Plant walks led by foragers and others have burgeoned in the Borough through people hungry for plant stories, to learn how to identify plants, to eat and to use them as medicine. We should encourage this widespread desire to reconnect with nature, but it needs responsible management, including teaching about legality, when, how and when not to pick plants to protect biodiversity and respect Parks and heritage sites. Such responsible education should be encouraged by managers of Parks and botanical heritage sites such as Fulham Palace.

(c) Cemeteries

Cemeteries provide a variety of habitats and maintain considerable biodiversity. The Borough has two public cemeteries (Hammersmith and Fulham (Margravine) and two private cemeteries (St Mary RC and All Souls, Kensal Green). All church grounds in the Borough were closed to burials in the 19th century, although Margravine is now, once again, accepting internments. They are considered to be public open space and are listed as such by the London Parks and Gardens Trust.

The way in which cemeteries are managed varies, so the spread of habitat ranges from being similar to that of formal parks to good quality secondary woodland, while the manner in which the public behave in cemeteries means they are often quiet and less visited so provide habitat for species that would not be at ease in a busy park.

There are nonetheless challenges to improving biodiversity within cemeteries as some residents consider an overgrown or wild cemetery denotes lack of respect and neglect. The Commissioners believe that better information is the key to improving biodiversity within cemeteries, combined with judicious mowing around gravestones in cemeteries where there are

resident concerns. Information boards should be in all cemeteries outlining the biodiversity objectives of the cemetery or its Friends.

Margravine Cemetery is a model example of how a cemetery can be enhanced to maximise its biodiversity and its attractiveness to residents through having a committed group of local volunteers.

(d) Allotments and Community Gardens

Allotments are another special habitat. There is only one major site in the Borough, Fulham Palace Meadow Allotments, which has 406 plots. They add to biodiversity in the Borough due to the variety of plant/food species grown, but there is scope for improvement as herbicides and pesticides are still being used inappropriately.

Community gardens within parks also have a role to play in enhancing biodiversity and resident participation but, again, education is required to moderate and, ideally, prevent the use of pesticides and herbicides.

“Important to biodiversity are the LBBs – little brown bugs, little brown birds and little brown bacteria”

John Goodier, Biodiversity Commissioner

3.2 Gardens

Gardens can contribute enormously to biodiversity through the variety of vegetation and microhabitats they support. There is enormous variety in the composition of the Borough’s gardens, ranging from those attached to substantial detached houses, to smaller gardens linked to terraced housing and the gardening in pots on balconies. Most of the houses in the Borough are terraces, having small back gardens and even smaller front gardens.

The worrying factor is the decline in the overall Borough garden footprint. The trend to concrete

over front gardens to accommodate cars and/or reduce maintenance continues, as does the desire to increase living space by extending into back gardens. Anecdotal evidence suggests that this decline has accelerated since householder permitted development rights were liberalised and stamp duty increased.

The decline in the garden footprint is having a profoundly negative impact on biodiversity within the Borough as the total habitat for flora and fauna has declined. Further, losses in biodiversity can be attributed to residents concreting, decking or Astroturfing their back gardens and embracing exotic ornamental plants which have little or no biodiversity value.

The Commission appreciates that the Council has limited power over garden development due to central government planning policy but believes that there are initiatives it can take to help mitigate the garden decline. First, an informed assessment of the shrinkage of the Borough’s garden footprint must be undertaken and this must continue to be monitored on an annual basis (see Planning Policy and Practice).

As we pointed out in “Planning Policy and Practice” we believe there are measures which the Council could implement to improve garden biodiversity, such as facilitating the covenanting of gardens, spearheading the creation of designated protected garden areas. The Council could also launch a public “Grey to Green” campaign to encourage residents to re-green their gardens.

In addition, we believe that education plays an important role in changing behaviour. Many householders are unaware of the importance of different plant species for pollinators and welcome knowledge of appropriate planting. The Council could access a brochure on planting for pollinators which could be published on its website and sent to all householders with their council tax bills.

3.3 Industrial and Housing Estates

Industrial estates are not normally associated with biodiversity given the absence of green space, but abandoned estates/brownfield sites can have considerable diversity (bats, foxes and plant species that are pollinator friendly) although not all of it is welcome to everyone. Buddleia, which often grows on these estates, is excellent habitat for butterflies while other pollinator friendly “weeds” such as dandelion and bramble, which support bees, are also common on these sites.

As we outlined in the previous section, any site proposed for development should be informed by biodiversity information provided by Greenspace Information for Greater London (GIGL) to better understand baseline conditions.

The Commission believes that combining better information with a policy to ensure green space is given equal weight to the building environment in planning terms, will considerably improve biodiversity in the Borough (see Planning Policy and Practice section).

In industrial estates, greening could be achieved through green roofs and walls and better tree planting, should scope for creating green open space be unavailable. In large housing developments (say 50 plus dwellings) at least 70% of the green space must comprise ground level non-paved open green space to ensure there is adequate recreation ground for residents as well as enhancing biodiversity.

Established private housing estates can be over-manicured and their green space dominated by plant and tree species which support little biodiversity. Often this reflects the landscaping policy of the original developers of cutting costs by choosing low maintenance species and achieving economies of scale by bulk purchasing, but better public education could result in more intervention in favour of biodiversity by residents.

In the main, council housing estates are subject to many of the pressures faced by public parks, as described under 3.1, but there are notable exceptions, in particular the greening of the Queen Caroline Estate in Hammersmith. This is an outstanding blueprint for the rest of the Borough as it demonstrates how a sustainable drainage system (SuDS) scheme can be combined with resident participation to produce a win-win situation for both residents and the environment.

3.4 Green and Blue Corridors

The Grand Union Canal runs through the Borough within the Old Oak and Park Royal Development Corporation (OPDC) area. The redevelopment of the area provides an opportunity to add to the variety of plant species, and hence animal species. There are examples of reasonable good practice in the Ealing parts of the OPDC. Much of the water in the canal in this area is derived from the Colne River and the Frays (a manmade water course) and is of good quality. It supports a large fish population, which is only visible during angling competitions. The canal is part of a 26 mile spread of lock free water and connects to a 2200-mile system in England and Wales.

The River Thames is the other main blue corridor. As a tidal river it provides a variety of habitats from permanently watered river to an area of land-based plants that tolerate tidal inundation. Much of the Thames in the Borough is mud flats. It is an interesting accident of history that the Borough is geographically defined by the two rivers, Counters Creek and Stamford Brook, and yet has no natural flowing water within its borders. The Commission believes there is considerable scope to green the footpaths running along the Thames and to provide wildlife friendly river banks as development offsets.

3.5 Habitats for Wildlife

In the past the Borough has planted a wide variety of plant species and that has made a contribution to biodiversity. Native species are important to those organisms that have co-evolved with them. Non-native species are not as useful to native small species which have very specific requirements. Ornamental varieties of plants are often bred to have showy flowers where reproductive parts are replaced by additional petals. As a result, they often have few if any nectaries, little or no pollen and do not set fruits or seeds. All these features reduce available food for animals. Bees that are essential to the production of many fruit and seed crops (e.g. plums) are maintained outside the flowering period of these crop plants by other sources of pollen and nectar. To maintain biodiversity, it is necessary that the flowering and fruiting of plants is spread as widely as possible over the year.

Biodiversity is encouraged by the structure of the habitat. Leaving parts of grass areas to grow tall encourages biodiversity by increasing the variety of habitats and by providing food. Where it does not conflict with the use of parks for sports or picnic areas, grass should be mown less frequently. Underneath mature trees would seem a suitable place; not only will it provide habitat but it could reduce compaction and thus improve the growth of the tree. We are aware that some people see this as untidy; an alternative would be to grow annual or perennial flowering meadows which mainly consist of colourful flowering plants, and would in themselves increase biodiversity.

Hammersmith & Fulham has 9000 street trees and 4000 trees on its housing estates. This number would be considerably higher with park and garden trees and all others included. Ravenscourt Park alone has 600 trees and more are being planted in the Borough each year.

The trees are of a variety of species. The many large plane trees that were planted over 100 years ago have minimal biodiversity value, though they do provide good canopy cover and some protection against air pollution. Many streets are lined with lime trees which support more species of invertebrates. Other street trees tend to be smaller and often ornamental. Pink hybrid double-flowering cherry trees and Himalayan birches are popular and beautiful, but do not have biodiversity value. Some streets are lined with rowans, which support 28 species of invertebrates and provide food for birds. They look lovely when in berry, but rarely survive more than 20 years, so are not a very sustainable option on streets, but could probably survive better in parks. Other trees locally include silver birches which support over 200 invertebrate species, alders which support 90 such species, and hornbeams which support 28 species.

The parks have a wide variety of trees including large exotic ones which for this reason are not best for promoting wildlife. There are very few oaks, which are the best tree for biodiversity. They support around 300 or more invertebrate species and can live up to 500 years, occasionally double that! They require a lot of space for their roots to spread, so are not suitable as street trees. However, the Council's current tree officer is keen to plant them wherever possible. They could be suitable replacements when the large exotic trees die. Willow trees also have an exceptionally high

biodiversity value and could be planted more in our parks, including pussy willow, which attracts pollinators.

"What's good for bugs is good for you"

Respondent to the H&F Biodiversity Survey, 2017

Hedges are a great nesting habitat for birds and provide homes for hedgehogs and invertebrates. But many of the hedges in the Borough's green spaces are just of one species, such as beech or holly. They would support more wildlife if they were made up of a mixture of native species. This is true of the hedges on Wormwood Scrubs, including one that was planted within the last 10 years. Unfortunately, the wildflowers that were planted next to it have not survived well, apart from teasels and thistles which goldfinches love. Hedges have also been over-pruned, which means they do not have the critical mass to provide food and shelter for birds and invertebrates.

As regards other flora, there are places on housing estates and in some parks where wildflowers have been planted and grasses have been allowed to grow longer to support pollinators and other invertebrates such as grasshoppers and lizards. The wildflower patches have not always been well maintained (e.g. Ravenscourt Park nature garden) and some of the long grass has been mown short in response to residents' complaints. The lack of understanding as to why it's necessary to have well joined-up wild spaces to support wildlife could be addressed with more signage and explanations. Perennials that support pollinators, herbs and wildflowers require less maintenance than formal arrangements of bedding plants that don't support wildlife, and would, therefore, reduce costs. Generally, there is a need for more planting for pollinators in the Borough to protect bees, hoverflies, butterflies and moths from declining even further than at present.

"Fewer wildflowers – no poppies!"

Respondent to the H&F Biodiversity Survey, 2017

Given the Borough's lack of open water, ponds, both formal and informal (including pond dipping sites) are an important contributor to biodiversity by providing wetland habitats. Very few of H&F's green spaces have them though they attract a lot of attention from park visitors, especially those with children. The larger ones provide habitat for water birds including swans, ducks, geese, herons, coots, moorhens and gulls and are found in Bishop's Park, Ravenscourt Park and Hammersmith Park. The smaller ones, like those in Ravenscourt Park nature garden, Phoenix, Godolphin and Lena Gardens and South Park Ecology corner, provide habitat for smaller pond creatures including frogs and toads.

An unknown number of people have such a pond in their gardens but almost every green space would be richer in wildlife if it included a small pond, or in the case of Wormwood Scrubs, a larger one or several smaller ones. Frogs and toads eat slugs and snails, so are beneficial to gardeners, and ponds judiciously placed can also help to prevent flooding. This is important in the case of Wormwood Scrubs, to prevent run-off onto Wood Lane. Ponds in urban public places need to be inside an enclosure for health and safety reasons, and also need to be maintained properly in order to continue to support healthy wildlife. The pond in Ravenscourt Park nature garden is currently lacking attention but, nevertheless, has a constant stream of children visiting it when there are tadpoles.

Recommendations**For action by the GLA, the Corporation of London and the OPDC**

1. Herbicides and pesticides to be banned in all public spaces and where exceptions are necessary to control invasive species such as Japanese knot weed, glyphosate based pesticides to be used only on a cut-and-paste basis.
2. Artificial grass/Astroturf to be banned in public green spaces other than for use to replace existing asphalt sports surfaces, with the possible exception for use as cricket pitches between wickets.
3. Efforts to be made to reduce hard standing footprints of sports grounds in parks and commons.
4. Assurances should be given by the OPDC that the biodiversity of Wormwood Scrubs will be maintained throughout the development of the Old Oak and Park Royal site. Specifically, points of access and the use of the Common should be managed to protect the wildlife. Play equipment areas should be on the periphery of the sports pitch area and outdoor gym equipment should be near the street workout structures north of the Linford Christie Stadium.
5. Proper consideration must be given to the biodiversity value of Wormwood Scrubs, Mitre yard and North Kensington Gate, and especially to those parts which are designated as a Local Nature Reserve. In particular this means:
 - (a) Keeping the area "more wild than tamed", and consulting all the wildlife surveys of the site, including that of Leanne Brisland in 2015, and that of the London Wildlife Trust in 2016, before commencing any development close to the green spaces.
 - (b) Ensuring that new high-rise buildings are sited well away from the perimeter of the site, because of light pollution.
 - (c) Not allowing new access to the site anywhere near the Local Nature Reserve. We also recommend that an alternative plan should be found to the proposed sewer realignment as part of HS2 works because of the heavy impact it would have on a sensitive area for wildlife.
 - (d) Providing green spaces in the new developments to prevent over-use of Wormwood Scrubs by the greatly increased numbers of local residents.
 - (e) Rigorous assessment of the probable impact on wildlife, before any decision is taken to move Queens Park Rangers to the Linford Christie stadium site.
 - (f) The railway embankment to the north of the Scrubs is a major site for biodiversity and should be retained. It has a very high boundary permeability into the Scrubs and so enhances the ecological

value of the local nature reserve areas adjacent to it.

For action by the Council

Significant weight should be given to the biodiversity aspect of trees in all planting situations. This means, for example, more oaks, willows, silver birches, pink/white hawthorn, rowan and alders and fewer exotic trees or double-flowered cherries in future planting.

1. Hedges in all planting situations to include a greater variety of native species.
2. All parks, commons and cemeteries to support "wild" areas, where possible, including ponds to promote biodiversity - with improved signage to increase understanding and public acceptance.
3. Parks and other public spaces to be re-vegetated to compensate for the loss of vegetation caused by over-pruning, disease, vandalism and old age.
4. Large expanses of asphalt in parks/commons, such as the area near the Effie Road entrance of Eel Brook Common, to be replaced with lawn, shrubs or wild flower meadows.
5. Enshrine good practice protocols – pruning, mowing, for example, pruning of shrubs limited to 50% of the shrub cover in any one year and any pruning not to be severe, and 1 in 3 street trees at a time (as recommended in the Air Quality Commission report).
6. Herbicides and pesticides to be banned in all public spaces and where exceptions are necessary to control invasive species such as Japanese knotweed, glyphosate based pesticides to be used only on a cut-and-paste basis.
7. Artificial grass/Astroturf to be banned in public green spaces other than for use to replace existing asphalt sports surfaces, with the possible exception for use as cricket pitches between wickets.
8. Efforts to be made to reduce hard standing footprints of sports grounds in parks and commons.
9. The Council to access a brochure on planting for pollinators to be published on its website and sent to all householders with their council tax bills.
10. The Council to promote a scheme to green gardens called "From Grey to Green" and to sponsor an annual award for the best transformation.
11. The Council to ensure the Biodiversity Commission's recommendations are incorporated in the work towards the re-tendering of a new Grounds Maintenance contract in 2021, and that biodiversity is a key deliverable in this contract. This should involve basic training for the workers on gardening for wildlife.
12. The railway embankment to the north of the Scrubs is a major site for biodiversity and should be retained. It has a very high boundary permeability into the Scrubs and so enhances the ecological value of the local nature reserve areas adjacent to it.

4 Putting People at the Heart of Biodiversity



4.1 An Ecology Centre and Ecology Officer

We think the most visible and accessible way to increase people's understanding and involvement with biodiversity would be for the Council to create an Ecology Centre in or near one of the parks in the Borough. We would not want this to encroach on any of the areas that provide habitat for wildlife though! Perhaps it could be housed in an existing building. It could be a source of inspiration as well as being a resource centre for educational projects to increase understanding of how biodiversity works, and volunteering projects connected with creating more habitat for wildlife. It could also be the base for designing more signage and beautifully illustrated boards to inform people about the habitats that are being created and improved for wildlife. The ecology officer would play a crucial role in making it functional, together with assistants and volunteers.

4.2 Greenfest

Greenfest was an annual event in the Borough from 2004 to 2011, held in Bishop's Park, Parson's Green or Furnival Gardens in the summer. Stalls were run by local environmental and community organisations, with bicycle maintenance

workshops, how to cycle safely, and much more. Unfortunately, the Council withdrew the funding. We would like it to be revived, including local 'green' business to showcase best practice. Commission members would play our part by providing education about biodiversity, including, for instance, how to make our windowsills and gardens more wildlife-friendly, and games or quizzes to engage young people. We would also use it to publicise a calendar of events throughout the year, such as nature walks and planting wildflowers or bulbs.

4.3 Schools

Urbanwise.London already works with 31 primary schools in the Borough on a range of environmental projects, including learning about biodiversity. Also, Hammersmith Community Gardens Association works regularly with 11 schools in the Borough including delivering gardening projects and volunteering sessions at the wonderful Phoenix School Farm. We would like this kind of work to be expanded to involve more schools and more students from each school. We would like biodiversity to be given a higher profile in local schools and for publicity to be provided to highlight how well the topic fits into the national curriculum's requirements. Outdoor education should be encouraged in

schools in order to connect young people with nature and their local environment, promoting health and wellbeing for students. The Ecology Officer would be well-placed to assist with delivering and expanding on outdoor education and advising schools on how to improve biodiversity within the school grounds.

4.4 Families and Informal Learning

Informal learning projects already happen in the school holidays in some of our green spaces, organised by Hammersmith Community Gardens Association (HCGA), and they are well-equipped to run projects involving hands-on education about wildlife. The proposed Ecology Officer and Centre would also increase the opportunities for informal learning, both at the centre and as outreach, delivering events and activities in other areas or educating, training and empowering others to do so. We would like this kind of work to be expanded, so that every family in the Borough could easily access one of these schemes, without needing a car to reach it. In addition to engaging the children, their parents are likely to become more interested in nature and biodiversity. The results of our Biodiversity Survey highlight the need to interest and engage more young people and adults under 40, and many people with young families fit this category.

4.5 Community Groups and Individuals

The proposed Ecology Officer, whom we consider essential to enable wildlife habitats to be increased and maintained, should involve existing community groups in these projects and provide support for groups to proactively improve their own neighbourhoods. This could be in the form of expert advice, education, training, signposting to fundraising sources, organising voluntary task days, for example litter-picking or planting, or providing links to other local environmental organisations who could help them to deliver these tasks, e.g. Thames 21, HCGA, Groundworks. There will be people in these groups who can be inspired to do this and who will in turn inspire others. The projects should be well-advertised in every way possible to encourage those who are retired, marginalised or

socially isolated to get involved. In particular there are likely to be retired people who are seeking a sense of purpose in their new lifestyle, who would find gardening for wildlife fulfilling and a source of companionship.

4.6 Tenants' & Residents' Associations and Estates

The Council has done some admirable work on some estates, in collaboration with the residents, to make their green spaces more wildlife friendly, and to provide attractive playspaces for children at the same time. There is now more awareness about nature and biodiversity among those residents, and greater enthusiasm for it too. We would recommend that this kind of project be extended eventually to all housing estates in the Borough. The Ecology Officer, as stated more fully in 4.5 above, would be well-placed to provide support for these groups to pro-actively improve their own neighbourhood.

4.7 Businesses

There is much evidence that having green space, trees and flowers close to one's workplace improves health and wellbeing. This is reflected in a reduction in sick leave and better retention of staff. Many businesses find that providing a sensory and/or productive garden as a breakout space, for instance, is beneficial to the workers in terms of health and wellbeing, and thus increases the productivity of the business itself. We would therefore encourage businesses to provide and improve green spaces on their sites including planting trees.

Many businesses now engage in Corporate Social Responsibility (CSR) to give back to the community and environment in which they are based. We would urge local businesses, in particular medium and large businesses (>200 employees) to commit to one environmental improvement action day, for 25% of employees, per year in the borough. The Ecology Officer, as stated more fully in 4.5 above, would be well-placed to provide support for facilitating the CSR days by providing links for businesses to the relevant local organisations, community groups, individuals, Tenants and Residents Associations

to help them deliver these environmental improvements.

4.8 Hospitals and GP Health Centres

Every hospital or health centre should include a green space with medicinal plants and food and encouraging wildlife to provide and demonstrate the benefits of nature for our health and wellbeing. These gardens would not only bring people together to reduce isolation, but also provide a wonderful resource for learning how to eat, cook and use foods to support health, better manage chronic disease, and to treat minor ailments. Minor ailments are suitable for self medication but take up some 20% of GP consultations and 91% of these result in prescriptions, costing £38,000 per GP or £1.4bn overall per year. Leading examples of good practice are Bromley by Bow Health Centre, which has thriving gardening activities for wellbeing, and the Lambeth GP Food Co-op which transforms unused space in GP practices for food growing to build community-led health.

4.9 Response to H&F Biodiversity Survey

Earlier this year the Commission circulated a survey on biodiversity to the residents of the Borough. We were pleased to see that 251 residents responded to it. However, a high proportion of respondents were aged over 40, so clearly more work is needed to engage the interest of younger people.

Among those who did respond there was an overwhelming recognition of the importance of biodiversity, and many chose to explain why in passionate terms. This shows that there is strong support among residents for our work on the Commission, provided of course that our recommendations are carried out!

Many respondents also emphasised the need for more and better education about biodiversity, so that people will understand the need for wild spaces in parks and gardens, and more native trees that support wildlife rather than ornamental ones. The need to find alternatives to pesticides and herbicides was another common theme. Some respondents mentioned that the urgent need to improve air quality is at the same time an essential measure towards making our environment more wildlife-friendly.

When asked whether they had noticed a

decline in wildlife in their area, perhaps the most haunting comment was “Full-throated dawn chorus disappeared”. Not one respondent recorded seeing a hedgehog in the last 15 years. Another respondent said that the owls and sparrows have gone, and others that there are fewer starlings and swifts, ladybirds, stag beetles, bats and frogs, and fewer wildflowers: “No poppies”. The full results of the survey can be found at the back of this report in Appendix D.

Recommendations

For action by the Council:

1. For the Council to appoint a permanent Ecology Officer and establish an Ecology Centre in or near one of the parks in the Borough. The Ecology Officer’s role would be to ensure that ecology and biodiversity are given proper consideration in every aspect of Council policy and to set up and run an attractive Ecology Centre which would provide a focus for the public to become more interested in nature and biodiversity. This could be done with the help of assistants and volunteers. Part of the Ecology Officer’s role would be to act as volunteer co-ordinator which would involve organising greening projects around the Borough, training and recruiting volunteers.
2. With the Ecology Officer in the lead, promote and encourage volunteering initiatives for environmental improvement in the Borough’s parks and green spaces. This could involve Friends of Parks groups, Residents’ and Tenants’ Associations, existing volunteer groups and organisations and local businesses, as well as individuals of all ages who would benefit from contact with nature and a sense of purpose.
3. To sponsor the revival of Greenfest as an annual event.
4. To facilitate the expansion of outdoor education about nature with schools in the Borough. Also to enable Hammersmith Community Gardens Association to expand its work or a sister organisation to be formed which would enable more families to access informal outdoor learning in our parks and green spaces. We would like biodiversity to be given a higher profile in local schools and for publicity to be provided to highlight how well the topic fits

into the national curriculum's requirements. The Ecology Officer would be well-placed to assist with delivering and expanding on outdoor education and advising schools on how to improve biodiversity within the school grounds.

5. The proposed Ecology Officer and Centre would also increase the opportunities for informal learning, both at the centre and as outreach, delivering events and activities in other areas or educating, training and empowering others to do so. We would like this kind of work to be expanded, so that every family in the Borough could easily access one of these schemes, without needing a car to reach it. In addition to engaging the children, their parents are likely to become more interested in nature and biodiversity.
6. To eventually extend the excellent work the Council has done to make some housing estates more wildlife-friendly, to all the housing estates in the Borough.
7. The Ecology Officer, as stated more fully in 4.5 above, would be well-placed to provide support for these groups to pro-actively improve their own neighbourhood.
8. To continue to work on improving air quality in the Borough, as this is also essential to supporting the growth of biodiversity, and is important to many members of the public.
9. To encourage businesses to provide green spaces and trees on their sites, in the recognition that this will improve the health and wellbeing of their employees and consequently the efficiency of the business.

For action by the NHS:

10. To ensure that every hospital or health centre is a pleasant place to visit with green space, trees and flowers for pollinators and medicinal plants and foods to act as a resource for learning about nutrition, gardening, self care and promoting health. All new hospitals or health centres should include productive gardens, learning from best practice and social prescribing models.

For action by businesses:

11. Many businesses now engage in Corporate Social Responsibility (CSR) to give back to the community and environment in which they are based. If an employee spent 1% of their working year on CSR, this would equate to approximately 2 working days per year. We would urge local businesses, in particular medium and large businesses (>200 employees) to commit to a minimum of one environmental improvement action day, for 25% of employees, per year in the borough. The Ecology Officer, would be well-placed to provide support for facilitating CSR days by providing links for businesses to the relevant local organisations, community groups, individuals, Tenants and Residents Associations to help them deliver these environmental improvements.

Appendix A

The Commissioners

Morag Carmichael (Chair)

Morag coordinates the local Friends of the Earth group in H&F and has previously volunteered with environmental social charity Groundwork. She continues to volunteer with the Trees for Life project in Scotland and with forest school in various places around London. She has lived in H&F for 45 years.

Louise Barton

Louise's professional background is in finance, although earlier she qualified as an agricultural scientist. She has lived in Fulham for more than 30 years and is a committee member of the Friends of South Park. She is actively involved with a vegetable and herb garden where adults and children are encouraged to take an interest in gardening and nature.

Professor Derek Clements-Croome

Derek is an architectural engineer and a professor at Reading University and Queen Mary University London. He specialises in the design and management of intelligent buildings and cities focusing on health and wellbeing. He is a built environment expert for the Design Council and a Fellow of the Royal Society of Medicine. He is especially interested in biophilic design and making space for nature in buildings and cities to improve health and wellbeing of people.

John Goodier

John is a friend of Ravenscourt Park. He has a degree in agricultural botany and has a wide theoretical background. He helped to write a previous Biodiversity Action Plan for Hammersmith & Fulham. John organises the walks programme for the London Parks and Gardens Trust, and regularly writes about public openspace in their magazine London Landscapes.

Vanessa Hampton

Vanessa has worked in parks, allotments, horticulture and conservation project management for 15 years and is currently manager of Walpole Park in Ealing. She is also a

committee member of the Friends of Wormholt Park and has lived in Hammersmith & Fulham for 14 years.

Alex Laird

Alex is on the Friends of Bishops Park committee and is a medical herbalist at Breast Cancer Haven in Fulham and Whipps Cross University Hospital. She has lived in Fulham since 1978. She runs the charity Living Medicine to revive knowledge in the safe use of plants and food as medicine, and create with the public a beautiful World Kitchen Garden visitor centre to link medicinal gardens around the world.

Dr Nathalie Mahieu

Nathalie is a Friend of Margravine Cemetery. She has a degree in geology and is a keen naturalist. She routinely surveys birds in Margravine Cemetery and the surrounding area, as well as insects. She has been monitoring the Peregrine Falcons on the roof of Charing Cross Hospital since 2007.

Cathy Maund

Cathy has worked for the Hammersmith Community Gardens Association for 32 years. HCGA work with a variety of schools, groups and volunteers. They have four sites in H&F: Ravenscourt Park glasshouses, Phoenix School farm, Godolphin Gardens and Lena Gardens.

Moya O'Hara

Moya has worked for Urbanwise.London (previously Hammersmith & Fulham Urban Studies Centre) for nine of its 34 years of existence. The centre mostly works with children and young people in London, especially Hammersmith & Fulham and its surrounding boroughs. The work focuses on learning about all aspects of the local urban environment including its wildlife, green spaces, the river and the canal.

Appendix B

References

Key Reports and Literature Reviewed

The key documents that formed the literature review are listed below with weblinks:

- Urban Ecology and Biodiversity in Hammersmith & Fulham <http://democracy.lbhf.gov.uk/mgConvert2PDF.aspx?ID=84659&ISATT=1#search=%22Urban%20ecology%20biodiversity%22>
- Biodiversity 2020: A strategy for England's wildlife and ecosystem service 2011 (Defra) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf
- City of London Draft Biodiversity Action Plan 2016-2020 (pdf) https://www.lbhf.gov.uk/sites/default/files/section_attachments/city_of_london_2016-2020.pdf
- GLA Housing Committee Scoping Paper June 2016: Promoting Biodiversity in New Housing Developments (pdf) <https://www.london.gov.uk/moderngov/documents/s59849/05a%20Appendix%201.pdf>
- Chartered Institute of Ecology and Environmental Management (CIEEM): Guidelines for Ecological Impact Assessment in the UK and Ireland (Terrestrial, Freshwater and Coastal) Second Edition 2016 https://www.cieem.net/data/files/Publications/EcIA_Guidelines_Terrestrial_Freshwater_and_Coastal_Jan_2016.pdf
- The Natural Choice: Securing the value of nature, June 2011 (HM Government) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228842/8082.pdf
- Biodiversity: Understanding the Living World (EU Research, 2010) http://www.gppq.fct.pt/h2020/_docs/brochuras/env/eriation_biodiversity_en.pdf
- The National Pollinator Strategy: for bees and other pollinators in England November 2014 (Defra) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/409431/pb14221national-pollinators-strategy.pdf
- Planning Guidance Supplementary Planning Document, July 2013 (H&F Council) https://www.lbhf.gov.uk/sites/default/files/section_attachments/planning_guidance_spd_final_tcm21-181716.pdf
- State of Nature UK report 2016 (RSPB) (pdf) https://www.rspb.org.uk/Images/State%20of%20Nature%20UK%20report_%2020%20Sept_tcm9-424984.pdf
- Zoological Society of London (ZSL) Lets Work for Wildlife Guidance Document: Conservation of Tidal Thames Fish through the Planning Process (pdf) <https://www.zsl.org/sites/default/files/media/2016-10/Tidal%20Thames%20Fish%20Guidance%20Document.pdf>
- UN Environmental Programme: Global Environmental Outlook 4, Chapter 5 http://pardee.du.edu/sites/default/files/GEO-4_Report_Full_en.pdf
- UN Environmental Programme: Global Environmental Outlook 5, Chapter 5 http://www.unep.org/geo/sites/unep.org/geo/files/documents/geo5_report_c5.pdf
- Draft London Environment Strategy (GLA, August 2017) https://www.london.gov.uk/sites/default/files/draft_environment_strategy_-_executive_summary.pdf
- Hammersmith & Fulham Council Local Plan <https://www.lbhf.gov.uk/planning/planning-policy/local-plan>

- Report of the Hammersmith & Fulham Air Quality Commission (October 2016) https://www.lbhf.gov.uk/sites/default/files/section_attachments/212_56ds_report_of_the_hf_air_quality_commission_rev5.pdf
- Green Space and Health (POSTnote 538, 2016) <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-0538>
- Creating Age-friendly Cities (POSTnote 539, 2016) http://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-0539?utm_source=directory&utm_medium=website&utm_campaign=PN539
- Trends in the Environment (POSTnote 516, 2016) <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-0516>
- Biodiversity Auditing (POSTnote 490, 2015) <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-490>
- Urban Green Infrastructure (POSTnote 448, 2013) <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-448/>
- Biodiversity and Planning Decisions (POSTnote 429, 2013) <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-429>

Appendix C

Summary of Written Evidence Submissions Received

In May 2017 the Commission issued an open call for written evidence of the need to enhance biodiversity and the best means of doing so.

Buglife - the only organisation in Europe devoted to the conservation of all invertebrates.

The evidence submitted by Buglife expressed particular concern at the continuing loss of brownfield sites to development in urban areas - many of these areas are often prioritised for development but are often incredibly valuable for invertebrates and other wildlife. The submission referred the Commission to the information provided in the organisation's brownfield guidance: www.buglife.org.uk/sites/default/files/Planning%20for%20Brownfield%20Biodiversity.pdf and the wider information on their brownfield hub: <https://www.buglife.org.uk/brownfield-hub>

The submission also asked the Commission to consider the needs of native wild pollinators found across urban areas, including London. The response proposed that the Council be asked to develop a Local Pollinator Action Plan so that the needs of pollinators are considered and proactively addressed across the whole range of council functions and duties. Advice on the preparation of a Local Pollinator Action Plan along with more information on the needs of urban pollinators was proffered: www.buglife.org.uk/sites/default/files/Helping%20Pollinators%20Locally.pdf

GiGL (Greenspace Information for Greater London)

The GiGL response addressed some of the specific questions that the Commission had set for the submission of evidence.

1. What can be done to enhance the biodiversity of a densely populated urban environment such as Hammersmith & Fulham?

The first step towards enhancing biodiversity is to understand what is present in the Borough. This is something we can assist you with as we hold species, habitat, open space and designated site data for the whole of Greater London - <http://www.gigl.org.uk/our-data-holdings/> but it is also something that Hammersmith and Fulham can contribute to, for instance through commissioning new borough-wide habitat surveys, or targeted species surveys to improve your understanding and knowledge of particular sites or species in your area. A data visualisation (Hammersmith&FulhamVis) from 2015 is also provided separately to give an overview of the species data we hold specifically for your area.

It is also important to comply with national and regional policy and legislation pertaining to the natural environment, and this is also something we can help with via services developed for this purpose. A copy of a recent letter (biodiversity evidence) sent to all heads of planning in London is attached separately to this email, and sets out relevant policy and the current performance generally of the planning system in relation to nature.

2. What examples of good practice can we draw upon?

A number of London Boroughs are refreshing and relaunching their biodiversity action plans, a proven mechanism for engaging London experts and local people in the design of projects and also in the decision-making process.

3. How best can we monitor improvements?

There will be examples in local and regional biodiversity action plans, but suggestions specific to our remit include:

By establishing a baseline for habitats, species, and designated sites, and resurveying them on a regular basis to detect changes due to site management, development and other external factors.

By monitoring changes in the number of planning applications submitted with evidence of a background data search being undertaken by GiGL (see the Biodiversity Evidence letter for further details).

Port of London Authority

The PLA and stakeholders recently developed a Vision for the Tidal Thames (<http://www.pla.co.uk/About-Us/The-Thames-Vision>) which includes a goal to make the river the cleanest since the Industrial Revolution. To achieve this there are a number of priority actions, including "Improve biodiversity of sites recognised for their wildlife interest, and the connections between them". To progress this action the Authority has recently set up a Biodiversity Group of relevant environmental regulators and charities. This Group is looking at many of the same issues that the H&F Biodiversity Commission has been looking at— principally what data is available, how can we encourage creation of green corridors and improve biodiversity of sites and how can we monitor improvements. The Vision is looking to enhance connections along the river corridor and for 500m inland of Mean High Water. The PLA has also established an Invasive Non-Native Species (INNS) Group of interested stakeholders to look at tackling the issue of INNS in the river and the riverside land to 500m inland.

The PLA addressed the specific questions set out by the Commission in its invitation for submissions of written evidence.

1 What can be done to enhance the biodiversity of a densely populated urban environment such as Hammersmith and Fulham?

The Environment Agency has produced a guidance document "Estuary Edges" (currently being rewritten and updated but the existing version is available here -

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://www.environmentagency.gov.uk/business/sectors/100745.aspx>). This outlines the types of enhancements that can be made to hard riverside structures. Working to prevent the establishment of invasive non-native species (INNS) will also enhance biodiversity in the Borough. Preventing litter can also improve visual appearance and prevent harm to animals, birds and fish. The Cleaner Thames campaign, coordinated by the PLA and supported by organisations like Tideway, Thames 21 and the Thames Litter Forum, has been working since September 2015 to raise awareness of the impacts of litter on the river environment and to encourage people to bin their litter. Appropriate design of lighting to prevent light spill can encourage wildlife by taking away the disorientating effects of artificial light.

2 What examples of good practice can we draw upon?

In terms of examples of creating green corridors and involving local people the PLA submission suggested looking at the following organisations:

- The Thames Landscape Strategy as a good example of volunteers and community involvement in landscape improvement schemes.
- Thames21, a volunteer organisation whose aim is to protect and restore the river and its tributaries. Their activities enhance biodiversity by litter-picking, removal of INNS and encouraging Sustainable Urban Drainage (SUDS).
- The Zoological Society of London (ZSL) undertake fish surveys in the river and utilise volunteer Citizen Scientists. They

developers "Conservation of Tidal Thames Fish through the Planning Process".

- BugLife have developed a Beelines project which aims to create networks of flower rich pathways and their project may offer some suitable examples of land-based green corridors.

3 How best can we monitor improvements?

The PLA is currently considering this question to quantify the progress towards the aims of the Thames Vision. Ideas that have been suggested include:

- Regular surveying for "flagship" species which can represent a wider range of species or a particular biodiversity community.
- Aerial surveys looking at "green" coverage could give a guide to loss or gain of vegetative cover.
- Number of river frontage developments that have been designed in accordance with "Estuary Edges".
- Control of INNS

4 Where should responsibility lie for delivering such improvements?

Responsibility for delivering such improvements ultimately lies with the landowner. Although the PLA owns much of the tidal River Thames and its tidal tributaries, the river edges are the responsibility of the riparian landowner. There is opportunity to influence developers and those doing repairs and refurbishment during the planning process by responding to planning consultations.

Terrapin Bright Green

This organisation submitted three publications on Biophilic design that might be best considered as part of the literature review.

Dr Daniela Perrotti, Lecturer in Environmental Design, University of Reading

Dr Perrotti alerted the Commission to efforts to promote biodiversity in France by local authorities and communities in the last few years which has resulted in a newly designed Biodiversity Law (and a new French Agency for Biodiversity) adopted last year which has the great value of including the compensation of ecological damage for example in the civil code: <http://www.gouvernement.fr/en/reclaiming-biodiversity-nature-and-landscapes>.

Woodland Trust

1. What can be done to enhance the biodiversity of a densely populated urban environment such as Hammersmith & Fulham?

Firstly, the existing biodiversity resource must be protected, both through robust local planning policies and by correct management. There are also threats to trees from pests (such as oak processionary moth) and diseases (such as acute oak decline), which have to be addressed.

One of the best ways to enhance biodiversity is by planting more trees (particularly native broad-leaved trees where possible). As well as improving biodiversity, there is now a wealth of evidence on the many other benefits of increasing tree canopy cover. These include improving: physical and mental health; air quality; water quality; water management (reducing flooding); shading; cooling through evapo-transpiration. Most of these issues are summarised, along with the appropriate references for the background research and evidence, in the Trust's publication Residential Development and Trees.

2. What examples of good practice can we draw upon?

The Woodland Trust submission referred the Commission to guidance on incorporation of trees on its website (www.woodlandtrust.org).

[uk/publications/](#)). The submission made specific reference to Trees or Turf? which shows it is often cheaper to maintain newly planted woodland than amenity grassland.

The Trees and Design Action Group (TDAG), noted in London Plan Policy 7.21, has recently published a practical guide for the retention and planting of trees in urban situations, including new development: *Trees in the Hard Landscape* (TDAG, September 2014).

The Royal Borough of Greenwich produced a draft “Greener Greenwich Strategy; The Council’s response to a changing climate” in 2016 which included a chapter on the natural environment. This had plans for improvement, and noted the role of local communities.

3. How best can we monitor improvements?

The Woodland Trust recommend regular biodiversity surveys and state that the basic habitat survey should be the responsibility of the Borough, but local volunteers should be able to supplement this – the response suggested contacting the London Wildlife Trust and London Natural History Society. With regards to canopy cover, there is emerging technology that can record this remotely, such as Bluesky, or Lidar. The London Tree Officers Association can advise on the most appropriate tools.

4. Where should responsibility lie for delivering such improvements?

The Trust response states that the Borough is in the best position to at least lead on delivery, and set a positive example but notes that part of this would be through having robust planning policies that protect what is in the Borough and promote development by others that enhances biodiversity.

The submission suggests that a Supplementary Planning Document (SPD) on biodiversity could be drafted that could include reference to the Access to Nature principle in London Plan Policy 7.19. Section C of this policy states: “Development Proposals should: ...b prioritise assisting in achieving targets in biodiversity action plans

(BAPs), set out in Table 7.3, and/or improving access to nature in areas deficient in accessible wildlife sites”. Section F directs Borough LDFs to “identify areas deficient in accessible wildlife sites and seek opportunities to address them”.

The All London Green Grid SPG (GLA, 2012) has further detail on mapping and addressing areas of deficiency, but the London Plan Implementation Report *Improving Londoners’ Access to Nature* (GLA, February 2008) is the definitive document on how areas of deficiency could be addressed.

The Trust has produced the Woodland Access Standard, now adopted by the Forestry Commission, and has information at a London Borough level of where deficiencies in access to woodland lie, which should help inform the creation of new wooded open spaces as part of any approach to reducing areas of deficiency.

On the topic of individual tree planting, Section 197 of the 1990 Planning Act requires planning authorities to include appropriate provision for planting of trees when granting planning permission: “It shall be the duty of the local planning authority— (a) to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.”

The SPD should address the Access to Nature and Woodland Access Standards mentioned above, perhaps suggesting that “Any development within areas deficient in accessible wildlife sites and accessible woodland must contribute to addressing those deficiencies.”

Zoological Society of London

The Zoological Society of London submitted its Guidance Document: “Conservation of Tidal Thames Fish through the Planning Process”, which might also be considered as part of the literature review.

Appendix D

Extract from the Hammersmith Society's Response to the Old Oak and Park Royal Development Corporation Consultation.

Wormwood Scrubs

Existing Character: The status (and legal protection) as Metropolitan Open Space should be specifically mentioned and emphasized in this section and in the Vision. As noted earlier, we have read and fully support the submission 'Response by the Friends of Wormwood Scrubs'.

Most local groups and residents wish to see Wormwood Scrubs preserved much as it is. Its natural wild character is much enjoyed and urbanisation should be resisted. "Potential sensitive improvements" (4.163) should be viewed with caution. The sustainability of visitor numbers should be taken into account with any open space. Wormwood Scrubs will receive much greater visitor numbers in the future from new residents and workers in the OPDC area and priority should be given to preserving its informal character rather than increasing hard-surface walking and cycling routes or attracting visitors from further afield.

Wormwood Scrubs must not be allowed to be assumed as provision of open space by either OPDC or developers, as a substitute for adequate on site provision. It also should not be used as a construction site.

Pedestrian Access: We, together with most other groups, have objected most strongly to the Green Cross concept shown on earlier strategic maps in the original Plan. (Eg. Figures 8 and 10: P.19 and 25) with a large south facing arrow across Wormwood Scrubs from the HS2/Elizabeth Line Crossrail station. This potential pedestrian route has been removed from most of the latest maps but is still shown on Figure 3.8 –Proposed Connections and Figure 4.52 – Wormwood Scrubs Place. There is no logic to implying a major pedestrian flow in this location. We note that on

other maps, including the transport assessment maps, this desire line is shown to the east with a route on or parallel to Scrubs Lane connecting with White City. This route should be relocated to the east and related to the canal bridge indicated south of Hythe Road station – This would also provide a logical connection down the east side of Wormwood Scrubs to Wood Lane and White City.

However there would be an opportunity for the canal towpath to be linked with the Scrubs by adding a green corridor between the two near the eastern edge of the OPDC area and this could even be a continuation southwards of the most eastern of the northsouth routes that are planned for crossing the canal.

11.

Supporting text WS8 identifies "new and enhanced access" "from Old Oak Common Station and surrounds". The location of the Local Nature Reserve in Wormwood Scrubs makes direct access from the station inappropriate and potentially damaging, therefore, neither justified nor effective.

Additionally, rail passengers are unlikely to need direct access to the Scrubs – their immediate concern will be to access Crossrail or their home/work. We support the comments of the Friends of Wormwood Scrubs on this point. **There is no evidence base for such an access point so its provision is neither justified nor effective.**

The previous draft referred to "*retaining Wormwood Scrubs as a public open space that is more wild than tamed*". This description of the Scrubs should be integral to informing any intervention or "enhancement" to the Scrubs and should be retained in the Plan supporting text. We have seen no evidence to justify its removal.

P12 and supporting text has moved to an emphasis on "improvements" and "enhancements" to the Scrubs. This suggests a developing policy of a highly "managed" parkland, at odds with the character of Wormwood Scrubs as recognised in the previous draft, and for which there is no justification. The comments of the Friends of Wormwood

Scrubs demonstrate how there is no regulatory justification for such an approach.

The effects of light from multiple tall towers will be detrimental to amenity in surrounding areas, and particularly to wildlife and amenity on Wormwood Scrubs. This section should address policies to limit light pollution in regard to Wormwood Scrubs. As one resident explained, it is one of the few places in London where you can see the stars and the night sky.

Views to and from Wormwood Scrubs:

Views to and from Wormwood Scrubs should ensure that the character of the Metropolitan Open Space is not overwhelmed by tall buildings, Views such as Fig28:p61 (in the Original Draft) would permanently damage the character of Wormwood Scrubs. Tall buildings must be set well back from the perimeter. We have repeated this concern to no avail in our responses to recent planning applications for Mitre Yard and North Kensington Gate.

Only drainage to pitch areas should be considered. It is important to ensure that sustainable drainage measures in the development area do not adversely affect Wormwood Scrubs.

Appendix E

Analysis of Survey Returns

Total respondents: 251

About you

Age groups

	Number	%	2016 H&F population* %
18 - 29	8	3.2%	20.1%
30 - 49	83	33.1%	35.3%
50 - 64	77	30.7%	14.5%
65 - 84	65	25.9%	9.2%
85+	1	0.4%	1.3%
Not Answered	4	1.6%	-
Prefer not to say	6	2.4%	-
Under 18	7	2.8%	19.6%
Grand Total	251	100.0%	

Mid-2016 ONS population estimate

The 251 respondents mainly comprised of the 30-49, 50-64 and 65-84 age groups. However, compared to the latest population estimates the proportion of 50-64 and 65-84 age groups in the survey are overrepresented:

The 50-64 age group made up 30.7% of survey respondents but there were only 14.5% of them in the total population.

The 65-84 age group made up 25.9% of survey respondents but there were only 9.2% of them in the total population.

The respondents from the younger age groups (under 18s and 18-29) were under represented in the survey compared to their proportions in the population.

This should be considered when interpreting these survey results.

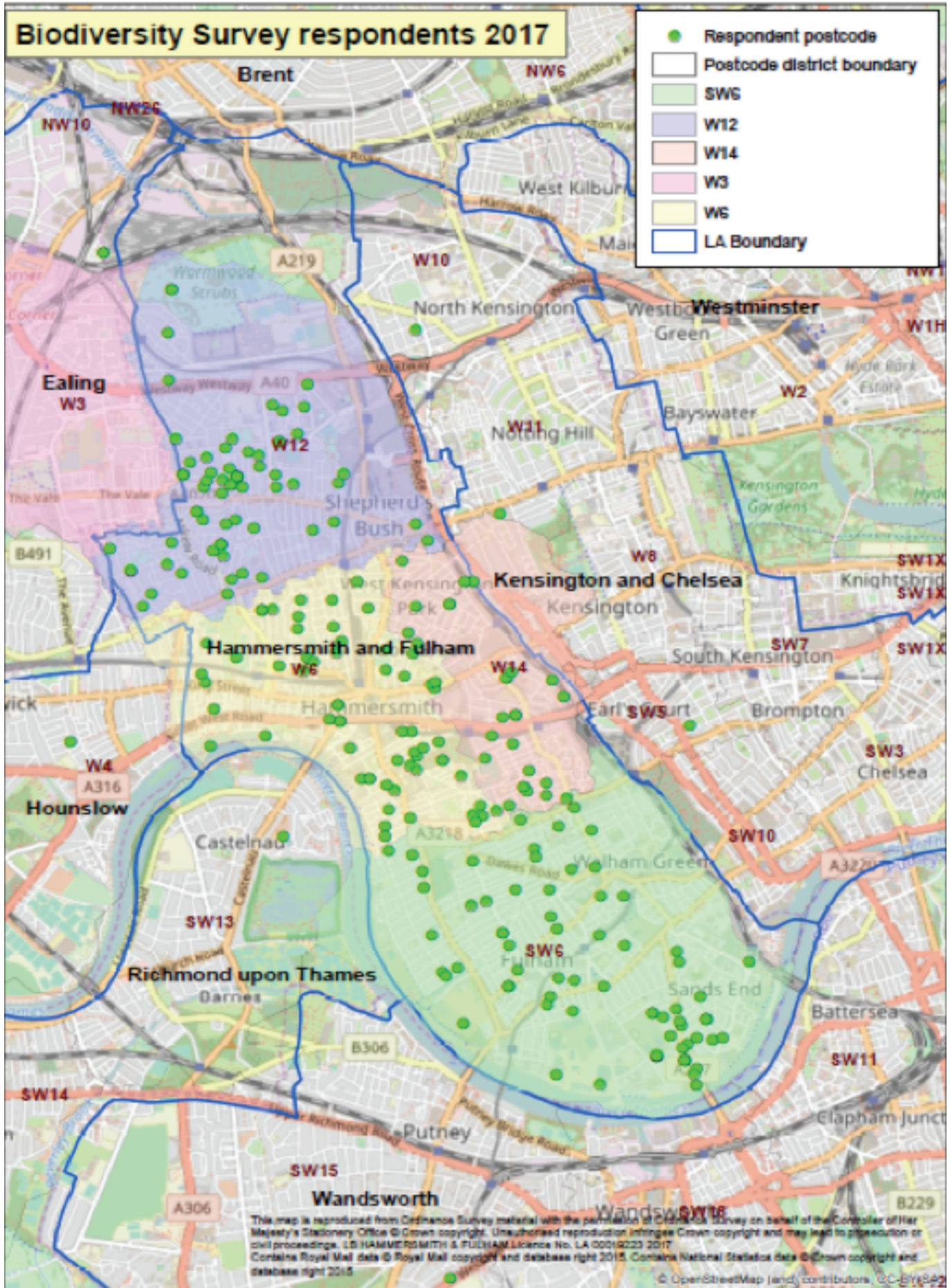
Do you have access to a garden?

	Number	%
No	44	18%
Yes	201	80%
Not Answered	6	2%
Grand Total	251	100%

Postcode analysis

The 251 respondents covered 244 known postcodes, 233 of which were within the Borough. The table shows the respondents by postcode district. The map below provides the location of the respondents' postcodes within/outside the Borough colour coded by the postcode districts.

Postcode district	Respondents in each area
Hammersmith & Fulham	233
SW6	70
W12	71
W14	28
W3	2
W6	62
Unknown	2
Outside H&F	11
Total	246



Questionnaire

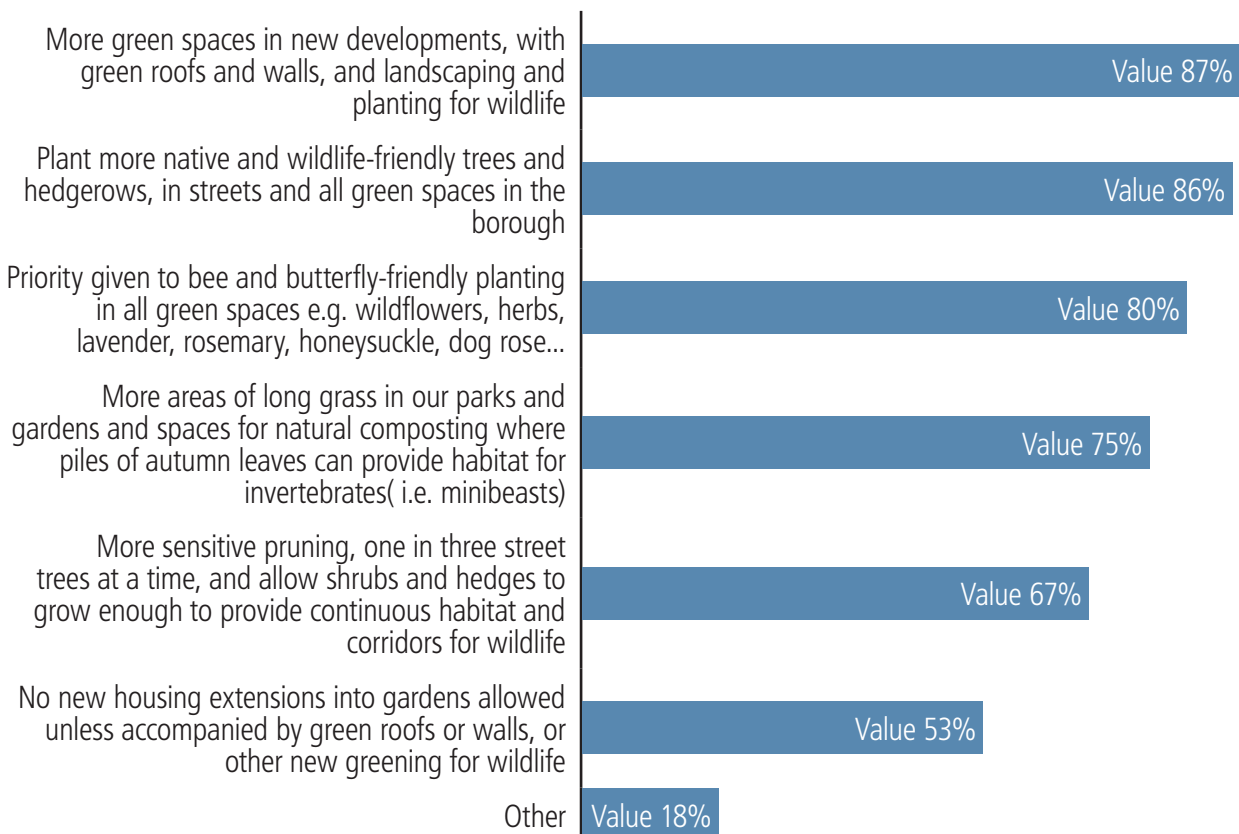
Q1. Improving biodiversity is...

	Number	%
Very important	233	93%
Quite important	13	5%
Not important	2	1%
Not Answered	3	1%
Grand Total	251	100%

Why improving biodiversity is important? The most frequent themes from comments are:

Nature, environment, health, wildlife, life, air, quality, trees

Q2. What do you think ideally needs to happen to make the environment in Hammersmith and Fulham more wildlife-friendly? (Analysis by number of respondents)

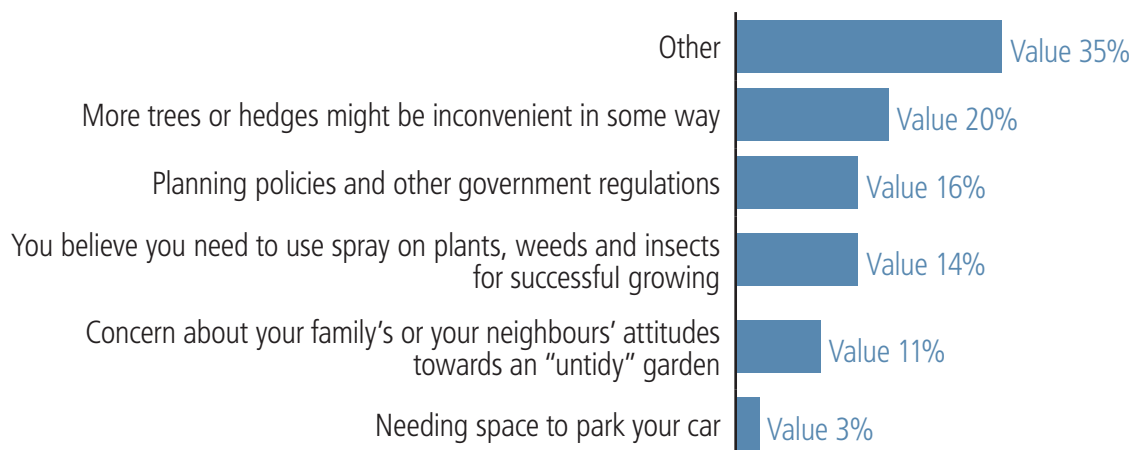


Q3. Have you been able to support biodiversity or make your environment more wildlife friendly – in your garden or on your allotment or balcony or in a local green space?

Numbers	Planting native trees and shrubs	Planting pollinator friendly plants	Untidy patch/ creating bug hotel	Stop using spray on plants, weeds and insects
No	51	33	64	45
Yes	174	199	154	173
Don't know	11	6	7	16
Grand Total	236	238	225	234

Percentages	Planting native trees and shrubs	Planting pollinator friendly plants	Untidy patch/ creating bug hotel	Stop using spray on plants, weeds and insects
No	22%	14%	28%	19%
Yes	74%	84%	68%	74%
Don't know	5%	3%	3%	7%
Grand Total	100%	100%	100%	100%

Q4. What are the key factors stopping you from taking action to make your environment wildlife-friendly?



The most frequent responses from the 'other' category:

Small (garden)/ lack of space, Council's policies/ lack of assistance, lack of time, lack of money, neighbour's interference

Q5. Have you noticed a decline in wildlife in your local area?

Numbers	Fewer birds	Fewer bats	Fewer butterflies	Fewer bees	Other
No	91	22	28	58	11
Yes	102	61	148	119	34
Don't know	45	146	62	58	32
Grand Total	238	229	238	235	77

Percentages	Fewer birds	Fewer bats	Fewer butterflies	Fewer bees	Other
No	38%	10%	12%	25%	14%
Yes	43%	27%	62%	51%	44%
Don't know	19%	64%	26%	25%	42%
Grand Total	100%	100%	100%	100%	100%

The most frequent responses from the 'other' category:

No hedgehogs, more/less foxes, less frogs, more squirrels, more parakeets

Some consequences of the decline:

Different bird species, changing bee population

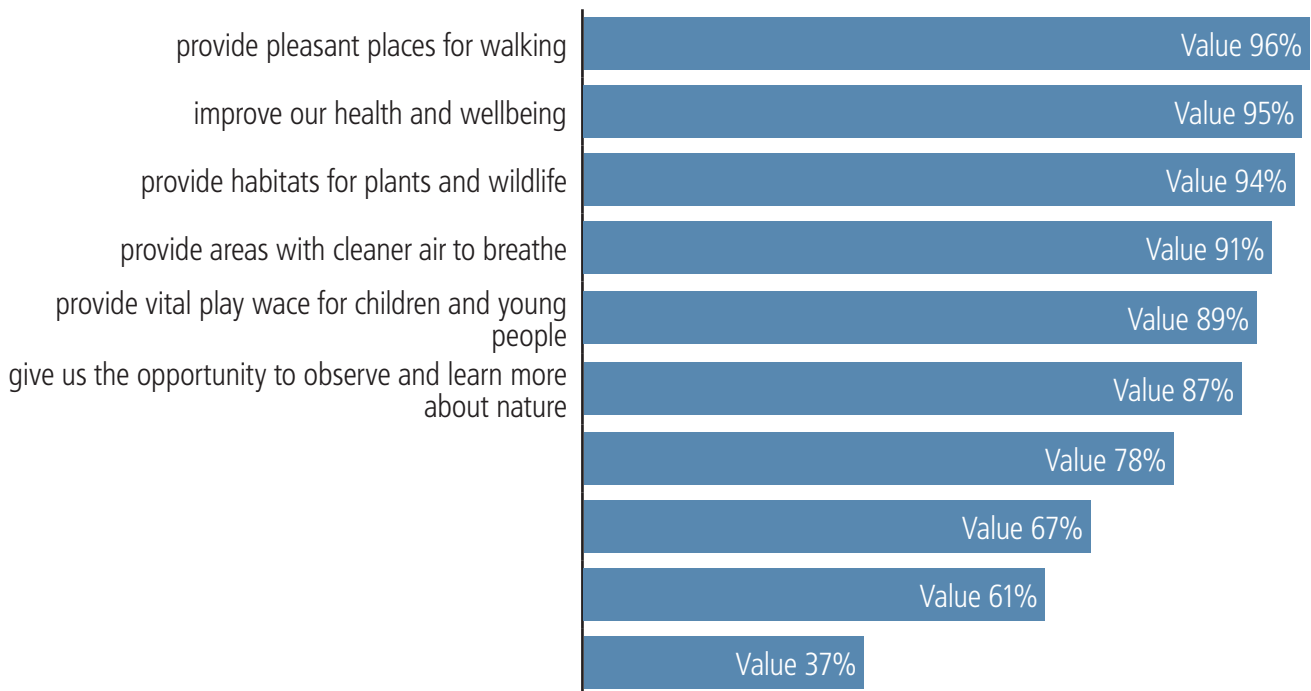
Q6. Do you envisage any possible conflicts of interest if more measures were taken in H&F to provide habitats and corridors for wildlife?

	Numbers	%
No	130	52%
Yes	66	26%
Don't know	42	17%
Not Answered	13	5%
Grand Total	251	100%

Explanation of possible conflicts

- Conflict with developers not wanting spaces to be used for wildlife as this will impact revenue.
- Less housing will be built when there is a need for more
- Complaints about untidy areas
- Trees- beneficial for air pollution/biodiversity etc but can cause residents problems ie, fruit falling on cars, blocking sunlight from windows etc
- The Borough should be educated of the benefits of habitats to help reduce these conflicts

Q7. GREEN SPACES are of great benefit to people of all ages, and there is evidence of all potential benefits listed below. (Analysis by number of respondents)



Q8. If you have seen any of the following in Hammersmith and Fulham or close by, please say WHEN and WHERE.

HEDGEHOGS

Hedgehogs - When?	No. of sightings	%
Everyday	0	0.0%
Within the last few weeks	0	0.0%
Around a month ago	0	0.0%
Within the last 6 months	0	0.0%
Within the last 6 - 12 months	1	1.8%
Within the last 2 years	1	1.8%
Within the last 5 years	2	3.6%
Around 10 years ago or longer	20	36.4%
Cannot remember/ don't know	0	0.0%
Other period	2	3.6%
Never seen	29	52.7%
Total responses	55	100.0%

Hedgehogs - Where?	No. of sightings	%
Garden	10	50.0%
Ravenscourt Park/Glasshouses at Ravenscourt Park	4	20.0%
Other	2	10.0%
Local Road	2	10.0%
Home car park	1	5.0%
Station	1	5.0%
Total answered	20	100.0%

JAYS

Jays - When?	No. of sightings	%
Everyday	5	5.7%
Within the last few weeks	8	9.1%
Around a month ago	7	8.0%
Within the last 6 months	4	4.5%
Within the last 6 - 12 months	14	15.9%
Within the last 2 years	16	18.2%
Within the last 5 years	3	3.4%
Around 10 years ago or longer	3	3.4%
Cannot remember/ don't know	2	2.3%
Other period	17	19.3%
Never seen	9	10.2%
Total answered	88	100.0%

Jays - Where?	No. of sightings	%
Garden	50	56.8%
Other	10	11.4%
Ravenscourt Park	6	6.8%
Local Road	5	5.7%
Cemetery	4	4.5%
Wormholt Park	3	3.4%
Wormwood Scrubs	3	3.4%
Allotments	2	2.3%
Wormholt Park	1	1.1%

Jays - Where?	No. of sightings	%
London Wetland Centre	1	1.1%
Norman Park, SW6	1	1.1%
Richmond park	1	1.1%
Sooth Park	1	1.1%
Total answered	88	100.0%

HOUSE SPARROWS

House Sparrows - When?	No. of sightings	%
Everyday	3	3.6%
Within the last few weeks	17	20.5%
Around a month ago	4	4.8%
Within the last 6 months	3	3.6%
Within the last 6 - 12 months	11	13.3%
Within the last 2 years	3	3.6%
Within the last 5 years	1	1.2%
Around 10 years ago or longer	2	2.4%
Cannot remember/ don't know	3	3.6%
Other period	24	28.9%
Never seen	12	14.5%
Total answered	83	100.0%

House Sparrows - Where?	No. of sightings	%
Garden	41	47.1%
Other	21	24.1%
Local Road	9	10.3%
Ravenscourt Park	3	3.4%
Wormholt Park	3	3.4%
Cemetery	2	2.3%
Wormwood Scrubs	2	2.3%
Eel Brook Common	1	1.1%
Frank Banfield Park	1	1.1%
Marcus Garvey park	1	1.1%
Near Brook Green and Phoenix Farm	1	1.1%

House Sparrows - Where?	No. of sightings	%
South Park, street	1	1.1%
St Marks Park, RBKC	1	1.1%
Total answered	87	100.0%

THRUSHES

Thrushes- When?	No. of sightings	%
Everyday	0	0.0%
Within the last few weeks	5	6.9%
Around a month ago	3	4.2%
Within the last 6 months	3	4.2%
Within the last 6 - 12 months	9	12.5%
Within the last 2 years	10	13.9%
Within the last 5 years	3	4.2%
Around 10 years ago or longer	1	1.4%
Cannot remember/ don't know	3	4.2%
Other period	18	25.0%
Never seen	17	23.6%
Total answered	72	100.0%

Thrushes - Where?	No. of sightings	%
Garden	17	30.9%
Other	9	16.4%
Cemetery	4	7.3%
Local Road	4	7.3%
Wormwood Scrubs	4	7.3%
Ravenscourt park	3	5.5%
Wormholt Park	3	5.5%
Bishops Park	2	3.6%
South Park	2	3.6%
Allotments	1	1.8%
Cathnor Park	1	1.8%
Eel Brook Common	1	1.8%
In Brook Green	1	1.8%

Thrushes - Where?	No. of sightings	%
in South Park	1	1.8%
On the river by Black Lion / in Ravenscourt Park	1	1.8%
South Park and Eel Brook Common	1	1.8%
Total answered	55	100.0%

BATS

Bats- When?	No. of sightings	%
Everyday	0	0.0%
Within the last few weeks	2	3.3%
Around a month ago	2	3.3%
Within the last 6 months	2	3.3%
Within the last 6 - 12 months	12	20.0%
Within the last 2 years	5	8.3%
Within the last 5 years	7	11.7%
Around 10 years ago or longer	1	1.7%
Cannot remember/ don't know	2	3.3%
Other period	7	11.7%
Never seen	20	33.3%
Total answered	60	100.0%

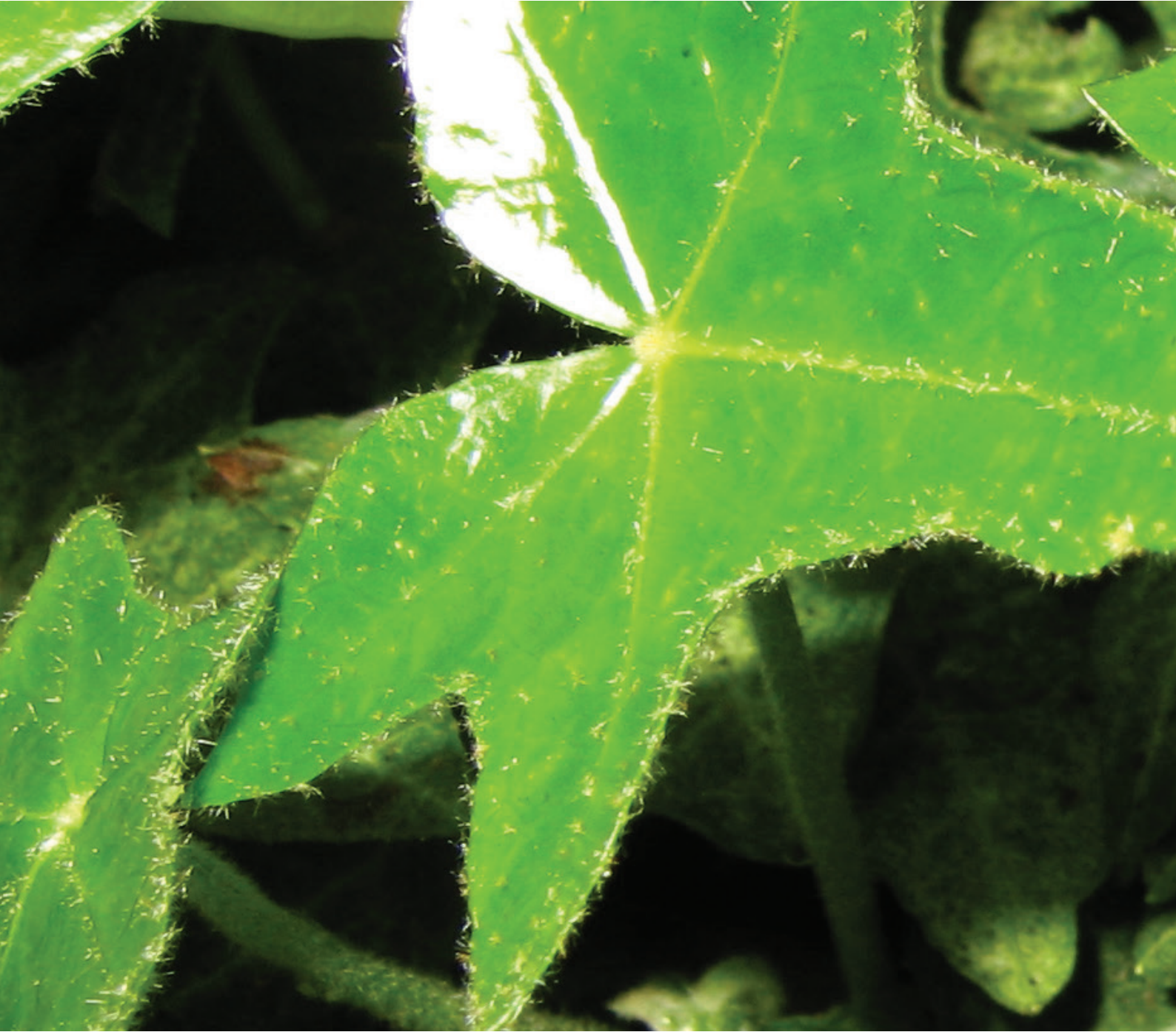
Bats- Where?	No. of sightings	%
Garden	21	47.7%
Other	12	27.3%
Wormwood Scrubs	3	6.8%
Barnes Wetland Centre	2	4.5%
Cemetery	1	2.3%
Ravenscourt Park	1	2.3%
Local Road	1	2.3%
South Park	1	2.3%
W12 park	1	2.3%
Wendell Park	1	2.3%
Total answered	44	100.0%

FROGS OR TOADS


Frogs or toads- When?	No. of sightings	%
Everyday	0	0.0%
Within the last few weeks	7	8.4%
Around a month ago	5	6.0%
Within the last 6 months	2	2.4%
Within the last 6 - 12 months	14	16.9%
Within the last 2 years	9	10.8%
Within the last 5 years	2	2.4%
Around 10 years ago or longer	0	0.0%
Cannot remember/ don't know	1	1.2%
Other period	29	34.9%
Never seen	14	16.9%
Total answered	83	100.0%

Frogs or toads- Where?	No. of sightings	%
Garden/ garden pond	44	61.1%
Allotments	10	13.9%
Other	6	8.3%
Ravenscourt park/ pond/ nature garden	5	6.9%
Barnes Wetland Centre	3	4.2%
Glasshouses, Ravenscourt Park	1	1.4%
Godolphin park	1	1.4%
Holland Park	1	1.4%
Local Road	1	1.4%
Total answered	72	100.0%

The main location in which these animals were seen were mostly in people's gardens. Jays were also spotted in a number of the Borough's parks, and house sparrows were also seen in hedges beside local roads. The majority of these animals were last seen between 6-12 months and within 2 years, except for hedgehogs seen around 10 years ago or longer and house sparrows which were mainly spotted within the last few weeks.



Agenda Item 7

London Borough of Hammersmith & Fulham CABINET 15 JANUARY 2018	 hammersmith & fulham
RENEWAL OF ENHANCED POLICING CONTRACT	
Report of the Deputy Leader - Councillor Sue Fennimore	
Open Report	
Classification - For Decision Key Decision: Yes	
Wards Affected: All	
Accountable Director: Nicholas Austin, Director for Environmental Services	
Report Author: Claire Rai, Head of Community Safety	Contact Details: Tel: 0208 753 3154 E-mail: claire.rai@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. There are now more council funded police officers on our streets than ever before. The council's commitment to taking all necessary measures to cut crime and protect residents has seen the number of council-funded officers rise by 20% over the last three years.
- 1.2. This report outlines the council's intention to renew, for a period of one year, the existing Enhanced Policing Team (EPT) contract, authorised under Section 92 of the Police Act 1996 (Grant from a Local Authority) with the Mayor's Office for Policing and Crime (MOPAC) and MetPatrol Plus scheme. The current contract ends on 31st March 2018.

2. BACKGROUND

- 2.1. Putting extra police on the streets has had a significant positive impact on the borough and has mitigated government cuts in policing numbers. Over the last financial year (April 2016- March 2017) the funded officers have:

- made 678 arrests,

- responded to 2001 calls
- attended 176 community events/meetings
- taken part in 139 joint partnership initiatives
- carried out 247 home visits to known offenders
- carried out 777 crime prevention visits

Additionally, our specialist funded officers have:

- Supported the Youth Offending Team by working with a high-risk cohort of young people.
- Delivered outreach work to divert young people away from gang related activities.
- Reviewed planning applications to ensure that all new builds meet the Secured by Design standard.
- Provided advice to the council and Registered Social Landlords to improve safety and security in public spaces.
- Worked in secondary schools engaging pupils, delivering presentations on a range of crime issues
- Managed the borough's volunteer police cadets.

2.2. The cost to the council of extending the provision under the current contract to March 2019 would be up to £1,649,000.

2.3. The council also contracts two extra constables on behalf of Hammersmith London Business Improvement District (BID), whom we recharge on a six-monthly basis. The cost of these officers under the MetPatrol Plus scheme would be £67,000.

2.4. Officers funded by the enhanced policing contract are tasked to the specific roles agreed between the police and the council and cannot be abstracted to other duties without financial penalties

3. RECOMMENDATIONS

3.1. To approve the renewal of the Enhanced Policing Team (EPT) contract with the Mayor's Office for Policing and Crime (MOPAC), including the two BID funded officers, for a period of one year to March 2019 at a net cost to the Council of up to £1,649,000.

4. REASONS FOR DECISION

4.1. The Council is committed to reducing crime and anti-social behaviour in the borough and defending neighbourhood policing. The enhanced policing contract helps to fulfil both the strategic objectives of the borough's Community Safety Partnership, and the council's commitments in its Business Plan.

4.2. The outcomes from the current enhanced policing provision have demonstrated value for money.

5. PROPOSAL AND ISSUES

- 5.1. The cost of the current contract to the council to fund one Inspector, six Sergeants and 39 Constables for 2017/18 is £1,642,000. Further details on costs per officer are contained in Section 5 of this report. The total amount the council pays for enhanced policing is £1,709,000, although £67,000 of this is recharged to the BID. The residual cost to LBHF is £1,642,000.
- 5.2. To continue with the same provision for 2018/19, the total cost would be £1,716,000, with £67,000 being recharged to the BID (£1,649,000 cost to LBHF).
- 5.3. The report assumes the continuation of the MetPatrol Plus scheme into 2018/19. We have written to the Deputy Mayor for Policing and Crime for clarification on the future of the scheme.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Under the MetPatrol Plus scheme, for every officer the council purchases, of whatever rank, the council is supplied with an additional police constable at no extra cost.
- 6.2. The current costs per officer are set out in Table 1 below.

Table 1

Additional MPS Personnel	Financial Year	
	2017/18 rates	2018/19 rates
	£	£
Inspector	96,000	97,000
Sergeant	79,000	80,000
Constable	67,000	67,000

- 6.3. The options examined for 2018/19 were:
- 6.3.1 **A continuation of the current levels of council and BID funded enhanced policing.** The continuation maintains the level of additional policing without the need for the BID to enter into a separate contractual arrangement with MOPAC. The current level of additional funded policing has seen significant benefits to the borough, as described in Section 1.2, and has enabled the partnership to tackle crime, reduce the fear of crime, manage offending, increase uniformed visibility, and work more closely with community groups. **This is the recommended option.**
- 6.3.2 **To increase the number of funded officers or renew the contract for a longer period.** Consideration was given to both these options, however the trial of shared police Basic Command Units (BCUs) across more than one borough is set to be rolled out across London in

the next year. Given the uncertainty of the impact of these potential changes to the borough, the council should wait and see if this remains the most effective way of tackling crime in the borough.

6.3.3 To not renew the enhanced policing agreement. Officers do not recommend this option, as the removal of the funded officers from the borough would:

- significantly reduce the number of officers available to work in the borough's town centres,
- significantly impinge on the work done to divert young people away from offending and gang lifestyles and
- have a negative effect upon the council's ability to deal with locations suffering from entrenched crime and antisocial behaviour.

6.4. The costs for a recommended one-year contract are shown in Table 2:

Table 2

	Inspector	Sergeant	Constable	Additional PC at no charge	TOTAL
Extend current provision	£97,000 (1)	£480,000 (6)	£1,072,000 (16)	23	£1,649,000
Sub Total	£97,000	£480,000	£1,072,000		£1,649,000
BID PCs			£67,000 (1)	1	+£67,000
Sub total	£97,000	£480,000	£1,139,000 (17)		£1,716,000
Officers	1	6	17	24	48

6.5. Following consultation with the Deputy Leader and Hammersmith BID, officers recommend proceeding with the option to continue with the current enhanced policing provision for one year to March 2019, at the costs outlined in Table 2.

6.6. The required funding for continuing with the current levels of policing has been identified from S106 monies.

7. CONSULTATION

7.1. Consultation on the continuation of the same levels of enhanced policing for one year has been carried out with the H&F Police Senior Management Team, the Deputy Leader, and Hammersmith London Business Improvement District.

8. EQUALITY IMPLICATIONS

8.1. An Equality Impact Assessment for the existing Enhanced Policing contract has been completed and is attached. Crime and ASB affect all parts of the

community, however the more vulnerable are sometimes more fearful of becoming a victim of crime. The additional police officers provide increased reassurance to the borough through targeted high visibility patrols.

- 8.2. Implications completed by: Claire Rai, Head of Community Safety 0208 753 3154.

9. LEGAL IMPLICATIONS

- 9.1. Under s92 of the Police Act 1996 the Council has the power to make a grant to a police force whose police area falls wholly or partly within the Council's area. S92(3) allows such grants to be made conditionally or unconditionally.
- 9.2. The grant would not be subject to the Public Contracts Regulations 2015 as it is a grant agreement and would not be a contract for the purposes of those regulations. Regulation 11 also provides that the Regulations "does not apply to public service contracts awarded by a contracting authority to another contracting authority on the basis of an exclusive right which the latter enjoys pursuant to a law....". This exclusion applies here as policing services are exclusively provide by police authorities.
- 9.3. As it is a grant agreement, it is not a relevant contract for the purposes of the Council's Contract Standing Orders and therefore the standing orders do not apply.
- 9.4. Clause 2.2 of the current agreement allows the parties to extend the term by agreement in writing.
- 9.5. Legal implications provided by Charlotte Smith, Solicitor, on 10 October 2017.

10. FINANCIAL IMPLICATIONS

- 10.1. The existing enhanced policing scheme contract is fully funded from s.106 funding so there are no implications for the department's revenue budget in 2018/19.
- 10.2. Implications completed by: Lucy Varenne, Finance Manager - Environmental Services, telephone: 0207 361 5777.

11. IMPLICATIONS FOR BUSINESS

- 11.1. The additional policing being provided in town centres by council funded officers, as well as the additional two constables funded by Hammersmith London BID, will contribute positively to the business community and business users by reducing the risk of crimes that affect them.
- 11.2. Implications verified/completed by Prema Gurunathan, Economic Development Manager - Policy & Strategy Dept. 020 8753 4569

12. PLANNING IMPLICATIONS

- 12.1. The existing contract is budgeted for from S106 flexible funds. This extension is a one year extension to that contract
- 12.2. Because of the nature of the contract, and when the funds will be needed, this will be funded from agreements that have not yet paid contributions. However, this extension to the contract has been budgeted for in the Council's S106 cash flow, and it is clear that there are and will be sufficient flexible funding opportunities to cover the cost of this contract extension.
- 12.3. It is considered that the use of the funds would be a lawful use of funds held and due
- 12.4 Comments completed by Peter Kemp, Planning Change Manager, Ext. 6970

13. RISK MANAGEMENT

- 13.1. The proposals contribute positively to meeting the needs and expectations of local taxpayers and of the wider community including businesses and visitors to the borough by reducing the risk of crime. The budget reductions imposed on the Council by national government has resulted in a need to further enhance community based policing the benefits of which are to be derived from the additional Officers duties.
- 13.2. Implications verified by: David Hughes, Director of Audit, Fraud, Risk and Insurance, telephone 020 7361 2389.

14. COMMERCIAL AND PROCUREMENT IMPLICATIONS

- 14.1. There is no choice other than to procure these services through MOPAC as it is a specialised service. It is not covered under the Public Contract Regulations therefore there are no further procurement implications.
- 14.2. Implications completed by: Joanna Angelides, Bi Borough Procurement Consultant, Tel No. 0208 753 2586

15. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None

LIST OF APPENDICES:

Appendix 1 - **Initial Screening Equality Impact Analysis Tool**

Initial Screening Equality Impact Analysis Tool


Section 01	Details of Initial Equality Impact Screening Analysis			
Financial Year and Quarter	11			
Name of policy, strategy, function, project, activity, or programme	Town Centre Policing			
Q1 What are you looking to achieve?	<p>In January 2011 the Metropolitan Police Authority (MPA) offered councils the opportunity to fund extra police constables. An additional 16 constables will be provided in Hammersmith and Fulham as a result of this.</p> <p>Hammersmith and Fulham council (H&F) has designed a revised policing model to ensure best use of these resources and improved crime reduction performance.</p> <p>There will be three policing teams; one in Shepherd's Bush (Westfield Police team will come under control of Shepherd's Bush), Fulham and Hammersmith. Each team will police the whole ward and shift patterns will allow cover at peak times with reduced or no cover at other times.</p>			
Q2 Who in the main will benefit?	Age	Medium The pilot showed that the revised model of policing led to an increase in detection of crime in Westfield and Regina crimes. Under the revised model of policing and increased constables, these crimes may continue to be increasingly detected. It is likely that these crimes will be carried out by the 16-25 age group and therefore this section of the population may be accessed more by police under the revised policing structures. Any change in public safety as a result of the revised policing structure will	M	Neutral

		impact all residents, irrespective of age.		
	Disability	<p>Low Additional constables and the revision of policing structures in three town centre wards will be of low relevance to disability equality since policing procedures will not be impacted and therefore disabled individuals of not be specifically targeted under the new structure.</p> <p>Any change in public safety as a result of the revised policing structure will impact all residents, irrespective of disability.</p>	L	Neutral
	Gender reassignment	<p>Low Additional constables and the revision of policing structures in three town centre wards will be of low relevance to gender reassignment equality since policing procedures will not be impacted and therefore disabled individuals of not be specifically targeted under the new structure.</p> <p>Any change in public safety as a result of the revised policing structure will impact all residents, irrespective of gender reassignment.</p>	L	Neutral
	Marriage and Civil Partnership	<p>Low Additional constables and the revision of policing structures in three town centre wards will be of low relevance to marriage and civil partnership equality since policing procedures will not be impacted and therefore individuals of a particular marital status will not be specifically targeted under the new structure.</p> <p>Any change in public safety as a result of the revised policing structure will impact all residents, irrespective of marital/partnership status.</p>	L	Neutral
	Pregnancy and maternity	<p>Low Additional constables and the revision of policing structures in three town centre wards will be of low relevance to pregnancy and maternity equality since policing procedures will not be impacted and therefore pregnant individuals of not be specifically targeted under the new structure.</p>	L	Neutral

		Any change in public safety as a result of the revised policing structure will impact all residents, irrespective of pregnancy/maternal status.		
Race	Medium	Shepherd's Bush team will have the highest number of constables (23) and this ward also has the highest proportion of ethnic minority residents. The new policing structures will therefore result in greater resources in this ward and may result in increased individuals of ethnic minorities being reached by the policing due to the ward's demographic make up. Any change in public safety as a result of the revised policing structure will impact all residents, irrespective of race.	M	Neutral
Religion/belief (including non-belief)	Low	Additional constables and the revision of policing structures in the three town centre wards will be of low relevance to religion/belief equality since policing procedures will not be impacted and therefore individuals of a particular religion/belief will not be specifically targeted under the new structure. Any change in public safety as a result of the revised policing structure will impact all residents, irrespective of religion/belief.	L	Neutral
Sex	Low	Additional constables and the revision of policing structures in the three town centre wards will be of low relevance to sex equality since policing procedures will not be impacted and therefore individuals of a particular sex will not be specifically targeted under the new structure. Any change in public safety as a result of the revised policing structure will impact all residents, irrespective of sex.	L	Neutral
Sexual Orientation	Low	Additional constables and the revision of policing structures in the three town centre wards will be of low relevance to sexual orientation equality since policing procedures will not be impacted and therefore individuals of a particular sexual orientation will not be specifically targeted under the	L	Neutral

	<p>new structure.</p> <p>Any change in public safety as a result of the revised policing structure will impact all residents, irrespective of sexual orientation.</p>		
<p>Q3 Does the policy, strategy, function, project, activity, or programme make a positive contribution to equalities?</p>	<p>Human Rights and Children’s Rights Will it affect Human Rights, as defined by the Human Rights Act 1998? No</p> <p>Will it affect Children’s Rights, as defined by the UNCRC (1992)? No</p>		
<p>Q4 Does the policy, strategy, function, project, activity, or programme actually or potentially contribute to or hinder equality of opportunity, and/or adversely impact human rights?</p>	<p>No</p>		

Agenda Item 8

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	 <p>h&f hammersmith & fulham</p>
COMMUNITY ASSET TRANSFER	
Report of the Deputy Leader– Councillor Sue Fennimore and the Cabinet Member for Finance – Councillor Max Schmid	
Open report	
A separate report on the exempt part of the Cabinet agenda provides exempt financial information.	
Classification - For Decision	
Key Decision: Yes	
Consultation Finance, Legal, Community Investment and Risk sections.	
Wards Affected: North End Ward	
Accountable Director: Maureen McDonald-Khan, Director of Property and Building Management.	
Report Author: Nigel Brown , Head of Asset Strategy, and Property Portfolio.	Contact Details: Tel: 020 8 -7532483 E-mail: nigel.brown@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. As part of the Council's medium and long-term objectives, the Council wishes to ensure the availability and sustainability of community-based assets. The Council's Business Plan 2017/2018 underlines assets can help communities with sustainable growth run by local organisations for the benefit of residents. Dynamic and well-run community buildings can be the bedrock for local communities and they house a wealth of support services upon which neighbourhoods can (1) develop and thrive; and (2) local citizenship and engagement can be strengthened.
- 1.2. Third sector organisations, like BCP and charities can access funding, donations and expertise which are not available to local authorities that open opportunities and build community resilience.

- 1.3. This report outlines a proposal for the Council to consider the transfer of a freehold asset at nil consideration to Barons Court Project Limited (“BCP”). The Council currently lease this accommodation to BCP and the lease expires on 31st December 2017 and the Community grant funding for this service is to be reviewed in March 2018.

2. RECOMMENDATIONS

- 2.1. To approve the freehold transfer of the Councils freehold interest in the subject property to Barons Court Project Limited (“BCP”) at nil consideration. To ensure the property legal documents have the appropriate pre-emption rights reserved in the transfer to preserve the Council’s position and the permitted use of the property so services can be retained.
- 2.2. To note the principal terms and conditions already negotiated by the Council with Barons Court Project Limited, contained in Appendix 2 attached to the exempt part of this report.
- 2.3. That authority be delegated to the Director for Building & Property Management in consultation with the Director of Law and the Cabinet Member for Finance to complete the necessary legal work in transferring the freehold of the property to Barons Court Project Limited.

3. REASONS FOR DECISION

- 3.1 The driver for this decision is that the Council is committed in the long-term availability and sustainability of community assets now, and into the future by
 - guaranteeing local communities and facilities thrive and offer the best possible services and support to residents and at the same time, consider alternative arrangements under which these assets can be best managed.
 - ensuring those with the right skills, expertise and experience are entrusted with this vital role.
- 3.2 It is intended that practical initiatives to foster local services are through shifting provision from the Council to the third sector. The sector is considered able to (1) lever in additional funding to support the development of local services, (2) to build on their innovative and creative approaches to meeting local needs, and (3) support the development of their capacity and skills to provide positive community outcomes from a grassroots level.
- 3.3 BCP is a drop-in centre funded by Hammersmith & Fulham Council and the NHS and serves predominantly Hammersmith & Fulham residents. BCP also receives financial support from other numerous charitable trusts. The Project is designed and tailored for residents of Hammersmith & Fulham and for homeless people who have a mental illness.
- 3.4 The project main service users, reduce isolation and the risk of people becoming homeless; and geared itself in providing free or subsidised practical

services that offer opportunities for self-development and group participation, also focusing to strengthen partnerships between internal and external stakeholders. They also have a full programme of activities and support for all their Service Users which are educational, skills based and about increasing quality of life.

4. INTRODUCTION AND BACKGROUND

- 4.1 BCP has been in occupation of this building since 2nd August 2008. The current lease commenced on 1st January 2013 and expires on 31st December 2017. The current rent the Council receives is £14,600 per annum. There is a clear preference for BCP to remain at the property and to continue this core support to the community.

5. PROPOSAL AND ISSUE

- 5.1 BCP have been operating for over 27 years with the aim of creating a vibrant social environment for the community. Their focus has been on supporting and developing the well-being of local people on low incomes and vulnerable adults and /or homeless in the borough.
- 5.2 The projects main aims are to (1) maintain and promote the partnership of Barons Court Project with service users; (2) reduce isolation and the risk of people becoming homeless; (3) BCP gearing itself to providing free or subsidized practical services that offer opportunities for self-development and group participation; and (4) focusing to strengthen partnerships between internal and external stakeholders.
- 5.3 The Council currently grant funds BCP £45,000 per year, the funding started on 1st December 2014 and will run until 31st of March 2018 towards the costs of running the centre. In addition, BCP receive a range of funding from other external sources from the NHS as well as receiving supports from various Charitable Trusts.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Officers explored many options as the lease renewal approaches in December 2017. The Council has also reflected on a different community asset transfer which Cabinet approved in October 2016 and taken on board best practice provided by CLG on asset transfer too. These options are set out in Appendix 1 (attached to the exempt part of this report) with the two main proposals listed as follows
- (i) Allow the current lease terms to run until it expires on 31st December 2017 and to agree a new term with BCP on same term of the previous lease for a 30-year term at a market rent. The rent could be subject to 5 yearly upwards only rent review with a slight variation of the user clause to permit other nominated organisations to be approved by the Council to share occupation of the property with BCP. The market rent would be in the region of £25,000 per annum

- (ii) To transfer the freehold of the property to BCP at Nil consideration with pre-emption rights and legal charge which stipulate the building must in its entirety be retained for Community use, subject to the Secretary of state Consent under Section 123 of the Local Government Act 1972 (should this be necessary if the overall capital value of the asset is more than the minimum threshold of £2m.
- 6.2 Offering BCP a longer lease of 30-year term not provide the necessary comfort required to stabilise the organisation's long terms aims and aspirations. Whilst National Lottery funding programmes have traditionally supported capital and revenue funding for leases less than 30 years; most funding and grants that BCP will seek to lever in are likely to be more supportive of freehold ownership by a community group.
- 6.3 If BCP did own the freehold of the asset it can access grant funding and ensure its long-term service sustainability too without getting Council approval. BCP will have increased opportunities to use the asset to secure additional funding for services which will offer enhanced and increased benefits for residents.
- 6.4 To ensure that this asset is not used only for Community purposes the Council is ensuring restrictive covenant and other terms are reserved in the freehold transfer document.

7. CONSULTATION

- 7.1. BCP have discussed the various options with their Trustees and prefer a freehold transfer. Community Investment team support the proposal which will ensure community benefits to residents requiring their services will be provided going forward. There has no formal consultation with end users for this asset transfer but BCP have worked on a robust business plan since 2016 to ensure they balance providing services for their clients and securing fund and resources to the deliver their service.

8. EQUALITY IMPLICATIONS

- 8.1. No equality impact assessment is needed.

9. LEGAL IMPLICATIONS

- 9.1 Where local authorities seek to deliver administration outcomes, then there are regulations under the Local Government Act 1972 that outline where a disposal or assets are sold below market value. The community asset transfer proposed in this report falls under this remit. There is a requirement under S.123 of the Local Government 1972 that property be disposed of at best value applies unless a general consent is allowed.
- 9.2 The Council can utilise one of its general consents of the under Local Government Act 1972 which permits disposal at an undervalue up to £2 million. An external independent valuation has been commissioned and the

likely undervalue will be less than £2 million. This will allow a general consent to be granted and there will be no requirement to seek formal approval/consent from the Secretary of State.

- 9.3 In view of this before the transaction completes both the Council and BCP will need to satisfy themselves that either the State Aid falls within an exemption or that the state aid rules are not engaged because the transaction will not affect trade between member states or distort of competition.

If unlawful aid is given BCP will be required to repay it plus interest and the fact that it has received the aid may adversely affect its chances of being awarded public contracts in the future, at least until the unlawful aid is repaid.

- 9.4 Dermot Rayner, Senior Property Solicitor, 0208 753 2715
Keith Simkins, Solicitor 020 7361 2194

10. FINANCIAL IMPLICATIONS

- 10.1. Currently, this asset secures an income to the Council of £14,600 per annum and if a market rent was assessed at the lease expiry date in December 2017, the rental could equate to £25,000 per annum. This income to H&F will cease in January 2018.
- 10.2. The Council currently provides grant funding of £45,000 pa up to March 2018 and part of this funding includes maintenance and repair costs. Going forward, an adjustment will need to be undertaken to remove any grant funding that provides maintenance and repair to BCP.
- 10.3. As the lease requires all maintenance and repair to be undertaken by BCP the Council will not benefit from any savings from property expenditure. The property does not fall under the Amey contract for delivery of Total Facilities Management services. This property has a FRI lease so no facilities management or planned maintenance programme obligations fall under current any Council budget.
- 10.4. BCP have commissioned a survey of the building so they can programme capital and revenue works to the asset at the right time. The H&F costs of undertaking the asset transfer will be paid by BCP
- 10.5. Gary Hannaway TTS Finance comments

11. IMPLICATIONS FOR BUSINESS

- 11.1. BCP may expand their services from the property so additional suppliers from local business could benefit from this.
- 11.2 Implications completed by: Nicki Burgess, Town Centre Manager,
0208 753 5695

12. COMMERCIAL IMPLICATIONS

- 12.1. There are no procurement related matters associated with this report as property related transactions are outside the scope of the Public Contracts Regulations 2015 (as amended).
- 12.2. Implications completed by: Alan Parry, Procurement Consultant. Telephone No. 020 8753 2581.

13. ICT IMPLICATIONS

- 13.1. Details of any impact of the proposals in the report for ICT. This section should only be included if relevant to your report. There are no H&F IT infrastructure or equipment at the property.

14. PROPERTY IMPLICATIONS

- 14.1. Full property comments are outlined in the report above.

Ade Sule, Valuer, Corporate Property Services, 0208 753 2831

15. IMPLICATIONS PARAGRAPHS

- 15.1. Risk management, business intelligence, health and wellbeing, social value, Section 106 and PREVENT implications should be considered and included where they are relevant.
- 15.2. A risk assessment has been undertaken and outlined in Appendix 1 (attached to the exempt part of this report) taking on board CLG guidance on Asset transfers. A regular H&F/BCP group meet regularly to ensure all risks are known and are actions taken to reduce their impact. Risk analysis is also shown in Appendix 1 (attached to the exempt part of this report).


16. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	CLG Managing Risk in Asset transfer - published Community Asset Transfer Cabinet report October 2016 - published	CLG publication 2008 Kim Dero/Sue Spiller	

LIST OF APPENDICES:

Appendix 1: Options and risk appraisal - attached to the exempt part of the report
Appendix 2 - Exempt Heads of Terms and Conditions - attached to the exempt part of the report.

Agenda Item 9

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2017/18 (SECOND QUARTER)	
Report of the Cabinet Member for Finance – Councillor Max Schmid	
Open Report	
Classification: FOR DECISION AND FOR INFORMATION Key Decision: Yes	
Wards Affected: ALL	
Accountable Director: Hitesh Jolapara, Strategic Finance Director	
Report Author: Andrew Lord, Head of Strategic Planning and Monitoring	Contact Details: Tel: 0208 753 2531 Email: Andrew.lord@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. This report provides a financial update on the Council's Capital Programme and seeks approval for budget variations, as at the end of the second quarter, amounting to a net decrease of **£18.7m**. This decrease is primarily due to expenditure slippage to future years.
- 1.2. A revised Housing Four Year Capital Programme 2017-21 was approved at Full Council on 18 October 2017 and contains additional £20m budget for Fire Safety Plus Programme and £4.9m for the acquisition of additional affordable housing. This report seeks approval for Housing Capital programme budget variations between the budget approved at Full Council and the second quarter.

2. RECOMMENDATIONS

- 2.1. To approve the proposed budget variations to the capital programme totalling **£18.7m** (summarised in Table 1 and detailed in Appendix 2).

3. REASONS FOR DECISION

- 3.1. This report seeks revisions to the Capital Programme which require the approval of Cabinet in accordance with the Council's financial regulations.

4. CAPITAL PROGRAMME 2017-18 –Q2 OVERVIEW

4.1. The Council's capital programme as at the end of the second quarter 2017/18 – including proposed variations – is summarised in Table 1 below. A full analysis of elements of the programme funded from internal Council resource is included in section 6.

Table 1 – LBHF Capital Programme 2017-21 with proposed 2017/18 Q2 Variations

	Analysis of Movements (Revised budget to Q2)					Indicative Future Years Analysis				
	2017/18 Revised Budget (Q1) £'000	Slippages from/(to) future years £'000	Addition/(Reduction) £'000	Transfers £'000	Total Variations (Q2) £'000	Revised Budget 2017/18 (Q2) £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	Total Budget (All years) £'000
CAPITAL EXPENDITURE										
Children's Services	39,202	(9,196)	(591)	-	(9,787)	29,415	20,197	300	-	49,912
Adult Social Care	1,782	-	-	-	-	1,782	-	937	-	2,719
Environmental Services	23,516	-	(1,072)	-	(1,072)	22,444	11,457	10,778	7,708	52,387
Libraries	285	-	-	-	-	285	-	-	-	285
Sub-total (Non-Housing)	64,785	(9,196)	(1,663)	-	(10,859)	53,926	31,654	12,015	7,708	105,303
HRA Programme	46,544	(6,414)	-	-	(6,414)	40,130	47,173	30,326	32,475	150,104
Decent Neighbourhoods Programme	23,229	(1,375)	(24)	-	(1,399)	21,830	27,552	33,237	14,149	96,768
Sub-total (Housing)	69,773	(7,789)	(24)	-	(7,813)	61,960	74,725	63,563	46,624	246,872
Total Expenditure	134,558	(16,985)	(1,687)	-	(18,672)	115,886	106,379	75,578	54,332	352,175
CAPITAL FINANCING										
Specific/External Financing:										
Government/Public Body Grants	26,906	(5,603)	(335)	1,422	(4,516)	22,390	8,360	3,464	2,157	36,371
Developers Contributions (S106)	19,500	(1,332)	(1,088)	(1,246)	(3,666)	15,834	6,988	700	16,950	40,472
Leaseholder Contributions (Housing)	7,385	-	-	-	-	7,385	6,943	4,005	2,849	21,182
Sub-total - Specific Financing	53,791	(6,935)	(1,423)	176	(8,182)	45,609	22,291	8,169	21,956	98,025
Mainstream Financing (Internal):										
Capital Receipts - General Fund	7,069	(25)	12	15	2	7,071	8,219	-	-	15,290
Capital Receipts - Housing*	20,537	(465)	39	-	(426)	20,111	12,167	13,677	7,185	53,140
Revenue funding - General Fund	4,556	(78)	-	(4,010)	(4,088)	468	599	521	521	2,109
Revenue Funding - HRA	9,632	(5,000)	(68)	-	(5,068)	4,564	18,028	4,000	1,313	27,905
Major Repairs Reserve (MRR) [Housing]	17,945	(229)	-	-	(229)	17,716	17,404	19,794	19,794	74,708
Earmarked Reserves (Revenue)	943	-	(15)	3,819	3,804	4,747	-	-	-	4,747
Sub-total - Mainstream Funding	60,682	(5,797)	(32)	(176)	(6,005)	54,677	56,417	37,992	28,813	177,899
Internal Borrowing	20,085	(4,253)	(232)	-	(4,485)	15,600	27,671	29,417	3,563	76,251
Total Capital Financing	134,558	(16,985)	(1,687)	-	(18,672)	115,886	106,379	75,578	54,332	352,175

*Capital Receipts include use of brought forward Housing receipts

4.2. A net variation to the 2017/18 programme of (£18.7m) is proposed, decreasing total budgeted expenditure from £134.6m to £115.9m. This is made up of:

- Expenditure slippage of £17m to later years (largest schemes being Bridge Academy project £4.8m, Schools Windows Replacement project £2.3m, Lyric Theatre £1.5m and Housing schemes £7.8m)
- Reduction of £1.7m in budgets mainly related to schemes funded from external grants/contributions (S106).

A detailed analysis of proposed variations for approval is included at Appendix 2.

4.3. The capital programme includes budget of £7.8m for the refurbishment of Hammersmith Town Hall funded from LBHF capital resources (internal or external borrowing). The previous development agreement between King Street Developments Ltd and LBHF has been terminated and the scheme is currently being reviewed.

5. CAPITAL FINANCE REQUIREMENT (CAPITAL DEBT)

- 5.1. The Capital Finance Requirement (CFR) measures the Council's long-term indebtedness. The current forecast for the General Fund Headline¹ CFR is shown in Table 2 below. The current HRA CFR forecast is shown in Table 3.
- 5.2. The forecast closing 2017/18 General Fund CFR is £3.7m higher than at the start of the year.

Table 2 – General Fund CFR at Q2 2017-18 (including future years forecast)

General Fund CFR Forecast	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Closing CFR (Including DSG-funded Schools Windows borrowing)	57.67	71.01	78.45	82.52
Closing CFR (Excluding DSG-funded Schools Windows borrowing)	50.94	51.47	59.69	64.51

Table 3 – HRA CFR at Q2 2017-18 (including future years forecast)

HRA CFR Forecast	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Closing Forecast HRA CFR (excluding deferred costs of disposal)	213.28	227.03	247.90	245.98
Deferred Costs of Disposal	6.59	9.03	0.40	0.40
Closing Forecast HRA CFR (including deferred costs of disposal)	219.88	236.07	248.30	246.38

- 5.3. The General Fund CFR remains heavily dependent on the timing and certainty of capital receipts forecasts. The CFR is furthermore sensitive to any transfer of assets between the HRA and the General Fund (a process known as 'appropriation').
- 5.4. The Council is also reviewing how it can most effectively deliver the future efficiency programme and meet challenges such as the Managed Services replacement.
- 5.5. Housing CFR contains deferred costs of disposals mainly related to the Earls Court project.

6. GENERAL FUND – MAINSTREAM PROGRAMME AND CAPITAL RECEIPTS

- 6.1. The General Fund mainstream programme cuts across the departmental programmes and represents schemes which are funded from internal Council resource – primarily capital receipts or internal borrowing. The mainstream programme is summarised in Table 4 below.

¹ Excludes items such as finance leases and PFIs, funded through revenue budgets.

Table 4 – General Fund Mainstream Programme 2017-21 with proposed 2017/18 Q2 Variations

	Revised Budget 2017/18 £'000	Variations (Q2) £'000	Revised Budget 2017/18 (Q2) £'000	Indicative Budget 2018/19 £'000	Indicative Budget 2019/20 £'000	Indicative Budget 2020/21 £'000	Total Budget (All years) £'000
Approved Expenditure							
Ad Hoc Schemes:							
Schools Organisation Strategy [CHS] (mainstream element)	934	(169)	765	25	-	-	790
Hammersmith Town Hall Refurbishment (Mainstream Element/CPMP) [ENV]	2,000	-	2,000	4,774	1,000	-	7,774
Other Capital Schemes [ENV]	4,864	(206)	4,658	-	-	-	4,658
Carnwath Road [ENV]	-	-	-	-	3,070	-	3,070
Rolling Programmes:							
Disabled Facilities Grant [ASC]	673	-	673	450	450	450	2,023
Planned Maintenance/DDA Programme [ENV]	3,600	-	3,600	1,275	1,500	2,500	8,875
Footways and Carriageways [ENV]	2,762	-	2,762	2,030	2,030	2,030	8,852
Controlled Parking Zones [ENV]	38	-	38	275	275	275	863
Column Replacement [ENV]	278	-	278	246	246	246	1,016
Parks Programme [ENV]	1,219	-	1,219	500	500	500	2,719
Total Mainstream Programmes	16,368	(375)	15,993	9,575	9,071	6,001	40,640
Financing							
Capital Receipts	7,069		7,069	8,219	-	-	15,288
General Fund Revenue Account	5,269	(206)	5,063	521	521	521	6,626
Increase/(Decrease) in Internal Borrowing	4,030	(169)	3,861	835	8,550	5,480	18,726
Total Financing	16,368	(375)	15,993	9,575	9,071	6,001	40,640

6.2. Forecast General Fund Capital receipts for 2017/18 are currently £7.07m. A summary of these receipts is included at Appendix 3.

6.3. As at the end of the second quarter of 2017/18, £0.6m of deferred disposal costs have been accrued in respect of anticipated General Fund disposals. These costs are netted against the receipt when received (subject to certain restrictions). In the event that a sale does not proceed these costs must be written back to revenue. A summary of the deferred costs is included in Appendix 3.

6.4. The receipts forecast has been reviewed and only includes sites that have been identified for disposal. No allowance is made for future sites that may come on stream. £7m of 2017/18 receipts have been received to date.

7. HOUSING CAPITAL PROGRAMME

7.1. The expenditure and resource analysis for 2017/18 of the Housing Programme is summarised in Table 5 below:

Table 5 – Housing Capital Programme 2017-21 with proposed 2017/18 Q2 Variations

	Revised Budget 2017/18 (P5) £'000	Total Variations (Q2) £'000	Revised Budget 2017/18 (Q2) £'000	Indicative 2018/19 Budget £'000	Indicative 2019/20 Budget £'000	Indicative 2020/21 Budget £'000
Approved Expenditure						
Decent Neighbourhood Schemes	23,229	(1,399)	21,830	27,552	33,237	14,149
HRA Schemes	46,544	(6,414)	40,130	47,173	30,326	32,475
Total Housing Programme - Approved Expenditure	69,773	(7,813)	61,960	74,725	63,563	46,624
Available and Approved Resource						
Capital Receipts - Unrestricted	11,176		11,176	4,200	4,616	3,371
Capital Receipts - GF	673		673	450	-	-
Capital Receipts - RTB (141)	8,946	(426)	8,520	7,967	5,553	1,895
Capital Receipts - Sale of new build homes	414		414	-	-	-
Earls Court Receipts recognisable net of realised costs	-		-	-	3,508	1,919
Housing Revenue Account (revenue funding)	9,464	(5,000)	4,464	18,028	4,000	1,313
Major Repairs Reserve (MRR)	17,945	(229)	17,716	17,404	19,794	19,794
Contributions Developers (S106)	1,969	(126)	1,843	5,382	400	16,950
Repayment of NHIT loan	270		270	-	270	-
Contributions from leaseholders	7,385		7,385	6,943	4,005	2,849
Government Capital Grants and Contributions	609		609	-	-	-
Other Grants	300		300	600	100	-
Insurance Claims	150		150	-	-	-
Internal Borrowing-GF	-		-	-	450	450
Internal Borrowing-HRA	10,472	(2,032)	8,440	13,751	20,867	(1,917)
Total Funding	69,773	(7,813)	61,960	74,725	63,563	46,624

7.2. Included in the HRA schemes are the following Health & Safety related works:

Health and Safety related spend included in the minor works programme plus Estate CCTV	2017-18			
	Original Full Year Budget £'000	Full year forecast at September-17 £'000	Forecasted Variance £'000	Spend to September 2017 £'000
APPROVED SCHEMES				
Fire safety Improvements	1,500	1,730	230	504
Warden Call System Upgrade	1,032	516	(516)	
Roseford, Woodford, Shepherds extract systems		26	26	
Estate CCTV	250	350	100	130
Controlled Access continuing programme	500	20	(480)	
Fire Safety Plus Capital Works		5,000	5,000	
Edward Woods communal extract system		250	250	
Total	3,282	7,892	4,610	634

*£20m Fire Safety Plus budget was approved at Full Council in October 2017 of which £5m is forecast to be spent in 2017/18 and the remaining £15m in 2018/19

Health & Safety Related Spend in other sections of the HRA Capital Programme	2017-18 as at 30th September 2017			April - September 2017 Actual Spend	Comments
	Original Full Year Budget £'000	Full year forecast £'000	Forecasted variance £'000	Spend to September 2017 £'000	
APPROVED SCHEMES					
Kitchen and Bathroom modernisation	250	500	250	62	Budget increase to accommodate addition of OT works deferred from White City programme. Modernisation of older and run down kitchens and bathrooms has positive implications for the residents' hygiene and safety; hence a small proportion of this spend can be considered to be health and safety related.
Planned individual boiler replacement programme	1,050	1,050		438	Replacement of older boilers has positive implications for the resident safety; hence a small proportion of this spend can be considered to be health and safety related.
Banim Street, Munden St, Swanbank Ct boilers	350	20	(330)		Communal heating programme has been reviewed by the new Heating Manager; given where we are with the contract procurement, this scheme is now planned to start in Spring 2018
Farm Lane & Wheatsheaf, Malabar Ct boilers	420	18	(402)	18	Communal heating programme has been reviewed by the new Heating Manager; given where we are with the contract procurement, this scheme is now planned to start in Spring 2018
Water Supply continuing programme	100	50	(50)		This is a contingency budget to allow for replacement of communal water tanks where necessary as identified during biennial surveys. No calls on budget to date, full year estimate revised accordingly.
Landlords electrical installations	750	750		68	Electrical installations have implications for fire and other risks.
Estate Lighting	150	150		18	Improvement of lighting conditions in housing estates has positive impact on the level of safety and reduced anti-social behaviour.
Total	3,070	2,638	(432)	606	

7.3. The Decent Neighbourhoods Fund contains the Council's Housing Capital Receipts which in accordance with the change in capital regulations, effective from 1 April 2013 must be used for Housing or Regeneration purposes and shows how the Council plans to reinvest those receipts in Housing and Regeneration.

7.4. In October 2017, the Full Council approved £20m budget for a H&F Fire Safety Plus programme to make sure our properties meet higher standards. £14m of this scheme is funded from Housing Revenue Account reserves and the balance coming from Housing Revenue Account borrowing headroom. This expenditure is included in the second quarter forecast.

8. EQUALITY IMPLICATIONS

8.1. There are no direct equalities implications in relation to this report. This paper is concerned entirely with financial management issues and as such is not impacting directly on any protected group.

9. LEGAL IMPLICATIONS

9.1. There are no direct legal implications in relation to this report.

9.2. Implications verified/completed by: David Walker, Principal Solicitor, Commercial and Corporate Property, 020 7361 2211

10. FINANCIAL IMPLICATIONS

10.1. This report is wholly of a finance nature.

11. IMPLICATIONS FOR BUSINESS

11.1. The Council's Capital Programme represents significant expenditure within the Borough and consequently, where supplies are sourced locally, may impact either positively or negatively on local contractors and sub-contractors. Where capital expenditure increases, or is brought forward, this may have a beneficial impact on local businesses; conversely, where expenditure decreases, or is slipped, there may be an adverse impact on local businesses.

11.2. Implications completed by: Prema Gurunathan, Economic Development Manager, Regeneration, Planning and Housing Services Dept. Tel: 020 8753 3111.

12. RISK MANAGEMENT

12.1. Large scale capital projects can operate in environments which are complex, turbulent and continually evolving. Effective risk identification and control within such a dynamic environment is more than just populating a project risk register or appointing a project risk officer. Amplifying the known risks so that they are not hidden or ignored, demystifying the complex risks into their more manageable sum of parts and anticipating the slow emerging risks which have the ability to escalate rapidly are all necessary components of good capital programme risk management.

12.2. The impact to Councils of the Grenfell Tower fire is yet to be fully established. It is certain that many Councils will be undertaking property reviews to determine the levels of improvements required to ensure fire safety arrangements within their buildings meet both the expectations of the residents but also so that they comply with building regulations and other statutory duties. The H&F Fire Safety Plus Programme is an extensive programme that provides residents with further assurance on safety.

12.3.Implications completed by: Michael Sloniowski, Shared Services Risk Manager, 020 8753 2587

13. PROCUREMENT IMPLICATIONS

13.1.There are no immediate procurement implications arising from this report. The corporate Procurement team will advise and support service departments on their major capital procurements as and when such support is required, including consideration of whether and how any social value, local economic and community benefits might be obtained from these.

13.2.Implications verified/completed by: Alan Parry, Interim Head of Procurement (Job-Share), 020 7361 2581.

14. VAT IMPLICATIONS

14.1.The Council needs to carefully consider its VAT partial exemption (PE) calculation and the risk of breaching the partial exemption threshold. Capital projects represent the bulk of this risk. A breach would likely cost the Council between £2m-£3m. VAT risks associated with Capital are managed by Corporate Finance in association with the relevant services.

14.2.Implications verified/completed by: Chris Harris, Chief Accountant, Corporate Finance, 020 8753 6440.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Capital Programme 2017-21 (Published Feb 2017)	Andrew Lord tel. 2531 Chris Harris tel. 6440	Finance Dep,Room10 Hammersmith Town Hall
2.	Housing Four Year Capital Programme 2017-21:Update to include the Fire Safety Plus Programme (Published October 2017)	Kathleen Corbett, Director of Finance & Resources for Regeneration, Planning & Housing Services	3 rd Floor, Hammersmith Town Hall ext, 020 8753 3031

LIST OF APPENDICES:

Appendix 1 – Detailed Capital Budgets, Spend and Variation analysis by Service

Appendix 2 – Analysis of Budget Variations

Appendix 3 – Capital Receipts Forecast

Appendix 1 – Detailed Capital Budget, Spend and Variation Analysis by Service

Children's Services

	Current Year Programme						Indicative Future Years Analysis			
	Analysis of Movements (Revised budget to Q2)					Revised Budget 2017/18 (Q2) £'000	2018/19 Budget £'000	2019/20 Budget £'000	2020/21 Budget £'000	Total Budget (All years) £'000
	2017/18 Revised Budget (Q1) £'000	Slippages from/(to) future years £'000	Additions/ (Reductions) £'000	Transfers £'000	Total Transfers/ Virements £'000					
Scheme Expenditure Summary										
Lyric Theatre Development	1,847	(1,497)	-	-	(1,497)	350	1,497	-	-	1,847
Schools Organisational Strategy	30,738	(5,414)	64	-	(5,350)	25,388	5,615	300	-	31,303
Schools Window Replacement Project	5,584	(2,285)	-	-	(2,285)	3,299	13,085	-	-	16,384
Other Capital Schemes	1,033	-	(655)	-	(655)	378	-	-	-	378
Total Expenditure	39,202	(9,196)	(591)	-	(9,787)	29,415	20,197	300	-	49,912
Capital Financing Summary										
Specific/External or Other Financing										
Capital Grants from Central Government	22,237	(4,184)	(447)	(778)	(5,409)	16,828	4,184	-	-	21,012
Grants and Contributions from Private Developers (includes S106)	9,378	(1,205)	-	-	(1,205)	8,173	1,406	300	-	9,879
Capital Grants/Contributions from Non-departmental public bodies	839	(1,419)	-	778	(641)	198	1,419	-	-	1,617
Sub-total - Specific or Other Financing	32,454	(6,808)	(447)	-	(7,255)	25,199	7,009	300	-	32,508
Mainstream Financing (Internal Council Resource)										
Capital Receipts	934	(25)	(144)	-	(169)	765	25	-	-	790
General Fund Revenue Account (revenue funding)	230	(78)	-	-	(78)	152	78	-	-	230
Use of Reserves	-	-	-	-	-	-	-	-	-	-
Sub-total - Mainstream Funding	1,164	(103)	(144)	-	(247)	917	103	-	-	1,020
Borrowing - non school windows	-	-	-	-	-	-	-	-	-	-
Borrowing - school windows	5,584	(2,285)	-	-	(2,285)	3,299	13,085	-	-	16,384
Funding to be identified/agreed	-	-	-	-	-	-	-	-	-	-
Total Capital Financing	39,202	(9,196)	(591)	-	(9,787)	29,415	20,197	300	-	49,912

Appendix 1 – Detailed Capital Budget, Spend and Variation Analysis by Service/cont.

Adult Social Care Services

Current Year Programme

Indicative Future Years Analysis

Analysis of Movements (Revised budget to Q2)

2017/18 Revised Budget (Q1) £'000	Slippages from/(to) future years £'000	Additions/ (Reductions) £'000	Transfers £'000	Total Transfers/ Virements £'000	Revised Budget 2017/18 (Q2) £'000	2018/19 Budget £'000	2019/20 Budget £'000	2020/21 Budget £'000	Total Budget (All years) £'000
20	-	-	-	-	20	-	937	-	957
2	-	-	-	-	2	-	-	-	2
300	-	-	-	-	300	-	-	-	300
1,460	-	-	-	-	1,460	-	-	-	1,460
1,782	-	-	-	-	1,782	-	937	-	2,719
1,482	-	-	-	-	1,482	-	937	-	2,419
300	-	-	-	-	300	-	-	-	300
1,782	-	-	-	-	1,782	-	937	-	2,719
-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-
1,782	-	-	-	-	1,782	-	937	-	2,719

Scheme Expenditure Summary

Extra Care New Build project (Adults' Personal Social Services Grant)
Community Capacity Grant
Transforming Care (Winterbourne Grant)
Social Care Capital Grant

Total Expenditure

Capital Financing Summary

Specific/External or Other Financing
Capital Grants from Central Government
Capital Grants/Contributions from Non-departmental public bodies
Sub-total - Specific or Other Financing

Mainstream Financing (Internal Council Resource)

Capital Receipts
Sub-total - Mainstream Funding

Borrowing

Total Capital Financing

Appendix 1 – Detailed Capital Budget, Spend and Variation Analysis by Service/cont.

Environmental Services

Scheme Expenditure Summary

	Current Year Programme					Indicative Future Years Analysis				
	2017/18 Revised Budget (Q1) £'000	Slippages from/(to) future years £'000	Additions/(Reductions) £'000	Transfers £'000	Total Transfers/Virements £'000	Revised Budget 2017/18 (Q2) £'000	2018/19 Budget £'000	2019/20 Budget £'000	2020/21 Budget £'000	Total Budget (All years) £'000
Planned Maintenance/DDA Programme	3,615	-	-	-	-	3,615	1,275	1,500	2,500	8,890
King Street-Town Hall Redevelopment	2,000	-	-	-	-	2,000	4,774	1,000	-	7,774
Footways and Carriageways	2,762	-	(14)	-	(14)	2,748	2,030	2,030	2,030	8,838
Transport For London Schemes	2,142	-	112	-	112	2,254	2,157	2,157	2,157	8,725
Controlled Parking Zones	38	-	-	-	-	38	275	275	275	863
Column Replacement	278	-	-	-	-	278	246	246	246	1,016
Carnwath Road	-	-	-	-	-	-	-	3,070	-	3,070
Hammersmith Bridge Strengthening	170	-	-	-	-	170	-	-	-	170
LED Lighting Replacement Programme	2,263	-	-	-	-	2,263	-	-	-	2,263
P&D Upgrade and Pay by Phone	2,393	-	-	-	-	2,393	-	-	-	2,393
Other Capital Schemes	4,362	-	(922)	-	(922)	3,440	-	-	-	3,440
Parks Expenditure	2,860	-	(248)	-	(248)	2,612	500	500	500	4,112
Alternative Weed Treatment	100	-	-	-	-	100	-	-	-	100
Phoenix Centre Capital Improvements	79	-	-	-	-	79	-	-	-	79
Shepherds Bush Common Improvements	383	-	-	-	-	383	200	-	-	583
Recycling	19	-	-	-	-	19	-	-	-	19
CCTV	52	-	-	-	-	52	-	-	-	52
Total Expenditure	23,516	-	(1,072)	-	(1,072)	22,444	11,457	10,778	7,708	52,387

Capital Financing Summary

Specific/External or Other Financing										
Grants and Contributions from Private Developers (includes S106)	7,868	-	(1,088)	(1,246)	(2,334)	5,534	200	-	-	5,734
Capital Grants and Contributions from GLA Bodies	719	-	112	1,422	1,534	2,253	2,157	2,157	2,157	8,724
Sub-total - Specific or Other Financing	8,587	-	(976)	176	(800)	7,787	2,357	2,157	2,157	14,458
Mainstream Financing (Internal Council Resource)										
Capital Receipts	5,462	-	156	15	171	5,633	7,744	-	-	13,377
Housing Revenue Account (revenue funding)	168	-	(68)	-	(68)	100	-	-	-	100
General Fund Revenue Account (revenue funding)	4,326	-	-	(4,010)	(4,010)	316	521	521	521	1,879
Use of Reserves	943	-	(15)	3,819	3,804	4,747	-	-	-	4,747
Sub-total - Mainstream Funding	10,899	-	73	(176)	(103)	10,796	8,265	521	521	20,103
Borrowing	4,030	-	(169)	-	(169)	3,861	835	8,100	5,030	17,826
Total Capital Financing	23,516	-	(1,072)	-	(1,072)	22,444	11,457	10,778	7,708	52,387

Appendix 1 – Detailed Capital Budget, Spend and Variation Analysis by Service/cont.

Libraries Services

Current Year Programme

Indicative Future Years Analysis

Analysis of Movements (Revised budget to Q2)

2017/18 Revised Budget (Q1) £'000	Slippages from/(to) future years £'000	Additions/ (Reductions) £'000	Transfers £'000	Total Transfers/ Virements £'000	Revised Budget 2017/18 (Q2) £'000	2018/19 Budget £'000	2019/20 Budget £'000	2020/21 Budget £'000	Total Budget (All years) £'000
Hammersmith Library Refurbishment Project	285	-	-	-	285	-	-	-	285
Total Expenditure	285	-	-	-	285	-	-	-	285
Specific/External or Other Financing									
Grants and Contributions from Private Developers (includes S106)	285	-	-	-	285	-	-	-	285
Sub-total - Specific or Other Financing	285	-	-	-	285	-	-	-	285
Total Capital Financing	285	-	-	-	285	-	-	-	285

Scheme Expenditure Summary

Hammersmith Library Refurbishment Project

Total Expenditure

Capital Financing Summary

Specific/External or Other Financing

Grants and Contributions from Private Developers (includes S106)

Sub-total - Specific or Other Financing

Total Capital Financing

Appendix 1 – Detailed Capital Budget, Spend and Variation Analysis by Service/cont.

Housing Capital Programme	Current Year Programme						Indicative Future Years Analysis			
	2017/18 Revised Budget (P5) £'000	Analysis of Movements (Revised budget to Q2)				Revised Budget 2017/18 (Q2) £'000	2018/19 Budget £'000	2019/20 Budget £'000	2020/21 Budget £'000	Total Budget (All years) £'000
		Slippages from/(to) future years £'000	Additions/(Reductions) £'000	Transfers £'000	Total Transfers/Virements £'000					
Scheme Expenditure Summary										
HRA Schemes:										
Supply Initiatives (Major Voids)	947	-	-	-	-	947	-	-	-	947
Energy Schemes	1,633	-	-	-	-	1,633	3,697	1,850	1,725	8,905
Lift Schemes	3,250	(300)	-	-	(300)	2,950	5,100	3,750	1,150	12,950
Internal Modernisation	500	-	-	-	-	500	250	500	1,750	3,000
Major Refurbishments	18,363	(118)	-	-	(118)	18,245	13,077	15,986	19,210	66,518
Planned Maintenance Framework	644	-	-	-	-	644	-	-	-	644
Minor Programmes	10,127	(1,066)	-	-	(1,066)	9,061	9,069	7,240	7,640	33,010
ASC/ELRS Managed	1,080	70	-	-	70	1,150	980	1,000	1,000	4,130
Fire Safety Plus	10,000	(5,000)	-	-	(5,000)	5,000	15,000	-	-	20,000
Subtotal HRA	46,544	(6,414)	-	-	(6,414)	40,130	47,173	30,326	32,475	150,104
Decent Neighbourhood Schemes:										
Earls Court Buy Back Costs	7,722	-	66	-	66	7,788	5,644	13,776	7,382	34,590
Earls Court Project Team Costs	857	(53)	-	-	(53)	804	2,497	4,540	2,599	10,440
Housing Development Project	2,161	(1,375)	-	-	(1,375)	786	8,205	2,676	-	11,667
Stanhope Joint Venture	4,749	-	-	-	-	4,749	11,392	15,835	6,317	38,293
Other HRA	6,815	-	(90)	-	(90)	6,725	261	-	-	6,986
Disabled Facilities Grant	1,282	-	-	-	-	1,282	450	450	450	2,632
Sands End Community Centre	500	-	-	-	-	500	1,600	500	-	2,600
Subtotal Decent Neighbourhoods	24,086	(1,428)	(24)	-	(1,452)	22,634	30,049	37,777	16,748	107,208
Total Expenditure	70,630	(7,842)	(24)	-	(7,866)	62,764	77,222	68,103	49,223	257,312
Adjustment for deferred costs	(857)	53	-	-	53	(804)	(2,497)	(4,540)	(2,599)	(10,440)
Total Net Expenditure	69,773	(7,789)	(24)	-	(7,813)	61,960	74,725	63,563	46,624	246,872
Capital Financing Summary										
Specific/External or Other Financing										
Capital Grants from Central Government	609	-	-	-	-	609	-	-	-	609
Contributions from leaseholders	7,385	-	-	-	-	7,385	6,943	4,005	2,849	21,182
Grants and Contributions from Private Developers (includes S106)	1,969	(127)	-	-	(127)	1,842	5,382	400	16,950	24,574
Capital Grants/Contributions from Non-departmental public bodies	570	-	-	-	-	570	600	370	-	1,540
Insurance claims	150	-	-	-	-	150	-	-	-	150
Sub-total - Specific or Other Financing	10,683	(127)	-	-	(127)	10,556	12,925	4,775	19,799	48,055
Mainstream Financing (Internal Council Resource)										
Capital Receipts (HRA)	20,537	(465)	39	-	(426)	20,111	12,167	13,677	7,185	53,140
Capital Receipts (GF)	673	-	-	-	-	673	450	-	-	1,123
Housing Revenue Account (revenue funding)	9,464	(5,000)	-	-	(5,000)	4,464	18,028	4,000	1,313	27,805
Major Repairs Reserve (MRR) / Major Repairs	17,945	(229)	-	-	(229)	17,716	17,404	19,794	19,794	74,708
Sub-total - Mainstream Funding	48,619	(5,694)	39	-	(5,655)	42,964	48,049	37,471	28,292	156,776
Borrowing (Internal Borrowing-GF)	-	-	-	-	-	-	-	450	450	900
Borrowing (Internal Borrowing-HRA)	10,471	(1,968)	(63)	-	(2,031)	8,440	13,751	20,867	(1,917)	41,141
Total Capital Financing	69,773	(7,789)	(24)	-	(7,813)	61,960	74,725	63,563	46,624	246,872

Appendix 2 – Analysis of Budget Variations

Variation by Service	Amount £'000
Children's Services (CHS)	
Slippage of Schools' Windows project to future years due to budget re-profiling	(2,285)
School's Organisation Strategy – Slippage to future years in respect of the following projects: Bridge Academy (TBAP) - £4,766k Queens Manor Resource Centre - £150k Ark Benthworth Primary Academy - £473k Holy Cross Expansion - £25k	(5,414)
Lyric Theatre - Slippage While the project is substantially complete, the slippage represents retained amounts to be paid over and amounts spent directly by Lyric which will be subsumed into overall project cost pending agreements of final account	(1,497)
Net decrease in other school projects as a result in reduction of £(655)k in EFA Two Year Old provision and £(144)k in Queensmill project and £208k additional budget for Ark Conway Phase 2 project funded from Free School grant	(591)
Total CHS variations	(9,787)
Environmental Services (ENV)	
TFL funded schemes - reduction in the budget to reflect adjustment in external funding (TFL grant) received	112
Other Capital Schemes - budget adjustment to reflect actual external funding (S106) received	(922)
Footways & Carriageways - reduction in budget to reflect actual spend forecast	(14)
Parks Programme – reduction in Hammersmith Park budget (£31k) as project completed under budget and Foamstreet Implementation project (£217k) to reflect updated forecast expenditure	(248)
Total ENV variations	(1,072)
Housing Capital Programme	
HRA schemes - net slippage from/(to) future years as a result of budget re-profiling	(6,414)
Earls Court Buyback Costs - additional budget to reflect increase in buyback costs	66
Other HRA schemes - reduction in budget to reflect 1-4-1 receipts forecast	(90)
Housing Development Project – slippage to future years due to project delays	(1,375)
Total Housing variations	(7,813)
Grand Total 2017-18 Q2 Variations	(18,672)

Appendix 3 – General Fund: Forecast Capital Receipts

Year/Property	Previous Forecast £'000s	Movement/ Slippage £'000s	Forecast Outturn at Quarter 2 £'000s	Full sales proceeds @ Q2 £'000s	Deferred Costs of Disposal reserved £'000s
2017/18					
Total 2017/18	7,069	-	7,069	6,720	-
2018/19					
Total 2018/19	8,219	-	8,219	-	566
2019/20					
Total 2019/20	-	-	-	-	-
2020/21					
Total 2020/21	-	-	-	-	-
Total All Years	15,288	-	15,288	6,720	566

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
CORPORATE REVENUE MONITOR 2017/18 MONTH 6 – 30st SEPTEMBER 2017	
Cabinet Member for Finance – Councillor Max Schmid	
Open Report	
Classification - For decision and for information	
Key Decision: Yes	
Wards Affected: All	
Accountable Director: Hitesh Jolapara – Strategic Finance Director	
<p>Report Author: Gary Ironmonger – Finance manager</p>	<p>Contact Details:</p> <p>Tel: 020 8753 2109</p> <p>Gary.Ironmonger@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The General Fund 2017/18 forecast outturn variance for month 6 is a gross overspend of **£4.669m**, an improvement of £0.218m since month 5.
- 1.2. The potential value of mitigating actions is **£2.348m which, if fully delivered**, will result in a net overspend of **£2.321m**. Delivery of action plans is assigned to relevant responsible Directors, which seek to address the General Fund forecast overspend.
- 1.3. The budget area that is forecasting the largest overspend is General Fund Housing. Rent inflation, an increase in the number of clients housed in both temporary accommodation and Bed and Breakfast, and competition with other local authorities bidding for properties are pushing up costs. The Council is also having to fund incentive payments to landlords to secure accommodation. £0.956m of planned savings have also not been realised. This financial pressure is not unique to Hammersmith and Fulham and is being experienced London wide. London Councils estimate that 50,000 households in London are in Temporary Accommodation and that the current year budget pressure is £170m.

- 1.4. The forecast overspend outturn variances reported by other departments, in overspend value order are:
- 1) Children's Services, primarily due to Commissioning, Education, and Family Services
 - 2) Adult Social Care, experiencing pressures within the Home Care and Direct Payments budgets
 - 3) Corporate Services due mainly to overspends on Building and Property management
 - 4) Environmental Services, due to Environmental Health salary budget pressures
 - 5) Libraries & Archives, due to non-delivery of planned savings
 - 6) Centrally Managed Budgets, due to low interest rates on cash balances.
- 1.5. The Housing Revenue Account forecast outturn variance for 2017/18 is an unfavourable variance of £0.617m at month 6. This will result in a reduced year end contribution the HRA balance of £0.540m giving a forecast year-end balance of £20.671m.
- 1.6. Section 151 of the 1972 Local Government Act requires the Chief Financial Officer (as the responsible officer) to ensure proper administration of the Council's financial affairs. This report forms part of the Council's budgetary control cycle for 2017/18. Budgetary control, which includes the regular monitoring of and reporting on budgets and taking corrective action to address overspends, is an essential requirement placed on Cabinet Members, the Chief Executive and Directors in discharging the statutory responsibility.

2. RECOMMENDATIONS

- 2.1. To confirm the General Fund and Housing Revenue Account Month 6 forecast revenue outturn variances.
- 2.2. To agree the departmental action plans amounting to **£2.348m**, seeking to address the General Fund gross overspend forecast variance of **£4.669m** and require that they identify and deliver further actions to reduce the net forecast overspend, after mitigating, actions of **£2.321m**.
- 2.3. To approve the proposed virements requests in appendix 11.

3. REASONS FOR DECISION

- 3.1. The reasons for the recommendations are to report the revenue expenditure position for the Council and to comply with the Financial Regulations.

4. CORPORATE REVENUE MONITOR (CRM) 2017/18 MONTH GENERAL FUND

4.1. Table 1 below sets out the position for month 6.

Table 1: 2017/18 General Fund Gross Forecast Outturn Variance – Month 6

Department ¹	Revised Budget Month 6 £m	Forecast Outturn Variance Month 6 £m	Forecast Outturn Variance Month 5 £m	Movement £m
Adult Social Care (ASC)	59.809	0.888	0.878	0.010
Children's Services (CHS)	45.446	0.914	1.153	(0.239)
Controlled Parking Account (CPA)	(22.118)	(0.188)	(0.216)	0.028
Corporate Services (CS)	14.667	0.341	0.333	0.008
Environmental Services (ES)	45.361	0.070	0.185	(0.115)
Regeneration, Planning, and Housing Services (RPHS)	8.806	2.540	2.279	0.261
Library & Archives Service	2.685	0.056	0.056	0.000
Public Health Services	0	0.000	0.000	0.000
Centrally Managed Budgets (CMB)	18.412	0.048	0.129	(0.081)
Total	173.068	4.669	4.887	(0.218)

4.2. Temporary Accommodation is the main budget pressure for RPHS. A combination of inflation, an increase in client numbers and changes to the funding of incentive payments to Direct Letting landlords has led to a forecast overspend of £2.071m. This is after a net increase of £1.25m homelessness support grant².

4.3. Pressure on salary budget due to high utilisation of commissioning capacity above the budgeted establishment, loss of grant funding and income shortfall expected from the out of borough residents at the Haven are the main contributors to the Children's Services overspend.

4.4. Action plans to mitigate the forecast overspends are summarised in table 2 and detailed below. The potential value of mitigating actions is **£2.348m which, if**

¹ Figures in brackets represent underspends

² For 2017/18 the Council will receive, after allowance for payments to Registered Social landlords, homelessness support grant of £3.25m. £2m of this compensates the Council for loss of a temporary accommodation management fee of £2m received in 2016/17.

fully delivered, will result in a net overspend of **£2.321m**. All overspending departments will need to respond with further actions to reduce the net forecast overspend to nil by year-end. Any overspends at year end will require the use of Council reserves. Delivery of action plans has been assigned to relevant responsible officers below.

Table 2: Summary of Net Forecast Outturn Variances After Action Plans

Department	Gross Forecast Outturn Variance Month 6 £m	Potential Value of Action Plan Mitigations Month 6 £m	Forecast Outturn Variance Net of Planned Mitigations £m	Paragraph reference to action plans
Adult Social Care	0.888	0.888	0.000	4.6.1
Children's Services	0.914	0.520	0.394	4.6.2
Controlled Parking Account	(0.188)	(0.188)	0.000	
Corporate Services	0.341	0.000	0.341	
Environmental Services	0.070	0.420	(0.350)	4.6.3
Regeneration, Planning, and Housing Services	2.540	0.604	1.936	4.6.4
Library & Archives Service	0.056	0.056	0.000	4.6.5
Centrally Managed Budgets	0.048	0.048	0.000	4.6.6
Total	4.669	2.348	2.321	

5. CORPORATE REVENUE MONITOR 2017/18 MONTH 6 HOUSING REVENUE ACCOUNT

- 5.1. The Housing Revenue Account is currently forecasting a deficit outturn variance of £0.617m at Month 6 (appendix 10).

Table 3: Housing Revenue Account Forecast Outturn - Month 6

Housing Revenue Account	£m
Balance as at 31 March 2017	(20.129)
Add: Budgeted (Contribution) / Appropriation from Balances	(0.789)
Less: Forecast Adverse Outturn Variance	0.617
Projected Balance as at 31st March 2018	20.301

- 5.2 Following the disaster at Grenfell Tower, additional plans to enhance fire safety for the residents of the Council's homes are being put in place. One of these enhancements will be free replacement appliances for tenants and leaseholders whose electrical appliances fail electrical safety testing. There is currently no budget in place for this, the costs are currently being finalised but are expected to be in the range of £0.100m to £0.750m. There are also likely to be other revenue costs because of this programme. Costs will be updated as a programme of significant investment and funding is developed in the coming months. This cost is not in the current forecast.

6. VIREMENTS & WRITE OFF REQUESTS

- 6.1. Cabinet is required to approve all budget virements that exceed £0.1m. General Fund budget virements of £2.470m are proposed at month 6. These relate to the transfer of Building & Property Management budgets from Environmental Services to Corporate Services to reflect the new management and reporting structure and a drawdown from reserves to fund Landlord Incentive payments. The HRA have not requested virements at Month 6. Appendix 11 has the details.
- 6.2. There are no write-off requests for month 6.

7. CONSULTATION

- 7.1. N/A

8. EQUALITY IMPLICATIONS

- 8.1. Adjustments to budgets are not considered to have an impact on one or more protected groups so an equality impact assessment (EIA) is not required.

9. LEGAL IMPLICATIONS

9.1. There are no legal implications for this report.

10. FINANCIAL AND RESOURCES IMPLICATIONS

10.1. This report is financial in nature and those implications are contained within.

10.2. Implications completed by: Gary Ironmonger, Finance Manager, 0208 753 2109.

11. IMPLICATIONS FOR BUSINESS

11.1. There are no implications for local businesses.

12. RISK MANAGEMENT

12.1. Details of actions to manage financial risks are contained in appendices 1-10.

13. PROCUREMENT AND IT STRATEGY IMPLICATIONS

13.1. There are no implications for this report.

LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None		

LIST OF APPENDICES

Appendix	Title
Appendix 1	Adult Social Care Revenue Monitor
Appendix 2	Children's Services Revenue Monitor
Appendix 3	Controlled Parking Account Revenue Monitor
Appendix 4	Corporate Services Revenue Monitor
Appendix 5	Environmental Services Revenue Monitor
Appendix 6	Regeneration Planning Housing Services Fund Revenue Monitor
Appendix 7	Library & Archives Service Revenue Monitor
Appendix 8	Public Health Services Revenue Monitor
Appendix 9	Centrally Managed Budgets Revenue Monitor
Appendix 10	Housing Revenue Account Revenue Monitor
Appendix 11	Virement Requests

**APPENDIX 1: ADULT SOCIAL CARE
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6**

Table 1- Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Integrated Care	46,865	5,249	5,237	↓
Strategic Commissioning & Enterprise	5,022	21	(30)	↓
Finance & Resources	7,381	0	0	→
Executive Directorate	541	(73)	(20)	↑
Funding from ASC Pressures and Demand Reserves	0	(4,309)	(4,309)	→
TOTAL	59,809	888	878	↓

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Integrated Care		
A projected overspend of £2,652,000 on Home Care and Direct Payments. Similar to the previous 2 years, there are continued pressures as part of the out of hospital strategy including 7-day social care services to support customers at home and avoid hospital admissions or to enable early discharge. This has led to an increase in home care costs above that which is normally expected. The main reasons for the overspend in 2017/18 are the full year effect of increased customers numbers from last year of 227 new customers, to date there are 32 new customers this year leading to a budget pressure of £1,809,000. The Home Care and Direct payment rates have increased due to the London living wage increases which results in pressures of £864,000. The department has received a one-off ASC support grant in December settlement of (£922,000) which is allocated towards the Home Care demand pressures mentioned above.	2,652	2,834

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Better Care Fund savings shortfall of £1,314, 000. Within the base budget is an MTFs efficiency of £2m following previous negotiations with Health over the Better Care Fund. The efficiency target has various target measures to deliver savings by the avoidance of care in placements, savings in jointly commissioned contracts and securing lower prices. The department is projecting to deliver reductions on placements which since the start of the last year shows a net reduction of 31 customers to date which has reduced the projected underspend in placements to (686,000).	1,314	958
Mental Health Services is projecting an overspend of £991,000. This service continues to have increasing number of placements with the full year effect of new customers and prices increases above inflation leading to budget pressures of £726,000. In Mental Health, Home Care and Direct Payment pressures amount to £265,000 with the full year effect of new customers.	991	1075
Learning Disability services is projecting a net overspend of £36,000. There are increasing demand pressures in Direct payments and Day care services. Since the last period there has been a 2 service reviews resulting in reduced costs of (£85,000).	36	108
Provided services projected overspend of £138,000. There are demand pressures in the Careline to fund a 24/7 service. A review has commenced on the delivery model and to explore funding options.	138	138
Minor Variances.	118	124
Total Integrated Care	5,249	5,237
Strategic Commissioning & Enterprise		
Small contractual overspends as a result of increased activity	21	(30)
Minor Variances		0
Total Strategic Commissioning & Enterprise	21	(30)
Finance & Resources		
Minor Variances	0	0
Total Finance & Resources	0	0

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Executive Directorate		
Projected underspend against supplies and services budgets within the Directorate and Executive support budgets.	(73)	(20)
Minor Variances	0	0
Total Executive Directorate	(73)	(20)
Funding from ASC Pressures and Demand Reserves		
ASC Funding from December 2016 and Spring 2017 budget settlements. The department has been allocated Improved Better Care Funding of £4,297,000 in the Spring Budget and £831,000 in the December funding settlement. The plans for this funding have been agreed with Health and presented to the Health & Wellbeing Board in September. The funding can be used to stabilise Adult Social Care, manage the transfer of care, invest in out of hospital services and market management of providers. Given the financial pressures in both the Health and social care sectors each party is proposing to set aside £819,000 to develop a more sustainable market.	(4,309)	(4,309)
Minor Variances	0	0
Total Funding from ASC Pressures and Demand Reserves	(4,309)	(4,309)
TOTAL VARIANCE	888	878

Table 3 - Key Risks - Detail Items Over £250,000			
Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
There is an estimated shortfall in the s.75 Health Commissioning budgets which are under significant financial pressures. Following discussions with Health, the LA have been advised the financial liability will rest with the organisation responsible for the customer.	1,228	1,228	→
Commissioners have completed the work with placement providers on inflationary increases which can be managed from the base budget and	0	0	→

Table 3 - Key Risks - Detail Items Over £250,000

Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
improved better care fund resources.			
Following a recent review, the savings from Transformation Commissioning Programme to be delivered currently RAG rated amber have increased. Further work is being undertaken on the delivery of the savings.	1,262	1,262	→
Demographic pressures on Adult Social Care services would continue to increase as the population gets older. We continue to experience increases in numbers greater than anticipated during this financial year.	500	500	→
Increased costs associated with the payment of the National Minimum Wage (NMW) for care workers who work sleep-in shifts in the social care sector. Previously workers were paid below the NMW. This follows a legal reinterpretation of minimum-pay rules. The pressure is currently being quantified.	TBC	TBC	→
TOTAL RISKS MANAGED	2,990	2,990	→

Supplementary Monitoring Information

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APPENDIX 2: CHILDREN'S SERVICES
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6

Table 1 - Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Family Services	26,954	433	455	↑
Education	6,729	256	406	↑
Commissioning	4,995	514	578	↑
Safeguarding, Review, and Quality Assurance	1,521	60	51	↓
Finance and Resources	5,246	(354)	(341)	↑
Schools Funding	0	4	4	→
TOTAL	45,446	914	1,153	↑

Departmental Division	Month 6 £000	Month 5 £000
Family Services		
Family Support & Child Protection (FSCP) - Salary pressures due to increased activity and case load and the loss of grant funding this year. There has been a requirement to recruit additional workers to cover the unallocated cases in this service. A review of the current high caseload in FSCP as part of the mitigation strategy has revealed a shortage in capacity. This has meant the need for an additional 3 Social Care Workers and an acting up Deputy Team Manager for 6 months.	146	167
Contact and Assessment - 4 Deputy Team manager posts and the loss of grant funding this year is contributing to the current forecast. A headroom growth bid was submitted to the September budget challenge for £212k in 2018/19 with respect to this overspend.	341	345
Multi Agency Safeguarding Hub - 2017/18 finds salary pressures over and above the budget due to a high number of maternity leave requiring cover. The increase from P5 is primarily due to an update of the allocation of costs between boroughs for 2017/18 based on activity.	62	25

Departmental Division	Month 6 £000	Month 5 £000
Early Help and Social Work - There is an increase in overspend in this area from period 5 due to an updated allocation of costs for the shared Emergency Duty Teams and the Action for Change service.	79	0
Other small variances across the services, predominantly salaries in Looked After Children's Team and Localities, and a reduction on spend on 'No Recourse to Public Funds' cases.	(195)	(82)
Total Family Services	433	455
Education		
Travel Care and Support Services - Due to the need to improve and re-procure travel care and support service provision, additional unbudgeted cost is forecast to be incurred. This is necessary to ensure the safe transportation of children with disabilities to their school at the start of the new school year in September.	52	140
The Haven – Staff cost pressures are partly offset by additional income generated from out of borough residents.	83	83
Short Breaks - underspends against placements are offset by pressures on staffing and income generation.	184	157
Special Educational Needs (SEN) and Disabilities – there are cost pressures which have arisen due to the employment of additional staff posts to support the SEN service in delivering the statutory requirement set out in the Children's and Family's Act. These are mitigated in year by Invest to save funding agreed by Members.	(31)	(7)
School Standards - Minor staffing underspends.	(84)	0
Minor Variances	52	33
Total Education	256	406
Commissioning		

Departmental Division	Month 6 £000	Month 5 £000
<p>Pressure on salary budget due to use of interims and supernumerary staff delivering department wide projects which are outside of the Commissioning baseline capacity.</p> <p>The forecast reduced from period 4 to 5 based on the assumption that costs for staff working on the Grenfell response will be recharged to the RBKC Corporate cost centre. Though some recruitment is pending, the majority of staff working on the Grenfell response have not been backfilled.</p> <p>The favourable swing of £64k from period 5 is primarily attributable to under spends on the Children's Centres contracts.</p>	514	578
Total Commissioning	514	578
Safeguarding, Review and Quality Assurance (SQRA)		
<p>Although work has been done to bring back an historically overspending service back in line with budget, SQRA is forecast to overspend by £110k in 17/18. A re-organisation in the Children's Rights Service has not yet been completed. This should have delivered a £50k saving in 17/18 and once completed, this should bring spending back in line with budget going forward.</p>	60	51
Total Safeguarding, Review and Quality Assurance	60	51
Finance and Resources		
<p>Finance and Resources contains pressure budget which is due to be dispersed to various services to cover staffing spend pressures</p>	(354)	(341)
Total Finance and Resources	(354)	(341)
Schools Funding		
Minor Variances	4	4
Total Schools Funding	4	4
TOTAL VARIANCE	914	862

Table 3 - Key Risks - Detail Items Over £250,000

Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
Tower Hamlets Judgement - The likely liability should all connected carers be paid carers fees for prior years as far back as 2011 is estimated to be £2.1m. Work is being undertaken to analyse this further.	TBC	TBC	→
No Recourse for Public Funds - risk of adverse variance based on 2016/17 outturn. Current year actuals and trends will be closely monitored.	TBC	TBC	→
TOTAL RISKS MANAGED	0	0	→

Supplementary Monitoring Information

**APPENDIX 3: CONTROLLED PARKING ACCOUNT
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 5**

Table 1 - Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Pay & Display (P&D)	(12,145)	(1,892)	(1,854)	↑
Permits	(4,496)	(112)	(112)	→
Civil Enforcement Officer (CEO) Issued Penalty Charge Notice (PCN)	(6,814)	(757)	(557)	↑
Bus Lane PCNs	(1,257)	(137)	(137)	→
CCTV Parking PCNs	0	(19)	(19)	→
Moving Traffic PCNs	(6,314)	1,197	1,197	→
Parking Bay Suspensions	(3,223)	452	452	→
Towaways and Removals	(325)	68	68	→
Expenditure and Other Receipts	12,456	1,012	746	↓
TOTAL	(22,118)	(188)	(216)	↓

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Pay & Display (P&D)		
Overachievement of income is due to the telephone parking (Ringo) roll out (partly offset by additional expenditure to run the scheme). Income received in 2017/18 from P & D (including phone payments and card payments) is 13.4% higher than the same period the previous year.	(1,892)	(1,854)
Total Pay & Display (P&D)	(1,892)	(1,854)
Permits		
Overachievement of income compared to budget. Income received in 2017/18 is slightly higher than the same period last year by 0.2%	(112)	(112)
Minor Variances		
Total Permits	(112)	(112)

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Civil Enforcement Officer (CEO) Issued Penalty Charge Notice (PCN)		
Due to systems changes in 2016 income in that year was unusually low. The new systems are now in place and the recovery rate improved towards previous levels. Progress through the PCN life cycle hit a new problem in April/May 2017 whereby it was not possible to send Court Registration files for several weeks because of the County Court making an IT system change without advising Councils. This is now resolved and we have caught up resulting in improvement in recovery.	(757)	(557)
Minor Variances		
Total Civil Enforcement Officer (CEO) Issued Penalty Charge Notice (PCN)	(757)	(557)
Bus Lane PCNs		
The numbers of PCNs issued is 2% lower than same period last year. Also, income to date is 7% lower than same period the previous year. This has been exacerbated by the inability to register cases at Court or send warrants due to an IT issue with Traffic Enforcement Centre (TEC) earlier in the financial year. This is now resolved.	(137)	(137)
Minor Variances		
Total Bus Lane PCNs	(137)	(137)
CCTV Parking PCNs		
Income is 26% lower than same period last year.	(19)	(19)
Minor Variances		
Total CCTV Parking PCNs	(19)	(19)
Moving Traffic PCNs		

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
The numbers of PCNs issued is 13% lower than same period last year. Income is also 20% lower than the same period the previous year. The aim of CCTV enforcement is to increase compliance so a reduction in PCNs is an indication of successful enforcement.	1,197	1,197
Minor Variances		
Total Moving Traffic PCNs	1,197	1,197
Parking Bay Suspensions		
Parking Suspensions are down in general and this has previously been highlighted. Income to date is 24% lower than in the same period the previous year. Non-chargeable suspensions have increased due to a large number of gully maintenance works and the next phase of new electric charging bays being installed by highways. This will be monitored closely throughout the year. The forecast variance in this period has been adjusted to reflect a drop in suspension applications as well as to reflect change of cash flow due to implementation of a new Suspensions IT processing system during September 2017.	452	452
Minor Variances		
Total Parking Bay Suspensions	452	452
Towaways and Removals		
Income similar to previous year, so forecast outturn is expected to be in line with the 2016/17 outturn	68	68
Minor Variances		
Total Towaways and Removals	68	68
Expenditure and Other Receipts		
Forecast includes: <ul style="list-style-type: none"> • an allowance of £75k to fill vacancies as soon as possible especially for staff to help clear the backlog and ensure prompt response to correspondence. • Additional staffing costs that were factored in for staff implementing the new suspension processing system and carrying out the cashless parking procurement. It is assumed that £100k of this will be capitalised due to staff working on the capital parking change programmes. 	114	92

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Additional expenditure in relation to cashless parking i.e. the costs associated with the contracts for cashless parking, P&D machine maintenance and cash collection.	999	755
Additional income due to cross departmental recharges, legal disbursements and recovery in line with previous year.	(101)	(101)
Minor Variances		
Total Expenditure and Other Receipts	1,012	746
TOTAL VARIANCE	(188)	(216)

Table 3 - Key Risks - Detail Items Over £250,000			
Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
None to Report	0	0	→
TOTAL RISKS MANAGED	0	0	0

Supplementary Monitoring Information

**APPENDIX 4: CORPORATE SERVICES
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6**

Table 1- Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
H&F Direct	15,229	0	0	→
Human Resources & Electoral Services	1,649	0	0	→
Finance & Audit	913	0	0	→
Delivery & Value	1,069	0	0	→
Executive Services	280	0	0	→
Commercial Director	(2,337)	341	333	↓
Legal Services	(781)	0	0	→
ICT Services	(1,355)	0	0	→
TOTAL	14,667	341	333	↓

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
H&F Direct		
Minor Variances	0	0
Total H&F Direct	0	0
Human Resources and Electoral Services		
Minor Variances	0	0
Total Human Resources and Electoral Services	0	0
Finance & Audit		
Minor Variances	0	0
Total Finance Services	0	0
Delivery & Value		
Minor Variances	0	0
Total Delivery & Value	0	0
Executive Services		
Minor Variances	0	0

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Total Executive Services	0	0
Commercial Directorate		
Business Intelligence - as of P3 there is £1,000k agreed in principal compared to a budget of £633k. This has the potential to increase as the year progresses.	(367)	(367)
BPM - Advertising hoardings income shortfall mainly due to poor performance of the old contract from Two Towers site (new contract starts in July). One off costs relating to the new contract of £167k agency fees and unachievable 2016/17 quarter 4 income of £117k.	910	911
BPM – Delays in progressing new income opportunities.	100	100
BPM - Rent income shortfall on commercial and civic accommodation, mainly due to a one-off void period on the new Lila Husset lease and stamp duty. This is offset by FTH empty property exemption business rates refund from last year.	54	59
BPM - Building Control income shortfall due to reduction in service demand. Remedial plans include improved marketing to potential contractors.	97	97
BPM - Prior year credits from the Total Facilities Management contract.	(293)	(300)
BPM - Reduced energy consumption in civic buildings giving rise to rebates, staffing costs recharges and vacancy in Valuation Services.	(202)	(192)
BPM - Unfunded expenditure incurred on disposed assets that cannot be met by disposal receipts and on properties not being sold. These overspends will be offset by a drawdown from reserve with a current balance £21.5k.	56	30
BPM - Staffing overspend in Technical Support.	23	23
Minor Variances.	(37)	(28)
Total Commercial Directorate	341	333
Legal Services		
Minor Variances	0	0
Total Legal Services	0	0
ICT Services		
Minor Variances	0	0
Total ICT Services	0	0

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
TOTAL VARIANCE	341	333

Table 3 - Key Risks - Detail Items Over £250,000			
Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
Unplanned costs arising from the termination of the LINK shared service	400	400	→
Expenditure incurred on disposed assets cannot be met by disposal receipts and on properties not being sold.	250	250	→
Advertising hoardings income for Two Towers site - risk arising from the uncertainty in relation to former providers (Ocean), if actual income is lower than forecast for Q1 2017/18.	118	118	→
Unfunded revenue costs incurred in appropriation of General Fund assets to HRA.	250	250	→
Unfunded costs incurred in transferring community assets for community benefits (Masbro Centre, Edward Woods Community Day Centre and 49 Brook Green).	250	250	→
Potential costs of legal challenge in BPM.	200	200	→
Lyric Theatre - Unfunded repairs and maintenance costs above the cap of £50k as agreed by Lyric Theatre and LBHF officers.	250	0	↓
TOTAL RISKS MANAGED	1,718	1,468	0

Supplementary Monitoring Information
The budgets for building property management services are now contained within the Commercial division of Corporate Services. The budgets for the Serco waste management contract will be reported as part of the Commercial division from next month. Cabinet approval is sought to agree these transfers.

APPENDIX 5: ENVIRONMENTAL SERVICES
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6

Table 1 - Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Transport, Highways, Parks & Leisure	18,040	171	151	↓
Environmental Health, Community Safety & Emergency Planning	6,411	224	157	↓
Cleaner, Greener & Cultural Services	20,898	(166)	(7)	↑
Other LBHF Commercial Services	(220)	(7)	(7)	→
Executive Support and Finance	232	(152)	(109)	↑
TOTAL	45,361	70	185	↑

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Transport, Highways, Parks & Leisure		
Income overachievement due to staff costs that will be rechargeable to projects.	(53)	(60)
Wifi income shortfall, assuming income in line with last year	133	133
Underspend on TfL traffic lighting charges	(50)	(50)
Streetlighting - Unachievable 15/16 MTFS.	50	50
Reduction in Network Management income.	42	42
Leisure & Parks - Actual grounds maintenance contract inflation more than budget growth awarded. Inflation requirements to be revisited for 2018/19.	37	24
Minor Variances	12	12
Total Transport, Highways, Parks & Leisure	171	151
Environmental Health, Community Safety & Emergency Planning		

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Forecast shortfall in licencing fees, mostly due to the downward revision of a major licence fee.	73	73
Forecast overachievement of pest control and food hygiene income due to an increase in the level of activity and income from work on CFC Parade.	(10)	18
Forecast overachievement of gas safety works income.	(29)	(29)
Environmental Health salaries overspend.	169	169
Underachievement of income targets for deployable CCTV (£50k) and Professional Witnesses (£15k).	65	0
Registrars forecast salary underspend due to vacancy lag and delays in regrading posts to a higher level (£51k) and overachievement of income (£29k).	(80)	(85)
Markets income shortfall (budgets to be transferred to Housing).	39	39
Minor Variances	(3)	(28)
Total Environmental Health, Community Safety & Emergency Planning	224	157
Cleaner, Greener & Cultural Services		
Actual waste and street cleansing contract inflation more than budget growth awarded. Inflation requirements to be revisited for 2018/19.	78	78
Forecast underspend on waste disposal.	(232)	(198)
S.106 funding for CE&O officers from Street Czar Budget.	(104)	0
Forecast shortfall on filming income partly due to the delay in the opening of the Location Library which is not expected to deliver the anticipated savings.	125	125
Minor Variances	(34)	(12)
Total Cleaner, Greener & Cultural Services	(166)	(7)
Other LBHF Commercial Services		
Minor Variances	(7)	(7)
Total Other LBHF Commercial Services	(7)	(7)
Executive Support and Finance		
Staffing underspends, mostly due to vacancy drag pending service reorganisation.	(169)	(126)
Minor Variances	17	17
Total Executive Support and Finance	(152)	(109)
TOTAL VARIANCE	70	185

Table 3 - Key Risks - Detail Items Over £250,000

Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
The market cannot sustain new income targets (CCTV, Parks & Markets Events). Forecast assumes that CCTV will achieve £50k of £100k target and the £100k Parks and Markets target will be achieved in full.	150	200	↓
Additional costs of keeping streets clean	131	268	↓
New £300k savings target for Additional and Selective Licensing is not achieved (forecast assumes this is achieved in full). New scheme started in June 2017 - applications to date have been much lower than expected. Communication strategy to be developed to increase demand.	300	300	→
TOTAL RISKS MANAGED	581	768	↓

Supplementary Monitoring Information

The budgets for building property management services is now being reported under the commercial directorate in the Corporate services CRM 6. The budgets for Serco from next month will be reported under the commercial directorate in the Corporate services CRM report. Cabinet approval is sought to agree these transfers - see Virement Request.

APPENDIX 6: REGENERATION, PLANNING HOUSING SERVICES
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6

Table 1- Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Housing Solutions	5,551	2,071	2,027	↓
Housing Strategy	110	0	0	→
Economic Development, Learning & Skills	769	32	0	↓
Development & Regeneration	13	0	0	→
Housing Services	108	0	0	→
Planning	2,194	437	252	↓
Finance & Resources	61	0	0	→
TOTAL	8,806	2,540	2,279	↓

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Housing Solutions		
<p>Inflationary pressure on temporary accommodation rents from private landlords has resulted in an adverse variance of £1,530k. This comprises of:</p> <ul style="list-style-type: none"> • £574k direct inflationary pressure compared to 16/17 prices mostly on properties acquired through the West London managing agents framework agreement where agents are demanding rent rises on homes in their portfolio already occupied by households in temporary accommodation (£467k of the £574k) • £956k of savings on the net rental cost assumed in the budget are not being realised despite pursuing more longer-term leases. <p>There is also a forecast increase in average client numbers (from a budget of 782 units to a forecast of 910 (899 at CRM 5)) that results in an over spend of £377k.</p> <p>The impact of the loss of the management fee has resulted in an over spend of £1,893k, although this is offset in this year by the grant received below.</p> <p>There is an overspend of £164k (down from £189k in CRM5) due to a revision this month to the bad debt provision (from a budget of 8.5% of rental income to a forecast of 10.5%)</p>	3,964	3,927

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
because of continuing pressures on income collection resulting from the implementation of Universal Credit.		
Incentive payments to private sector landlords (PSL) are expected to exceed the budget by £32k. Major landlords have threatened to withdraw their homes from us within a month unless we pay them additional sums, again this is happening a lot on properties acquired through the West London managing agents framework agreement. For example, we are having to pay £1,000 per property to retain 31 TA units that are currently occupied provided by one of these agents. Officers are working on plans to procure alternative accommodation.	32	32
Homelessness Support Grant provided by CLG to cushion the impact of the removal of the management fee for Temporary Accommodation (after deducting an assumed £250,000 which we expect Registered Providers to claim). CLG have stated the aim is to 'empower LAs with the freedom to support the full range of homelessness services they deliver' and plan their provisions with more certainty. It should be noted that so far this is only promised for 17/18 and 18/19 so there is a risk of significant budget pressure thereafter.	(3,277)	(3,277)
Increase in Bed and Breakfast accommodation net costs due to continuing increasing inflationary pressures on rents results in an adverse variance of £227k. Higher average client numbers (163 forecast up from 159 at CRM 5 vs 134 in the budget) has resulted in an adverse variance of £63k. Also, a revision this month to the bad debt provision (from a budget of 10% of rental income to a forecast of 25%) of £285k (£278k in CRM5) has been forecast due to continuing pressures on income collection as a result of the implementation of Universal Credit.	575	568
Incentive payments to Direct Letting landlords formerly funded from an earmarked reserve. The variance is after funding of £18k already approved by Cabinet (via CRM2) from the remainder of the specific reserve held for this purpose.	582	582
It is expected that repair costs on PSL properties will exceed the budget by £100k, and legal costs relating to disrepair and complex cases will overspend by £95k.	195	195
Total Housing Solutions	2,071	2,027
Housing Strategy		
Other Minor Variances		

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Total Housing Strategy		
Economic Development, Learning & Skills		
It's not been possible to identify alternative funding sources for the Mayor's tea dances	32	0
Other Minor Variances	0	0
Total Economic Development, Learning & Skills	32	0
Development and Regeneration		
Other Minor Variances		
Total Development and Regeneration		
Housing Services		
Stable Way - travellers site managed by RBKC TMO. Hammersmith and Fulham Council have nomination rights and contribute towards the running of the site.	(11)	0
Aids and Adaptations	11	0
Total Housing Services	0	0
Planning		
Development Management - the division is currently predicting a staffing cost overspend of £66k and a shortfall in planning fee income of £259k. Planning officers are investigating the high non-chargeable workload. In addition, printing and publication costs are forecast to overspend by £45k. Further, £23k of income is being written off as this wasn't allowed for in the final settlement negotiated for the sale of Fulham Town Hall and cannot be offset against the receipt as the 4% limit on costs of disposal has already been reached. This is offset by other minor underspends (£15k).	378	339
Planning Regeneration - higher than budgeted staffing costs of £275k are largely offset by higher than budgeted planning fee income of (£257k). Other overspends on minor budgets of £52k are forecast.	70	22
Planning Director's Office - this relates primarily to the vacant Director of Planning role.	(128)	(123)
Policy - New Homes Bonus funding for the production of Supplementary Planning Documents has been exhausted. This means that the shortfall this year will be at least £102k. Additionally, there are minor staffing overspends within the Policy division of £15k.	117	14
Total Planning	437	252

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Finance & Resources		
Total Finance & Resources		
TOTAL VARIANCE	2,540	2,279

Table 3 - Key Risks - Detail Items Over £250,000			
Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
Overall Benefit Cap	132	452	↑
Direct Payment (Universal Credit)	389	560	↑
Increase in the number of households in Bed & Breakfast accommodation	159	159	→
Change in Local Housing Allowance subsidy entitlements	121	830	↑
Inflationary pressures on Temporary Accommodation landlord costs	261	395	↑
Increased number of homelessness acceptances	168	336	↑
The Governments High value void sales policy as legislated for in Housing & Planning Act 2016 - reduction in available accommodation	unknown	unknown	→
Skills Funding Agency grant reduction	174	174	→
New Homes Bonus funding for the production of Supplementary Planning Documents has been exhausted. There is a risk that the costs of current and future work on SPDs will need to be charged to revenue. The risk has been updated this month and some of the risk has crystallised and is reported as a variance above. Officers will continue to monitor the risk each month.	100	unknown	↑
The Council has been refused permission for the Triangle scheme, so there is now a risk of a public enquiry which could cost the Council in excess of £250k in legal fees. This may impact on 17/18 (up to 50% of the risk).	125	0	↑

Table 3 - Key Risks - Detail Items Over £250,000			
Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
Mayor's Tea Dances - officers have not been able to identify potential funding sources, therefore this risk has now crystallised as a variance.	0	32	↑
TOTAL RISKS MANAGED	1,629	2,938	↑

Supplementary Monitoring Information
<p>Changes to the wider political, legislative and economic environment are of such a scale that the financial pressure can only be partially offset. We are experiencing increasing inflationary pressure as we are outbid for TA by other London Boroughs especially those looking to reduce the number of families they have in B&B and considerable inflationary pressure on currently occupied properties acquired through the West London Managing Agents procurement framework (there are short notice periods on both sides in this contract).</p> <p>The forecast outturn assumes legal and other costs for planning appeals and judicial reviews (currently forecast as £56,000), as a result of increasing numbers of decisions being challenged, will need to be funded from corporate reserves.</p> <p>Cabinet approved a drawdown of the remaining balance of £18,000 from the earmarked reserve for Direct Lettings incentive payments to landlords via the CRM for month 2. It is currently expected that a further £582,000 will be spent this year. It is requested that Cabinet approve a drawdown for this amount from the earmarked reserve for Temporary Accommodation.</p>

APPENDIX 7: LIBRARIES AND ARCHIVES SERVICES
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6

Table 1 - Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Libraries Shared Services	2,685	56	56	→
TOTAL	2,685	56	56	0
Control Totals as @ Month 6	2,678			

Table 2 - Variance Analysis

Departmental Division	Month 6 £000	Month 5 £000
Libraries Shared Services		
Delay in progressing ideas to increase income. For instance, the Law Centre Occupancy in Hammersmith Library was expected for a full year, but the agreement has not yet been signed. It is forecast that there will now be 6 months' rental from this.	157	157
Mitigating actions in place which include reduction in stock spend of £76k, and vacancies which have been held, and possible use of "Ground Work London" for 12 week placements to fill some vacancies temporarily.	(101)	(101)
Other Minor Variances		
Total Libraries Shared Services	56	56
TOTAL VARIANCE	56	56

Table 3 - Key Risks - Detail Items Over £250,000			
Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
None to Report	0	0	→
TOTAL RISKS MANAGED	0	0	0

Supplementary Monitoring Information
None to report.

APPENDIX 8: PUBLIC HEALTH SERVICES
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6

Table 1 - Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Sexual Health	5,554	3	(419)	↓
Substance Misuse	4,570	(411)	(26)	↑
Behaviour Change	2,411	(415)	60	↑
Intelligence and Social Determinants	33	10	10	→
Families and Children Services	6,215	125	(248)	↓
Public Health Investment Fund (PHIF)	4,162	0	0	→
Salaries and Overheads	160	394	86	↓
Transfer Payments	1,175	19	981	↑
Drawdown from Reserves	(1,813)	324	(444)	↓
S113 Income	(127)	(49)	0	↑
Public Health – Grant	(22,338)	0	0	→
TOTAL	0	0	0	→

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Sexual Health		
Genito Urinary Medicine - savings from service redesign and lower tariffs	389	(300)
Young People's Services - budget to be realigned based on new agreements	(227)	(227)
Lot 2 Sexual Health Screening - Lots 1 and 2 saved £279k compared to 16/17	314	245
Lot 1 Contraception - Lots 1 and 2 saved £279k compared to 16/17	(78)	(128)
Release of risk fund	(395)	(10)
Total Sexual Health	3	(419)

Substance Misuse		
Detoxification and Residential Placements - savings from changes in practice to be monitored	(244)	0
Core drug and alcohol services - demand in alcohol services have increased	(3)	92
Community based services - budget to be realigned based on new agreements	(91)	(100)
Reducing Reoffending - demand to be monitored	(68)	0
Other Minor Variances	(5)	(18)
Total Substance Misuse	(411)	(26)
Behaviour Change		
Community Champions - match funding secured for some projects	(96)	(45)
Health Trainers -	(389)	112
Other Minor Variances	70	(7)
Total Behaviour Change	(415)	60
Intelligence and Social Determinants		
Other Minor Variances	10	10
Total Intelligence and Social Determinants	10	10
Families and Children Services		
Community based services - budget to be realigned based on new agreements	0	0
0-5 Health Visiting Programme - lower contract values agreed for extension	251	(137)
Obesity and Dietetics - childhood obesity to be integrated into IFSS model	(89)	(92)
Other Minor Variances	(37)	(19)
Total Families and Children Services	125	(248)
Public Health Investment Fund (PHIF)		
Other Minor Variances	0	0
Total Public Health Investment Fund (PHIF)	0	0
Salaries and Overheads		
s113 recharges - historical budget set too low so realignment needed	364	1,067
Total Salaries and Overheads	364	1,067

Drawdown from Reserves		
Transfer to reserve to reduce the operating balance to zero.	324	(444)
Total Drawdown from Reserves	324	(444)
Public Health – Grant		
Other Minor Variances	0	0
Total Public Health – Grant	0	0
TOTAL VARIANCE	0	0

Table 3 - Key Risks - Detail Items Over £250,000

Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
None to report	0	0	
TOTAL RISKS MANAGED	0	0	

Supplementary Monitoring Information

Please note: Budgets were incorrect at CRM5, but have been amended here. Where the prior month also needs restating, this has been done above.

APPENDIX 9: CENTRALLY MANAGED BUDGETS
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6

Table 1- Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Corporate & Democratic Core	3,529	0	0	→
Housing and Council Tax Benefits	(328)	0	0	→
Levies	1,570	(36)	(36)	→
Net Cost of Borrowing	32	600	600	→
Other Corporate Items (Includes Contingencies, Insurance, Land Charges)	4,921	(426)	(386)	↑
Pensions & Redundancy	8,688	(90)	(49)	↑
TOTAL	18,412	48	129	↑

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Corporate & Democratic Core		
Other Minor Variances		
Total Corporate & Democratic Core	0	0
Housing and Council Tax Benefits		
Other Minor Variances		
Total Housing and Council Tax Benefits	0	0
Levies		
Other Minor Variances	(36)	(36)
Total Levies	(36)	(36)
Net Cost of Borrowing		

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Historically low interest rates are expected to continue for the foreseeable future. Analysis of the current rate of returns on investments (0.43%) indicates an overspend of £600k	600	600
Other Minor Variances	0	0
Total Net Cost of Borrowing	600	600
Other Corporate Items (Includes Contingencies, Insurance, Land Charges)		
The housing market continues to be sluggish. Income for April and May support this prognosis and an overspend of £250k is forecast.	250	250
A central budget is held for NNDR inflation. Analysis of the charges for 2017/18 indicate there will be an underspend of £390k on this budget.	(390)	(350)
Contingency budget has been increased due to Business rate income for 2017/18 being higher than originally budgeted. This will be used to mitigate other spending pressures within Centrally Managed Budgets.	(249)	(249)
Other Minor Variances.	(37)	(37)
Total Other Corporate Items (Includes Contingencies, Insurance, Land Charges)	(426)	(386)
Pensions & Redundancy		
Spend on unfunded pension costs less than budget. The unfunded pensions costs relate to redundancy decisions made in the past that had an unfunded element related to the pension fund.	(90)	0
Other Minor Variances.	0	(49)
Total Pensions & Redundancy	(90)	(49)
TOTAL VARIANCE	48	129

Table 3 - Key Risks - Detail Items Over £250,000

Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Movement Since Last Report £000
The Commercialisation Savings of £0.5m are held on Centrally Managed Budgets. There is a risk that the full savings will be delivered in 2017/18.	500	500	→
TOTAL RISKS MANAGED	500	500	0

Supplementary Monitoring Information

The balance of the unallocated contingency after allowing for commitments is £1.2m.

APPENDIX 10: HOUSING REVENUE ACCOUNT
BUDGET REVENUE MONITORING REPORT – 2017/18 MONTH 6

Table 1 - Variance by Departmental Division				
Departmental Division	Revised Budget	Variance Month 6	Variance Month 5	Budget Performance Since the Last Report
	£000	£000	£000	£000
Housing Income	(76,283)	(314)	(306)	↑
Finance and Resources	14,625	(495)	(479)	↑
Housing Services	13,636	(308)	(402)	↓
Property Services	2,822	0	26	↑
Housing Repairs	13,768	1,283	957	↓
Housing Solutions	114	66	66	→
Housing Strategy	256	0	0	→
Adult Social Care	48	0	0	→
Regeneration	355	192	192	→
Safer Neighbourhoods	622	0	0	→
Capital Charges	29,248	193	193	→
Contribution to / (Appropriation From HRA)	789	0	0	→
TOTAL	0	617	247	↓

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Housing Income		
This relates to better than expected void performance on rents and tenant service charges for Council homes (from a budgeted figure of 1.3% to a forecast outturn of 0.9%) and tenant service charges (£360k in total), and an agreed variation to the contract with Thames Water (£581k), offset by a reduction in the forecast for advertising hoarding income of £381k due to delays and contractual issues, a reduced forecast for income from commercial property of £167k, garage rental income of £18k, and estate parking permit income of £61k.	(314)	(306)
Minor Variances	0	0
Total Housing Income	(314)	(306)
Finance and Resources		
This relates mainly to delays in recruitment for the Finance and	(495)	(483)

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Rent Income teams (£200k), a delay in a scheme to encourage direct debit take up (£138k), lower legal costs due to effective tenancy sustainment activity reducing the need for possession claims (£65k), underspends on printing, postage and publications (£36k) in both Rent Income and Leasehold Services teams and lower than expected costs for IT project work (£98k). These underspends are off-set by an expected overspend of £42k on business rates on vacant commercial properties.		
Minor Variances	0	4
Total Finance and Resources	(495)	(479)
Housing Services		
Lower than budgeted decant volumes has resulted in a fall in the cost of placing decanted tenants into temporary accommodation (£122k). There is an underspend on incentive payments to encourage tenants to downsize to smaller homes (£106k) which is mainly due to a lack of homes that meet the requirements of potential tenants and lower than expected interest from tenants. Further, following the completion of the feasibility stages of the Estate Parking Project, there is an expected underspend of (£95k).	(323)	(477)
Minor Variances	15	75
Total Housing Services	(308)	(402)
Property Services		
	0	0
The latest review of Property Services staffing and running costs indicates a break-even position for the year.	0	26
Total Property Services	0	26
Housing Repairs		
The out of scope element of the repairs contract with MITIE is predicted to overspend by £704k. This is due mainly to an increase in the identification by MITIE of the number of chargeable jobs, increases in void costs and increases in the number of disrepair cases.	704	410
MITIE charging for activity that was budgeted to be reduced. Work is underway to bring this in line with budget.	579	547
Total Housing Repairs	1,283	957
Housing Solutions		

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
This relates to a shortfall on rental income for Hostels due to the decanting of Lavender Court required following Cabinet's approval to dispose of the land at Lavender Court under a land sale agreement which will enable the development of 60 new affordable homes. This money may be recoverable from the developer but this cannot be confirmed until contracts are signed.	50	50
Minor Variances	16	16
Total Housing Solutions	66	66
Housing Strategy		
Minor Variances		
Total Housing Strategy	0	0
Adult Social Care		
Minor Variances		
Total Adult Social Care	0	0
Regeneration		
Delays on Housing Development capital projects including Spring Vale and Jepson House have meant that the amount capitalised for regeneration staff time has been lower than predicted when the budgets were produced.	192	192
Minor Variances		
Total Regeneration	192	192
Safer Neighbourhoods		
Minor Variances	0	0
Total Safer Neighbourhoods	0	0
Capital Charges		
The forecast for interest earned from HRA balances has been reduced as instead the cash has been used for internal borrowing this year with the advance receipts from the Earls Court regeneration programme being used to finance the HRA capital programme. These receipts cannot be recognised and used to reduce the capital financing requirement until the land transfers from the HRA to the developer have been completed. The reduction is also caused by the plan to use HRA balances to contribute £10m to the Fire Safety Plus investment programme.	193	193

Table 2 - Variance Analysis		
Departmental Division	Month 6 £000	Month 5 £000
Minor Variances		
Total Capital Charges	193	193
(Contribution to) / Appropriation from HRA	617	247

Table 3 - Key Risks - Detail Items Over £250,000			
Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
Refunds to tenants as a result of the Southwark Water judgement. A £10m contingent liability has been included in the accounts and the majority of this risk is covered from earmarked reserves. There remains a residual risk that would apply in very limited circumstances of £600k.	600	600	→
Following the disaster at Grenfell Tower, additional plans to enhance fire safety for the residents of the Council's homes are being put in place. One of these enhancements is free replacement appliances for tenants and leaseholders whose electrical appliances fail electrical safety testing. The costs are currently being finalised but are expected to be in the range of £100k to £750k (reduced from £6.0m). There may also be other revenue costs as a result of this programme. Costs will be updated as a programme of significant investment and funding is updated.	750	750	→
A review of revenue repair costs and volumes on the out of scope element of the MITIE repairs and maintenance contract indicate that there remains a risk of a further overspend this year in addition to that declared above. Officers are reviewing the position monthly in detail.	500	500	→
CLG's Settlement Payments Determination included a five-year transitional period during which time Councils may use the uplifted Major Repairs Allowance (MRA) as a proxy for depreciation. The Council subscribed to the transitional period and this ended in 2016/17. This year there is a risk that the depreciation charge will result in an increase in revenue costs. Officers are	0	1,100	↑

Table 3 - Key Risks - Detail Items Over £250,000

Risk Description	Risk At Month 6 £000	Risk At Month 5 £000	Risk Management Since Last Report £000
<p>working through the implications and will provide an update in the coming months. The risk of £1.1m previously declared assumed that any increase in the depreciation charge was offset by utilising the budget for revenue contributions to capital as both are funding sources for the Decent Neighbourhoods programme but assumed additional revenue contributions would not be used to fund the Fire Safety Plus Programme. This now no longer applies. As indicated in the recent Full Council report revenue contributions are being used in part to fund the fire safety plus programme so there is no net impact on the overall reserves position in 17/18 or 18/19 as a result of this change. However, it is important to note that this would potentially impact on future years reserves.</p>			
TOTAL RISKS MANAGED	1,850	2,950	


Supplementary Monitoring Information

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APPENDIX 11 - VIREMENT REQUEST FORM
BUDGET REVENUE MONITORING REPORT – Month 6

Details of Virement	Amount (£000)	Department
GENERAL FUND:		
Transfer of Building Planned Maintenance budgets to Corporate Services.	1,888	ES
	(1,888)	CS
Drawdown from Temporary Accommodation Reserve to fund Landlord Incentive Payments	582	RPHS
	(582)	RPHS Reserves
Total of Requested Virements (Debits)	2,470	

ES	Environmental Services
CS	Corporate Services
RPHS	Regeneration, Planning and Housing Services

<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">15 JANUARY 2018</p>	
<p>Council Tax Base and Collection Rate 2018-19 and Delegation of the Business Rate Estimate</p>	
<p>Report of the Cabinet Member for Finance – Councillor Max Schmid</p>	
<p>Open Report</p>	
<p>Classification - For Decision</p> <p>Key Decision: Yes</p>	
<p>Consultation</p> <p>n/a</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Hitesh Jolapara, Strategic Finance Director</p>	
<p>Report Author: Jamie Mullins Head of Recovery</p>	<p>Contact Details: Tel: 020 8753 1650 E-mail: Jamie.Mullins@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1 This report is a Statutory requirement and contains an estimate of the Council Tax Collection rate and calculates the Council Tax Base for 2018/19.
- 1.2 The Council Tax base will be used in the calculation of the Band D Council Tax undertaken in the Revenue Budget Report for 2018/19.
- 1.3 The proposed Council Tax Base for 2018/19 of 77,856 is an increase of 1,918 on the figure agreed for 2017/18 of 75,938.
- 1.4 Based on the 2017/18 Band D charge of £727.81 the increase in the tax base will result in an increased income of £1.4m
- 1.5 The recommendations contained in the Council Tax Support 2018/19 will need to be approved prior to those contained in this report. This is because

they are included in the calculation of the Band D Council Tax in section 4 below.

- 1.6 The Autumn budget 2017 announced that Local Authorities will be able to charge a 100% council tax premium on empty properties equating to 200% of the council tax payable. The administration will have to decide whether to apply this additional charge. It will raise additional estimated income of £0.045m but will require Primary Legislation which is unlikely to be in place for 2018/19.
- 1.7 To delegate authority to the Strategic Finance Director in consultation with the Cabinet Member for Finance, to determine the business rates tax base for 2018/19 as set out in section 4.8 of this report
- 1.8 It is anticipated that a pilot 100% business rates retention pool will be agreed for 2018/19. This could bring an estimated one-off benefit to Hammersmith and Fulham of £2.6m and raise £110m for wider strategic investment across London. The recommendations include agreement by Hammersmith and Fulham to join the pool.

2. RECOMMENDATIONS

- 2.1 That Cabinet approve the following recommendations for the financial year 2018/19:
 - (i) That the estimated numbers of properties for each Valuation Band as set out in this report be approved.
 - (ii) That an estimated Collection rate of 97.5% be approved.
 - (iii) That the Council Tax Base of 77,856 Band "D" equivalent properties be approved
 - (iv) To delegate authority to the Strategic Finance Director in consultation with the Cabinet Member for Finance, to determine the business rates tax base for 2018/19.
 - (v) To agree that the Council charge a 100% council tax premium on empty properties equating to 200% of the council tax payable. When regulations allow
- 2.2 In relation to the London Business Rates Pooling Pilot the London Borough of Hammersmith and Fulham resolves to:
 - (i) Approve and accept the designation by the Secretary of State as an authority within the London Business Rates Pilot Pool pursuant to 34(7)(1) of Schedule 7B Local Government Finance Act 1988.
 - (ii) Participate in the London Business Rates Pilot Pool with effect from 1 April 2018.

- (iii) Delegate the authority's administrative functions as a billing authority in relation to the Non-Domestic Rating (Rates Retention) Regulations 2013, to the City of London Corporation acting as the Lead Authority.
- (iv) Authorise the Lead Authority to sub-contract certain ancillary administrative functions regarding the financial transactions within the Pool to the GLA as it considers expedient.
- (v) Delegate authority to the Chief Finance Officer, to agree the operational details of the pooling arrangements with the participating authorities.
- (vi) Authorise the Chief Finance Officer to make any amendments to the Memorandum of Understanding, attached at Appendix 1, as may be required by the Secretary of State, and to enter into the final Memorandum of Understanding on behalf of the authority.
- (vii) Authorise the Cabinet member for Finance to represent the authority in relation to consultations regarding the London Business Rates Pilot Pool consultative as may be undertaken by the Lead Authority pursuant to the Memorandum of Understanding.

3. REASONS FOR DECISION

- 3.1 Under Section 33(1) of the Local Government Finance Act 1992 and The Local Authorities (Calculations of Council Tax Base) (England) Regulations 2012, the Council (as billing authority) is required to calculate its Council Tax Base. This comprises both the estimated numbers of properties within each Valuation band plus the Council's estimate of its collection rate for the coming financial year.
- 3.2 For 2017/18 the Council approved a Council Tax Base of 77,885 Band D equivalent dwellings, and an estimated Collection Rate of 97.5%, which resulted in a tax base of 75,938.
- 3.3 Under Section 11A of the Local Government Finance Act 1992, Council Tax (Exempt Dwellings) (England) (Amendment) Order 2012 and Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the Council reduced discounts for both Second Homes and Unoccupied and Unfurnished dwellings to 0% with effect from 2013/14 and subsequent years until revoked.
- 3.4 Under Section 11B of the Local Government Finance Act 2012 the Council introduced the Council Tax Empty Homes Premium with effect from 1 April 2014 and subsequent years until revoked. This increases the charge on dwellings that have been unoccupied and substantially unfurnished for more than two years to 150% of the council tax that would be payable if the dwelling were occupied by two adults and no discounts were applicable.

- 3.5 The Autumn budget 2017 announced that Local Authorities will be able to charge a 100% council tax premium on empty properties equating to 200% of the council tax payable. The administration will have to decide whether to apply this additional charge once the Legislation is in place.
- 3.6 Under section 13A of the Local Government Finance act 1992 the council has reduced liability for care leavers up to the age of 25 to nil, after taking into account any entitlement to council tax support.
- 3.7 Cabinet will also be required to approve the recommendations in the Council Tax Support Scheme 2018/19 report, prior to the recommendations in this report, as they are reflected as Band "D" equivalents in the Council's Tax base calculations in section 4.5 below.
- 3.8 Agreement is required for Hammersmith and Fulham to join the pilot 100% business rates retention pool.

4. PROPOSAL AND ISSUES

4.1 DISCOUNTS

4.1.1 Second Homes

4.1.1.1 There are some 2,448 second homes in the borough. The Council does not offer a discount on second homes which adds 2,882 Band "D" equivalents to the tax base for 2018/19. These discounts are included in Section 4.4 below.

4.1.1.2 Based upon 2017/18 Council Tax levels this generates income to the Council of £2.1m. This income is allowed for within the Council's Medium Term Financial Strategy. Our preceptor, the GLA, also benefits from the reduction in the discount.

4.1.2 Empty Properties

4.1.2.1 There are some 441 empty (unoccupied and unfurnished) properties in the borough. The Council does not offer a discount for empty properties which adds an additional 547 Band "D" equivalents to the tax base for 2018/19.

4.1.2.2 Based upon 2017/18 Council Tax levels this generates income to the Council of £0.4m. This income also directly benefits the GLA.

4.2 EMPTY HOMES PREMIUM

4.2.1 There are some **107** properties in the borough that have been empty for more than two years. The effect of charging a 50% premium on these properties adds an additional 62 Band "D" equivalents to the tax base for 2018/19. These premiums are included in Section 4.4 below

4.2.2 This equates to additional income for the Council (net of preceptors) of approximately £45k (based on the 2017/18 Band D Council Tax). This would rise to approximately £90k if the council applied the newly announced 100% premium but it is unlikely that this will happen in time for 2018/19.

4.3 COUNCIL TAX SUPPORT

4.3.1 Under Council Tax Support, Hammersmith & Fulham and the GLA absorb the full cost of the scheme, which mirrors the previous council tax benefit arrangements.

4.3.2 For 2017/18 the Council has provided for a total of £11.3m in Council Tax Support discounts. This equates to 11,193 band “D” equivalents based on 2017/18 Council Tax levels.

4.3.3 The tax base regulations require the cost of the scheme to be treated as a discount and deducted from the Council’s tax base calculation in section 4.5.

4.4. VALUATION BAND PROPERTIES

4.4.1 The latest information on the number of properties within each valuation band is contained within a return (CTB1), which the Council provided to the DCLG on 13 October 2017.

4.4.2 This return reflected the actual number of properties shown in the Valuation List as at 11 September 2017 and the Council’s records as at 2 October 2017.

4.4.3 A detailed analysis of the properties in each valuation band can be summarised as follows. There are a total of 87,986 dwellings on the list with some 28,652 properties estimated to receive a single person’s discount. The total Band “D” equivalent is approximately 90,745 properties.

Band	Band Size	Total Dwellings	Total after Discounts, Exemptions and Disabled Relief	Ratio	Band “D” Equivalents
A	Values not exceeding £40,000	3,800	2,900.5	6/9	1,933.7
B	Values exceeding £40,000 but not exceeding £52,000	6,402.0	4,872.5	7/9	3,789.7
C	Values exceeding	14,301.0	12,172.8	8/9	10,820.3

	£52,000 but not exceeding £68,000				
D	Values exceeding £68,000 but not exceeding £88,000	24,687.0	21,865.8	9/9	21,865.8
E	Values exceeding £88,000 but not exceeding £120,000	15,782.0	14,355.8	11/9	17,546.0
F	Values exceeding £120,000 but not exceeding £160,000	9,501.0	8,765.3	13/9	12,661.0
G	Values exceeding £160,000 but not exceeding £320,000	11,108.0	10,482.5	15/9	17,470.8
H	Values exceeding £320,000	2,405.0	2,329.0	18/9	4,658.0
	Total	87,986	77,744		90,745.3

4.5. ADJUSTMENTS TO THE VALUATION LIST

4.5.1 The above table shows the valuation band position at 11 September 2017 but the Council is also required to take into account the Council Tax Support Scheme and any other likely changes during the financial year 2018/19. Therefore the following adjustments need to be considered:

- (i) New Properties
There are likely to be a number of new properties, conversions etc. added to the valuation list at some point during the year. There are approximately 646 units currently under construction on various sites in the Borough that will be added to the tax base sometime during 2018/19. It is estimated after allowing for different completion dates that this will equate to an additional 693 Band 'D' equivalents
- (ii) Banding Appeals
There have been over 10,000 appeals lodged with the valuation office in respect of initial Council Tax bandings. There are now only a small number unsettled so it is not proposed to make any adjustments for these.
- (iii) Single Person Discounts
The council undertakes a review of single person discounts being awarded to taxpayers each year. The current review has commenced in October 2017 and based on previous reviews it

is estimated that a further 1,319 discounts will be removed which will add an additional 359 Band “D” equivalents to the tax base for 2018/19.

- (iv) Student Exemptions
Dwellings wholly occupied by students are exempt from Council Tax. The projected Council Tax base needs to be adjusted to allow for students that have yet to prove their exemption for the new academic year. It is estimated that an adjustment of 740 Band “D” equivalents is required.

- (v) Council Tax Support
The cost of the scheme equates to 11,193 band “D” equivalents, based on 2017/18 Council Tax levels, which now have to be deducted from the tax base for 2018/19. This is less than the deduction of 11,846 Band D equivalents made in 2017/18. This is due to a reduction in the number of claimants applying for a discount.

- (vi) Care Leavers
For 2017/18, the council has provided £12k in discounts for care leavers up to the age of 25. This equates to 12 band D equivalents based on 2017/18 council tax levels. The cost of this discount is fully funded by the council and needs to be deducted from the council’s tax base calculation in section 4.5.3

4.5.2 The Council is required to set its Tax Base on the total of the relevant amounts for the year for each of the valuation bands shown or is likely to be shown for any day in the year in the authority's valuation list.

4.5.3 Taking into account the latest information from the CTB1 return to the DCLG and the proposed adjustments, Council is requested to approve the estimated numbers of properties for each valuation band as set out in the following table:

Band	Band "D" Equivalent Actual September	Adjustments for New Properties	Adjustments for Student Exemptions	SPD	Adjustments for Council Tax Support Scheme	Care Leavers	Revised Band "D" Equivalents
A	1,933.7	0	-14	11	-528	-2	1,400.2
B	3,789.7	36	-25	22	-1150	-4	2,668.9
C	10,820.2	39	-98	54	-2606	-4	8,205.2
D	21,865.8	28	-214	108	-3427	-2	18,359.3
E	17,545.9	282	-182	69	-2066	0	15,649.1
F	12,660.9	172	-142	37	-912	0	11,815.4
G	17,470.8	136	-57	51	-486	0	17,114.6
H	4,658.0	0	-8	7	-17	0	4,639.6
	90,745.3	693	-740	359	-11,193	-12	79,852

4.6 COLLECTION RATE

4.6.1 The Council is also required to estimate its Collection Rate for 2018/19 at the same time as arriving at the estimated number of properties within the Tax Base. In arriving at a percentage Collection Rate for 2018/19, the Council should take into account the likely sum to be collected, previous collection experience and any other relevant factors.

4.6.2 The actual sum to be collected from local Council Tax payers cannot be finally determined until the preceptors requirements are known and the Council has approved its budget. The Council therefore has to make an estimate of the sums to be collected locally making estimated

allowance for sums from Council Tax Support and write-offs/non-collection.

4.6.3 The actual collection rate for 2017/18 achieved to the end of October 2017 is 65.2%, comprising cash collection of £52m and Council Tax Support of £11.3m. It is estimated that a further £25.3m (31.8%) will need to be collected by 31 March 2018 and £0.4m (0.5%) thereafter.

4.6.4 Collection performance has been calculated in order to comply with DCLG performance indicator calculations. Latest calculations for 2016/17 and 2017/18 show that the current collection rate can be continued for 2018/19. It is therefore suggested that the collection rate for 2018/19 is maintained at 97.5%.

4.7. THE TAX BASE

4.7.1 Under Section 33(1) of the Local Government Finance Act 1992 and the Regulations, the Council's tax base is calculated by multiplying the estimated number of Band "D" equivalents by the estimated collection rate.

4.7.2 Based on the number of Band "D" equivalents in the table in paragraph 4.5.3 above and the estimated collection rate in paragraph 4.6.4 above, the calculation is as follows:

(Band D equivalents) x (Collection Rate) = (Tax Base)			
79,852	x	97.5%	= 77,856

4.8 BUSINESS RATES TAXBASE

4.8.1 The Local Government Finance Act 2012 made it obligatory for authorities to formally calculate the estimated level of business rates (the business rates tax base) it anticipates collecting for the forthcoming financial year and passing this information to precepting authorities by 31 January. The Government will continue to set the tax rate (known as the non-domestic multiplier).

4.8.2 The tax base is based on data from the Valuation Office with local allowance for the appropriate level of business rates appeals, any discretionary reliefs and any forecast growth. This information is pulled together into a government return (NNDR1). The detailed guidance on completing the NNDR1 is not likely to be issued until just before Christmas. This guidance will include allowance for any changes to the business rates system that might be announced by the Chancellor in the Autumn Budget. Given that the return has to be submitted by 31 January it is recommended that the responsibility for setting these figures be delegated to the Strategic Finance Director in consultation with the Cabinet Member for Finance.

5. CONSULTATION

5.1. No consultation is required

6. EQUALITY IMPLICATIONS

6.1. There are no equality implications in this report

7. LEGAL IMPLICATIONS

7.1 The Council is under a statutory duty to set the Council Tax for the forthcoming financial year and to make a budget. This report forms part of that process. The Council is obliged, when making its budget, to act reasonably and in accordance with its statutory duties, the rules of public law and its general duty to Council Tax payers.

7.2 The basic amount of Council Tax must be calculated in accordance with Section 31B of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012.

7.3 The Council Tax base has been calculated in accordance with the Act and the Regulations. The estimated collection rate to 97.5% is a reasonable and realistic estimate.

7.4 *Implications verified by: Rhian Davies, Monitoring Officer 020 76412729*

8. FINANCIAL IMPLICATIONS

8.1 The Tax Base is set by 31 January each year, as outlined in the Local Government Finance Act 1992. It is used within the overall Council Tax and budget setting process, due to be reported to Budget Council on 24 February 2018.

8.2 The proposed Council Tax Base for 2018/19 of 77,856 is 1,918 Band D equivalents higher than the 75,938 agreed for 2017/18. The main reasons for this change are set out below:

	Band D Change
Increase in the tax base due to new non-exempt properties	1,365
Reduction in Council Tax Support scheme discounts	653
Small Increase in Single Person Discount resulting from new properties	-51
Gross Total Change	1,967
Adjusted for Collection rate of 97.5%	-49
Total change	1,918

8.3 Based on 2017/18 Council Tax levels, the increase in the tax base will generate additional income of £1.40m for Hammersmith and Fulham and

£0.53m for the Greater London Authority

- 8.4 The cost of the local council tax support scheme is based on current Regulations. No allowance is made for potential government welfare reforms due to uncertainty on what changes might be made. This will be treated as a risk within the Medium Term Financial Strategy Process.

Pilot 100% Business Rates Retention London Pool

- 8.5 If Hammersmith and Fulham agrees to be part of the pilot the distribution of business rates will change in 2018/19. The pilot will pool business rates across the 33 London Boroughs and GLA. This was formally confirmed in a Memorandum of Understanding on the London 100% business rates retention pilot 2018/19 signed by the Mayor, the Chair of London Councils, the Minister for London and Secretary of State for Communities and Local Government.
- 8.6 At present Hammersmith and Fulham retains 30% of the business rates it collects with the balance paid to the Government and GLA. The share retained by Hammersmith and Fulham would increase to 67%. Under the proposed pilot the Council would not expect to initially benefit from this increase as there would be compensating adjustments (through grant cuts and payment of a tariff to Government).
- 8.7 London will not retain 100% of total collected rates as it will continue to pay an aggregated tariff to government. In moving to 100% rates retention, the DCLG shall not pay Revenue Support Grant (RSG) in 2018/19.
- 8.8 Under the pilot scheme there is a guarantee that no authority will be worse off than under the present scheme. There may also be a future benefit as authorities can retain a higher proportion of London's overall business rates growth. Indicative modelling shows a maximum gain of £2.6m for Hammersmith and Fulham. Should Hammersmith and Fulham agree to be part of the pilot the following needs to be considered:
- It is a pilot and may not continue in the future.
 - the modelling is based on an aggregation of high level estimates.
 - there is a degree of uncertainty on the actual final net income.
 - any final income will not be known till October 2019 in relation to 2018/19
- 8.9 The distribution of net additional benefit through growth in business rates collected in London will, be allocated to Participating Authorities on the basis of the following proportions:
- (i) 15% to incentivise growth by allowing the Participating Authorities where growth occurs to keep a proportion of the additional resources retained as a result of the Pool.
 - (ii) 35% to reflect the Settlement Funding Assessment.
 - (iii) 35% according to each Participating Authority's per capita formulation as calculated by the ONS projection for the relevant year (starting with 2018).
 - (iv) 15% for the Strategic Investment Pool (SIP).

The GLA will be allocated 36% of each of the sums falling in the subparagraphs i-iii above, with the remainder allocated to the Local Authorities. The GLA have confirmed that their extra funding will be placed in the SIP. The overall SIP is estimated at £109.9m.

8.10 City of London Corporation shall act as the accountable body to Government and administer the Pool and provide a secretariat with the assistance of the GLA and London Councils for assessing the Participating Authorities' applications for the SIP against the criteria set out in the memorandum of understanding.

8.11 Implications verified by: William Stevens, Principal Accountant x6654.

9. IMPLICATIONS FOR BUSINESS

9.1. There are no implications for business

10. IMPLICATIONS PARAGRAPHS

This is a statutory process and any risks are monitored through the Council's MTFS process.

11. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Local Government Finance Act 1992 and 2012 - <i>published</i>		

LIST OF APPENDICES:

Appendix 1 : - Memorandum of Understanding on the BRR Pool

APPENDIX 1

Memorandum of Understanding on the London 100% business rates retention pilot 2018-19



Department for
Communities and
Local Government



MAYOR OF LONDON

.....

Rt Hon Sajid Javid MP
Secretary of State for Communities and
Local government

.....

Sadiq Khan
Mayor of London

.....

Rt Hon Greg Hands MP
Minister for London

.....

Cllr Claire Kober
Chair, London Councils



100% Business Rates Retention Pilot 2018-19 Agreement for London

Introduction

1. In the Spring Budget 2017, the London Devolution Memorandum of Understanding¹ included a commitment to exploring options for granting London government greater powers and flexibilities over the administration of business rates, including supporting the voluntary pooling of business rates within London, subject to appropriate governance structures being agreed.
2. This Memorandum of Understanding confirms the commitment by the Government, the Mayor of London and London local government to pilot the principles of 100% business rates retention in 2018-19 through a pan-London business rates pool. It sets out the terms by which the local authorities listed at **Annex A** will pilot 100% business rates retention.
3. This agreement comes into effect from 1 April 2018 and expires on 31 March 2019.

Pilot principles

4. The pilot pool will be voluntary, but will include all 32 London boroughs, the Corporation of the City of London and the Greater London Authority [“the London authorities”].
5. From 1 April 2018 the London authorities will retain 100% of their non-domestic rating income². They will also receive section 31 grants in respect of Government changes to the business rates system which reduce the level of business rates income. Section 31 grant will amount to 100% of the value of the lost income. Tariffs and top-ups will be adjusted to ensure cost neutrality.
6. In moving to 100% rates retention, the Department for Communities and Local Government will no longer pay Revenue Support Grant to the London authorities in 2018/19. The value of these grants in 2018/19 is set out in **Annex B**.
7. The London authorities will not be subject to more onerous rules or constraints under the 100% rates retention pilot, than they would have been if they had remained subject to the 67% scheme in place in 2017-18 reflecting the

¹ <https://www.gov.uk/government/publications/memorandum-of-understanding-on-further-devolution-to-london>

² As defined in the Non-Domestic Rating (Rates Retention) Regulations 2013 (SI2013/452) (as amended).

incremental impact of the Greater London Authority's partial pilot as a result of the rolling in of its revenue support grant and the Transport for London investment grant. No "new burdens" will be transferred to London and participation in the pilot will not affect the development or implementation of the Fair Funding Review.

8. Levy and safety net payments due from/to the London business rates pool will be calculated, in accordance with the Non-Domestic Rating (Levy and Safety Net) Regulations 2013 (SI 2013/737) (as amended), as if the London authorities were not 100% pilots, but instead were operating under the 50% rates retention scheme adjusted for the GLA's partial pilot for 2017-18 which is continuing as part of the pool and increased the locally retained share to 67%.
9. However, notwithstanding the calculation of levy and safety net payments under the Regulations, the Government will calculate levy and safety net payments due from/to the London business rates pool on the basis that it has a "zero" levy rate and "safety net threshold" of 97%, and that the London authorities will be retaining 100% of London's business rates income. The difference between any sums due under this calculation and the levy/safety net due under SI 2013/737 will be paid to the London business rates pool via a section 31 grant.
10. The piloted approach is to be without detriment to the resources that would have been available collectively to the 34 London authorities under the current local government finance regime, over the four year settlement period. This includes current 67% scheme growth retained under the retention pilot, and reflects Enterprise Zones and "designated areas" where the designations made by the Secretary of State came into force on or before 1 April 2018, along with other special arrangements, such as the statutory provision to reflect the unique circumstances of the City of London Corporation.

Distribution of any financial benefit

11. The 34 London authorities will prepare a framework agreement for the operation of a pilot pool in which:
 - each authority will receive at least as much from the pool as they would have individually under the existing 67% retention scheme;
 - 15% of any net financial benefit will be set aside as a "Strategic Investment Pot" (see paragraphs 13 and 14); and
 - the resources not top-sliced for the investment pot will be shared between the GLA and the 33 billing authorities (the 32 boroughs and the Corporation of London) in the ratio 36:64, in accordance with the principle previously

agreed by London Councils and the GLA in the joint business rate devolution proposals to Government in September 2016.

Strategic investment

12. The Mayor of London commits that the GLA's share of any additional net financial benefit from the pilot will be spent on strategic investment projects. Decisions on the allocation of the GLA's share will be made by the Mayor of London.
13. For this purpose, and for the separate joint strategic investment pot, "strategic investment" is defined as projects that will contribute to the sustainable growth of London's economy which lead to an increase in London's overall business rate income. Examples of the kinds of projects the Mayor will seek to support with the GLA's share include supporting the delivery of housing through infrastructure investment and the provision of skills and training to further support housing delivery.
14. The joint strategic investment pot will be spent on projects that meet each of the following requirements:
 - contribute to the sustainable growth of London's economy and an increase in business rates income either directly or as a result of the wider economic benefits anticipated;
 - leverage additional investment funding from other private or public sources; and
 - have broad support across London government in accordance with the proposed governance process (see paragraph 16).
15. It is anticipated that approximately 50% of net additional benefits arising from the pilot pool will be spent on strategic investment projects.

Governance

16. Decisions regarding the Strategic Investment Pot will be taken formally by the Corporation of the City of London - as the lead authority - in consultation with all member authorities, reflecting voting principles designed to protect Mayoral, borough and sub-regional interests, previously endorsed by Leaders and the Mayor in the London Finance Commission (both 2013 and 2017), and set out in London Government's detailed proposition on 100% business rates in September 2016. These are that:
 - both the Mayor and a clear majority of the boroughs would have to agree;

- a majority would be defined as two-thirds of the 33 billing authorities (the 32 boroughs and the Corporation of the City of London), subject to the caveat that where all boroughs in a given sub-region disagreed, the decision would not be approved;
- if no decisions on allocation can be reached, the available resources would be rolled forward within the pot for future consideration at the next decision making round.

17. It is envisaged that decisions will be taken bi-annually to coincide with meetings of the Congress of Leaders and the Mayor of London.

Evaluation

18. The Government will undertake a qualitative evaluation the progress of the pilot based on the current research programme for the existing business rate retention pilots, with additional focus on the governance mechanism and decision making process, and the scale of resources dedicated to strategic investment.

Next steps

19. As specified in paragraph 3, the pilot will operate for one year. The Government is committed to giving local government greater control over the revenues they raise. Subject to the evaluation of the pilot, the Government will work with London authorities to explore: the options for grants including, but not limited to, Public Health Grant and the Improved Better Care Fund; the potential for transferring properties on the central list in London to the local list where appropriate; and legislative changes needed to develop a Joint Committee model for future governance of a London pool.

20. The Government will prepare a “designation order” establishing a London pilot pool and reflect this in the Provisional Local Government Finance Settlement in December. If any authority decides to opt out within the following 28 days – that is, by 28 days after the Provisional Local Government Finance Settlement – the pool would not proceed.

21. London Government will draft a pooling agreement between the 34 London authorities by which London Government collectively decides how to operate the pool and distribute the financial benefits. Each authority will be required to take the relevant decisions through its own constitutional decision-making arrangements.

Annex A

Authorities in the London Pilot


Barking & Dagenham
Barnet
Bexley
Brent
Bromley
Camden
City of London
Croydon
Ealing
Enfield
Greenwich
Hackney
Hammersmith & Fulham
Haringey
Harrow
Havering
Hillingdon
Hounslow
Islington
Kensington & Chelsea
Kingston upon Thames
Lambeth
Lewisham
Merton
Newham
Redbridge
Richmond upon Thames
Southwark
Sutton
Tower Hamlets
Waltham Forest
Wandsworth
Westminster
Greater London Authority

Annex B

Grants

The amount of Revenue Support Grant (RSG) to be 'rolled-in' to 100% rates retention for 2018/19 for each authority is set out below. This is in addition to the sums rolled in in 2017-18 in respect of the Transport for London investment grant and the Greater London Authority's RSG under the GLA's partial pilot.

RSG	Amount (£m) for 2018/19
Barking & Dagenham	23.3
Barnet	14.9
Bexley	8.5
Brent	33.7
Bromley	4.3
Camden	31.9
City of London	7.5
Croydon	23.3
Ealing	26.2
Enfield	25.7
Greenwich	33.3
Hackney	45.0
Hammersmith & Fulham	23.4
Haringey	30.2
Harrow	7.3
Havering	6.8
Hillingdon	13.1
Hounslow	15.7
Islington	32.6
Kensington & Chelsea	16.3
Kingston upon Thames	1.5
Lambeth	42.8
Lewisham	36.9
Merton	10.1
Newham	46.4
Redbridge	16.8
Richmond upon Thames	0.0
Southwark	47.0
Sutton	11.8
Tower Hamlets	43.8
Waltham Forest	26.1
Wandsworth	30.2
Westminster	38.1

London Borough of Hammersmith & Fulham CABINET 15 JANUARY 2018		 hammersmith & fulham
LONDON BOROUGH OF HAMMERSMITH AND FULHAM'S COUNCIL TAX SUPPORT SCHEME 2018/19		
Report of the Cabinet Member for Finance – Councillor Max Schmid		
Open Report		
Classification: For review and comment Key Decision: Yes		
Consultation: <i>Finance, legal and ICM</i>		
Wards Affected: All		
Accountable Director: Belinda Black – Director of Resident and Business Satisfaction		
Report Author: Paul Rosenberg Head of Operations, H&F Direct	Contact Details: Tel: 020 8753 1525 E-mail: paul.rosenberg@lbhf.gov.uk	

1. EXECUTIVE SUMMARY

- 1.1. Since 2013, the council has been required to set its own scheme on how it wants to help those on low income pay their council tax.
- 1.2. Despite a cut in funding, the council has always wanted to ensure that residents are no worse off than they would have been had the original council tax benefit regulations stayed in place. This is contrary to many authorities who have decided to levy a charge against their poorest residents.
- 1.3. The funding was originally based on what we paid in council tax benefit less 10%. However, now, the funding forms part of the Revenue Support Grant allocation received at the Local Government Finance Settlement (LGFS).
- 1.4. This report continues to recommend that we run the scheme as much as possible as though the previous regulations were in place

- 1.5. Since our scheme was first introduced, Universal Credit has been introduced and there have been changes to the housing benefit scheme which have meant that in previous years, the council have agreed minor changes.
- 1.6. This year, we do not need to make any changes so it is proposed that the scheme remains as was agreed last year with no further changes.
- 1.7. Agreement for the new scheme must be made by full council at the end of January 2018.

2. RECOMMENDATIONS

- 2.1. That the council continues with its council tax support scheme with no changes from the current scheme.

3. REASONS FOR DECISION

- 3.1. There have been no further changes to legacy benefits that need to be reflected in our scheme.
- 3.2. The reasons for keeping the scheme as though the previous benefit regulations were in place are the same as for the previous year. The authority believes that those on low incomes should not be disadvantaged due to a cut made by central government.
- 3.3. There would also be an additional cost to the authority in trying to collect this amount of money, and collection rates in councils that have done this have been low. It is estimated that around 4 to 5 extra staff would be needed staff to deal with increased enquiries and appeals to the Valuation Tribunal.

4. PROPOSAL AND ISSUES

Introduction and Background

- 4.1. The Local Government Finance Act 2012 abolished council tax benefit and gave local authorities new powers to assist residents on low incomes with help paying their council tax.
- 4.2. The Act does impose some conditions on local authorities in that pensioners must be protected (so that no pensioner is worse off) and people in work must be supported, but this aside, the authority can develop a scheme as it sees fit.
- 4.3. The funding for the scheme was originally based on what the authority used to spend in council tax benefit less 10%. However, the funding for council tax support is now included in the Revenue Support Grant which has and will continue to be subject to further cuts. It is up to the authority to decide how to deal with this potential loss of income.
- 4.4. The schemes must last at least a year. It is proposed that this scheme runs for one year for the period April 2018 to March 2019.

Universal Credit

- 4.5. Since Council Tax Support was introduced it has been the authority's intention to maintain a scheme that reflects the previous council tax benefit scheme as much as possible so that no one in the authority is worse off. However, it has also been our intention to reflect the benefit regulations that are prescribed for those that are of pension age and those on housing benefits. So this means incorporating any changes in those schemes into our CTS scheme.
- 4.6. When the scheme was first defined, Universal Credit was not in existence. The way that residents on Universal Credit are assessed was agreed in the 2016/17 scheme. We are not proposing any changes to this.

Cost of the scheme

- 4.7. For the first year, the council received as a grant, what they would have spent in council tax benefit less 10%.
- 4.8. The funding is now incorporated into our grant income which is not paid separately to the council but forms part of the Revenue Support Grant (RSG) calculation. It is therefore no longer possible to identify how much money the council gets from central government to pay for council tax support awards.
- 4.9. In general, our caseload is dropping, meaning Council Tax Support scheme is costing us less. However, the grant support from central government is also falling.
- 4.10. See financial implications for cost of scheme.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. Across London, the main option for authorities who wish to raise additional revenue through the council tax support scheme is to charge everyone a proportion of council tax – including those on passported benefits such as income support
- 5.2. On average where authorities outside of Hammersmith and Fulham have chosen this option, those on maximum benefit still have to pay about 20% of their council tax liability.
- 5.3. We would be seeking repayment from the poorest in society many of whom have already seen reductions in their income through other welfare reform changes.
- 5.4. LBHF has decided to forgo any additional revenue that forces everyone to pay some council tax would bring and have a fairer system based on old benefit rates and income tapers.

6. CONSULTATION

- 6.1. We have a duty to consult with affected parties regarding our scheme. Our consultation has always been minimal due to the fact that we have not substantially changed the scheme. (This approach has been previously endorsed by GLA).
- 6.2. This year, we consulted with residents from the start of September until 11th November.
- 6.3. Like all other years, the consultation was through CitizenSpace. As we received no responses in the first 4 weeks, we moved the URL on to the council tax support home page (something we have not done in previous years).
- 6.4. We have now had to close the consultation without receiving any responses. This is compared to 1 response last year.

7. EQUALITY IMPLICATIONS

- 7.1. An EIA was carried out last year. As there are no changes this year, this EIA remains valid

8. LEGAL IMPLICATIONS

- 8.1. The Council is required, each financial year, to consider whether to revise its Scheme or to replace it with another. The Council must make this decision no later than 31 January in the financial year preceding when the Scheme is to take effect.
- 8.2. The Council is also required to undertake consultation when reviewing their scheme and certain stakeholders are required to be informed and this has been dealt with in the body of the report.
- 8.3. The Council has the power to reduce council tax payable down to nil where they feel there is a need.
- 8.4. Implications verified/completed by: (Joyce Golder, Principal Solicitor, 020 7361 2181)

9. FINANCIAL IMPLICATIONS

- 9.1. The council tax support scheme operates by offering a discount to residents who need help paying their council tax. The cost of the scheme is shared between Hammersmith and Fulham and the Greater London Authority based on their respective council tax charges. The Hammersmith and Fulham share of the scheme cost was £8.7m in 2016/17 and is estimated to be £8.2m in 2017/18. The reduction reflects a lower caseload.

9.2. Funding for the council tax support scheme was originally provided through Revenue Support Grant (RSG) from the Government. Government funding was cut by £6.1m (20.7%) in 2017/18 and cuts are expected to continue until 2020/21.

9.3. Implications verified/completed by: (Danielle Wragg, Finance Business Partner Tel: 020 8753 4287).

10. IMPLICATIONS FOR BUSINESS

10.1. No business implications

11. COMMERCIAL IMPLICATIONS

11.1. No commercial implications

12. IT IMPLICATIONS

12.1. No IT implications

13. OTHER IMPLICATION PARAGRAPHS

1.1. None


14. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name and contact details of responsible officer	Department/ Location
	None		

LIST OF APPENDICES

None

Agenda Item 13

<p>The London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
PROCUREMENT STRATEGY & BUSINESS CASE FOR INTEGRATED MANAGEMENT SYSTEMS	
Report of the Cabinet Member for Finance – Councillor Max Schmid	
Open report A separate report on the exempt part of the Cabinet agenda provides exempt financial information.	
Classification: For decision Key Decision: Yes	
Consultation: <i>Housing, Revenues & Benefits, ICT, Procurement, Corporate Finance</i>	
Wards Affected: All	
Accountable Director: Belinda Black, Director for Resident and Business Satisfaction	
Report Author: Ricky Morton, IMS Programme Manager	Contact Details: Tel: 07808 771 749 ricky.morton@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. This report seeks approval for the Procurement Strategy and Business Case (the “Strategy”), and to proceed with the Integrated Management Systems (IMS) programme, to procure systems to support housing and residents’ services within the London Borough of Hammersmith and Fulham (the “Council”).
- 1.2. The service areas covered are Housing Management (Tenants & Leaseholders), Revenues and Benefits (Council-tax & National-Non-Domestic Rates), resident and business Self Service portal, Electronic Document Management, and Payment Processing and Income Management.
- 1.3. A soft market testing exercise has been undertaken to inform the recommended procurement strategy.

2. RECOMMENDATIONS

- 2.1. To approve the Integrated Management Systems Procurement Strategy and Business Case as defined in Appendix 1, leading to the reprocurement of IT systems to support (1) Resident and Business Self-Service Portal, (2) Housing Management (3) Revenues & Benefits, and (4) corporate Electronic Document Management, using the Competitive Dialogue process. That the procurement process commences in March 2018 with the aim to complete in October 2018.
- 2.2. To award a Contract for Payment Processing and Income Management to Capita Business Services Ltd using Crown Commercial Services Framework RM1059. That the contract commences in March 2018 for a period of 4 years with break points at end of years 2 and 3 and has a total cost as set out on the exempt part of this report.
- 2.3. To delegate to the Strategic Finance Director, in consultation with the Cabinet member for Finance, the Cabinet member for Housing and the Deputy Leader, operational decisions relating to the procurement process for each of the formal stages taken through the competitive dialogue procedure¹. Subsequent contract award will be taken to cabinet for approval in Autumn 2018.

3. REASONS FOR DECISION

- 3.1. Following the end of the contract with Hammersmith & Fulham Bridge Partnership Ltd (a JVC with Agilisys), a need was identified by Legal Services to revisit the contractual arrangements for a number of key systems in use at the Council. Further details are given in Section 1 (Executive Summary) of the Strategy as set out in Appendix 1.
- 3.2. The project identified five potential lots. Four of these lots (as set out in 2.1 above) lend themselves to an integrated procurement exercise through use of the Competitive Dialogue process (as stated in Appendix 1, paragraph 1.4.1). The fifth lot is independent of the other four and can be simply dealt with through calling off from a national framework agreement managed by Crown Commercial Services.
- 3.3. Combining the four lots presented an opportunity to benefit from digital, data and technology innovation to support the Council's vision to be "*the Best Council*" and to work with its residents to get things done. Implementing new solutions in these areas can facilitate transformational change in services, increase resident and business satisfaction, and enable efficiency savings through channel shift and automation to be realised. This will complement existing initiatives and integrate with work already underway across the council.

¹ (a) Invitations to participate in the Competitive Dialogue process; (b) possible reductions in the number of bidders taking part during each of the formal stages; and (c) the identification of the Preferred Bidder(s)

4. PROPOSAL AND ISSUES

- 4.1. Soft market testing has been carried out over the autumn following the publication of the Prior Information Notice (PIN) in the *Official Journal of the European Union* (OJEU) on 4 August 2017 (reference 2017/S 148-306475) for the five lots and has involved meetings with 11 interested suppliers.
- 4.2. The soft-market testing suggested that the most appropriate approach to the re-award of the Council's supply for Payments Processing and Income Management functionality (Lot 5) would be to use the Crown Commercial Services Framework Agreement (RM 1059). The full reasons are outlined in paragraph 1.4.3. in Appendix 1. This approach will rationalise all Payments Processing and Income Management on a single platform, reduce the amount of change Corporate Finance are required to undertake in the near term, and introduce stability while the new Finance solution is implemented and bedded in.
- 4.3. Informed by the results of the soft-market testing, the re-procurement programme for Lots 1-4 will run using the **Competitive Dialogue** procedure. It will still comprise four lots but there must be scope for integrating back-office information across all four areas and with other Council services such as Business Intelligence (BI), Electoral Services, Parking & others.
- Lot 1: Self Service,
 - Lot 2: Housing,
 - Lot 3: Revenues and Benefits, and
 - Lot 4: EDMS.

Paragraph 1.4.1 in the Strategy (Appendix 1) states that separate dialogues will be run in parallel for each of the Lots, and each Lot will be evaluated discretely. This will allow 'best of breed' solutions to be chosen in each area and the implementation timeline to be tailored to each as appropriate.

Issues

- 4.4. With the novation of the contracts entered into by HFBP on behalf of the Council and subsequently transferred to the Council on 1 November 2016, there was a potential risk of legal challenge by suppliers. To mitigate this risk the Council published a PIN to (a) signal its intention of going out to the market to seek new contracts; and (b) engage with the market through soft-market testing.
- 4.5. Stakeholder engagement across the services will be key to a successful procurement.
- 4.6. The Competitive Dialogue will require strong programme management to deliver to the timeline specified in Section 9 of Appendix 1 by Autumn 2018.
- 4.7. There is a large amount of change scheduled to be undertaken within the Council over the next year and managing resource will be key to achieving the desired transformation.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. Appendix 1, paragraph 3.3 table 5 contains the initial options appraisal.
- 5.2. The option to do nothing was discounted as Legal Services advised that the existing contracts do not provide a firm legal foundation.
- 5.3. The option to negotiate with the existing suppliers was discounted as it was advised this would expose the council to risk of legal challenge.
- 5.4. The option to build such complex systems solutions was discounted as high risk, high cost, and impossible for the council to do within required timescales.
- 5.5. Conducting a competitive tender was therefore recommended as the approach. This allows the council to comply with the duty to ensure the use of fair, equitable and transparent process for the letting of contracts. Further it allows early market engagement so that the council can explore opportunity and innovation in the areas where it wishes to commission solutions.
- 5.6. Further detailed options analysis, informed by early market engagement, then explored the relative advantages and disadvantages of sourcing a single integrated system as against 'best of breed' solutions for individual areas.
- 5.7. The board subsequently agreed that a competitive tender with multiple lots would provide the council with the best outcome.

6. CONSULTATION

- 6.1. A focus group was run, examining the attitudes of residents to existing systems. The results of this informed the detailed options analysis.

7. EQUALITY IMPLICATIONS

- 7.1. No negative equality implications have been identified within the procurement strategy proposed in Appendix 1.
- 7.2. As the Dialogue progresses, the programme will assess equality implications and, if required, complete an Equality Impact Assessment for the solutions being acquired.

8. LEGAL IMPLICATIONS

- 8.1. The total value of the contracts to be let is above the service value threshold specified in the Public Contracts Act 2015 (as amended) (the "Regulations"). As specified in Appendix 1, the Council will publish a Contract Notice in the Official Journal of the European Union (OJEU) stating the process it will follow for the tender (the draft Contract Notice is set out in Appendix 3)

- 8.2. The proposed Competitive Dialogue would be in compliance with the Regulations.
- 8.3. Implications verified/completed by: (Pamela Igbo, Senior Solicitor, Triborough Shared Legal Services, 0207 641 4246)

9. FINANCIAL IMPLICATIONS

- 9.1. As the recommended procedure for streams 1, 2, 3 and 4 is a Competitive Dialogue, final details of the financial implications will not be known until Final Tenders are submitted.
- 9.2. The results of the tender process will be reported, including the financial implications on award of the contract.
- 9.3. The award of the Payment Processing contract is aimed at rationalising the eco-system to minimise change and raise the possibility of future savings when the new finance system is embedded.
- 9.4. Implications verified/completed by: (Emily Hill, Head of Corporate Finance, 07826 531 849).

10. IMPLICATIONS FOR BUSINESS

- 10.1. The Senior Responsible Officer for the programme is the Director for Resident and Business Satisfaction and the implications for businesses have been considered throughout the process.
- 10.2. The business implications for each service will be a key part of the dialogue and evaluation and will be reported on award of the contract.
- 10.3. Procurement of a resident and business Self-Service portal solution will facilitate major channel shift and ease of use for businesses.

11. COMMERCIAL & PROCUREMENT IMPLICATIONS

- 11.1. The Head of Commercial Management is represented on the Programme Board and has been involved in the drafting of the Procurement Strategy & Business Case (Appendix 1). Consequently, with the participation from the corporate Commercial and Procurement Team in the Board, the programme has included appropriate commercial and procurement considerations and will continue to do so throughout the forthcoming processes.

Commercial implications

- 11.2. The commercial implications, alongside technical, will be one of the two major areas of dialogue.
- 11.3. The procedure will focus on commercial issues such as price, lifetime costs, legal risk and develop a solution that addresses these to the Council's satisfaction.

- 11.4. The results of the tender process will be reported, including the commercial implications on award of the contract.

Procurement implications

- 11.5. As the total estimated value of the contracts are above the statutory threshold contained in the Regulations, a regulated procurement exercise will be undertaken. The Programme Board's recommendations (as set out in Appendix 1) will be to use the Competitive Dialogue procedure for all 4 lots.
- 11.6. As described in Appendix 1, soft-market testing has been carried out in accordance with Regulation 40 of the Regulations. Following the publication of a PIN in OJEU (see 4.1 above) the Council received responses from 11 interested companies (including existing providers). A site visit to another London Council was included as part of the pre-procurement preparatory work.
- 11.7. Implications completed by: Alan Parry, Procurement Consultant. Telephone 020 8753 2581.

12. IT IMPLICATIONS

- 12.1. The requirements for interoperability between systems and integration into business intelligence will be integral to the Competitive Dialogue with suppliers, thus supporting the council's IT and business strategies. This will allow a strong focus on ensuring the solutions will integrate with existing initiatives and services through, for example, open Application Programming Interfaces (APIs) and Open Data.
- 12.2. The procedure will require that all solutions proposed conform to government and council regulations and requirements, such as the forthcoming General Data Protection Act (GDPR) and Smart Working II.
- 12.3. Dialogue presents the opportunity to manage the IT implications of a solution from the start, gaining understanding through detailed discussion and ensuring suppliers understand requirements, ambition, and risk appetite.
- 12.4. Implications verified by: Veronica Barella, interim Chief Information Officer, 020 8753 2927

13. BACKGROUND PAPERS USED IN PREPARING THIS REPORT - None

LIST OF APPENDICES

Appendix 1: IMS Business Case and Sourcing Strategy Report

Appendix 2: Initial strategy released to suppliers through the procurement portal

Integrated Management Systems Business Case and Procurement Strategy

1. Executive Summary

1.1. Recommendation and key action

- 1.1.1. The Integrated Management Systems (IMS) programme will proceed to procure systems to support Resident and Business Self-Service, Housing, Revenues & Benefits, Electronic Document Management (EDMS), and Payments Processing & Income Management according to the procurement strategy contained in this paper.

1.2. Rationale

- 1.2.1. This procurement exercise is required because, following the end of the contract with Hammersmith & Fulham Bridge Partnership Ltd (a JVC with Agilisys), a need was identified by Legal Services to revisit the contractual arrangements for many key systems in use at the council. Further, to support the Council's vision to be "the Best Council' and to work with its residents to get things done, implementing new solutions in these areas can facilitate transformational change in services, increase resident and business satisfaction, and enable efficiency savings through channel shift and automation (both externally and internally).

1.3. Scope

- 1.3.1. The programme will be comprised of six streams of work
- Stream 1: Self-Service
with the goal of procuring a self-service portal for residents and businesses to access council services.
 - Stream 2: Housing
with the goal of procuring an integrated Housing Management system.
 - Stream 3: Revenues & Benefits
with the goal of procuring an integrated Revenues & Benefits system.
 - Stream 4: Electronic Document Management
with the goal of procuring a corporate Electronic Document Management system.
 - Stream 5: Payments Processing
with the goal of procuring a multi-channel Payment Processing and Income Management solution.
 - Stream 6: Programme Management and Governance
coordinating the cross-council effort to procure the systems, including Corporate Finance, Legal, ICT and Procurement input.

1.4. Approach

1.4.1. After consultation with stakeholders and detailed examination of the options, the board agreed the programme will use the following procurement approach for each solution to be sourced. The contract value range is indicative for use in the OJEU Contract Notice. It therefore contains headroom to cover all possible contract costs over the duration of the contract, including potential for implementation of the solutions beyond the initial scope, e.g. further services being available through the self-service portal. Savings aspirations from the current baselines will be a key focus of the dialogue process.

1.4.2. IMS – using Competitive Dialogue

The procurement programme will be run using the Competitive Dialogue procedure in relation to all four lots.

- Lot 1: Self Service,
- Lot 2: Housing,
- Lot 3: Revenues and Benefits, and
- Lot 4: EDMS.

Lot 1 heads the list as this, in strategic terms, is likely to set the parameters for achieving integration across the other 3 lots as well as other services & ICT functions within the Council.

Separate dialogues will be run in parallel for each of the Lots, and each Lot will be evaluated discretely.

1.4.3. Payment Processing (Stream 5)

Given the direction of travel agreed by the Council for the replacement Finance system, it is recommended that an award from a Crown Commercial Services framework agreement will be made to Capita Business Services Ltd. (the existing supplier of the current Payments Processing and Income Management system). This will rationalise all Payments Processing and Income Management on a single platform, reduce the amount of change Corporate Finance are required to undertake in the near term, and introduce some stability while the new Finance solution is implemented and bedded in.

1.5. Supplier Selection Criteria

1.5.1. Suppliers will be selected to participate in the Competitive Dialogue procedure according to technical capability, including experience; and corporate standing, including economic and financial standing, business probity, health and safety, equalities and diversity, and sustainability.

1.6. Contract Award Criteria

1.6.1. The contract award will be made on the basis of the Most Economically Advantageous Tender (MEAT) according to Price and Quality. Bidders will be assessed on the quality of their proposed solutions with regard to how they will achieve the outcomes required within the funding envelope available for the contract.

Table 2a Commercial and Technical weighting during the dialogue phase

Lot	Commercial (Price)	Technical (Quality)
Lot 1: Self Service	40	60
Lot 2: Housing	40	60
Lot 3: Revenues & Benefits	40	60
Lot 4: EDMS	40	60

Table 2b Commercial and Technical weighting when final tenders are sought

Lot	Commercial (Price)	Technical (Quality)
Lot 1: Self Service	50	50
Lot 2: Housing	60	40
Lot 3: Revenues & Benefits	60	40
Lot 4: EDMS	50	50

1.6.2. For all lots, the Commercial criterion will be further sub-divided into:

Table 3 Commercial sub criteria and weighting

Commercial Sub Criteria	Weighting
Lifetime Cost (Including price)	80
Legal and Risk	20

1.6.3. For all lots, the Technical criterion will be further sub-divided into:

Table 4 Technical sub criteria and weighting

Technical Sub Criteria	Weighting
Solution Functionality	50
Innovation and Adaptability	10
Contract Management	20
Design and Usability	20

1.7. Preferred Suppliers

1.7.1. Following evaluation of the submissions after the Competitive Dialogue, dependant on receiving acceptable bids, the programme will recommend a preferred supplier for each lot.

2. The service context

2.1. Self-Service (Lot 1)

- 2.1.1. Currently there are multiple Self-Service portals in use at the council and therefore no unified customer experience for residents and businesses. Housing and Revenues & Benefits both offer portal options for their existing systems with varying levels of take-up.
- 2.1.2. To support the work being done by service transformation initiatives, such as the Resident, Business and Visitor Satisfaction Programme, this strategy aims to provide support to programmes focused on bringing the council in line with modern service provision by:
- making the best use of digital, data and technology innovation,
 - enhancing and integrating digital and self-service channels to help services reduce demand and avoidable contact,
 - achieving channel shift targets and associated savings and efficiencies, and
 - improving the customer experience.
- 2.1.3. The Borough faces rising demand on, and rising expectations of, council services, from:
- a population of around 185,000
 - around 84,000 households
 - at 26%, a higher proportion of young adults than elsewhere in London
 - around 9,000 businesses with approximately 127,000 employees, and
 - around 75% of jobs in the Borough filled by workers commuting in

2.2. Revenues and Benefits (Lot 2)

- 2.2.1. The service currently uses Academy from Capita Business Services.
- 2.2.2. All Revenues and Benefits services are provided in-house with around 100 staff members delivering the following functions.
- 2.2.3. Revenues:
- Billing, Administration & Recovery of Council Tax and Business Rates,
 - Council Tax and Business Rate Appeals, and Valuation List Changes, and
 - Civil Debt Billing and Administration.
- 2.2.4. The Revenue teams deal with all aspects of Council Tax and Business Rates, including post enforcement stages.

The Business Rates team also currently deal with one Business Improvement District in the borough.

The collection rate for Council Tax for 16/17 was 96.98% and for Business Rates was 98.61%.

- 2.2.5. Benefits:

- Housing Benefit,
- Council Tax Support, and
- Education Benefits. (Free school meals assessments and the discretionary clothing grant cheques)

2.2.6. The Benefits service administers a council tax support scheme where there is no cap on the council tax award (similar to the default scheme). The benefits service also manages a DHP budget - £850k in this current year. The Housing Benefit subsidy claim was approximately £140m last year. The service currently manages to process new claims in 23 days and changes in 14 days. The service has opted into the government's RBI initiative.

2.2.7. Currently there are:

- 88,000 live Ctax Properties
- 9,500 live NNDR Properties
- 350 live Bid Properties
- 18,000 live HB claims
- 15,000 live CTB claims
- 1,700 live EB cases

2.3. **Housing (Lot 3)**

2.3.1. The Housing service currently uses Northgate Housing from Northgate Public Services.

2.3.2. There are four divisions within Housing services:

- Housing Services (Housing Management),
- Property Services (Repairs, Planned Maintenance, and Capital Programme),
- Finance & Resources (Rents and Service Charges), and
- Housing Solutions (including Housing Options).

2.3.3. The Housing services are all provided in-house with the exception of the Repairs Ordering Service (including Planned Maintenance) which is outsourced to Mitie, Housing Management in the south of the Borough which is outsourced to Pinnacle, Asset Management and management of the capital programme, and former tenant arrears which is managed by a Council Joint Venture.

2.3.4. There are around 350 council staff currently using the existing Housing Management system. This includes around seventy staff outside the Housing department. Pinnacle also access the system but Mitie do not.

2.3.5. The current Housing Management System holds approximately 25,000 properties, roughly broken down into:

- | | |
|---------------------------|--------|
| • Tenanted | 12,300 |
| • Leasehold | 4,900 |
| • Temporary Accommodation | 2,200 |
| • Garages and car spaces | 3,400 |
| • Sheds | 1,700 |
| • Other | 500 |

This does not include HRA Commercial Units or HRA parcels of land, which are held on the councils Asset Management System.

2.4. **Electronic Document Management (Lot 4)**

- 2.4.1. There are currently multiple EDMSs in use across the council. Housing and Revenues & Benefits, as well as Fraud, use Information@Work from Northgate Public Services while other EDMS solutions are in use within line of business systems such as idox.
- 2.4.2. Information@Work is used by the departments to improve access, security, speed of retrieval and efficiency of unstructured information, document processing and records management either as a stand-alone system or integrated with other line of business applications. It also provides workflow to support case management.
- 2.4.3. All paper documents and records containing information that needs to be kept are scanned to the EDMS before being securely destroyed. Paper documents are only stored where there is a regulatory or legal requirement to retain them (e.g. to allow for forensic examination).

2.5. **Payment Processing and Income Management (Stream 5)**

- 2.5.1. The majority of Payments Processing and Income Management functionality is currently provided by Capita. Some functionality is provided through the Aggresso Finance system.
- 2.5.2. Payment Processing and Income Management enables multi-channel payment for users of council services, with the appropriate routing and allocation of monies.
- 2.5.3. Given the planned migration from Agresso to a SAP system that does not include Payment Processing and Income Management functionality, Corporate Finance plan to rationalise Payment Processing and Income Management on the Capita system before the migration to the target SAP system. This will allow a strategic decision to be taken for all Payment processing and Income Management once the new Finance system is implemented and stable.

3. **Sourcing Strategy**

- 3.1. Following the ending of the contract with Hammersmith and Fulham Bridge Partnership (HFBP) (a joint venture with Agilisys), a need was identified by Legal Services to revisit a number of ICT contractual arrangements for key systems in use at the Council.
- 3.2. Further, this presented an opportunity to benefit from digital, data and technology innovation to support the Council's vision to be "*the best Council*" and to work with its residents to get things done. Implementing new solutions in the four lots identified in this Strategy will facilitate transformational change in services, increase resident and business satisfaction, and enable efficiency savings through channel shift and automation to be realised.

3.3. **Initial Options Appraisal**

3.3.1. An initial options appraisal determined that the preferred option would be to undertake a competitive tender process to establish a firm legal foundation for the contracted solutions and to exploit digital, data and technology innovation to gain efficiencies, improve effectiveness, increase resident and business satisfaction, and support new ways of working.

Table 5: Initial options appraisal

Option	Comment
Do nothing	<ul style="list-style-type: none"> a) The existing contracts do not provide a firm legal foundation for provision of the systems going forward b) The existing systems do not allow the council to exploit the opportunities of digital, data and technology innovation that are available. c) The risk of challenge from suppliers increases the longer the existing contracts are relied on.
Negotiate with the existing suppliers	<ul style="list-style-type: none"> a) Public procurement law require local authorities to ensure the use of fair, equitable and transparent process for the letting and awarding of contracts. b) Undertaking single supplier negotiations with the existing providers exposes the council to the risk of legal challenge for non-compliance with statutory requirements.
Build a solution in-house	<ul style="list-style-type: none"> a) Building in-house system solutions to support these services would be a very high risk undertaking and would require extensive recruitment, management and development of specialist staff. b) It would require substantial effort over an extended timeline.
Undertake a competitive tender process	<ul style="list-style-type: none"> a) Conducting a competitive tender exercise is the accepted approach for local authorities to comply with their duties to ensure the use of fair, equitable and transparent processes for the letting and awarding of contracts. b) Proactive early market engagement allows us to engage with the market to explore opportunity and innovation in the areas where we wish to commission solutions, and for this to inform the procurement.

3.4. Integrated Management Systems (IMS) Programme

3.4.1. The Integrated Management Systems (IMS) programme was set up to deliver this programme of work, and to source the required solutions.

3.4.2. To comply with the Council's Contracts Standing Orders (CSOs) a Service Review Team in the form of a governing programme board has been established (the Programme Board). The Programme Board is chaired by the Director of Resident and Business Satisfaction and comprises senior officers drawn from Housing, Revenues & Benefits, ICT and Procurement.

3.4.3. As a first stage, to help align service delivery in these areas with the Council's vision, the Programme Board committed to publishing a Prior Information Notice (PIN) in the Official Journal of the European Union (OJEU). The PIN was designed to engage with the Market in order to carry out soft-market testing. Only once the soft-market testing had been completed was the Programme Board able to identify the most effective, efficient and potentially economic long-term solution for the Council, and to produce a sourcing strategy for Cabinet approval prior to going out formally to the market.

3.5. Prior Information Notice (PIN)

3.5.1. A PIN without call for competition, reference number 2017/S 148-306475 was published in the OJEU on 4 August 2017, stating the council's intent to explore the options to go to market for systems solutions in the areas of Self-Service, Housing, Revenues & Benefits, Electronic Document Management, and Payments Processing & Income Management, and to undertake early market engagement.

3.6. Early Market Engagement

3.6.1. Following publication of the PIN, a programme of early market engagement was undertaken to inform the decision on sourcing strategy. This included meeting with a range of suppliers, from disruptive innovators to the established major vendors in these areas, to explore leading practice and opportunity in the marketplace. Meetings took place with the suppliers listed in the table below

Table 6: Supplier interest

Supplier	Self Service	Housing	Revs & Bens	EDMS
Aareon UK	√	√		√
Agilisys	√			
Capita Business Services	√	√	√	√
Civica UK	√	√	√	√
HCL Technologies UK	√	√		√
Netcall Telecom	√			√
Northgate Public Services		√	√	√
Victoria Solutions	√			
Firmstep	√			
Web Labs	√			
Orchard		√		

3.6.2. Additionally, a site visit to London Borough of Southwark was held to discuss their recent experience in implementing their customer self-service portal and a focus group session was run to explore residents' attitudes to existing service provision.

3.7. Positioning Analysis

3.7.1. Assessing the options with regard to complexity of requirements, attractiveness of business to suppliers, and potential impact on, and risk to, the council, positions the Self-Service, Housing, and Revenues & Benefits solutions as Strategic to delivery of the council's vision and operation, with Payments Processing and EDMS as key supporting operational solutions.

3.7.2. All are required for the council to operate efficiently, to deliver services effectively, and to support a move towards defining a new relationship with residents and businesses through exploiting digital innovation to encourage self-service and create operating efficiencies.

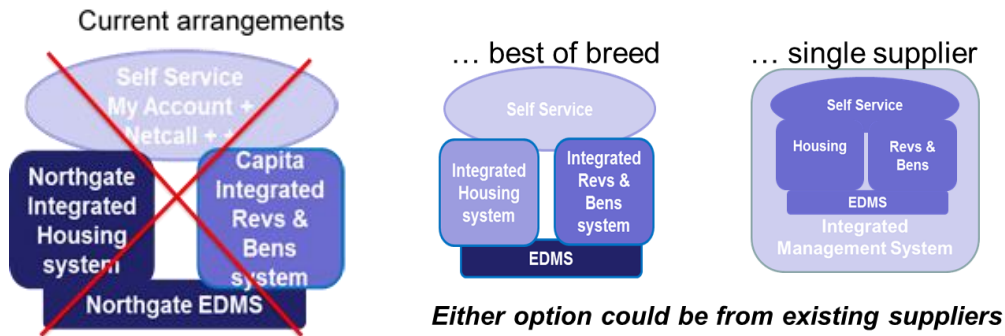
3.7.3. Figure 1 uses a model produced by Peter Kraljic in 1983 (known as the Kraljic Matrix) it shows the different positions that contracts can be defined as and the different approaches needed to source and manage them. The Board in initially considering the 5 lots placed them either within the strategic or bottleneck quadrants. In terms of the approach to re-procurement the sourcing strategy indicates that the use of a more engaging programme is necessary. Stage 1 (soft market testing) has provided information not previously available to the Council. Moving into the formal procurement phase (Stage 2) the positioning strategy suggests the use of either the Competitive Procedure with Negotiation or the Competitive Dialogue Procedure.

Figure 1: Positioning

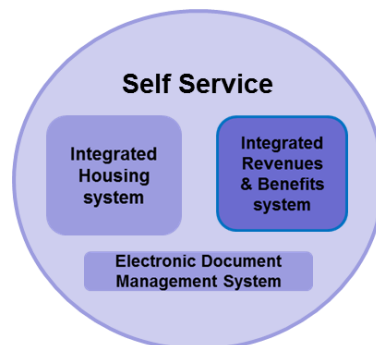


4. Systems architectural options

4.1. The Board, as part of the soft-market testing investigated the options of procuring either best of breed solutions or an integrated management system for Housing, Revenues & Benefits, Self Service and Document Management. The Board decided that the procurement will not be aimed at simply retaining or replacing the existing systems.



- 4.2. After lengthy debate, the Board decided to opt for the “Best of Breed” option rather than tendering for a single supplier. Through the use of the Competitive Dialogue procedure the programme will look to achieve an architectural option that has the Self-Service lot being the key to the overall Integrated Management Systems solution. Integration with the line-of business Housing and Revenues & Benefits solutions as well as with the supporting corporate EDMS will be key to achieving operational efficiencies and facilitating channel shift. The Dialogue will therefore emphasize the importance of Open APIs (Application Programming Interfaces).



5. Lotting Structure

- 5.1. The early market engagement identified that the choice of lotting structure, within a procedure that allowed dialogue with suppliers, would be key to encouraging strong competition, and delivering the best solution, particularly in the Self-Service area. In agreeing the lotting structure proposed, the team took a number of issues into account including:
- the risk it could restrict competition,
 - that it could make the execution of the contract excessively technically difficult or expensive,
 - the need to coordinate different contractors for different lots to avoid impact to service delivery,
 - the opportunity to offer different contract lengths as appropriate for different lots, and
 - ensuring the programme achieved the desired outcomes for the council in all of the areas through seeking ‘best of breed’ solutions.

- 5.2. **IMS Lot 1 Self-Service:** In order to deliver the transformational benefits of a unified customer experience while balancing this against the pace of innovation in this area, the Self-Service contract must be of sufficient length to fully implement the solution across council services but not deny the council future benefits of innovation. A contract for 7 years with break points included for the end of years 3 and 5 is recommended.
- 5.3. As a result of the soft-market testing exercise it has become apparent that Lot 1 has been identified as pivotal across the remaining lots 2, 3 and 4.
- 5.4. **IMS Lot 2 Housing Management:** In order to deliver the operational and efficiency benefits of an integrated Housing Management system, a contract for 12 years with break points included for the end of years 7 and 10 is recommended.
- 5.5. **IMS Lot 3 Revenues & Benefits:** In order to deliver the operational and efficiency benefits of an integrated Revenues & Benefits system, a contract for 12 years with break points included for the end of years 7 and 10 is recommended.
- 5.6. **IMS Lot 4 Electronic Document Management System (EDMS):** In order to deliver the operational and efficiency benefits of a corporate EDMS system, a contract for 7 years with break points included for the end of years 3 and 5 is recommended.
- 5.7. **Stream 5 Payments Processing:** To support the ambition to provide stability in payments processing while the new Finance system is installed and embedded, an award to Capita under CCS Framework RM1059 of a contract for 4 years with break points included for the end of years 2 and 3 is recommended. This stream will not be part of the larger IMS competitive tender process.

6. Procurement approach

- 6.1. The estimated contract value ranges of each of the 5 lots are given in the table contained in the exempt part of this report, along with the proposed duration of the contracts. It is proposed that the contract lengths will be for fixed terms with the ability to terminate the arrangements early rather than having term contracts with options to extend.
- 6.2. In drafting the Key Outcomes/Outputs that the bidders will need to address through the Dialogue will be the ability of the Council, at some future date, to modify the contracts during their term in accordance with Regulation 72 (paragraphs 1a & 1b).
- 6.3. Termination for exceptional circumstances (Force Majeure) clauses will be agreed during the Dialogue to address the possibilities of changes in regulations, organisation, and statutory obligations.
- 6.4. The contract value range is indicative for use in the OJEU Contract Notice. It therefore contains headroom to cover all possible contract costs over the duration of the contract, including potential for implementation of the solutions beyond the initial scope, e.g. further services being available through the self-service portal. Savings aspirations from the current baselines will be a key focus of the dialogue process.

- 6.5. The Board reviewed all the procurement procedures available to the Council. It determined that the Competitive Dialogue procedure was the most appropriate for the reasons previously identified and dismissed the following procedures as being inappropriate for this procurement:
- the procurement does not meet the criteria for the Negotiated Procedure without Prior Publication,
 - the procurement does not meet the criteria for using the Innovation Partnership procedure as there is no justification to believe that there is a need for the development of an innovative product or service that cannot be met by solutions already available on the market,
 - the Competitive Procedure with Negotiation is of value for procuring services or supplies that require negotiation on terms, and
 - the Open and Restricted Procedures were not considered appropriate due to the areas of uncertainty around requirements that remained and the restricted opportunity for innovation and design compared to that offered through dialogue.
- 6.6. Competitive Dialogue can be highly beneficial for organisations in circumstances where greater flexibility is needed, e.g. for complex and risky projects where bidders will have a role in defining the solution or where organisations cannot assess without in-depth dialogue what the market can offer in terms of technical, financial or legal solutions. It allows organisations to conduct a dialogue on the proposed offerings with bidders and co-design the solution.
- 6.7. Negotiations with the bidder identified as having submitted the tender presenting the best price-quality ratio may also be carried out to confirm financial commitments or other terms contained in the tender in order to finalise the contract. (In contrast to Competitive Procedure with Negotiation, specification requirements emphasise concentration on the organisation's needs without having to prescribe the nature, characteristics or solutions to be offered.)
- 6.8. The Council is required to, as a minimum, carry out the procurement process in an open and transparent way. It is also required to ensure that there is no distortion of the market and that there is equal treatment of all participants. In particular this requires it to publish beforehand the minimum requirements, award criteria and their weightings, which cannot not be changed during the actual process. The procurement process will be carried out through the *capitalEsourcing* portal using Bravo Solution software in order to ensure that the Council does do not provide information in a discriminatory manner and thereby giving any of the participants an advantage over others.
- 6.9. The board agreed that a **Competitive Dialogue** was the appropriate procedure to follow for Self-Service, Housing, Revenues & Benefits, and EDMS.
- 6.10. To support the ambition to provide stability in Corporate Finance while the new Finance system is installed and embedded, the Board agreed that Payments Processing & Income Management will be procured through an award to Capita Business Services Ltd. via **Crown Commercial Services framework RM1059**, according to the requirements of that framework.
- 6.11. The Competitive Dialogue procedure**

- 6.11.1. Competitive Dialogue is a flexible procedure, requiring strong programme management and procurement support. It is divided into 3 distinct stages (a) seeking expressions of interest; (b) undertaking dialogues with potential suppliers/providers; and (c) evaluating formal tenders at the conclusion of the dialogue phase.
- 6.11.2. The first stage requires the publication of a Contract Notice in the OJEU seeking expressions of interest. Once the contract notice is sent for publication, at least 30 days must elapse before the closing date for receipt of applications. The applications are evaluated, primarily in relation to their financial stability and previous experience. Only those that meet the qualification criteria can be considered to be invited to participate in Competitive Dialogue with the Council.
- 6.11.3. The qualification stage will create a shortlist of organisations for each lot who have demonstrated that they have sufficient capacity, financial and economic standing, and the ability to continue to the commercial and technical evaluation stage for that lot. In order to determine sufficient financial and economic standing and technical capacity organisations will be evaluated in accordance to the following criteria: economic and financial standing; business probity; health and safety; equalities and diversity, and record of delivery in this area.
- 6.11.4. IMS Competitive Dialogue: The IMS Competitive Dialogue will be conducted in multiple stages. The *capitalEsourcing* portal will be used to manage the process.
- 6.11.5. In relation to the second stage the Council must invite a minimum of 3 bidders (providing that there is sufficient following selection stage). There are no further set minimum timescales, although the Council must set out an indicative timeframe in the contract notice and/or a descriptive document.
- 6.11.6. For each lot, a minimum of three bidders and a maximum of five will be invited to participate in Dialogue. The Dialogue will be structured such that, should the authority wish it, e.g. If there are more than three bidders in the dialogue for a lot, it can be conducted in two Dialogue stages with a selection following the first stage to reduce the number of suppliers.
- 6.11.7. Usually the first part of the second stage is to seek an Outline Solution from those invited into the dialogue. Documentation provided to suppliers may indicate the Council's overall requirements, key outcomes or key outputs. This will include the requirements gathered by services. There may be general meetings with those suppliers to go over the project and the documents. It is following this interaction that outline solutions are sent to the Council to be evaluated.
- 6.11.8. Following this initial response, the authority may decide to have several rounds of dialogues in order to improve the solutions on offer and/or reduce the number of bidders participating in the process. If there are successive stages, the authority must ensure that in the final stage the number of solutions remaining make for genuine competition in so far as there are enough solutions or qualified bidders.
- 6.11.9. The Council must continue with the competitive dialogue process until it can identify the solution or solutions which are capable of meeting its needs. The authority must declare to

all bidders when the dialogue is being concluded and must invite each remaining bidder to submit their final tender on the basis of the solution(s) presented and specified during the dialogue. This becomes the third and final part of the procedure.

- 6.11.10. After the Invitation to Submit Final Tenders is sent out, the authority must set a deadline for receipt of final tenders. There is no minimum period specified but it must be proportionate, but usually no longer than a week, and sometimes less as by that stage all remaining bidders should be in a position to submit their final tenders.
- 6.11.11. **Preferred bidder stage:** It is proposed to identify a Preferred Bidder for each lot. This will allow officers to clarify minor inconsequential matters before award of the contract and make sure that the contract is ready for signature once the formal approval has been made by the Cabinet. Minor clarifications with the successful tenderers are permitted providing that it does not materially modify the essential aspects of the bids nor cause discrimination or distort competition.
- 6.11.12. **Evaluation:** A formal evaluation, based upon the pre-published award criteria, will follow the close of each stage in the dialogue process as well as at the end of the procurement process when final bids/tenders are invited. The purpose of formal evaluation at the end of each of the dialogue stages is to determine whether all bidders are to remain in the process of whether there will be a reduction in the bidders to be taken forward to the next stage.
- 6.11.13. **Local Economic and Community Benefits** will be provided through more efficient and effective service to local residents and businesses. Accessibility challenges and usability will be an integral dimension of the evaluation.

7. Contract Award Criteria

- 7.1. The approach to the use of Award Criteria will be designed to fluctuate between the dialogue stage and the award stage. These criteria are set out in section 1.6 above.
- 7.2. **Lot 1 Self-Service and Lot 4 EDMS:** During the actual dialogue phase it is proposed to set the evaluation criteria at 60% quality and 40% price. The aim is to focus on the quality aspects that the Council would like to see as an outcome. However, when it comes to the award the commissioners believe that price and quality are of equal importance in awarding the contract for these lots. In particular, the potential for savings and efficiencies to the council arising from the opportunity for a customer access portal to encourage self-service and accelerate channel shift across services offers far greater potential savings than a reduced licence cost for the portal. It is on this basis that the recommended award for the contract be based commercial and technical evaluation of 50/50.
- 7.3. **Lot 2: Housing and Lot 3: Revenues & Benefits:** During the actual dialogue phase it is proposed to set the evaluation criteria at 60% quality and 40% price. The aim, like Lots 1 & 4 is to focus on the quality aspects that the Council would like to see as an outcome. However, the commissioners recommend that the contract be awarded on the basis of a commercial and technical evaluation of 40% quality and 60% price.

Table 3 Commercial and Technical weighting

Lot	Commercial (Price)	Technical (Quality)
Lot 1: Self Service	50	50
Lot 2: Housing	60	40
Lot 3: Revenues & Benefits	60	40
Lot 4: EDMS	50	50

- 7.4. **Commercial criteria:** Within the Commercial criterion, the bidders' responses will be assessed according to the following sub-criteria, with weightings applied:

Table 3 Commercial sub criteria and weighting

Commercial Sub Criteria	Weighting
Lifetime Cost (Including price)	80
Legal and Risk	20

- 7.5. **Lifetime cost:** Given the nature of the solutions being procured, the lifetime cost to the council will be comprised of a number of elements in addition to the purchase price from the suppliers. The procurement process will therefore evaluate on a Whole of Life cost basis. This will allow, as appropriate, the inclusion of such costs as:

- Acquisition - Procurement, Purchase price, Delivery, Installation, Commissioning, Migration, Testing;
- Ownership – Licences, Upgrade and Maintenance, Warranty, Training;
- Operation – Infrastructure, Testing, Audit/Inspection, Ordering and Invoicing costs, Contract Management;
- Disposal – Equipment, Decommissioning, Replacement, Depreciation, Migration costs.

- 7.6. **Technical criteria:** Bidders will be assessed on the quality of their proposed solutions with regard to how they will achieve the outcomes required within the funding envelope available for the contract. Solutions will be evaluated against the key quality criteria, with the following weightings applied:

Table 4 Technical sub criteria and weighting

Technical Sub Criteria	Weighting
Solution Functionality	60
Innovation and Adaptability	10
Contract Management	20
Design and Usability	10

8. The Tender Appraisal Panel

- 8.1. **Tender Appraisal Panel (TAP):** The IMS Programme Board is currently acting in the capacity of the Service Review Team and will continue to manage the process through a dedicated Programme Manager. The Board will delegate the evaluation of the submissions to the TAP which will be chaired by the SRO.
- 8.2. The TAP will be comprised of representatives from the services and programme team. Subject Matter Experts from the services will provide input to each lot where required as appropriate. This may include Residents and/or Businesses acting in the capacity of Subject Matter Experts in areas where they have direct involvement, e.g. Housing. Legal Services and Corporate Finance will provide support and evaluation where required. Guidance will be provided to this panel as to the process of evaluation and moderation to ensure consistent and accurate assessment of submissions. In principle, the evaluation will be conducted as follows:
- 8.3. **Commercial Evaluation**
1. Corporate Finance will assess the lifetime costs and produce a report to inform the evaluation.
 2. Legal Services will assess the Legal aspects and produce a report to inform the evaluation.
 3. The TAP members will then meet to agree a consensus score for Legal and Risk, and to accept the Lifetime Cost report from Finance
 4. Any bidder falling outside the affordability envelope may be rejected as unacceptable.
 5. Any bidder submitting a bid judged to be abnormally and unjustifiably low in price may be rejected as irregular.
 6. Any bidder scoring less than 6 out of 10 on the Legal and Risk criteria may be rejected.
 7. The weightings will then be applied to the Lifetime Cost and consensus scores for Legal and Risk to give each bidder a mark out of 100.
 8. The appropriate weighting for the lot will then be applied to this score – 50% for Lot 1 and 60% for Lots 2, 3 and 4 - to calculate the Commercial score.
- 8.4. **Technical Evaluation**
1. The submissions will be marked independently by members of this panel.
 2. Each TAP member will mark each submission out of ten for each of the technical criteria.
 3. The TAP members will then meet to agree a consensus score out of five for each criterion for all submissions.
 4. Any bidder scoring less than 6 out of 10 on any one of the quality criteria may be rejected.
 5. Any bidder failing to meet any mandatory functional requirements may be rejected.
 6. The weightings will then be applied to the consensus scores for each technical criterion to give each tenderer a mark out of 100
 7. The appropriate weighting for the lot will then be applied to this score – 50% for lots 1 and 4, and 40% for Lots 2 and 3 - to calculate the Technical score.
- 8.5. To complete the evaluation, each bidder's Commercial and Technical scores will then be added together and the bidder with the highest combined score in each lot will be recommended as preferred supplier for that lot.

9. Programme management and governance

- 9.1. The programme was established under the auspices of an IMS Programme Board comprised of stakeholders from Housing, Revenues & Benefits, Corporate Finance, ICT and Procurement. This board is chaired by the Director of Resident and Business Satisfaction as SRO. The programme was initially structured to gather requirements and draft this sourcing strategy for approval by Cabinet. Subject matter experts and stakeholders from the services worked with business analysts in the programme team to collate the requirements in each area such that they were fit for purpose for defining this sourcing strategy.
- 9.2. Following approval of this strategy the programme will be comprised of six streams of work:
- Stream 1: Self-Service
with the goal of procuring a self-service portal for residents and businesses to access council services. IMS Competitive Dialogue Lot 1
 - Stream 2: Housing
with the goal of procuring an integrated Housing Management system. IMS Competitive Dialogue Lot 2
 - Stream 3: Revenues & Benefits
with the goal of procuring an integrated Revenues & Benefits system. IMS Competitive Dialogue Lot 3
 - Stream 4: Electronic Document Management
with the goal of procuring a corporate Electronic Document Management system. IMS Competitive Dialogue Lot 4
 - Stream 5: Payments Processing
with the goal of procuring a multi-channel Payment Processing and Income Management solution. This solution will be procured using Crown Commercial Services (CCS) Framework RM1059
 - Stream 6: Programme Management and Governance
coordinating the cross-council effort to procure the systems.

Corporate Finance, Procurement, Legal and ICT will provide programme-wide support, while subject matter experts will be drawn from the service areas.

9.3. Indicative time table

Table 9: Indicative Time Table

Activity	Date
Cabinet Approval	January 2016
Stream 5: Payment Process Procurement	February 2018
Publish Contract Notice to begin Competitive Dialogue	March 2018
Shortlist selected for each lot	April 2018
Begin Dialogue for all lots	May 2018
Begin Evaluation	August 2018

Activity	Date
Preferred Bidder stage	September 2018
Recommend Preferred Supplier for each lot	Sept/Oct. 2018
Award Contracts	October 2018

London Borough of Hammersmith and Fulham

Possible transition to a single view of customer procurement approach

For the re-procurement of 5 key integrated management systems

Introduction

The Council is committed to ensuring value for money, pursuing efficiencies and improving our service to residents and businesses. As part of a programme of reviewing existing contractual arrangements, it is looking at five major back office ICT service contracts: -

- Housing management
- Revenues and Benefits, Council Tax and National Non-Domestic Rates (NNDR)
- H&F Direct (digital access platform)
- Electronic Document Management System (EDMS); and
- Income management

The Council expects the procurement to start in the first part of 2018.

Rationale

As part of its drive to ensure that replacement back-office systems are economic, effective, and efficient, the Council is using the provisions contained in Regulation 40 of the Public Contracts Regulations 2015 (as amended) to carry out preliminary market consultations (soft market testing). This allows the Council before commencing a procurement procedure to conduct market consultations with a view to preparing the procurement and informing economic operators of their procurement plans and requirements. For this purpose, the Council may, for example, seek or accept advice from independent experts or authorities or from market participants. It should be noted that such advice may be used in the planning and conduct of the procurement procedure, provided that it does not have the effect of distorting competition and does not result in a violation of the principles of non-discrimination and transparency.

In accordance with the principles of Regulation 40 the Council on 1st August 2017 sent for publication a Prior Information Notice (PIN) to the Official Journal of the European Union (OJEU) and made arrangements for a similar publication to appear in the UK's Contracts Finder portal.

During internal discussions concerning the publication of the PIN it was noted that there were a number of systems which provide an end to end view of the customer. Furthermore, the systems had key dependencies, such as EDMS, which supported the need for a joined up procurement strategy.

The full scope of systems currently under consideration are:

- **Housing Management.** Replacement system parameters must be capable of dealing with voids management, allocations (including housing advice), some repairs, rent accounts and

rent arrears, tenancy services, property purchase and service charges around a core people and property database. There are approximately 350 users

- **Local taxation: Revenues and Benefits, Council Tax and NNDR.** The replacement system must be able to manage both payments of Housing Benefits and the collection of Council Tax and National Non Domestic Rates (also known as Business Rates).
- **Self Service (H&F Direct).** This is the “front-facing system for the Council and allows the public to perform a variety of service transactions via a single sign-on account. A replacement platform may either be a standalone or be incorporated as part of a suite of software solutions forming part of another application.
- **Electronic Document Management System (EDMS).** Primarily used by departments responsible for local taxation and housing management, as well as secondary uses in local parking control. The future use of EDMS may be applied across the Council’s infrastructure. A replacement platform may either be a standalone or be incorporated as part of a suite of software solutions forming part of another application.
- **Income Management.** This system provides an administration and payment management module which is used across Finance and Corporate Services. A replacement platform must be able to provide a similar service and may either be a standalone or be incorporated as part of a suite of software solutions forming part of another application.

The Council wishes to:

- Engage with suppliers and independent industry experts through soft market testing. This will allow the Council to explore the functionality of existing arrangements and examine whether the systems should be re-procured in their existing formats or whether there are sufficient synergies for a more integrated approach.
- Consider a future way of working, including more customer orientated services around mobile working and self-service;
- Have a “value for money” approach that could offer savings by enabling suppliers to bid for joint lots rather than individual systems;
- Transition toward a single view for the customer by aligning the key systems that provide the interface with residents.

Next Steps – Soft Market Testing


Between now and 1st September 2017 the Council wants to hear from any ICT service providers, market participants and other independent experts on possible options for the re-procurement of these 5 key systems. During the latter part of August and during the autumn the Council will engage with those organisations and other economic operators that have expressed an interest in providing the Council with advice on designing the specification(s) prior to the re-procurement of these system(s). This may take the form of a Meet the Buyer event, details of which will be given to those who respond.

It should be noted that information contained in this briefing note does not constitute any commitment by the Council to undertake any procurement exercise in the future and is not a call for competition. Whilst the Council is interested, as part of its soft market testing exercise, to hear from interested organisations it will not be bound to accept any proposals offered. Any possible future procurement

undertaken by the Council will be carried out strictly in accordance with any relevant obligations under the 2015 Regulations (as amended).

When the Council has concluded this investigatory process it will proceed to prepare a Report containing a Procurement Strategy & Business Case for consideration by the Council's Cabinet in accordance with its Contracts Standing Orders. This Report will recommend the approach to be adopted for the re-procurement exercise.

To contact the Council about this opportunity please complete the questionnaire in the portal before the date shown

<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">15 JANUARY 2018</p>	
<p>ICT TRANSITION - ASSURING SERVICE CONTINUITY PHASE 4 – TELEPHONY NETWORK SERVICES UPGRADE</p>	
<p>Report of the Cabinet Member for Finance - Councillor Max Smith</p>	
<p>Open report</p> <p>A separate report on the exempt part of the Cabinet agenda provides exempt financial information.</p>	
<p>Classification - For Decision</p> <p>Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Executive Director: Veronica Barella, Chief Information Officer (interim)</p>	
<p>Report Author: Howell Huws, Head of Contracts and Operations, IT</p>	<p>Contact Details: Tel: 020 8753 5025 Email: howell.huws@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The council last updated the telephony network equipment at the heart of its telephony service in 1999. This means the telephony switch equipment now is 18 years old, antiquated and is end-of-life.

2. RECOMMENDATIONS

- 2.1. To approve the purchase of new telephony hardware and services with associated managed services from BT, for a one-off cost as set out on the exempt part of the agenda.
- 2.2. To approve the programme management services from Agilisys, for a one-off cost as set out on the exempt part of the agenda.

3. REASONS FOR DECISION

- 3.1. The Council's core telephony network equipment and unified communications (UC) platforms are end-of-life and up to 18 years old, making it increasingly difficult and expensive to maintain and restricting the ability to take advantage of new features to support developing business practices.
- 3.2. The council has business critical services delivered via the telephone system requiring inbound and outbound calls to residents. These calls to and from residents depend on both the core telephony network equipment and the unified communications (UC) platforms. The age of the core HiPath telephony network equipment has risks of failure that increase year-by-year without an effective business continuity solution.
- 3.3. The HiPath equipment is end-of-life and replacements for failed components cannot be sourced commercially. Over the last 2½ years, parts of the HiPath equipment have failed on 5 separate occasions. To date, the council has been able to resolve issues by utilising components from equipment salvaged from other council buildings as these have been closed. This approach is not sustainable and needs to be addressed as matter of urgency.
- 3.4. There is no resilience in the current structure on the Hipath. This means that component failures result in a loss of the corresponding communication capability, typically 300 phones at a time, until the failed component has been replaced.
- 3.5. The investment will also improve resilience for these critical systems by using BT's geographically diverse data centres. In addition, H&F and RBKC will host infrastructure ensuring that should there be an outage at either site access would continue through the second site's connection thus addressing a known strategic risk of having a single point of failure within the telephony infrastructure.
- 3.6. The UC platforms are currently supported on the Agilisys IaaS platform, for which the contract ends in October 2018.
- 3.7. The investment will also provide a platform to enable the council to more easily consume other cloud based services for both telephony and UC. The council will retain total ownership of its calls through its own instance or installation within the shared platform.

4. PROPOSAL AND ISSUES

Background

- 4.1. The council last updated its core telephony network equipment in 1999. This means the telephony switch equipment now is 18 years old, antiquated and has come to the end-of-life.
- 4.2. The council also uses a unified communications (UC) platform, Openscape. Its primary use enables call redirection enabling users to make and receive

calls from a range of devices. It also supports audio and video conferencing and desktop sharing, although these are less widely used, and are increasingly being replaced by Skype.

Proposal

- 4.3. This paper proposes new telephony equipment plus associated services, to meet the following three requirements:
 1. Replacing the end-of-life core telephony network hardware for a single consolidated software-based infrastructure whereby there is only one set of hardware and software to support which yields further efficiencies and improved administration.
 2. New desk telephone handsets and licences procurement and rollout. Legacy handsets will not work with the upgraded core telephony network equipment.
 3. Openscape UC system upgrade, as the current version is now end-of-life and will soon be out of support with its supplier. It remains a critical council business system and requires an immediate upgrade.
- 4.4. The number of new desk telephone handsets is the worst-case scenario and officers expect the number will be lower. Where staff can use mobile phones instead, there is no need to replace the desk handsets, resulting in clear desks. Some areas such as call centres are likely to require desk handsets to assure line quality.
- 4.5. IT services will work with departments and finance to identify the appropriate replacement model for the existing desk handsets based on the operational needs of the department. Project delivery will focus on minimising risk to critical services.
- 4.6. The project will be carried out through BT, through the existing contractual arrangement under the Lot 4 framework agreement (Call Off Contract – Relating to Information and Technology Services), raising a Change Control Notice (CCN) under the existing Information Technology and Communications ICT and Communications framework call-off contract. This CCN will be for a maximum period of three years. On completion, there will be a single vendor point of contact (BT) for all the technologies outlined here.
- 4.7. Programme management professional services will be required to manage the overall programme of works. These will be procured from Agilisys through the existing contractual arrangement under the Lot 2 framework agreement.
- 4.8. The council and residents will benefit from modern, much improved standardised telephony security, as voice transitions to the new improved data network - thus ensuring the integrity and priority of data and information. Such measures provide a common platform for H&F council ICT to administrate applications and services, and facilitates sharing with other councils.
- 4.9. The new platform will also provide improved management reporting of both incoming and outgoing calls with statistics on numbers of calls abandoned,

answered, etc. On outgoing calls, H&F will have access to better statistics and billing data.

5. CONSULTATION

- 5.1. H&F's IT Operational Group has been consulted as well as the IT Departmental Leadership Team.

6. EQUALITY IMPLICATIONS

- 6.1. There are no equality implications.

7. LEGAL IMPLICATIONS

- 7.1. The Shared ICT services established a framework agreement (the "**Framework**") to streamline procurement processes. LBHF may call off from any of the four lots from this framework. Lot 2 was awarded to Agilisys in 2014 and Lot 4 was awarded to BT in 2016. LBHF has already entered into call-off contracts for each of these Lots (the "**Call-Off Contracts**").
- 7.2. Orders for the supplies/services described in this report may be placed through both Call-Off Contracts. Approval is not being sought for the award of a new contract or to modify the Call-Off Contracts. As such, there are no legal or procurement implications in respect of compliance with the Public Contracts Regulations 2015.
- 7.3. Implications completed by: Raj Shah, Solicitor seconded to Tri-Borough Shared Legal Services (Contracts) 07584706577.

8. FINANCIAL COSTS

- 8.1. Delivery of the project will require one-off up-front investment as set out on the exempt part of the agenda. This will be funded from the Efficiency Projects Reserve.
- 8.2. All other costs (such as support) will be covered from existing budgets.

Implications verified/completed by: (Gary Ironmonger, Finance Manager SPAM, extn 2109).

9. IMPLICATIONS FOR BUSINESS

- 9.1. No impact on local businesses.

10. COMMERCIAL IMPLICATIONS

- 10.1. The council has already entered into a call-off contract with BT through RBKC's ITC framework agreement. New equipment and services will only be procured through the ITC framework where the framework provides best value to H&F. This approach also ensures that H&F are responsible for the management of their own contracts with BT.
- 10.2. The council proposes to call off from an existing contractual arrangement with BT. Therefore, there are no procurement related implications contained in the recommendations.

Verified by: Alan Parry, Interim Head of Procurement (Job-share). Telephone 0208 753 2581.

11. IT IMPLICATIONS

- 11.1. The report is aligned with the current ICT strategy of consolidating and reducing on-premise infrastructure, and migrating to cloud based services in where practical and cost efficient.

Verified by: Ciara Shimidzu, Head of Information, Strategy and Projects, 020 8753 3895.

12. RISK MANAGEMENT

- 12.1. Technology is relatively prone to obsolescence risk. This report covers the actions required to successfully mitigate that risk. In achieving this the Council will be protecting a vital link with its people thus ensuring a resilient business through management of Business Continuity, risk number 6 of the Council's Corporate Risk Register.

Verified by: Michael Sloniowski, Shared Services Risk Manager, 0208 753 2587

- 12.2. The risk of dealing with a serious Telephony outage will be greatly reduced by the modernisation, thus, the impact to all services and residents will be lessened to a significant degree.

Verified by: Ian Cairns, Business Continuity Manager, 0208 753 2408.

13. OTHER IMPLICATION PARAGRAPHS


- 13.1. Property, business intelligence, health and wellbeing, Section 106 and PREVENT implications have been considered and are not relevant.

14. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

LIST OF APPENDICES:

Appendix I Procurement strategy and options analysis – contained in the exempt part of the Cabinet agenda.

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
<p>CORPORATE PROPERTY SERVICES FRAMEWORK</p>	
<p>Report of the Cabinet Member for Finance – Councillor Max Smith</p>	
<p>Open report</p> <p>A separate report on the exempt part of the Cabinet agenda provides exempt financial information.</p>	
<p>Classification - For Decision Key Decision: Yes</p>	
<p>Wards Affected: All Wards</p>	
<p>Accountable Director: Maureen McDonald-Khan, Director for Building and Property Management</p>	
<p>Report Author: Nigel Brown, Head of Asset Strategy, and Portfolio Management</p>	<p>Contact Details: Nigel.brown@lbhf.gov.uk 02087532835</p>

1. EXECUTIVE SUMMARY

1.1. The Authority established and procured a Framework to commission property work for 8 lots in October 2013. The framework expired October 2017. There has been a review of the current framework to help inform the revisions to the next property framework to be procured immediately.

- This report is seeking permission to procure 6 lots on a framework for a wide range of property advice for LBHF assets. The areas of work on the framework will be Lot 1: General capital and rental valuations. Lot 2: Homebuy, variation of leases for loft conversion, basements, Reinstatement Cost Appraisal, and other associated transactions. Lot 3: Housing and development valuation appraisals, regeneration valuation advice, development advice and housing portfolio advice. Lot 4: Professional Consultancy: CPO: property advice (general): property advice for the Planning Department. Lot 5: Advertising Hoardings. Lot 6: Telecoms and ancillary advice.

2. RECOMMENDATIONS

- 2.1. To note that the Council's Business Plan 2018/2019 clearly outlines the administration's drive to better use of its property assets. A small internal team need to tap into key specialisms from the best external consultants and provide support to Regeneration and Housing programmes too.
- 2.2. To commence the re-procurement of the Council's Property Valuation Services Framework Agreement under 6 Lots defined as Lot 1. General capital and rental valuations (maximum 2 providers); Lot 2. Homebuy, variation of leases for loft conversion, basements, Reinstatement Cost Appraisal, and other associated transactions (maximum 4 providers); Lot 3. Housing and development valuation appraisals, regeneration valuation advice, development advice and housing portfolio advice (maximum 2 providers); Lot 4. Professional Consultancy: CPO: property advice (general): property advice for the Planning Department (maximum 6 providers); Lot 5. Advertising Hoardings (maximum 2 providers); and Lot 6. Property Digital income and ancillary advice (maximum 2 providers).
- 2.3. To procure suppliers onto the framework on a price/quality ratio of 50/50 using the Open Procedure.
- 2.4. To continue with the existing framework arrangements for limited period (until 1 May 2018) to allow the re-procurement to take place.

3. REASONS FOR DECISION

- 3.1. To comply with the law to ensure procurement rules are adhered to. The framework will be retendered, but as 6 rather than 8 lots. With the award of the new framework agreements in place by 1 May 2018.
- 3.2. It is not possible to extend the current framework agreement, but as an interim measure and to ensure continuity of service delivery it is proposed to continue to place orders with the existing providers until the new framework can be established.
- 3.3. Full details of the proposed procurement are set out in Appendix 1 (Procurement Strategy, contained in the exempt part of the Cabinet agenda).

4. INTRODUCTION AND BACKGROUND

- 4.1. See "Purpose" section of Procurement Strategy, Appendix 1, contained in the exempt part of the Cabinet agenda.

5. PROPOSAL AND ISSUES

- 5.1. Due to some slight delays in the retendering of the framework arrangements the Cabinet is asked to agree to the continued use of the lots within the existing framework agreement for a limited period to allow

the re-procurement to be completed and to allow mobilisation to commence too.

- 5.2. See sections “Purpose”, “Leadership & Ambition” and “Resources” in Procurement Strategy, Appendix 1, contained in the exempt part of the Cabinet agenda.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. See 4. Options (make or buy) in the Procurement Strategy, Appendix 1, contained in the exempt part of the Cabinet agenda.

7. CONSULTATION

- 7.1. For stakeholder consultation see 3. Users section of Procurement Strategy, Appendix 1.

- 7.2. For market engagement see “Market & Commercials”

8. EQUALITY IMPLICATIONS

- 8.1. A completed Equality Impact Assessment must accompany where required. Any key/relevant equalities issues must be included here, in the body of the report.

9. LEGAL IMPLICATIONS

- 9.1. This section should include the legal power relevant to the proposal must be set out together with any future possible legal implications.

- 9.2. Implications verified/completed by: (David Walker, Principal Property Solicitor)

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. The new framework will allow be structured so it will allow more than one provider in each Lot. There will provide greater competition and therefore increased value for money and quality will be possible with a wider set of suppliers, including local companies.

- 10.2. Implications verified/completed by: (Gary Hannaway, Head of Finance - TTS).

11. IMPLICATIONS FOR BUSINESS

- 11.1 See 8. Market & Commercials section in Procurement Strategy, Appendix1, contained in the exempt part of the Cabinet agenda.

- 11.2 The intended framework will attract local suppliers that will help support the local economy in the Borough.

12. RISK MANAGEMENT

- 12.1. See 7. Project Management section of Procurement Strategy, Appendix 1, contained in the exempt part of the Cabinet agenda.

13. COMMERCIAL AND PROCUREMENT IMPLICATIONS


- 13.1 Commercial and Procurement officers worked with Corporate Property Services in drafting this report and the Procurement Strategy (Appendix 1, contained in the exempt part of the Cabinet agenda). Consequently, their comments are contained within this document.
- 13.2 Implications verified/completed by: Alan Parry, Procurement Consultant. Telephone 020 8753 2581.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		

LIST OF APPENDICES:

Appendix 1 – Procurement Strategy for the retendering of the Property Services Framework Agreement – *contained in the exempt part of the Cabinet agenda.*

<p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">15 JANUARY 2018</p>	
<p>RISK FINANCING PROPOSALS 2018-19</p>	
<p>Report of the Cabinet Member for Finance – Councillor Max Schmid</p>	
<p>Open report</p> <p>A separate report on the exempt part of the Cabinet agenda provides exempt financial information.</p>	
<p>Classification: For decision Key Decision: Yes</p>	
<p>Consultation: Finance, Housing, Legal, Commercial, Risk Management</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: David Hughes, Director of Audit, Fraud, Risk and Insurance</p>	
<p>Report Author: Neil Walker, Assistant Head of Insurance</p>	<p>Contact Details: Tel: 07739 316319 E-mail: neil.walker@rbkc.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report and appendices set out the proposals for the renewal of the Council's external Insurance Policies. Please note: all figures represent the current indicated position from the insurers only and do not form a contract certain quote.
- 1.2. Whilst insurers would not provide terms so far from the renewal date, in line with the terms of the contract they are confirming their intention to break the Long-Term Agreement in the case of the **Liability** and **Leaseholder Dwelling** policies.
- 1.3. Additionally, in order for insurers to consider a full contract certain quotation, they would require renewal data to consider their terms fully.

2. RECOMMENDATIONS

- 2.1. That the Council continues its relationship with each of the current insurers and works with them to renew all policies for a further year on best possible terms.
- 2.2. To delegate authority to the Strategic Finance Director, in consultation with the Cabinet Member for Finance, to approve total additional insurance premium costs of up a total cost as set out on the exempt part of this report.

3. REASONS FOR DECISION

- 3.1. The Council's Insurance programme is under Long Term Agreements that expire on 31st March 2020 in respect of Leaseholder Dwelling and 31st March 2022 in respect of Liability, Property, Terrorism and other covers. The Council's brokers, JLT Specialty Ltd, have advised in writing that it is their strong recommendation to not re-tender either the Liability or the Leaseholder Dwelling policies, due to current market forces. The Council has recently agreed a £20m Fire Safety Plus package of housing measures which is currently being implemented and will, when completed, be taken into consideration by prospective insurers in a future procurement exercise.

4. PROPOSAL AND ISSUES

- 4.1. For 2018/19, the estimated cost of external insurance premiums for internally recharged services is set out on the exempt part of this report. This is an increase on the current year's cost of £643,220.
- 4.2. The estimated total for 2018/19 for the externally re-chargeable Leaseholder insurance set out on the exempt part of this report, an increase on the current year's cost of £858,282.82 but still a decrease on the 2015/16 level. This figure is due to a proposed increase to the premium caused by recent claims, which includes the Shepherds Court fire in 2016. The Government's Insurance Premium Tax (IPT) has also doubled, from 6% to 12%, during this period.
- 4.3. It should however be noted that the proposed premium increase is still below the 2015/16 premium of £1,331,449.31. Therefore, two years of substantial premium savings have been delivered to leaseholders. Officers are looking at efficiency measures to mitigate as far as possible the impact of the premium's increase on leaseholders.
- 4.4. A full analysis of the key renewal issues can be found in Appendix 1 – LBHF Insurance Renewal Report 2018-19 (contained in the exempt part of the Cabinet agenda).

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The alternative to working with Protector Insurance on the 2018 Liability and Property renewal would be to carry out a tender exercise. In the event that a tender was published, JLT Specialty Ltd advise at least one of the insurers within the public sector (who quoted in the previous tender exercise in 2016/17) would not quote if a tender was issued purely as a result of the change in the Personal Injury Discount Rate. In addition, it should also be considered that other insurers will be looking for higher premiums than at last tender, to factor in the change to the Discount Rate.
- 5.2. The alternative to working with Ocaso on the 2018 Leaseholder Dwelling renewal would be to carry out a tender exercise. If a tender was published at this point, it is likely that this would result in significantly higher premiums being proposed for a new 5-year agreement, as opposed to the current pricing which is for the tail-end of the current agreement. Additionally, the market has hardened since 2015 and, along with the deterioration in the London Borough of Hammersmith & Fulham's claims experience, would also adversely impact on quotes and premiums in the current market conditions.

6. CONSULTATION

- 6.1. The Council's brokers, JLT Specialty Ltd, have been consulted.

7. EQUALITY IMPLICATIONS

- 7.1. Not applicable.

8. LEGAL IMPLICATIONS

- 8.1. The finalisation of the Insurance Policy documentation will be concluded by the Insurance Service prior to the start date of the annual policies (1st April 2018).
- 8.2. The Legal department have confirmed the Leaseholder Dwelling premium increase can be accepted without consulting the Council's leaseholders, under the Commonhold and Leasehold Reform Act 2002. As Ocaso has agreed to continue the contract for a further 1 year and as that year is within the existing agreement and on which leaseholders have already been consulted, there is no obligation to consult for a continued 1-year period. Thereafter, the Council can consider whether to extend for a further year, enter into a new 1-year contract with another provider (which can be done without leaseholder consultation) or re-tender the policy. Nevertheless, given the renewal is bringing an increased premium each leaseholder will be written to explaining the upcoming additional premium cost and why we will not be seeking to re-tender at this time. There will also be significant housing risk management work carried out in conjunction with the insurers over the

upcoming year, with the aim of minimising claim costs and thereby improving the claims experience.

- 8.3. Implications verified/completed by: Tazafar Asghar, Barrister (Dual Capacity), 020 7641 2694.

9. FINANCIAL IMPLICATIONS

- 9.1. The financial impact of the proposed renewals is detailed in Appendix 2 (contained in the exempt part of the Cabinet agenda) and summarised in Table 1.

Table 1 - Insurance Premiums

	2015/16	2016/17	2017/18	2018/19 (contained in the exempt part of the Cabinet agenda)
	£'000s	£'000s	£'000s	£'000s
General	784	801	643	
Recharged				
Leaseholder	1,331	819	858	
Fulham Palace	44	40	42	
Commercial	43	44	15	

- 9.2. The Council funds the general premiums and the current budget, due to timing issues, is based on the sums payable in 2016/17. The sums payable for 2018/19 will thus be met from the existing budget plus an uplift for inflation.
- 9.3. The other premiums are recharged out and will not directly impact on the Council's budgets.
- 9.4. Implications verified/completed by: Andrew Lord, Head of Strategic Planning and Monitoring, 020 8753 2531 and Kathleen Corbett, Director for Finance & Resources, 020 8753 3031.

10. IMPLICATIONS FOR BUSINESS

- 10.1. No business implications.
- 10.2. Implications verified/completed by: Michael Hainge, Commercial Director, 020 8753 6992.

11. COMMERCIAL IMPLICATIONS

11.1. No commercial implications.

11.2. Implications verified/completed by: Michael Hainge, Commercial Director, 020 8753 6992.

12. RISK MANAGEMENT IMPLICATIONS

12.1. Risk Management is the identification, analysis and economic control of situations that may threaten the assets, resources or objectives of the Council. Risk transfer is a risk management and control strategy that involves the contractual shifting of a pure risk from one party to another. One example is the purchase of an insurance policy, by which a specified risk of loss is passed from the policyholder to the insurer. The Council undertakes to transfer some of its risk through the purchasing of Insurances. Proposals indicate that the Council maintains its existing Insurance providers in order to ensure continuity of cover, risk number 6 on the Council's Corporate risk register, whilst providing best value for the Council considering current market trends.


12.2. Implications verified/completed by: Michael Sloniowski, Principal Consultant (Risk Management), 020 8753 2587

LIST OF APPENDICES

Appendix 1 – LBHF Insurance Renewal Report 2018-19 – contained in the exempt part of the Cabinet agenda.

Appendix 2 – LBHF RenA 2018 Appendix – contained in the exempt part of the Cabinet agenda.

Agenda Item 17

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	 <p>h&f hammersmith & fulham</p>
<p>ACQUISITION OF AN INTEREST IN LAND FOR PLANNING PURPOSES (STAMFORD BRIDGE GROUNDS, SW6), IN ORDER TO ENGAGE SECTION 203 OF THE HOUSING & PLANNING ACT 2016</p>	
<p>Report of the Cabinet Member for Economic Development & Regeneration – Councillor Andrew Jones</p>	
<p>Open report</p> <p>A separate report on the exempt part of the Cabinet agenda provides exempt information.</p>	
<p>Classification: For decision Key Decision: Yes</p>	
<p>Consultation:</p>	
<p>Wards Affected: Parsons Green & Walham; Fulham Broadway</p>	
<p>Accountable Director: Joanne Rowlands, Lead Director for Regeneration, Planning, and Housing Services</p>	
<p>Report Author: John Finlayson, Head of Planning Regeneration</p>	<p>Contact Details: Tel: 020 8753 6743 E-mail: john.finlayson@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

1.1 Planning permission has been granted for the redevelopment of Stamford Bridge Grounds to construct a modern, state-of-the-art, 60,000 capacity all-seater football stadium (“the **Development**”), for the use of Chelsea Football Club (“the **Club**”).

1.2 The approved Development would deliver significant benefits to Hammersmith and Fulham and to London generally. However, the Development is the subject of rights to light injunctive proceedings in the High Court, brought by the owners of 1 &

2 Stamford Cottages, SW10, which seek to prevent the Development from proceeding. The Club is currently involved in defending these proceedings.

1.3 The Club has been in discussions with the owners of 1-2 Stamford Cottages for some time to acquire their rights to light by agreement, but they have confirmed that it is highly unlikely that a private agreement will be reached. Given the significant level of investment necessary, the Club state that they will not be able to implement the Development or secure any necessary development financing whilst there remains a risk that the existing injunctive proceedings might succeed.

1.4 Accordingly, the Club has written to the Council to request that it exercises its statutory powers to acquire a necessary leasehold interest in the relevant land at Stamford Bridge Grounds (“the **Land**”) for planning purposes under section 227 of the of the Town and Country Planning Act 1990 (“the **1990 Act**”), in order to engage section 203 of the Housing and Planning Act 2016 (“the **2016 Act**”), to facilitate the delivery of the approved Development and the realisation of the associated public benefits.

1.5 Section 203 of the 2016 Act is a legal provision that permits the carrying out of development notwithstanding that it would interfere with an easement, covenant, or other third party right. The party with the benefit of such a right is no longer able to protect its right by injunction, and instead gains a right to statutory compensation. The protection provided by section 203 will apply both to the Council and to any party deriving title to the land from the Council – In this case it is proposed that the relevant Land be leased back and the leases held by the Club, who will carry out the Development.

1.6 This report explains what easements are (especially rights of light); why the Club has requested that the Council intervenes and uses its statutory powers; the legal effect of the operation of Section 203, and why officers consider such an intervention to be necessary and appropriate in this case.

2. RECOMMENDATIONS

It is recommended that Cabinet: -

2.1 Approves the acquisition of a leasehold interest in the relevant Land at Stamford Bridge Grounds referred to in this report (shown on the plan attached at appendix 1) for planning purposes, pursuant to Section 227 of the Town & Country Planning Act 1990.

2.2 Approves the subsequent leaseback and associated property documents in respect of the Land pursuant to section 233(1)(a) of the 1990 Act.

2.3 Resolves that it is the intention of the Council in acquiring a leasehold interest in the relevant Land for planning purposes to engage the provisions of Section 203 of the of the Housing and Planning Act 2016, in order to override easements and

other rights in respect of the Land, and to subsequently leaseback the relevant Land to enable the Club to carry out the Development.

2.4 Resolves that the terms of the acquisition as outlined in recommendations 2.2 and 2.3 above will be primarily based on the heads of terms (“the **Heads of Terms**”) attached at appendix 3 (in the exempt part of the Cabinet agenda), subject to any further revisions that might be agreed ahead of the Cabinet meeting by the Director of Property and Building Management and the Director of Law.

2.5 Resolves to give delegated authority to the Lead Director for Regeneration, Planning and Housing Services, in consultation with the Cabinet Member for Economic Development & Regeneration, and the Director of Law, to agree the approach to be adopted and to delegate to the Director of Property and Building Management and the Director of Law to finalise the Heads of Terms and ensure that the appropriate legal documents are completed.

3. REASONS FOR DECISION

The key reasons for this decision are: -

3.1 Planning permission has been granted for the Development. There are considerable public benefits associated with the Development but it is currently the subject of rights to light injunctive proceedings in the High Court, which seeks to prevent the Development from proceeding.

3.2 There is a compelling case in the public interest for the Council to acquire the Land for planning purposes under section 227 of the 1990 Act, to engage section 203 of the 2016 Act and enable the development to proceed and the public benefits to be realised. The engagement of these powers is considered to be proportionate and justified, notwithstanding the interference with the private rights of the landowners affected by overriding the third-party rights to light over the land.

4. PROPOSAL AND ISSUES

Background and Current Proposals

4.1 On 11th January 2017 the Council’s Planning Applications and Development Control Committee (PADCC) resolved to grant planning permission for the redevelopment of Stamford Bridge Grounds (application Ref.2015/05050/FUL), subject to there being no contrary direction from the Mayor of London and upon the completion of a satisfactory section 106 agreement. The Mayor subsequently confirmed that he was happy for the Council to determine the application and grant planning permission and the section 106 agreement was completed and the planning permission issued on 31st March 2017. The planning application and supporting documents, together with the planning officers’ report to the PADCC, and the consultation responses, are relevant to the current report, and are listed as background papers (published).

4.2 Section 2.0 of the planning report details the publicity and consultations carried out as part of the planning application process, and includes a summary of

the significant number of consultation responses received (both for and against the Development). Appendix 1 to the planning report contains a list of the of the addresses from which the representations were received.

4.3 Paragraph 3.75 of the planning report includes a summary of the sunlight and daylight environmental effects of the proposed stadium on Stamford Cottages, as reported in the planning Environmental Statement. Section 4.14 of the report considers the impact of the development on the amenities of the occupiers of neighbouring properties (including sunlight and daylight impacts on Stamford Cottages) from a planning perspective.

4.4 The approved Development involves the demolition of existing stadium and the construction of a new 60,000 capacity all-seater football stadium with ancillary uses and works including: Club shop, kiosks and museum; restaurant/café; the construction of decking platforms over the District Line railway to the north-west and the Southern mainline railway to the east; external concourse areas; associated excavation works; new pedestrian access from Fulham Broadway Station and Fulham Road; new vehicular access via Wansdown Place; car parking; and landscaping.

4.5 Stamford Bridge has been the home ground of Chelsea Football Club for the last 112 years. It is one of the oldest venues in continuous use in the world. The Club is operated by Chelsea FC plc and functions as a subsidiary of Fordstam Ltd (who submitted the application for planning permission). The Chelsea Pitch Owners own the freehold of the current Stamford Bridge Stadium (the turnstiles, the pitch, and the Club name). A wide range of uses are provided in the stadium on both match and non-match days.

4.6 The new state-of-the-art football stadium would increase the existing capacity by almost 18,400 seats. Unlike the current stadium, which was built up incrementally over different stages of time, the new stadium would consist of a single coherent structure with a distinctive shaped design, and would have the landmark qualities of a significant sporting venue with a clear identity.

4.7 Officers consider that the Development would deliver significant public benefits, as outlined in this report, and as set out at appendix 4. These benefits were previously identified in the planning report to the Council's PADC Committee (e.g. at paragraph 6.12 "Application Heads of Terms," and at paragraph 6.22) and were considered by the Committee prior to their decision to grant planning permission, subject to there being no contrary direction from the Mayor of London. In determining to support the Committee's decision and allow the Council to grant planning permission the Mayor of London also acknowledged these benefits. The Club is keen to press on with the delivery of the scheme, so that the benefits can be realised.

4.8 The Council's decision to grant planning permission was the subject of a legal challenge by way of judicial review. However, on 14th July 2017 the High Court Judge considering the matter refused permission for the challenge to proceed. The judicial review claimants subsequently applied to the Court of Appeal against this

decision, but leave to appeal was refused on 23rd August 2017. Accordingly, the planning permission is now free from challenge and can be implemented.

4.9 The project is now moving from the planning phase into the delivery phase, including assembling all the required land and property interests.

Land and Property Interests for the Development

4.10 The Club has been in discussions with neighbours and land owners, including Network Rail and Transport for London, regarding the acquisition of their property interests for some considerable time and has been able to obtain most of the land and interests needed to deliver the Development.

4.11 To date the Club has acquired 36 out of the 38 long leasehold interests in the residential tower Village Court and negotiations are continuing with the remaining two owners with the expectation that the acquisitions will be agreed. The Club is also in an advanced stage of negotiations with Network Rail and Transport for London to acquire a sufficient interest in their land to deliver the Development, with heads of terms in circulation.

4.12 In addition to the land needed for the Development, the site is subject to certain rights and easements, primarily rights to light. The Club has appointed Anstey Horne & Co, who are experts in the field, to undertake the rights to light analysis and negotiations with those adjoining property owners whose rights to light are affected by the Development.

4.13 Anstey Horne have identified approximately 50 registered owners and occupiers with interests in properties surrounding the Development that will experience light loss to a potentially actionable level because of the Development. The Club has taken active steps to contact these owners and occupiers and is fully committed to agreeing reasonable compensation to secure the release of those rights by agreement. The Club has provided details of the progress of negotiations with the affected parties, which is attached at appendix 8 of this report (in the exempt part of the Cabinet agenda). As at the first week of December 2017 61% of the affected parties have accepted offers for their rights, and some 86% of these have agreed heads of terms. Negotiations are ongoing for many of the remaining properties and the Club is confident that agreements will be reached with these parties also.

4.14 Whilst the Club is fully committed to continuing discussions with all identified parties, at this stage they state that it is considered highly unlikely that agreement will be reached with the owners of 1-2 Stamford Cottages, SW10.

What are “easements” and “third-party rights” and what is a “right to light”?

4.15 An easement or a third-party right is a right enjoyed by a third party over land owned by another party e.g. rights of light or rights of way.

4.16 A right of light is enjoyed by one property against another and protects the amount of light enjoyed by a property in accordance with well-established principles.

4.17 Any interference with a right of light may be prevented by those affected by seeking an injunction against those who are infringing their right. Often, developers of tall buildings have been able to avoid injunctions by reaching settlement agreements with affected neighbours for the release of their rights of light upon the payment of monetary or other consideration. However, all such settlements must be reached by agreement, and if that is not possible there have been cases where those who enjoy rights of light have delayed or prevented a development from proceeding by threatening to or seeking an injunction - in this case the owners of 1-2 Stamford Cottages have already applied for an injunction to prevent the Development from proceeding.

Rights to Light – 1-2 Stamford Cottages, SW10

4.18 It is the eastern part of the approved Development (part of the new east stand and part of the decking structure over the railway) that causes light loss to 1-2 Stamford Cottages. A plan showing the location of the property relative to the new stadium is attached to this report at appendix 5. A copy of the (injunction) claim brought by the owners of 1-2 Stamford Cottages is attached at appendix 6 (in the exempt part of the Cabinet agenda). The submitted claim contains a plan showing the (common law) rights to light contours and an Equivalent First Zone (EFZ) table, both prepared by Anstey Horne, which show the impact of the Development on light to 1-2 Stamford Cottages, based on the established Waldram method. It should be noted that the contours plan and the information in the EFZ table have both been agreed between Anstey Horne and Point 2 Surveyors, the respective parties' rights to light surveyors, as being accurate. Officers consider that the light losses demonstrated in the contours and the table contained in the particulars of claim would be sufficient on a traditional Waldram analysis to support a claim for an injunction. Further details of the light loss to 1-2 Stamford Cottages and an explanation of how the traditional Waldram analysis works can be found at appendix 2 of this report (paragraphs A2.11 – A2.15).

4.19 A summary chronology of the negotiations between the Club to the owners of 1-2 Stamford Cottages is attached to this report at appendix 7 (in the exempt part of the Cabinet agenda).

4.20 The planning report to the Council's PADCC includes a summary of the consultation responses to the original planning application relating to sunlight and daylight impacts, and, in particular, in relation to the potential impacts on Stamford Cottages at paragraph 2.2.19 – 2.2.21 (inclusive) and paragraph 2.2.58. Paragraph 3.75 of the report includes a summary of the sunlight and daylight environmental effects of the proposed stadium on Stamford Cottages, as reported in the Environmental Statement. Section 4.14 of the report provides a summary of amenity considerations (including sunlight and daylight impacts) in respect of the potential impact of the proposed stadium on Stamford Cottages (including paragraphs 4.14.6, 4.14.24 – 4.14.34 (inclusive), 4.14.40, 4.14.51, and 4.14.59).

The Council's Statutory Powers

4.21 Powers to override rights over land acquired or appropriated for planning

purposes were previously provided in section 237 of the Town and Country Planning Act 1990 (“the **1990 Act**”). These have more recently been replaced by the provisions of section 203 of the Housing and Planning Act 2016 (“the **2016 Act**”).

4.22 Under Section 203 of the 2016 Act the Council has powers available to it that would allow the Development to proceed, notwithstanding that it would interfere with the rights to light of 1-2 Stamford Cottages, SW10.

4.23 Under Section 204 of the 2016 Act there is a liability to pay compensation for any interference with a relevant right or interest or breach of a restriction that is authorised by Section 203 of the 2016 Act. The compensation is calculated on the same basis as compensation payable under the Compulsory Purchase Act 1965.

4.24 Section 226 of the 1990 Act provides that a local authority (subject to the authorisation of the Secretary of State) has power to acquire compulsorily any land in their area, if they think that this will facilitate the carrying out of development, re-development, or improvement on or in relation to the land; or which they consider is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area.

4.25 Under Section 226(1A) of the 1990 Act, a local authority may not acquire land compulsorily, for the purpose facilitating the carrying out of development, unless they consider that the development is likely to contribute to the achievement of one or more of the following objectives:

- (a) the promotion or improvement of the economic well-being of their area;
- (b) the promotion or improvement of the social well-being of their area;
- (c) the promotion or improvement of the environmental well-being of their area.

4.26 Section 227 of the 1990 Act provides that the Council may acquire by agreement any land which it requires for any purpose for which it may be authorised to acquire land under Section 226 of the 1990 Act.

4.27 Section 246 of the 1990 Act provides, in this case, that reference to the acquisition of land for planning purposes is a reference to the acquisition of it under section 226 or 227 of the 1990 Act.

4.28 Section 233 of the 1990 Act includes obligations for the disposal of land held for planning purposes by the Council. In this case the Council will be relying on section 233(1)(a) of the 1990 Act, which permits the disposal of the land in such a manner and subject to such conditions as appears to the Council expedient to secure the best use of that or other land and any buildings or works which have been or are to be erected, constructed, or carried out (whether by itself or any other person). It is the opinion of officers, for the reasons set out in this report, that the Council’s obligations under section 233(1)(a) can be satisfied. In officers’ view the proposed framework for the disposal of the land is appropriate to secure the carrying out of the development, which, officers consider, is the best use for the land and the site as a whole. Furthermore, in this case officers do not consider that full Secretary

of State consent will be required for the proposed disposal because, in the context of the proposed transaction as a whole and the final terms for disposal (which will be subject to a valuation of the structure of the deal and subject to any necessary refinements or adjustments to the draft heads of terms ahead of the Cabinet meeting), the consideration will be covered by the general consents.

4.29 The Council will need to be satisfied that the terms as a whole are within the powers of the Council. Generally, it should be satisfied that there is a compelling case in the public interest for the Land to be acquired to enable the development to proceed and that the engagement of the powers would be proportionate and justified, notwithstanding the interference with the private rights of the landowners affected.

What is Section 203 of the 2016 Act?

4.30 Section 203 of the 2016 Act applies where the Council acquires or appropriates land for planning purposes so that easements and third-party rights (including rights of light) may be overridden pursuant to those provisions by development of that land (provided it is carried out in accordance with planning permission).

4.31 In short, Section 203 operates to translate the right of an owner of an affected property or interest from an injunctable right into an entitlement to compensation only. The compensation is assessed against compulsory purchase compensation principles based on the diminution of the value of the affected property because of the interference with the right.

4.32 The protection provided by Section 203 will apply both to the Council, were it to undertake the Development, and to any party deriving title to the land from the Council. Therefore, if the Council acquires the Land for planning purposes and subsequently disposes of this Land, the risk of an affected property owner, tenant or occupier seeking an injunction to prevent the Development going ahead based on the infringement of a right to light (or any other right) will be removed.

4.33 For section 203 of the 2016 Act to come into effect the development must have planning permission, as is the case here, and the Council must hold an appropriate interest in the land. At present the Council does not hold an interest in the site, but under section 227 of the Town and Country Planning Act 1990 it may acquire land by agreement for planning purposes where that acquisition is for a purpose for which the land could be compulsorily acquired. To do so the Council would need to be satisfied that the circumstances set out in Section 226(1A) of the 1990 Act are met – in summary, that acquiring the Land would facilitate the carrying out of Development and that the Development in question would contribute to the economic, social, or environmental well-being of the area.

4.34 It is the opinion of officers that, for the reasons set out in this report, the Land could be acquired compulsorily under Section 226 to facilitate carrying out of the Development, and that such Development would advance all three objectives identified at section 226(1A).

4.35 As, subject to satisfying the relevant requirements, the effect of the acquisition would be to engage the overriding provisions of Section 203 of the 2016 Act it is necessary to consider whether the facilitation of the development would justify an interference with the rights of third parties. In making that decision regard should be had to the advice and guidance contained in the current DCLG Guidance on Compulsory Purchase (October 2015). Fundamentally, the decision to acquire land in order to engage Section 203 should only be made where it is necessary, there is a compelling case in the public interest and the Council should be sure that the purposes for which the powers are being exercised justify interfering with the human rights of those whose human rights would be affected. Particular consideration should be given to the provisions of Article 8 and Article 1 of the First Protocol to the European Convention on Human Rights, and this is considered further in appendix 2 of this report (paragraphs A2.34 – A2.41).

4.36 The explanatory note relating to the 2016 Act it is helpful in indicating the underlying objective of the provisions. Regarding section 203 powers it provides guidance that the requirement [section 203(2)(c)] that the authority ‘could’ acquire the land compulsorily for the purposes of the building work was intended only to require that the authority had the relevant enabling powers, not that on the facts of the case a compulsory purchase order would be confirmed for the compulsory acquisition of the land.

4.37 The proposed disposal of the Land acquired by the Council for planning purposes will also need to ensure that the requirements of section 233(1)(a) of the 1990 Act are met. Section 233(1)(a) authorises such disposal (at the best consideration that can reasonably be obtained) providing that the Council is satisfied that the disposal is expedient to secure the best use of the land. For the reasons set out in paragraph 4.28 above officers consider that the Council’s obligations under section 233(1)(a) can be satisfied in this case.

Use of Section 203 – Considerations

4.38 The effect of Section 203 is to allow beneficial regeneration to take place without the risk of injunction being granted to prevent the development from being carried out. However, it is recognised that this can involve the interference with human rights – in particular, the right to peaceful enjoyment of possession and the right to respect for private and family life and home.

4.39 Considering this, Officers have looked at best practice and the approach adopted by the London Borough of Haringey in their consideration of rights to light issues relating to the Tottenham Hotspur Stadium development. Haringey developed 6 key areas of consideration (themselves adapted from the City of London Corporation) to help determine whether the use of statutory powers to override easements and rights in that case was appropriate, reasonable, and necessary. These considerations are set out below, and a detailed assessment of the proposals against these considerations is attached at appendix 2 of this report.

Consideration 1: The use of statutory powers is required in that:
(i) The infringements cannot reasonably be avoided;

(ii) The easements to be interfered with cannot reasonably be released by agreement with affected owners;

(iii) The development is prejudiced due to the risk of injunction and adequate attempts have been made to remove the injunction risks.

Consideration 2: The use of statutory powers will facilitate the carrying out of the Development;

Consideration 3: The Development will contribute to the promotion and improvement of the economic, social, or environmental well-being of the area and therefore be in the public interest;

Consideration 4: The benefits of the Development could not be achieved without giving rise to the infringements of the identified rights ;

Consideration 5: Is it in the public interest that the development is carried out?

Consideration 6: Is the public interest to be achieved proportionate to the private rights being infringed by the action of Section 203?

Proposed Acquisition and Leaseback Arrangements

4.40 Should the Cabinet agree to the proposed acquisition of a leasehold interest in the relevant Land for planning purposes, and the subsequent leaseback of this Land, the terms of the acquisition and leaseback shall (subject to the terms of the delegation in the recommendation at paragraph 2.5) be primarily based on the Heads of Terms attached at appendix 3 of this report (in the exempt part of the Cabinet agenda). These are still subject to negotiation and some variation of the structure and will be reported at the Cabinet meeting.

4.41 It will be necessary for the Council to take an appropriate land interests from Network Rail (NR) and the Club in relation to that part of the Development that causes light loss to 1-2 Stamford Cottages, SW10, under Section 227 of the 1990 Act, to engage the provisions of Section 203 of the 2016 Act and override the existing rights to light.

4.42 This will involve the acquisition of long leasehold interests of portions of airspace over land owned by the Club and by NR, representing a small part of the Development, as identified on the plan attached to this report at appendix 1. Following the grant of these leases to the Council, subleases would be granted to the Club and NR. The leases held by the Council would subsequently be transferred to the Club.

4.43 The Club is in negotiations with Network Rail regarding the acquisition of its land interests. Draft heads of terms are in circulation and it is anticipated that heads of terms will be agreed in the next few weeks.

4.44 As part of the transaction the Club will enter a deed of indemnity with LBHF, to provide the Council with full indemnity and ensure that it would be covered for any

liabilities and costs that might arise because of the proposed acquisition and disposal of the leasehold interests and the operation of Section 203 powers.

4.45 As pointed out above, section 233(1)(a) of the 1990 Act states that the Council may dispose of the Land in such a manner and subject to such conditions as appears to it expedient to secure the best use of that or other land and any buildings or works which have been or are to be erected, constructed, or carried out (whether by itself or any other person).

4.46 The appropriate approach is for the Council to determine whether the overall basis for the disposal of the Land appears to it expedient to secure the best use of the land and the associated site. The Council should then consider whether, in the context of those proposed terms, the consideration is not less than the best that can reasonably be obtained for the transfer back of the relevant interests in the land. The Council has appointed consultants to provide valuation advice on the best consideration that can reasonably be obtained.

4.47 Having regard to the professional advice received, officers consider that the proposed framework for the disposal of the Land is appropriate to secure the carrying out of the development, which, officers consider, is the best use for the land and the site as a whole. It is anticipated that full Secretary of State consent will not be required for the proposed disposal because the consideration for the disposal, in the context of the proposed transaction, will be covered by the general consents.

5. OPTIONS AND ANALYSIS OF OPTIONS

Alternative options considered

5.1 Officers consider that the likely implication of not exercising the Council's statutory powers to acquire the relevant land for planning purposes, to engage section 203 of the 2016 Act, is that the Development would not proceed as proposed and the public benefits would be lost.

5.2 Often, developers have been able to avoid injunctions by reaching agreements with affected neighbours for the release of their rights of light upon the payment of compensation, and in this case, as the Club has explained and is shown in appendix 8 (in the exempt part of the Cabinet agenda), the Club has been able to reach agreement with most of the relevant right holders, and expects to reach agreement with the remainder shortly.

5.3 The courts have used their discretion to award damages instead of an injunction where:

- The interference was small;
- It could be estimated in money;
- It could be adequately compensated by a small payment; and
- An injunction would be oppressive.

5.4 A 2010 case relating to a development in Leeds, re-affirmed however that an injunction remains the primary remedy for any party whose rights of light will be infringed by a proposed development.

5.5 In practice the effect of this court decision is that it has become more difficult to reach negotiated agreements with affected owners of rights to light. In turn, this has made it more difficult for developers to secure development finance.

5.6 There have been further developments in case law since 2010, most notably with a Supreme Court decision in 2014. In *Lawrence v Fen Tigers Limited* the court agreed that the starting point was that an injunction should be granted. However, it disapproved the application of the conditions for awarding damages in place of an injunction that had previously been adopted. Rather the judge should exercise his discretion in all the circumstances of the case as to whether it would be just to depart from the normal remedy of an injunction. The court made clear that the public interest was one of the material circumstances to which regard should be had in exercising that discretion. The court also indicated that, while the grant of planning permission is not to be regarded as raising a presumption against an injunction, it may provide strong support for the contention that the activity would be of benefit to the public, which could be relevant to the question whether to grant an injunction.

5.7 On the facts of the present case, notwithstanding the public interest in the development being carried out, there remains significant uncertainty as to whether an injunction would be granted rather than damages. As the Club has explained and officers accept, as funders require all injunctable rights to light to have been released before they will provide funding, the Development will not be funded unless the risk of a successful injunction is removed. Further consideration of these matters is attached to this report at appendix 2.

5.8 Accordingly, officers consider that removing the risk of injunction and the consequential detrimental impact on funding required to deliver the Development, and the public benefits associated with it, is the only realistic option.

6. CONSULTATION

Engagement and negotiation

6.1 The planning application for the Development was the subject of extensive public consultation prior to the decision being taken to grant planning permission. Section 2 of the planning report (available as a background document) provides a detailed account of the consultation activities undertaken by both the Club and the Council, and a comprehensive summary of the various representations received in response, both for and against the proposals. Appendix 1 of the planning report provides a tabulated list of consultees addresses and consultee response dates in respect of the first and second round consultation exercises.

6.2 The letter from Eversheds Sutherland to the Council of 15 September 2017, which is attached at appendix 9 of this report, also highlights the extensive public consultation/engagement and states that “pre-application consultation commenced in May 2014 with initial consultation by the Club with key stakeholders and local groups. Further consultation was undertaken in 2015, and two public exhibitions were held which were each attended by over 1,500 people. The Council held an initial public consultation between December 2015 and January 2016 and (following

an amendment in scheme design) a second public consultation between September 2016 and October 2016. Over 13,000 responses were received in response to the Council's consultations, of which 97.5% were in support of the Development".

6.3 The Club has actively sought to identify and acquire the relevant third-party land and property interests to allow the approved Development to proceed, and the public benefits to be realised. Within this context there have been extensive discussions between the Club and the owners of 1-2 Stamford Cottages for the rights affected. The Club are seeking to acquire the necessary rights to light identified by the respective consultants by agreement. Those negotiations are on commercial terms and conducted openly in the light of the availability of statutory powers, should it not be possible to acquire rights by agreement.

6.4 Whilst the consultation undertaken by the Council to date may not have been specifically directed towards the proposed land acquisition, further public consultation it is not considered necessary in this case to enable the Council to form the view, for the reasons set out in this report, that the proposed acquisition and transaction as a whole would be in the public interest. There has been direct engagement with the particular right holders in respect of the release of the rights including the alternative of acquisition by the Council to engage the provisions of section 203 of the 2016 Act.

6.5 It is clear from the reasons given for the grant of planning permission, and in the planning report to the Council's PADC Committee, that the development would meet the planning requirements under the 1990 Act. The impact of the Development on amenity, and in particular on daylight, is assessed from a planning point of view in the Committee report, concluding that given the nature of the location the overall effects would be acceptable.

6.6 Appendix 8 of this report (in the exempt part of the Cabinet agenda) details the level of engagement and negotiation that the Club have undertaken with affected parties to secure the release of rights to light by agreement, and a summary chronology of the specific discussions between the Club and the owners of 1-2 Stamford Cottages, SW10, is at appendix 7 (in the exempt part of the Cabinet agenda).

6.7 In June 2017 the Club offered the owners of 1-2 Stamford Cottages a premium more than the market rate for the release of their rights to enable the Development to proceed. This has not been accepted. The Club have explained that, in their view, there is no realistic possibility of the rights being obtained by private treaty. Officers accept that this is the position and that these negotiations have been carried out by the Club in good faith on a commercial basis in a genuine attempt to secure the necessary rights to carry out the development privately.

6.8 More particularly, officers have considered the evidence provided by the Club of the negotiations that have been ongoing for a lengthy period between the Club and the owners of 1-2 Stamford Cottages. Officers consider that the Club have been more than reasonable in their efforts to reach agreement with the owners. It is also clear that at present there is no prospect of a private treaty settlement being reached between the Club and the owners of 1-2 Stamford Cottages on reasonable terms.

6.9 As such, and for the reasons set out in this report, officers consider that the interference with the rights to light of 1-2 Stamford Cottages would be justified and proportionate, having regard to the case in support of acquisition as a whole and all material circumstances and on the evidence, including the evidence as to the implications for the delivery of the Development.

6.10 The Council has received a letter from solicitors acting for the owners of 1-2 Stamford Cottages, SW10, a copy which is attached to this report at appendix 11.

6.11 The letter states that their clients will “take all legal action available to them”, if the Council decide to acquire an interest in the land for planning purposes under section 227 of the 1990 Act “and/or if rights under section 203 of the Housing and Planning Act are relied upon, including, if relevant, their right to issue proceedings to review any decision or action” taken by the Council.

6.12 In paragraph 3.7(a) the letter confirms that the area of the new stadium that will cause the interference to rights of light at 1-2 Stamford Cottages is an area of new east stand, which, it is stated, “could be cut-back or the stadium re-designed so as not to cause the interference.” The letter goes on to submit that “a substantial stadium could be constructed on the development site that does not interfere with our clients’ rights of light”. For the reasons set out in this report officers do not agree that this is the case. Officers do not consider that the interference to the rights of light at 1-2 Stamford Cottages can reasonably be avoided, or that the benefits of the Development would be likely to be achieved without giving rise to the infringements of the identified rights. These matters are addressed further in appendix 2 of this report.

6.13 Paragraphs A.2. – A2.6 of appendix 2 explain why officers consider that the loss of light to 1-2 Stamford Cottages cannot reasonably be avoided. It is considered that the Development would not proceed and that the associated public benefits would not be achieved without giving rise to the infringements for which Section 203 is being engaged. Given the physical constraints of the site officers consider that it would not be possible to amend the approved Development in a way that would remove or meaningfully mitigate the impacts on 1-2 Stamford Cottages without the development becoming undeliverable in planning, design, and commercial terms as a consequence.

6.14 Officers have reviewed the information and explanations provided by the Club, with due regard to the letter sent by Eversheds on 15 September (appendix 9) and to chapter 5.2 and 5.3 of the Design and Access Statement submitted with the planning application for the development. Officers have also met with representatives of the Club to discuss the impacts of modifying the scheme to a development that would not remove or meaningfully reduce the loss of light at 1-2 Stamford Cottages, and consider that the Club would be unlikely to proceed with such a compromised design. In these circumstances, there is considered to be a very real risk that the stadium would not be redeveloped and the public benefits associated with the scheme would be lost.

6.15 Paragraphs 3.7(b) and 3.7(c) of the letter from solicitors acting for the owners of 1-2 Stamford Cottages raise objections to the “disproportionate amount” of hospitality seating and the overall provision of general admittance seats. The Club has confirmed that the figures quoted for hospitality seating in the letter are incorrect. Whilst they acknowledge that the final amount of hospitality seating is yet to be confirmed, they state that the projected number is approximately 11,000. This would be in line with most other stadia as a proportion of overall seating. Furthermore, the removal of hospitality seating would not, as may be inferred from the letter, result in a significant increase in general admission seating and would not have a positive impact on the financial return from the development that would enable any cutback or alternative design to be accommodated.

6.16 The remainder of the letter focuses primarily on the requirements of section 227 of the 1990 Act, and section 203 of the 2016 Act. These requirements, together with other related requirements and material considerations, have been identified and addressed in the body of this report - including the effects of engaging section 203 of the 2016 Act.

6.17 The proposed acquisition by the Council of an interest in the relevant land for planning purposes is considered to accord with the statutory requirements. There is considered to be a compelling case in the public interest for engaging section 203 to deliver the development in this case, and this is considered to justify the consequent interference with the relevant rights, and to be proportionate

7. EQUALITY IMPLICATIONS

7.1 In deciding to proceed with the acquisition of the relevant land for planning purposes the Council must pay due regard to its Public-Sector Equality Duty (PSED), as set out in section 149 of the Equality Act 2010 (the “**2010 Act**”). The PSED provides (as far as is relevant) as follows:

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

7.2 Case law has established the following principles relevant to compliance with the PSED which Council will need to consider:

7.3 Compliance with the general equality duties is a matter of substance not form.

7.4 The duty to have "due regard" to the various identified "needs" in the relevant sections does not impose a duty to achieve results. It is a duty to have "due regard" to the "need" to achieve the identified goals.

7.5 Due regard is regard that is appropriate in all the circumstances, including the importance of the area of life of people affected by the decision and such countervailing factors as are relevant to the function that the decision maker is performing.

7.6 The weight to be given to the countervailing factors is in principle a matter for the authority. However, in the event of a legal challenge it is for the court to determine whether an authority has given "due regard" to the "needs" listed in Section 149 of the 2010 Act. This will include the court assessing for itself whether, in the circumstances, the local authority has given appropriate weight to those "needs" and not simply deciding whether the authority's decision is a rational or reasonable one.

7.7 The duty to have "due regard" to disability equality is particularly important where the decision will have a direct impact on disabled people. The same applies for other protected groups where a decision could directly affect them.

7.8 The PSED does not impose a duty on public authorities to carry out a formal equalities impact assessment in all cases when carrying out their functions, but where a significant part of the lives of any protected group will be directly affected by a decision, a formal equalities impact assessment (EQUIA) is likely to be required by the courts as part of the duty to have 'due regard'. In this case an EQUIA was carried out on the proposed Development as part of the planning process. It was included in the report to the Council's PADC Committee, and it was properly considered by the Committee prior to the decision being taken to grant planning permission. A copy of this EQUIA is attached at appendix 10 of this report.

7.9 The Committee report summarised the positive and negative impacts which have been identified in the analysis and the proposed mitigation measures by way of conditions and planning obligations. The EQUIA needs to be considered in reaching a decision on the recommendations in the current report.

7.10 The duty to have "due regard" will normally involve considering whether taking the decision would itself be compatible with the equality duty i.e. whether it will

eliminate discrimination, promote equality of opportunity, and foster good relations. Consideration must also be given to whether, if the decision is made to go ahead, it will be possible to mitigate any adverse impact on any protected group, or to take steps to promote equality of opportunity by, for example, treating an affected group more favourably

7.11 The analysis of equality impacts of the planning application on protected groups as defined by the Act shows that:

1. There are positive impacts on age, disability, pregnancy and maternity, sex, race, religion, and belief including non-belief and children in relation to the applicant's proposals to provide additional stadium capacity, more accessible spectator facilities, a redistribution of employment and a safer and more controlled environment in the stadium grounds (resulting from the access and egress improvements). There will also be positive impacts in relation to the additional facilities for disabled/wheelchair bound spectators. The comprehensive package of s106 obligations will provide mitigation measures which would result in the provision of new community uses and services which ameliorates the loss of existing on-site facilities.
2. There will be negative impacts on age, disability, pregnancy and maternity, and children given the loss of housing, hotels, and community/leisure facilities. Some of the negative impacts from the loss of housing, would be off-set in the longer term through the re-provision of housing (to be constructed off-site) secured in the s106 agreement resulting in a neutral impact. Those with the protected characteristics of race, religion belief (including non-belief) will also be negatively impacted from the loss of housing.
3. The loss of the employment created by the hotels, leisure facilities and community floorspace is likely to have a negative impact on age. This could be off-set from additional employment provisions associated with the larger stadium and the additional conference facilities.
4. The impacts of construction are expected to have varying degrees of negative impacts on age, disability, pregnancy and maternity and children, depending on the mitigation measures that are set out in the Construction Management Plan.
5. The provision of a new sports stadium for a high-profile, London-based football club as a cultural facility is considered to have beneficial impacts on age, disability, race, religion, and sex.

7.12 Generally, it is considered that the impacts of the development proposals are positive, offering enhanced stadium facilities for increased spectator attendance. The proposals comprise significant improvements to the access and egress arrangements (on match and non-match days), ensuring spectators can be marshalled in a safe and controlled manner to/from public transport and the town centre. The proposals would provide improved facilities for all spectators, including those with protected characteristics of age, disability, pregnancy, maternity, and children.

7.13 Negative impacts (without any mitigation) are identified in relation to the proposed loss of community facilities and leisure (age, disability, maternity and pregnancy, race and religion/belief (including non-belief), the loss of the employment generated by the hotels/leisure facilities (age, disability, maternity and pregnancy and sex), the impacts of construction (age, disability and pregnancy and maternity) and loss of housing (age, disability, religion, sex, maternity, pregnancy and children).

7.14 However, the Council considers that the conditions attached to the planning permission and the Section 106 legal agreement will combine to help minimise any negative impacts resulting from the Development; though they will not fully eliminate them due to the scale of the redevelopment and the impacts on some protected groups as identified in the EQUIA. The measures that will be employed are set out in Section 02 of the EQUIA and were also in the body of the Committee report. It should be noted that the mitigation measures proposed and approved as part of the planning permission are not intended to give favourable treatment to any particularly affected group (as required by the PSED) as officers consider that they are necessary to make the development acceptable in planning terms and will apply to all affected people visiting/working at the site and future users/guests/workers.

7.15 Implications verified by Fawad Bhatti, Policy & Strategy Officer, 0208 753 3437.

8. LEGAL IMPLICATIONS

8.1 The legal powers available to the Council to acquire the relevant Land for planning purposes, in order to engage the provisions of Section 203 of the 2016 Act and override third party rights, and the powers to subsequently dispose of the relevant land, are identified and explained in paragraphs 4.21 – 4.29 of this report.

8.2 Prior to implementation of the land transaction the Council will obtain an indemnity from the Developer in respect of any liabilities and costs arising both from the carrying out of the land transaction and any Judicial Review of the Council's actions. The Council has taken Counsels advice to mitigate as far as possible the risk of any challenge.

8.3 Implications completed by Dermot Rayner, Senior Solicitor, 0208 753 2715]

9. FINANCIAL IMPLICATIONS

9.1 In exercising its statutory powers to acquire a necessary leasehold interest in the Land at Stamford Bridge Grounds, the Council will incur costs. These are unquantified at this stage.

9.2 Chelsea Football Club are due to enter deeds of indemnity with the Council, as set out in paragraph 8.2 above. This should provide the Council with full indemnity and ensure cover in respect of any costs and liabilities arising from the proposed acquisition and disposal of the leasehold interests, including any Stamp Duty Land Tax liability, and the use of statutory powers to enable the transaction. Care should be taken to ensure it is correctly drafted to cover all costs and liabilities that will or might arise as no budgets are held to cover these costs.

9.3 Section 233 of the 1990 Act requires that the Council obtain the best consideration which can reasonably be obtained, in the context of the overall transaction.

9.4 Implications completed by Daniel Rochford, Head of Finance, 020 8753 4023.

10. IMPLICATIONS FOR BUSINESS

10.1. The Development will bring an agreed package of economic and social benefits, including creating local employment, skills, and local SME supply chain opportunities.

10.2. Any delays with the Development will also delay the realisation of the agreed section 106 economic and social benefits package.

10.3 Implications completed by Albena Karameros, Economic Development Team, 020 7938 8583.

11. COMMERCIAL IMPLICATIONS

11.1 There are no procurement related issues contained in this report as it relates to a property transaction and this is outside the scope of both the Public Contracts Regulations 2015 (as amended) and the Council's Contracts Standing Orders.

11.2 Implications completed by Alan Parry, Procurement Consultant, 020 8753 2581

12. OTHER IMPLICATION PARAGRAPHS

12.1 Nothing further to add on risk management, the report covers these aspects adequately.

12.2 Implications verified by Michael Sloniowsky, Principal Consultant (Risk Management), 020 8753 2587.

12.3 No information or technology implications.

12.4 Implications verified by Ciara Shimidzu, Head of Information and Strategy (IT), 020 8753 3895.

13. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

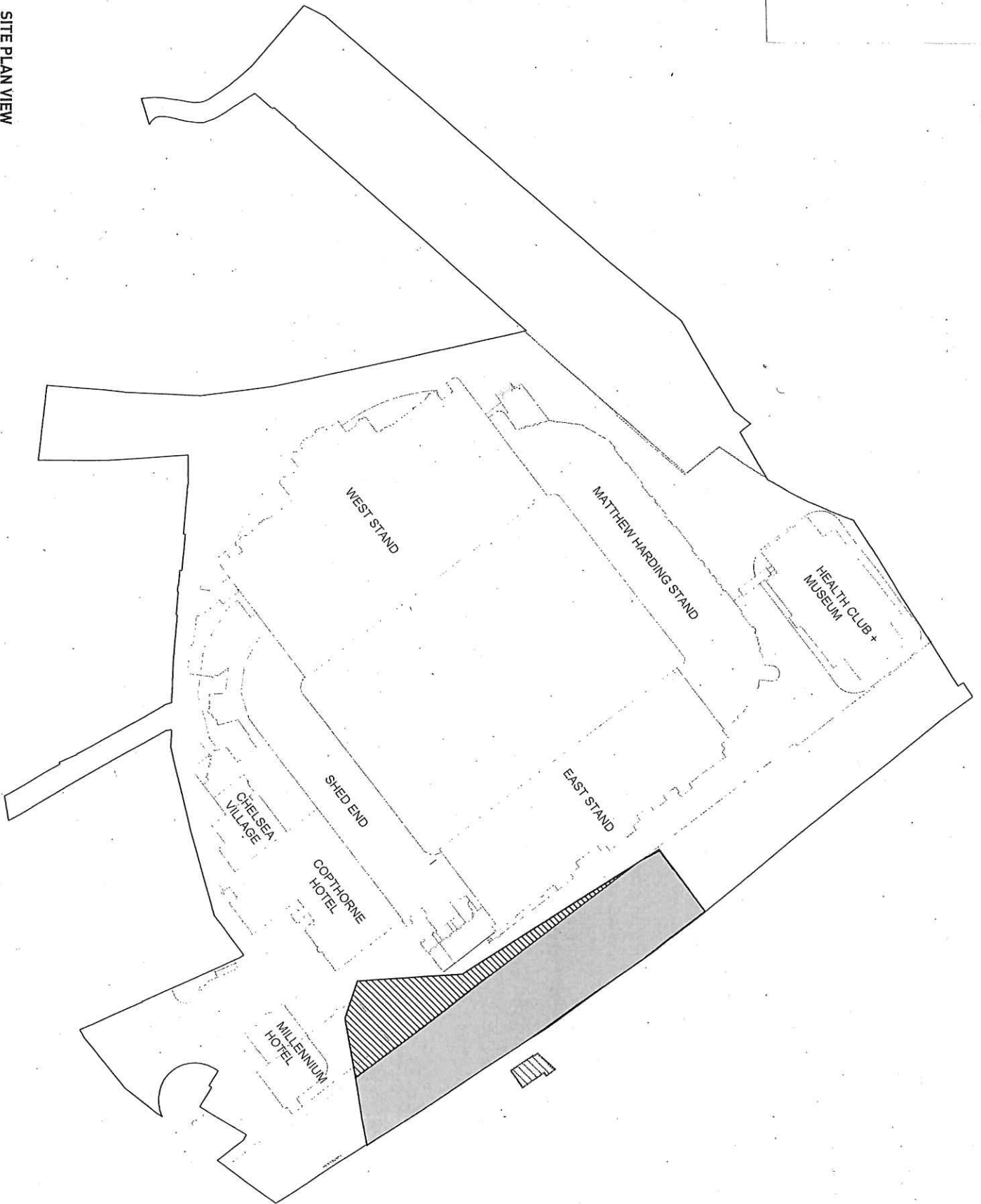
No.	Description of Background Papers	Name and contact details of responsible officer	Department/ Location
	Planning application Ref. 2015/05050/FUL (Stamford Bridge Grounds, SW6) and supporting documentation.	Ieuan Bellis, 020 8753 3474, ieuan.bellis@lbhf.gov.uk	RPS

	<p>(Published)</p> <p>Officers' report to the Council's Planning Applications & Development Control Committee (PADCC) on 11 January 2017 (as revised) – planning application Ref.2015/05050/FUL (Published)</p> <p>Copies of correspondence between Fordstam and the owners of 1-2 Stamford Cottages (and their respective legal advisors). (Exempt - not for publication)</p>		
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LIST OF APPENDICES

- Appendix 1:** Plan showing the extent of air rights being acquired.
- Appendix 2:** Use of section 203 powers – Assessment of considerations
- Appendix 3:** Land acquisition/disposal Draft Heads of Terms *(Set out in the exempt part of the Cabinet agenda – Not for publication)*
- Appendix 4:** Statement of public benefits provided by the Club.
- Appendix 5:** Plan showing 1-2 Stamford Cottages, SW10, relative to the approved stadium.
- Appendix 6:** Copy of Statement of Claim, including information showing the impact of the stadium Development on light to 1-2 Stamford Cottages, SW10. *(Set out in the exempt part of the Cabinet agenda – Not for publication)*
- Appendix 7:** Summary chronology of discussions between the Club and the owners of 1-2 Stamford Cottages, SW10. *(Set out in the exempt part of the Cabinet agenda – Not for publication)*
- Appendix 8:** Progress of the Club's negotiations with affected parties to secure the release of rights to light by agreement. *(Set out in the exempt part of the Cabinet agenda – Not for publication)*
- Appendix 9:** Letter from Eversheds to the Council dated 15 September 2017
- Appendix 10:** Copy of the EQUIA prepared by the Council as part of the assessment of the Development, prior to granting planning permission.
- Appendix 11:** Letter from Pinsent Mason to the Council dated 6 July 2017

SITE PLAN VIEW



AnsteyHome
 CHARTERED SURVEYORS
 London 020 7085 2770
 Birmingham 0121 887 5932
 www.ansteyhome.co.uk

LEGEND:

AREA OF NR LAND WITHIN WHICH AIR RIGHTS WILL BE ACQUIRED

AREA OF CFC LAND WITHIN WHICH AIR RIGHTS WILL BE ACQUIRED

0m 20m 40m 60m 80m 100m

REV.	DESCRIPTION	DATE

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CLIENT: FORDSTAM LIMITED

PROJECT: PROJECT NEPTUNE
 TITLE: STAMFORD BRIDGE GROUNDS
 LONDON SW6 1HS

SCHEME REFERENCE: 18/04/16

DRAWING AREA WITHIN WHICH AIR RIGHTS WILL BE ACQUIRED

DRAWING NO: ROL6798_14_706
 REVISION: D

SCALE: 1:2000
 SHEET: A3

Site Plan

Appendix 2: Use of Section 203 - Assessment of Considerations

A2.1 *Consideration 1: The use of statutory powers is required in that:*

- (i) *The infringements cannot reasonably be avoided;*
- (ii) *The easements to be interfered with cannot reasonably be released by agreement with affected owners;*
- (iii) *The development is prejudiced due to the risk of injunction and adequate attempts have been made to remove the injunction risks.*

(i) *The infringements cannot reasonably be avoided;*

A2.2 Officers have considered whether the Development could proceed without interfering with the rights claimed by the owners of 1-2 Stamford Cottages. Officers are satisfied that the Development would not proceed and that the associated public benefits could not be achieved without giving rise to the infringements for which Section 203 is being engaged.

A2.3 The approved Development of Stamford Bridge grounds has been designed to consider the Club's requirement for a new world class stadium of a certain size and capacity on the site of their historic home, which at the same time delivers a landmark building of significant architectural merit which would make a significant contribution to the appearance of this part of the Borough.

A2.4 The Club has advised that it is not possible to make any further minor alterations to the design of the Development that will make a material difference to the loss of light to 1-2 Stamford Cottages. They state, and officers agree, that to achieve the necessary cutback to avoid conflict regarding the claimed rights would, require an entirely new scheme, which would be likely to mean that the Development would not proceed even in a modified form. The Club point out, however, that they have made several modifications to the design of the proposed stadium over the course of the planning process, to try to reduce as much as reasonably practicable the impact on residents, including the owners of 1-2 Stamford Cottages. Officers can confirm that this is the case, and that this has resulted in a stadium of world class design, that has also added considerably to the cost of the approved Development.

A2.5 Officers have reviewed the information and explanations provided by the Club, with due regard to the letter sent by Eversheds on 15 September (appendix 9) and to chapter 5.2 and 5.3 of the Design and Access Statement submitted with the planning application for the development. Officers have also met with representatives of the Club to discuss the impacts of modifying the scheme to a development that would not remove or meaningfully reduce the loss of light at 1-2 Stamford Cottages, and consider that the Club (or indeed any owner in their position) would be unlikely to proceed with such a compromised design. In these circumstances, there is considered to be a very real risk that the stadium would not be redeveloped and the public benefits associated with the scheme would be lost. Even if there did exist a viable alternative scheme that did meaningfully reduce the

loss of light to Stamford Cottages and the Club was willing to proceed with such a scheme, this would require a new full planning application to be submitted by the Club, therefore superseding the current consent which the scheme already has. This would create further risks, delays, and uncertainties for the delivery of any public benefits associated with such a scheme.

A2.6 The benefits arising from the approved scheme are generated by the Club's desire to develop and the Council's desire to encourage the significant public benefits of a new world class stadium in its historic location. As set out above, it is not considered possible to redesign the stadium so that it does not potentially infringe the identified rights to light whilst still meeting these aspirations, and the requirements of the Club as referred to above. Interference with the rights of light is therefore necessary to enable the approved Development to proceed.

(ii) The easements to be interfered with cannot reasonably be released by agreement with affected owners

A2.7 Paragraphs 4.10 - 4.14 of this report outline the steps taken by the Club to identify and acquire the relevant third-party land and property interests to allow the approved Development to proceed, and the lengthy negotiations in this respect – including with network Rail and Transport for London. The Club has confirmed that it has been able to obtain most of the land and interests needed to deliver the Development.

A2.8 Regarding the specific matter of rights to light, the Club has appointed a firm of experts to aid them in their analysis and negotiations with affected parties. The Club has taken active steps to contact these owners and occupiers and is fully committed to agreeing reasonable compensation to secure the release of those rights by agreement. The Club has provided details of the progress of negotiations with the affected parties, which is attached at appendix 8 of this report (in the exempt part of the Cabinet agenda). As at the first week of December 2017 61% of the affected parties have accepted offers for their rights, and some 86% of these have agreed heads of terms. Negotiations are ongoing for many of the remaining properties and the Club is confident that agreements will be reached with these parties also, except for the owners of 1-2 Stamford Cottages.

A2.9 The Club confirm in their letter to the Council that discussions regarding the scheme and its impact on 1-2 Stamford Cottages have been ongoing with members of the owners' family since March 2015, and they have provided evidence of this. A short summary chronology of the negotiations is also attached to this report at appendix 7 (in the exempt part of the Cabinet agenda).

A2.10 Rights to light are a private law matter and they can have a significant impact on the delivery of major developments. Right of light is not related to the amount of light that a window currently enjoys but is based on the level that a property room will be left with following a development. The primary remedy for an infringement of a right to light is an injunction, although it is possible for a court to award damages instead of an injunction in certain circumstances. The legal test for whether an injunction could be granted is whether the loss of light causes a substantial

interference with the ordinary use and enjoyment of the property. This is a matter for the courts' judgement.

A2.11 The "Waldram Diagram" and the associated "Waldrum Method" represent the accepted current day practice when considering a potential injury for court purposes. The Club confirms that this is the basis of assessment of light loss that the owners of 1-2 Stamford Cottages are relying on in their injunction proceedings. Based on the Waldram Test, light loss is generally considered actionable in circumstances where there is either: -

- a reduction of light in an adequately lit room (being a room in which over 50% of the floor area experiences adequate lighting in the working plane) to below 50% adequately lit area; or
- a noticeable reduction in light to a room which is already below 50% adequately lit prior to the Development.

A2.12 The effect of the Development on 1-2 Stamford Cottages is to reduce the light to below 50% in two living rooms at ground floor and two bedrooms on the first floor. More details on the specific impact of the Development on loss of light at 1-2 Stamford Cottages is attached at appendix 6 of this report (in the exempt part of the cabinet agenda). The information contained in the plan of the (common law) rights to light contours and an Equivalent First Zone (EFZ) table (based on the established Waldram method) has been agreed between the respective parties' rights to light surveyors, as being accurate. Officers consider that the light losses demonstrated in the contours and the table contained in the particulars of claim would be sufficient on a traditional Waldrum analysis to support a claim for an injunction.

A2.13 Generally, where actionable injuries occur to neighbouring properties within the context of a development, negotiations will usually take place with owners and occupiers for compensation payments. The calculation of compensation for the purposes of these negotiations is ordinarily undertaken based on a "Book Value" assessment, which applies a rental value to the area of light loss and multiplies this by an investment yield and an appropriate multiplier. This is the basis upon which negotiations with all other adjoining owners of the Development, as summarised in this report, are being conducted.

A2.14 An alternative method of assessment that may be contended for by an adjoining owner is what is known as a "share of profits" or "development gain" assessment, which looks to apportion a share of the development profits to the adjoining owner. To assess damages on this basis, it is necessary to notionally remove the offending part of the Development's structure to prevent the actionable injury and then identify the profits that relate to this 'cutback' area. A proportion of those profits are then apportioned for the purposes of settling rights to light claims. There is no set proportion of profits from the cutback that will always be awarded. Awards have been made in the past ranging from 5% to 40% of profits. The overarching consideration is that the sum awarded must "feel right" having regard to the circumstances of the negotiation.

A2.15 The Club state that it is difficult to make a compensation calculation for the approved Development on the "development gain" basis, as the Club is unlikely to

make any development profit from the Development when considering the significant investment required to deliver the Development and the annual losses recorded by the Club for the past 14 years. As such, the Club considers the book value basis to be the most appropriate and reliable method of calculating the compensation.

A2.16 The courts tend to take a sensitive view on the conduct and action of the parties in any dispute, and there is therefore a high emphasis on communication. The courts have been reluctant to endorse or condone the use of neighbours' attempts to ransom reasonable development of adjacent sites. Whilst the Club remain fully committed to continuing discussions with all affected parties, at this stage they state that it is highly unlikely that agreement can be reached within reasonable parameters with the owners of 1-2 Stamford Cottages, SW10, to permit infringement with their rights of light. Officers have considered the basis of negotiations with the owners of 1 and 2 Stamford Cottages and are satisfied that in these negotiations the Club has made all reasonable efforts to achieve release of the rights by agreement, including offering a consideration more than any reasonable market consideration consistent with delivery of the Development.

A2.17 If the Council determines to exercise its statutory powers and acquire the relevant land to engage Section 203 of the 2016 Act, as requested by the Club, the Club states that it will nevertheless continue its negotiations with the owners of 1-2 Stamford Cottages to seek an agreed settlement. If an agreement is reached, the Club states that there may not be a need for the Council to proceed to acquire the interest in the land. The Club also confirms that it will continue its efforts to reach agreement with the owners notwithstanding any acquisition by the Council under the 1990 Act.

(iii) The development is prejudiced due to the risk of injunction and adequate attempts have been made to remove the injunction risks.

A2.18 In May 2017 the owners of 1-2 Stamford Cottages, SW10, issued injunctive proceedings in the High Court against the Club seeking to prevent the Development proceeding. The Club is currently involved in defending these proceedings.

A2.19 Officers have considered the evidence provided by the Club of the negotiations that have been ongoing for a lengthy period between the Club and the owners of 1-2 Stamford Cottages, and the quantum of the offers made. The previous sections of this report explain why the infringements cannot reasonably be avoided and why the easements to be interfered with cannot reasonably be released by agreement with affected owners. Officers consider that the evidence supports the view that the Club have been more than reasonable in their efforts to reach agreement with the owners of 1-2 Stamford Cottages. It is also clear that there is at present no prospect of a private treaty settlement being reached between the Club and the owners of Stamford Cottages on reasonable terms.

A2.20 Given that injunction proceedings have already been lodged, and that no development will commence whilst there remains a threat that an injunction might be granted by the courts. Officers consider that there is a real risk that the Development will not proceed and the related public benefits will not be realised, without the use of the Council's statutory powers.

Consideration 2: The use of statutory powers will facilitate the carrying out of the Development;

A2.21 Given the significant level of investment, the Club state that they will not be able to implement the Development or secure any necessary development financing whilst there remains a risk that the existing injunctive proceedings might succeed.

A2.22 Officers agree that, while the risk of injunction continues, it is unlikely that the considerable benefits of the Development will be delivered.

A2.23 To engage section 203 of the 2016 Act the development must have planning permission (which is the case) and the Council must acquire an appropriate interest in the relevant land by agreement for planning purposes under section 227 of the 1990 Act (which it can do where that acquisition is for a reason for which the land could be compulsorily acquired).

A2.24 On the information provided, and following discussions with the Club, officers consider that the Council may be satisfied that the acquisition of the land for planning purposes would facilitate the implementation of the approved Development, and therefore the realisation of the related public benefits. This is a decision for the Council's judgement and officers consider that, so long as the conflicting rights are overridden, there is sufficient evidence of the available resources necessary to deliver the Development, including completion of the Development within a reasonable timescale, and thus to justify a decision by the Council to acquire the land for planning purposes, to engage the provisions of Section 203 of the 2016 Act.

Consideration 3: The Development will contribute to the promotion and improvement of the economic, social, or environmental well-being of the area and therefore be in the public interest

A2.25 For the Council to justify using its power to acquire land under section 227 of the 1990 Act it is necessary for it to be in the public interest. Again, this is a matter for the Council's judgement, having regard to all material considerations. In this case officers consider that the public benefits, as set out in this report and at appendix 4, outweigh the impacts on the rights of those affected – Including the effect of engaging section 203 in overriding third party rights, in a manner akin to compulsory purchase.

A2.26 The Development has the benefit of planning permission, which is no longer challengeable and can be implemented. In determining to grant planning permission for the Development both the Council and the Mayor of London acknowledged that will deliver significant public benefits to Hammersmith & Fulham and to London and will contribute to the promotion and improvement of the economic, social, and environmental well-being of both.

A2.27 More particularly, the Development supports the Council's desire to promote the continued presence of football clubs in the borough and would enhance the economic, cultural, and social benefits provided by the current stadium. Similarly, the London Plan identifies the Mayor's commitment to ensuring that London retains and extends its global role, supports the protection and enhancement of social

infrastructure, supports the increase or enhancement of the provision of sports and recreational facilities and also the continued success of London's diverse range of arts, cultural, professional sporting, and entertainment enterprises and their associated cultural, social, and economic benefits.

A2.28 The approved Development would declutter and unify the site and has the landmark qualities of a significant sporting venue with a clear identity. The Development is subject to a comprehensive package of planning obligations to fund improvements that are deemed necessary because of the new stadium. More particularly, to support the delivery of the Chelsea Foundation community support programme, and the social and physical well-being of the local community, there will be enhancements and improvements to existing leisure, recreation and sporting facilities in the borough (the Club will contribute £12.6m to fund new and/or enhanced community facilities; new and/or enhanced community services; community outreach and education programmes; new and/or enhanced leisure and recreational facilities; and other community activities, initiatives and uses to be determined by the Council). There will be financial and management support for a proposed Fulham Broadway BID (£100,000). The additional stadium visitors, both on match and non-match days, would have a positive economic effect on local businesses, particularly in the Fulham Town Centre. The employment and training initiatives that the Development would provide would bring significant benefits to the local area, while a local procurement initiative will be entered into to provide support for businesses. In addition, the approved Development would provide a commuted £3.75 million affordable housing financial contribution (equivalent to 40% affordable housing of the re-provided 38 units currently on the site).

A2.29 A more detailed breakdown of the public benefits provided by the approved Development is attached at appendix 4 of this report.

A2.30 Accordingly, officers consider that the approved Development is in the public interest: the regenerative benefits of the Development will lead to the improvement of the economic well-being of the area; the community benefits offered by the Development will lead to the improvement of the social well-being of the area; and the architectural quality, improved public realm and related benefits will lead to the increased environmental well-being of the area. As stated the section 106 agreement attached to the approved Development includes a contribution of some £12.6 m to new and/or enhanced community initiatives, services, and the community support programme. While this will undoubtedly be a significant benefit to the area, officers advise that reliance should not be placed on it as forming part of the contribution that the development would be likely to make to the well-being objectives for the area for the purposes of section 226(1A) referred to above. The reasons are that it is not a direct effect of the redevelopment as such, but rather a contribution required under policy, albeit related to the development.

Consideration 4: The benefits of the Development could not be achieved without giving rise to the infringements of the identified rights.

A2.31 Paragraphs A.2. – A2.6 of this report (above) explain why officers consider that the loss of light to 1-2 Stamford Cottages cannot reasonably be avoided. It is considered that the Development would not proceed and that the associated

public benefits would not be achieved without giving rise to the infringements for which Section 203 is being engaged.

A2.32 Officers consider that it would not be possible to amend the approved Development in a way that would remove or meaningfully mitigate the impacts on 1-2 Stamford Cottages without that the development becoming undeliverable in planning, design, and commercial terms as consequence.

Consideration 5: Is it in the public interest that the development is carried out?

A2.33 For the reason set out above officers consider that there is a compelling public interest case in the Development being carried out, and the prospects of the Development being delivered are significantly increased by the proposed engagement of Section 203 of the 2016 Act.

Consideration 6: Is the public interest to be achieved proportionate to the private rights being infringed by the action of Section 203?

Human Rights Issues

A2.34 The Human Rights Act 1998 effectively incorporates the European Convention on Human Rights into UK law and requires all public authorities to have regard to Convention Rights. In making decisions Members therefore, need to have regard to the Convention. The rights that are of significance to Cabinet's decision are those contained in Articles 8 (right to respect for private and family life, home, and correspondence) and Article 1 of the 1st Protocol (right to peaceful enjoyment of possessions).

A2.35 Article 8 provides that there should be no interference with the existence of the right to home life except in accordance with the law and, as necessary in a democratic society in the interest of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of the 1st Protocol provides that no-one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law although it is qualified to the effect that it should not in any way impair the right of a state to enforce such laws as it deems necessary to control the uses of property in accordance with the general interest.

A2.36 In determining the level of permissible interference with enjoyment the courts have held that any interference must achieve a fair balance between the public interest associated with the Development and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck.

A2.37 Therefore, in deciding whether to proceed with the recommendations, Members need to consider the extent to which the decision may impact upon the Human Rights of the owners of 1-2 Stamford Cottages, SW10, to balance these against the overall benefits to the community which the Development will bring, and consider whether this interference is necessary and proportionate.

A2.38 The public benefits that will stem from the use of the Council's statutory powers and the implementation of the approved Development are set out in detail elsewhere in this report.

A2.39 When assessing the interference with private interests it is necessary to recognise that the impact of the Development in daylight and sunlight terms has already been fully assessed as part of the planning process. The matter was addressed in the officers' report to the Council's Planning and Development Control Committee Sub-Committee and was considered by the Committee, together with all other material planning considerations, prior to planning permission being granted. Officers consider that a cut-back stadium design would not be delivered (for the reasons given earlier in this report) and that the public benefits to be gained by enabling the permitted stadium design to be delivered outweigh the impacts on the rights of the owners of 1-2 Stamford Cottages.

A2.40 Similarly the right of affected owners to claim compensation for the infringement of their rights of light (and other rights) is also relevant to an assessment of the proportionality of the infringement with the private rights. The Club state that heads of terms have been agreed and deeds of release are being negotiated with most of the potentially affected parties, and that negotiations are ongoing for many of the remaining properties. The Club remain confident that agreements will be reached with these parties, with the notable exception of the owners of 1-2 Stamford Cottages, SW10.

A2.41 Against this background, officers consider that the interference with the private rights of the owners of 1-2 Stamford Cottages is both proportionate and necessary in this instance, when assessed against the clear public benefit associated with the Development. The fact that there is no alternative means of achieving that public benefit is a compelling case in the public interest for the use of the powers to override the rights, and statutory compensation would be available for their loss, as outlined below.

Entitlement to Statutory Compensation

A2.42 As stated previously the effect of Section 203 of the 2016 Act is to translate an injunctable right, where rights (including right of light) have been infringed, into an entitlement to compensation only. Compensation is based upon the compulsory purchase principles of diminution of value i.e. the amount of compensation payable will be based on the reduction in the value of the respective property.

A2.43 The Club has confirmed that discussions regarding the scheme and its impact on 1-2 Stamford Cottages have been ongoing with members of the owners' family since March 2015, and that the Club has made several offers to settle the rights to light matter privately. A summary chronology of these negotiations is attached at appendix 7 of this report (in the exempt part of the Cabinet agenda). The offers made by the Club to the owners to date are, they state, significantly more than the compensation figures that would be arrived at based on an ordinary "Book Value" assessment. These offers have however been rejected.

State Aid Considerations

A2.44 Article 107(1) of the TFEU states:

‘Save as otherwise provided in the Treaties, any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, insofar as it affects trade between Member States, be incompatible with the internal market.’

A2.45 Decisions of the European Court on the interpretation of this article have established that to fall within the article a measure must satisfy the following four criteria:

- a. there must be aid in the sense of an economic advantage;
- b. which is granted by the State and through State resources;
- c. which favours certain undertakings or the production of certain goods (“selectivity”); and
- d. which is liable to distort competition and affect trade between Member States.

A2.46 Regarding the use of Section 203 of the 2016 Act the main issue is whether engagement of that power would be “selective” in providing the benefit to the undertaking so as to distort competition and fair trade.

A2.47 It is accepted that, where there is a national measure that is available generally for a proper public purpose, that is not selective notwithstanding that it necessarily operates by application to particular undertakings.

A2.48 In this case Part IX of the 1990 Act provides for the acquisition and disposal of land by a local authority for planning purposes, where it is required to facilitate development in the public interest. Where land is acquired for that purpose there are relevant powers under Section 203 of the 2016 Act enabling development to be carried out in accordance with planning permission notwithstanding conflict with third party rights over land subject to payment of compensation. That applies whether the development is to be carried out by the authority or a successor in title.

A2.49 These powers are made available to authorities generally to support the public objective of securing planning objectives through development, including regeneration. To enable the powers to be effected they must be applied to a particular proposal for redevelopment and, to that extent, their application will be selective to that particular case. However, in this case the application can be objectively seen as the application of the powers according to their requirements and for their purposes, and not influenced by any intention to provide specific benefit to the undertaking involved.

A2.50 Accordingly, it is considered that the proposed acquisition and re-transfer of the land in this case would constitute the application of the general measure

(available to all local authorities) which necessarily requires a degree of selectivity to enable its purpose to be achieved. In these circumstances officers do not consider that the proposals would contravene the State aid rules in Article 107(1) of the TFEU.

STATEMENT OF PUBLIC BENEFIT SUBMITTED BY THE CLUB

Stamford Bridge Redevelopment

In undertaking the redevelopment of Stamford Bridge stadium (“the **Development**”), Chelsea Football Club (“the **Club**”) will further enhance the economic, cultural and social services they currently provide. In working with the Officers of the London Borough of Hammersmith and Fulham (“the **Borough**”), the Club has developed a community engagement and infrastructure improvement programme to help improve the health, safety, inclusivity, education and social needs of those in the Borough.

The following outlines the benefits to the public in greater detail.

Education and Training

£6m worth of educational and personal development programmes which include:

- Primary and secondary school groups to be offered Science, Mathematics, ICT and Technology, English and other key lessons (e.g. STEM courses)
- Classes will be offered to increase environmental awareness (i.e. impacts of climate change and steps to reverse the trend)
- Skills development to prepare school leavers for employment
- Entrepreneur development/encouragement sessions
- Delivery of vocational qualifications for students identifies as being at risk of becoming not in education, employment or training (‘NEET’)
- Delivery of qualifications to assist teenagers coming to the end of their secondary schooling to develop skills to progress into the sports sector
- Crime prevention programme for young offenders
- Classes for pensioners seeking to improve their use of technology

Local Infrastructure Improvements

Over £7m in capital funding for improvements to enhance local amenities which include:

- An estimated £2m worth of improvements to the roadway and pedestrian routes in the vicinity of the Stadium;
- £2m of capital investment into local community centres;
- £3m of capital investment in improvements to education and sporting facilities to assist in Education and Training programme outlined below and a further £1m allocated towards the long term maintenance of the facilities;
- Safer and more secure access arrangements, including the new direct link from the stadium to Fulham Broadway Station;
- An improved public realm space that can be enjoyed by all visitors.

Local Community Engagement

- 3000 seats in the new stadium will be allocated for local residents.
- Breakfast clubs with healthy eating education and activity/exercise sessions.

Housing

The re-provision of 38 existing open-market dwellings, totalling approximately 4,000m², that will be demolished as part of the Development.

Although none of the existing dwellings constitute affordable units, the Club has committed to re-providing 15 units as affordable housing via a commuted £3.75 million financial contribution.

This affordable housing contribution will support the Council's Housing Initiatives in accordance with the Borough's Housing Strategy.

Local Economy and Businesses

During the Development the Club is committed to:

- Working with contractors and subcontractors to maximise worker spend in the local area through initiatives such as vouchers in local bars and restaurants.
- Implementing a programme of local procurement and business resilience initiatives during the construction phase.
- Contributing £100,000 towards establishing a business resilience programme in the form of a Fulham Broadway Business Improvement District (BID).

It is anticipated that the stadium will attract 2.4 million visitors annually. This will have a positive economic effect on local businesses, particularly in the Fulham Town Centre where it is estimated that the additional spend will be £16.3m annually.

Employment

During construction, the Club has committed to providing employment and training opportunities to local residents including the provision of a minimum of 8 apprenticeship positions.

In operation, the Development would continue to provide significant employment opportunities both in the Borough and London generally with an estimated average of 1,034 FTE construction jobs during construction and an increase of 122 FTE jobs once the development is complete and operational.

Inclusivity and Accessibility

The Development will be a leading example of accessible and inclusive design and a significant improvement to the current stadium.

Security

The Club is committed to ensuring that appropriate security measures are incorporated into the design to minimise incidences of crime and disorder (including the provision of additional CCTV infrastructure).

Design and Heritage

The Development will be one of the world's most iconic stadiums with a clear identity that will declutter the existing site. It will be a positive contribution to the character and appearance of the local area and public realm.

City and Local Polices

The Development is in alignment with the London Plan in the following areas:

Policy 2.1 - advocates the Mayor's commitment to ensuring that London retains and extends its global role;

Policy 3.16 - supports the protection and enhancement of social infrastructure;

Policy 3.19 - supports the increase or enhancement of sports and recreational facilities;

Policy 4.6 – enhances London's diverse range of arts, cultural, professional sporting and entertainment enterprises and their associated cultural, social and economic benefits.

Following the Mayor's decision to support the permission given by the Local Planning Authority he stated:

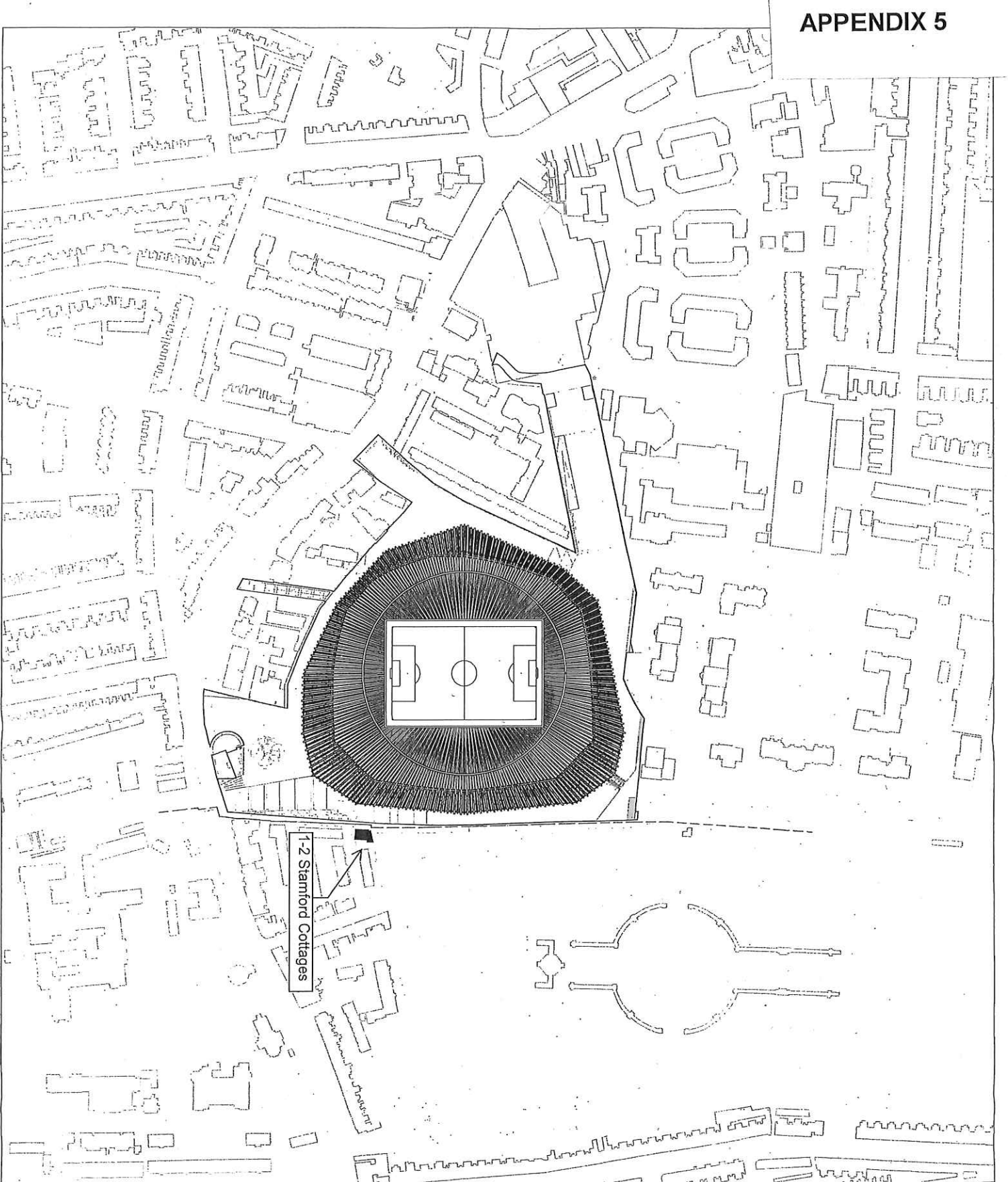
"Having taken a balanced view of the application, I'm satisfied this is a high-quality and spectacular design which will significantly increase capacity within the existing site, as well as ensuring fans can have easy access from nearby transport connections.

"I'm confident this new stadium will be a jewel in London's sporting crown and will attract visitors and football fans from around the world."

The Development is also aligned with the local strategy outlined by the Leader of the Borough: Core Strategy Policy CF1 - supports the continued presence of the major public sports venues such as football in the Borough.

Policies DM D1 and DM D2 of the Development Management Local Plan - supports the enhancement of community uses and continued presence of sports venues.

Emerging Draft Local Plan policy CF4 - confirms the direction of policy provision for such uses and actively promotes the continued presence of football clubs in the Borough. As such the principle of the redevelopment of the site is considered to be acceptable and in accordance with London Plan Policies 2.1, 3.16 and 3.19, Core Strategy Policy CF1 and DMLP Policies DM D1 and DM D2 and emerging Draft Local Plan Policy DM C4.



STAMFORD BRIDGE

A New Stadium For Chelsea Football Club

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LEGEND

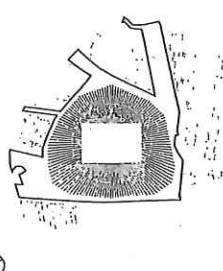
—	Proposed New Line	—	Proposed Boundary
—	Existing	—	Existing

KEY

▣	Existing Structure Extension	▣	Future Extension	▣	Existing Structure (New)
▣	Club Offices	▣	Future Office	▣	Existing Office
▣	Existing Staircase	▣	Future Staircase	▣	Existing Staircase
▣	Existing Lift	▣	Future Lift	▣	Existing Lift
▣	Existing Plant	▣	Future Plant	▣	Existing Plant
▣	Existing Parking	▣	Future Parking	▣	Existing Parking
▣	Existing Road	▣	Future Road	▣	Existing Road

NOTES

1. All dimensions are in meters.
2. All dimensions are to the center of the line.
3. All dimensions are to the center of the line.
4. All dimensions are to the center of the line.



ISSUE	DESCRIPTION	PRODUCED BY	DATE
1	Final Approval	Hargrett & Partners	March 2018
2	Final Approval	Hargrett & Partners	March 2018

SCALE
 1:2500 @ A3

PROJECT NAME
 Stamford Bridge Chelsea Redevelopment

DRAWING TITLE
 Site Location Plan - Proposed development

DRAWING NUMBER
 PN_ST_000

Jo Rowlands
 Planning and Housing Services
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Dear Sirs,

Redevelopment of Stamford Bridge

As you will be aware, our client Fordstam Ltd has secured planning permission for the redevelopment of Stamford Bridge football ground (planning reference 2015/05050/FUL). Fordstam Ltd is the parent company of the Chelsea Football Club Group of Companies.

The proposed development ("the **Development**") comprises the demolition of the existing Stamford Bridge ground and the construction of a new 60,000 capacity football stadium with related uses including a club shop, kiosks, a museum, a restaurant/café, and various infrastructure and related works.

The new stadium would provide a modern, state-of-the-art, high quality new facility for Chelsea Football Club ("the **Club**"), which would bring substantial benefits to Hammersmith & Fulham and to London generally. However at present, the Club are unable to proceed with the Development for the reasons outlined in this letter.

This letter requests the Council, on the basis of the circumstances outlined in this letter, to acquire an interest in the relevant land, under section 227 of the 1990 Act, so as to facilitate the delivery of the Development through the operation of section 203 of the Housing and Planning Act 2016.

Planning Background

On 11th January this year the planning committee resolved to grant planning permission for the Development subject to a referral to the Mayor and the completion of the related section 106 agreement. The Mayor chose not to call-in the application for his determination, and the section 106 agreement was completed and the planning permission issued on 31st March 2017.

The steps taken by the Club and the Council to consult with the public regarding the Development are set out in sections 2.1 and 2.2 of the Officer's Report to Planning Committee. In summary, pre-application consultation commenced in May 2014 with initial consultation by the Club with key stakeholders and local groups. Further consultation was undertaken in 2015, and two public exhibitions were held which were each attended by over 1,500 people. The Council held an initial public consultation between December 2015 and January 2016 and (following an amendment in scheme design) a second public consultation between September 2016 and October 2016. Over 13,000 responses were received as a result of the Council's consultations, of which 97.5% were in support of the Development.

The grant of planning permission was the subject of a legal challenge by way of judicial review. On 14th July 2017 the High Court Judge (Mrs Justice Andrews DBE) refused permission for the challenge to proceed, finding "the application is considered to be totally without merit". The judicial review claimants subsequently applied to the Court of Appeal to appeal this decision. Leave to appeal was refused by the Court of Appeal on 23rd August 2017 and the Club now has an unchallengeable and implementable planning permission.

As is explained below, the Development will result in significant public benefits being delivered. The Council's planning officers and members of the planning committee recognised these

benefits in the recommendation and decision to grant permission. The Club is keen to press on with the delivery of the scheme, so that the benefits can be realised without un-necessary delays.

The project is now moving from the planning phase into the delivery phase, including assembling all of the required land and property interests.

Land and Property Interests for the Development

The Club has been in discussions with neighbours and land owners, including Network Rail and Transport for London, regarding the acquisition of their property interests for some considerable time and has been able to obtain the majority of the land and interests needed to deliver the Development.

The Club has acquired 36 out of the 38 long leasehold interests in the residential tower Village Court and negotiations are continuing with the remaining two owners with the hope that acquisitions can be agreed. The Club is also in an advanced stage of negotiations with Network Rail and Transport for London to acquire a sufficient interest in their land in order to deliver the Development, with heads of terms in circulation.

In addition to the land needed for the Development, the site is subject to certain rights and easements, primarily rights to light. The Club has appointed Anstey Horne & Co, who are experts in this field, to undertake the rights to light analysis and negotiations with those adjoining property owners whose rights to light are affected.

Anstey Horne have identified approximately 50 registered owners and occupiers with interests in properties surrounding the Development that will experience light loss to a potentially actionable level as a result of the Development. The Club has taken active steps to contact these owners and occupiers and is fully committed to agreeing reasonable compensation to secure the release of those rights by agreement. Heads of terms have been agreed and deeds of release are being negotiated, with around half of the affected parties. Negotiations are ongoing for many of the remaining properties and the Club is confident that agreements will be reached with these parties in the next few months.

Whilst the Club is fully committed to continuing discussions with all affected parties, at this stage it is considered highly unlikely that agreement will be reached with the owners of 1-2 Stamford Cottages, Louis and Lucinda Crosthwaite ("the **Owners**"), who currently benefit from rights to light. A plan identifying the location of this property, together with a plan showing the relative location of the Development, is found at Appendix 1. Diagrams illustrating the impact on the Development of the access to light to the property are also found at Appendix 2.

Discussions regarding the scheme and its impact on the Owners' property have been ongoing with members of the Owners' family since March 2015, and a number of offers have been made by the Club in an attempt to settle the matter. These offers have been rejected and the Owners have made it very clear that an agreement is not going to be reached on anything approaching a level that the Club considers to be reasonable. A mediation has also taken place, at the cost of the Club, but this did not help to resolve matters. A short summary chronology of the negotiations and offers made is included in Appendix 3. Fuller details of the discussions, and copies of correspondence, can be provided confidentially on request if needed.

Rights to Light – 1-2 Stamford Cottages

The survey work undertaken to inform the environmental statement for the planning application found that, generally, the Development achieves good levels of sunlight and daylight to habitable rooms in neighbouring properties, and has very high overall compliance with the BRE (Building Research Establishment) guidelines – indeed, 99% of the assessed windows meet BRE standards or are within a 20% margin.

The Council will be well aware of the significance of rights to light as a private law concept and of the impact that they can have on the delivery of significant developments. The primary remedy for an infringement of a right to light is an injunction, although it is possible for a court to award damages instead of an injunction in certain circumstances. The legal test for whether an injunction could be granted is whether the loss of light causes a substantial interference with the ordinary use and enjoyment of the property.

Historically, rights to light surveyors have used a method of assessment of light loss known as the "Waldram Test" to determine whether losses can be considered actionable. This is the basis of assessment of light loss that the Owners are relying on in their injunction proceedings. Based on the Waldram Test, light loss is generally considered actionable in circumstances where there is either:-

- a reduction of light in an adequately lit room (being a room in which over 50% of the floor area experiences adequate lighting in the working plane) to below 50% adequately lit area; or
- a noticeable reduction in light to a room which is already below 50% adequately lit prior to the Development.

In general, where actionable injuries occur to neighbouring properties within the context of a development, negotiations will usually take place with owners and occupiers for compensation payments. The calculation of compensation for the purposes of these negotiations is ordinarily undertaken on the basis of a "Book Value" assessment, which applies a rental value to the area of light loss and multiplies this by an investment yield and an appropriate multiplier. This is the basis upon which negotiations with all other adjoining owners of the Development, as summarised in the preceding section, are being conducted.

An alternative method of assessment that may be contended for by an adjoining owner is what is known as a "share of profits" or "development gain" assessment, which looks to apportion a share of the development profits to the adjoining owner. In order to assess damages on this basis, it is necessary to notionally remove the offending part of the Development's structure in order to prevent the actionable injury and then identify the profits that relate to this 'cutback' area. A proportion of those profits are then apportioned for the purposes of settling rights to light claims. There is no set proportion of profits from the cutback that will always be awarded. The over-arching consideration is that the sum awarded must "feel right" having regard to the particular circumstances of the negotiation.

It is difficult to make a compensation calculation for this scheme on the "development gain" basis, as the Club is unlikely to make any development profit from the Development when considering the significant investment required to deliver the Development and the annual losses recorded by the Club for the past 14 years. As such, the Club considers the book value basis to be the most appropriate and reliable method of calculating the compensation.

With the above in mind, the Club has made offers to the Owners on various bases in an attempt to reach settlement. The Club has also funded a mediation process (which proved unsuccessful) and has paid a significant sum (around £50,000) to the Owners to enable them to take their own expert advice on the matter. The offers made to the Owners to date far exceed the compensation figures that would be arrived at on the basis of an ordinary "Book Value" assessment (the Book Value of the light loss experienced at the property, without applying any multipliers, is £18,230).

In May 2017 the Owners issued injunctive proceedings in the High Court against the Club seeking to prevent the Development proceeding. Within the context of these proceedings, the Owners have stated repeatedly that they will not accept monetary compensation. The Club is currently involved in defending these proceedings.

The Club has made a number of amendments to the Development design both before and during the planning process to reduce the impact on residents, including the Owners. However, it is not possible to amend the current scheme in a way which removes the impacts at the Owners' property without the Development becoming undeliverable in planning, design and commercial terms.

At present, the Club sees no possibility of reaching settlement with the owners at a sensible level and, with the injunction proceedings having been lodged, the Club considers that there is a real risk that the Development will never commence. In these circumstances, it is necessary for the Club to ask the Council to consider whether it is prepared to use its statutory powers to over-ride the rights to light enjoyed by 1-2 Stamford Cottages, so as to facilitate the delivery of the Development.

The Council's Statutory Powers

The Council has available to it powers that would enable the Development to proceed through over-riding the rights to light of 1-2 Stamford Cottages and the Club would be prepared to enter into an indemnity agreement with the Council in respect of all of the costs and potential liabilities it might incur in connection with the acquisition of the land interest and the operation of section 203.

In terms of third party easements, covenants and rights (such as the rights of light enjoyed by 1-2 Stamford Cottages), section 203 of the Housing and Planning Act 2016 enables development for which planning permission has been granted to proceed notwithstanding that it might infringe an easement, right or covenant which benefits a third party. Parties whose rights are infringed will not be able to secure an injunction to assert their right (e.g. their right to light), but instead will be entitled to a compensation payment based on compulsory purchase principles – being the difference (diminution) in the value of their properties with and without the benefit of the easement or right.

For section 203 to apply, the development must have planning permission, as is the case here, and the Council must hold an appropriate interest in land. At present the Council does not hold an interest in the site, but under section 227 of the 1990 Act it may acquire land by agreement for planning purposes where that acquisition is for a reason for which the land could be compulsorily acquired.

In effect, the land could be compulsorily acquired where the Council think that its acquisition would facilitate its development, redevelopment or improvement, and where the Council think that it would contribute towards the achievement of the economic, environmental or social well-being for its area. As is explained in the section below, the Club considers that the Development will result in significant public benefits for the area, meeting this well-being test.

The Proposed Development – Public Benefits

As mentioned above, for section 203 to be engaged it must be demonstrated that the land could have been compulsorily acquired for the purpose for which the rights are to be over-ridden. Consequently, for it to apply here it must be shown that the land could have been acquired by the Council for development, redevelopment or improvement, and that the Council think that such development, redevelopment or improvement would contribute towards the achievement of the economic, social or environmental well-being of the area.

The Development will undoubtedly deliver significant public benefits for the area. These are set out in the note found at Appendix 4 to this letter as well as being noted in the Officer's Report to the Planning Committee.

The Proposed Acquisition

Consideration has been given as to how this arrangement could be structured in the present case, including taking the advice of leading counsel. It will be necessary for the Council to take land interests from Network Rail and the Club in relation to that part of the Development that causes the infringement to 1-2 Stamford Cottages.

This will involve the acquisition of leasehold interests in a small part of the Development identified in the plan attached at Appendix 5. The Club is in negotiations with Network Rail regarding the particular structure that this land acquisition will take. Draft heads of terms are in circulation and it is anticipated that heads of terms will be agreed in the next few weeks. It is unlikely that the part of the Development that would be acquired by the Council would affect the rights of anyone but the Owners.

As mentioned in the introduction to this letter, as part of the transaction the Club would provide the Council with a full indemnity to ensure that the Council would be covered for any liabilities and costs that might arise as a result of the acquisition and disposal of the leasehold interests and the operation of section 203.

Conclusion

As can be seen from the contents of this letter, the Development for which planning permission has been granted will deliver significant benefits for Hammersmith & Fulham, and indeed will benefit London itself.

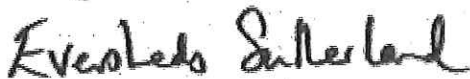
The Club has made substantial efforts to reach agreement with the Owners since March 2015, including making offers on various bases, funding a mediation, and providing significant funds to them to enable expert advice to be taken. All of this has been to no avail, and the Owners have instigated injunction proceedings to seek to stop the development going ahead. This poses a clear risk to the delivery of the Development, and it is highly unlikely that the situation can be resolved by agreement.

In these circumstances, the Council is requested to acquire an interest in the relevant land under section 227 of the 1990 Act, to enable section 203 of the 2016 Act to be relied upon, to facilitate the delivery of the Development, and the release of the public benefits.

Finally, if the Council agrees to proceed as requested, the Club will continue its negotiations with the Owners in an attempt to seek an agreed settlement. In the event that an agreement is reached, then there may not be a need for the Council to proceed to acquire the interest in the land. The Club will also continue its efforts to reach agreement with the Owners notwithstanding any acquisition by the Council under the 1990 Act.

We look forward to hearing from you, and in particular would welcome a meeting to discuss the way forward.

Yours faithfully,



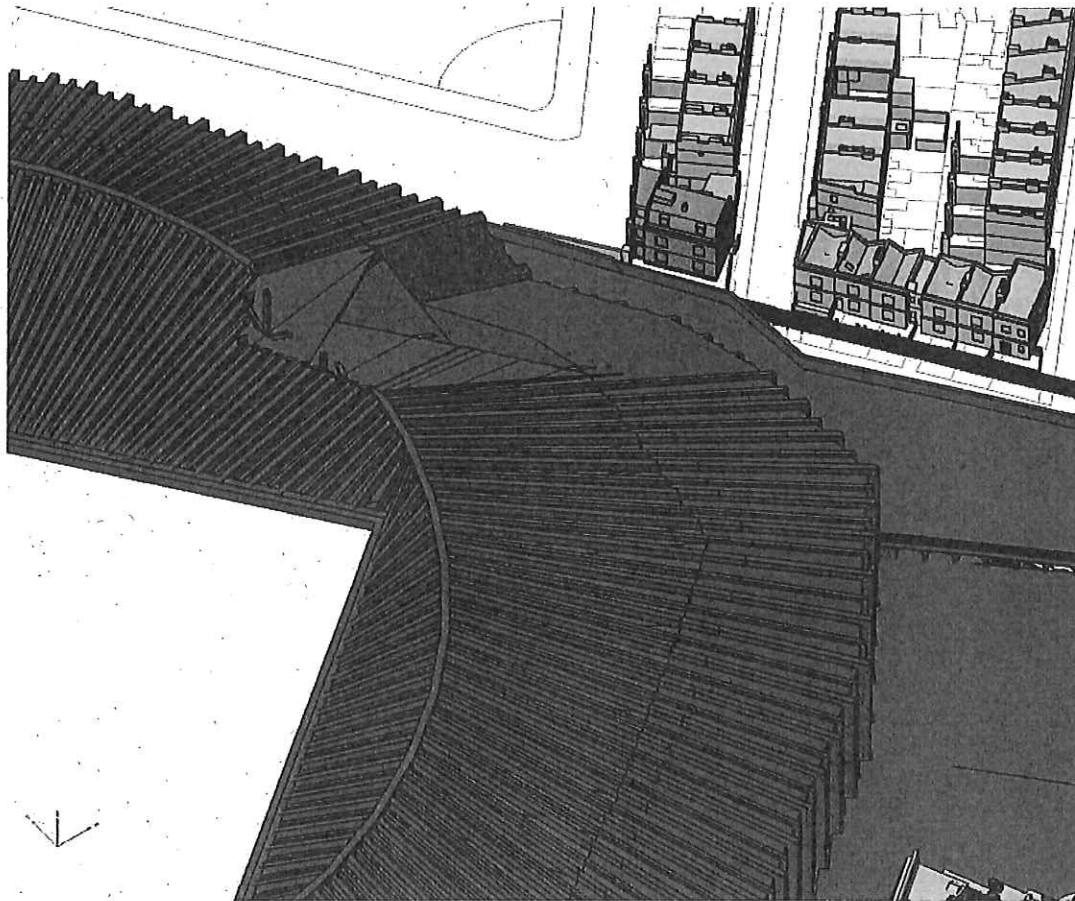
Eversheds Sutherland (International) LLP

APPENDIX 1
LOCATION PLAN



1-2 Stamford Cottages

APPENDIX 2
LIGHT LOSS CUTBACK INFORMATION



APPENDIX 4**STATEMENT OF PUBLIC BENEFIT****Stamford Bridge Redevelopment**

In undertaking the redevelopment of Stamford Bridge stadium ("the **Development**"), Chelsea Football Club ("the **Club**") will further enhance the economic, cultural and social services they currently provide. In working with the Officers of the London Borough of Hammersmith and Fulham ("the **Borough**"), the Club has developed a community engagement and infrastructure improvement programme to help improve the health, safety, inclusivity, education and social needs of those in the Borough.

The following outlines the benefits to the public in greater detail.

Education and Training

£6m worth of educational and personal development programmes which include:

- Primary and secondary school groups to be offered Science, Mathematics, ICT and Technology, English and other key lessons (e.g. STEM courses)
- Classes will be offered to increase environmental awareness (i.e. impacts of climate change and steps to reverse the trend)
- Skills development to prepare school leavers for employment
- Entrepreneur development/encouragement sessions
- Delivery of vocational qualifications for students identifies as being at risk of becoming not in education, employment or training ('NEET')
- Delivery of qualifications to assist teenagers coming to the end of their secondary schooling to develop skills to progress into the sports sector
- Crime prevention programme for young offenders
- Classes for pensioners seeking to improve their use of technology

Local Infrastructure Improvements

Over £7m in capital funding for improvements to enhance local amenities which include:

- An estimated £2m worth of improvements to the roadway and pedestrian routes in the vicinity of the Stadium;
- £2m of capital investment into local community centres;
- £3m of capital investment in improvements to education and sporting facilities to assist in Education and Training programme outlined below and a further £1m allocated towards the long term maintenance of the facilities;
- Safer and more secure access arrangements, including the new direct link from the stadium to Fulham Broadway Station;
- An improved public realm space that can be enjoyed by all visitors.

Local Community Engagement

- 3000 seats in the new stadium will be allocated for local residents.
- Breakfast clubs with healthy eating education and activity/exercise sessions.

Housing

The re-provision of 38 existing open-market dwellings, totalling approximately 4,000m², that will be demolished as part of the Development.

Although none of the existing dwellings constitute affordable units, the Club has committed to re-providing 15 units as affordable housing via a commuted £3.75 million financial contribution.

This affordable housing contribution will support the Council's Housing Initiatives in accordance with the Borough's Housing Strategy.

Local Economy and Businesses

During the Development the Club is committed to:

- Working with contractors and subcontractors to maximise worker spend in the local area through initiatives such as vouchers in local bars and restaurants.
- Implementing a programme of local procurement and business resilience initiatives during the construction phase.
- Contributing £100,000 towards establishing a business resilience programme in the form of a Fulham Broadway Business Improvement District (BID).

It is anticipated that the stadium will attract 2.4 million visitors annually. This will have a positive economic effect on local businesses, particularly in the Fulham Town Centre where it is estimated that the additional spend will be £16.3m annually.

Employment

During construction, the Club has committed to providing employment and training opportunities to local residents including the provision of a minimum of 8 apprenticeship positions.

In operation, the Development would continue to provide significant employment opportunities both in the Borough and London generally with an estimated average of 1,034 FTE construction jobs during construction and an increase of 122 FTE jobs once the development is complete and operational.

Inclusivity and Accessibility

The Development will be a leading example of accessible and inclusive design and a significant improvement to the current stadium.

Security

The Club is committed to ensuring that appropriate security measures are incorporated into the design to minimise incidences of crime and disorder (including the provision of additional CCTV infrastructure).

Design and Heritage

The Development will be one of the world's most iconic stadiums with a clear identity that will declutter the existing site. It will be a positive contribution to the character and appearance of the local area and public realm.

City and Local Polices

The Development is in alignment with the London Plan in the following areas:

Policy 2.1 - advocates the Mayor's commitment to ensuring that London retains and extends its global role;

Policy 3.16 - supports the protection and enhancement of social infrastructure;

Policy 3.19 - supports the increase or enhancement of sports and recreational facilities;

Policy 4.6 – enhances London's diverse range of arts, cultural, professional sporting and entertainment enterprises and their associated cultural, social and economic benefits.

Following the Mayor's decision to support the permission given by the Local Planning Authority he stated:

"Having taken a balanced view of the application, I'm satisfied this is a high-quality and spectacular design which will significantly increase capacity within the existing site, as well as ensuring fans can have easy access from nearby transport connections.

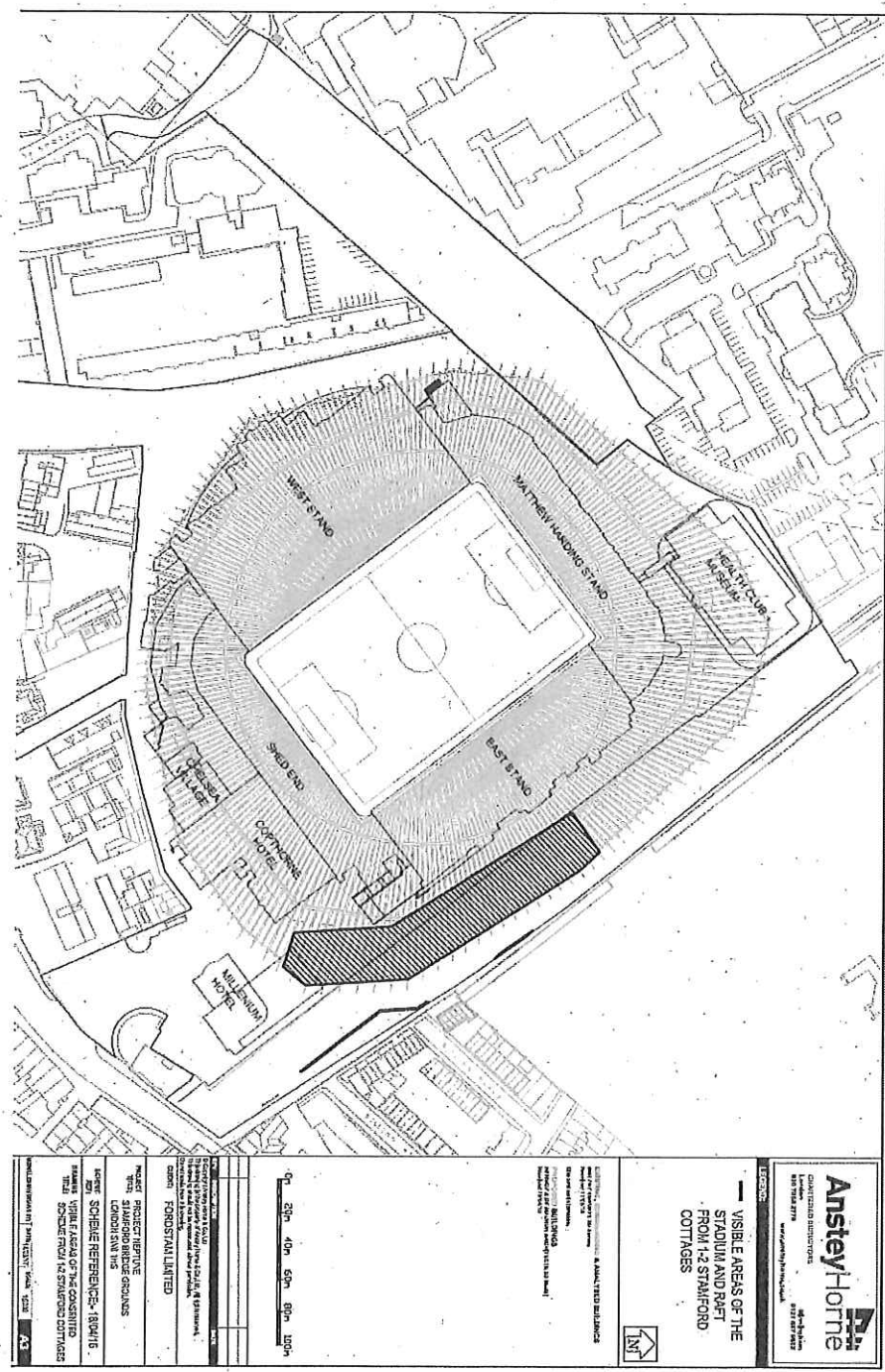
"I'm confident this new stadium will be a jewel in London's sporting crown and will attract visitors and football fans from around the world."

The Development is also aligned with the local strategy outlined by the Leader of the Borough: Core Strategy Policy CF1 - supports the continued presence of the major public sports venues such as football in the Borough.

Policies DM D1 and DM D2 of the Development Management Local Plan - supports the enhancement of community uses and continued presence of sports venues.

Emerging Draft Local Plan policy CF4 - confirms the direction of policy provision for such uses and actively promotes the continued presence of football clubs in the Borough. As such the principle of the redevelopment of the site is considered to be acceptable and in accordance with London Plan Policies 2.1, 3.16 and 3.19, Core Strategy Policy CF1 and DMLP Policies DM D1 and DM D2 and emerging Draft Local Plan Policy DM C4.

APPENDIX 5



Anstey Horne
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LEGEND
 — VISIBLE AREAS OF THE STADIUM AND PART FROM 1:2 STAMFORD COTTAGES

DATE: 15/01/2008
SCALE: 1:2000

PROJECT: STAMFORD COTTAGES
CLIENT: FORDSTAL LIMITED

DATE: 15/01/2008
SCALE: 1:2000

APPENDIX 10 – EQUALITIES IMPACT ASSESSMENT

Equalities Impact Assessment for planning Application Reference 2015/05050/FUL

Section 1

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2015-16
Name and details of policy, strategy, function, project, activity, or programme	<p>This is the Equalities Impact Assessment (EQIA) for Application Number 2015/05050/FUL. It should be given due consideration in determining the planning application in light of the Council's equality duties. A summary of this EQIA is included within the main body of the committee report.</p> <p>This EQIA has been undertaken on a planning application submitted by Fordstam Ltd for Demolition of existing stadium and buildings within Stamford Bridge Grounds and construction of a new 60,000 capacity football stadium with ancillary stadium related uses, including a combined heat and power (CHP) plant, club shop, kiosks and museum; restaurant/café (Class A3); construction of a decking platform over the District Line railway (to the north-west) and the Southern mainline railway (to the east); external concourse areas; associated excavation works; new pedestrian access from Fulham Broadway Station and Fulham Road; new vehicular access via Wansdown Place; associated car parking, landscaping and related works</p>
Lead Officer	This EQIA analyses the impact of the applicant's proposals on protected groups John Sanchez, Planning Regeneration
Date of completion of final EQIA	20 th December 2016

Section 2

Scoping of Full EQIA	
Timing: December 2016	
Resources: Officer time, data and information as given at Section 03 of this EQIA	
Lead Officer: John Sanchez	
Plan for completion	

<p>What is the policy, strategy, function, project, activity, or programme looking to achieve?</p>	<p>Information: Protected characteristics and PSED The public sector equality duty (PSED) states that in the exercise of our functions, we must have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Act; • Advance equality of opportunity between people who share a protected characteristic and those who do not; and • Foster good relations between people who share a protected characteristic and those who do not <p>Having due regard for advancing equality involves</p> <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics; • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and • Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low <p>The Act states that meeting different needs involves amongst other things, taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.</p>
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Section 3

	<p>EQIA of Planning Application: 2015/05050/FUL The EIA sets out additional details on The Grounds' redevelopment on a comprehensive basis. The objectives are:</p> <p>Urban Form</p> <ul style="list-style-type: none"> • Maximise connectivity; establish an urban grain within The Grounds that is inspired by the three contexts of cityscape, the surrounding pattern of streets and open spaces and the identity of the user. 	
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		<ul style="list-style-type: none"> • Provide good quality public open space that offers a range of recreational and ecological opportunities and overcomes existing deficiencies in access to public open space; • Ensure that the new stadium is sensitively integrated into and enhances the existing context; • Ensure that the new stadium if visible on the skyline does not have a negative impact on the quality and character of the surrounding townscape; and • Design well-proportioned open spaces in The Grounds that responds to those in the surrounding area and encourages walking and cycling. <p>Housing</p> <ul style="list-style-type: none"> • Ensure that new housing replaces existing accommodation and urban regeneration offsite creates a mix of diverse residential dwellings. <p>Employment</p> <ul style="list-style-type: none"> • Increase employment opportunities for local people, by creating a minimum 807 full-time equivalent new jobs and improving access to training initiatives and apprenticeships. <p>Retail</p> <ul style="list-style-type: none"> • The reprovision of the user's ancillary retail unit within an extended premises complements the attraction of Fulham Town Centre and the removal of existing commercial ancillary floorspace increases the attraction of Fulham Town Centre by not diluting existing trade. <p>Culture</p> <ul style="list-style-type: none"> • The new stadium as a major landmark exploits the potential for a strategic leisure, cultural and visitor attraction in accordance with the Mayor's London Plan; and • Creates a lively cultural destination that enhances the appeal of Fulham Town Centre for stadium visitors arriving on non-matchdays. <p>Social and Community facilities</p> <ul style="list-style-type: none"> • A Community Programme in partnership with the local authority would provide social and community facilities to meet the needs of the residential and commercial population of the Borough. 	
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Transport

- Maximise the number of trips by walking and cycling, ensure excellent access to and increased capacity on public transport as well as managing the demand for deliveries with an enhanced stadium management plan whilst minimising unessential motorised travel to mitigate traffic impacts and congestion on the road network;
- Ensure mitigations are put in place to accommodate increased travel demand from development and that these interventions do not have any unacceptable impact on the transport network or wider environment; and
- Ensure a comprehensive approach is taken to walking, cycling and public transport that delivers a high quality public realm and improves local connectivity.

Energy

- Non-domestic buildings from 2019 must be zero carbon; and
- All buildings must reduce carbon dioxide emissions in accordance with the energy hierarchy of using less energy, supplying energy efficiently and using renewable energy. Environment
- Protect the existing population from the impacts of demolition, excavation and construction and sustainably remediate any contaminated land;
- Require development to reduce flood risk and achieve sustainable water management, including sustainable urban drainage;
- Minimise waste generation, including demolition and construction waste, in accordance with the waste hierarchy; • Ensure that the environmental impacts of air pollution and noise and vibration are adequately controlled and minimised; and
- Require development to protect and enhance ecology and biodiversity, including mitigating impacts to the area of the North Decking Platform and the East Decking Platform

Section 106 and Phasing Strategy

Age	<p>Analysis of impact on age including due regard to PSED (above).</p> <p>Where age is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds). Those under 18 are not protected under Age at present under the Act. Therefore, the impact on children and young people is assessed under Children's Rights.</p> <p>Urban Form: Redevelopment of the Grounds in accordance with the objectives will deliver an integrated, inclusive urban environment accommodating all age groups. There will be a substantial improvement in general accessibility throughout The Grounds with barriers to accessibility removed and open spaces and concourses built to accommodate all age groups. There will be accessibility maintained at the nearby London Underground Station. All new infrastructure including off site s106 community facilities will accommodate all age groups.</p> <p>Housing: The loss of housing from the site will have a detrimental impact on individuals of all ages. Some of the negative impacts from the loss of housing, would be off-set in the longer term through the provision of housing built in accordance with current policies and standards (to be constructed off-site) secured in the s106 agreement resulting in a neutral impact. This will benefit new residents who may become disabled or have an age-related mobility impairment later in their lives, which means that they require accessible housing.</p> <p>Employment: The loss of the employment created by the hotels, leisure facilities and community floorspace is likely to have a negative impact on age. This could</p>	Degree	Impact
	<ul style="list-style-type: none"> • Ensure a comprehensive approach to redevelopment of the Grounds; and • Ensure that the appropriate mix of land uses (D2 and A3) and infrastructure (railway cuttings) are delivered within the relevant phase(s) to support the needs of development. 		
		M	+
		M	-
		L	+ & -

	<p>be off-set from additional employment provisions associated with the larger stadium. The planning obligations in the s106 agreement will assist in the ability for local residents to access employment created by the development and this is likely to have a beneficial impact on individuals of all ages.</p> <p>Retail: The re-provision of the club shop with extended premises will have a positive impact on individuals of all ages.</p> <p>Culture: The provision of a new sports stadium for a high profile London-based football club as a cultural facility gives an opportunity to cater for all those who want to watch a game, particularly younger supporters. Younger supporters (under the age of 20) cannot easily obtain tickets and the average age of a season ticket holder is approaching 55 years of age; the oldest average age in Europe. Whilst this reflects accurately the loyalty of Chelsea's support, it also creates a social impact issue whereby certain age groups cannot gain access regularly to match day tickets. A new stadium with an increased capacity will allow Chelsea to begin to address this demand. The proposed development will enable the number of season tickets for younger supporters to increase and will make more tickets available for club members (currently 95,000 supporters pay a seasonal membership subscription). It is considered to have a beneficial impact on individuals of all ages.</p> <p>Social and Community Facilities: The loss of leisure facilities and community floorspace is likely to have a negative impact on age. Some of the negative impacts will be offset by the provision of community services and uses secured in the s106 agreement which will benefit all age groups.</p> <p>Transport: Improved access will benefit all ages and in particular will be of benefit to older people and those with small children, who may have limited mobility in comparison to other age groups. The application results in 12% of the total car parking capacity be provided as Blue Badge bays. This will benefit</p>	<p>M</p> <p>M</p> <p>L</p> <p>H</p>	<p>+</p> <p>+</p> <p>-</p> <p>+</p>
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		<p>supporters who may become disabled or have an age-related mobility impairment later on in their lives.</p> <p>Energy: Improvements to energy provision will have a positive impact on individuals of all ages.</p> <p>Analysis of impact on disability including due regard to PSED (above).</p> <p>A person has a disability if s/he has a physical or mental impairment.</p> <p>Urban Form: Redevelopment of the Grounds in accordance with the objectives will deliver an integrated, inclusive urban environment. There will be a safer and more controlled environment in the stadium grounds (resulting from the access and egress improvements). There will also be positive impacts in relation to the additional facilities for disabled/wheelchair bound spectators. There will be accessibility maintained at the nearby London Underground Station.</p> <p>Housing: The loss of housing from the site will have a detrimental impact. Some of the negative impacts from the loss of housing, would be off-set in the longer term through the re-provision of housing built in accordance with current policies and standards (to be constructed off-site) secured in the s106 agreement resulting in a neutral impact.</p> <p>Employment: The loss of the employment created by the hotels, leisure facilities and community floorspace is likely to have a negative impact on disability. This could be off-set from additional employment provisions associated with the larger stadium.</p> <p>Retail: The re-provision of the club shop with extended premises and with improved access will have a positive impact on disability.</p> <p>Culture:</p>	M	+
Disability			H	+
			M	-
			M	-
			M	+
			M	+

	<p>The provision of a new sports stadium for a high profile London-based football club as a cultural facility results in more than double the existing number of places available to disabled spectators and their carers, with better views of the football pitch and better facilities. It is considered to have a beneficial impact on disability.</p> <p>Social and Community Facilities: The loss of leisure facilities and community floorspace is likely to have a negative impact on disability. Some of the negative impacts will be offset by the provision of community services and uses secured in the s106 agreement.</p> <p>Transport: Improved access will benefit all who may have limited mobility. The application results in 12% of the total car parking capacity be provided as Blue Badge bays. There will also be positive impacts in relation to the additional facilities for disabled/wheelchair bound spectators.</p> <p>Energy: Improvements to energy provision will have a positive impact on the disabled.</p>	L	-
	<p>Analysis of impact on gender reassignment including due regard to PSED (above).</p> <p>Through the consultation process, the application has not emerged as being of particular relevance to this protected characteristic, although the more general benefits in terms of better public realm and spaces, more opportunities for walking and cycling, may have a positive impact on this group. However, this is in general terms and so overall the application is of low relevance to, but may have a small indirect positive impact on, this protected characteristic</p>	H	+
	<p>Analysis of impact on marriage and civil partnership including due regard to PSED (above).</p>	M	+
	<p>Gender reassignment</p>		
	<p>Marriage and Civil Partnership</p>		

	<p>Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. The law does not require the Applicant nor the site user to take into account the impact of what they do on married people and civil partners. These objectives have not so far emerged as relevant to this protected characteristic because it is not aiming to put in place a service for married people or civil partners (e.g. land use for a registrar's service).</p>		
	<p>Analysis of impact on pregnancy and maternity including due regard to PSED (above).</p> <p>Pregnancy is 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 maternity 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.</p> <p>Urban Form: Redevelopment of The Grounds in accordance with the Urban Form Strategy requires designing buildings and places so that they are accessible to all. There will be a substantial improvement in general accessibility throughout The Grounds with barriers to accessibility removed with barriers to accessibility removed and open spaces and concourses built to accommodate all age groups and built to accommodate prams, buggies and young children safely and conveniently which will positively impact on pregnant women and parents with babies and children, because it will make it easier for them to get about.</p> <p>Housing: The loss of housing from the site will have a detrimental impact on pregnancy and maternity. Some of the negative impacts from the loss of housing, would be off-set in the longer term through the provision of housing built in accordance with current policies and standards (to be</p>	<p>Pregnancy and Maternity</p>	<p>M +</p> <p>M -</p>

	<p>constructed off-site) secured in the s106 agreement. This will indirectly benefit women who may have reduced mobility due to their pregnancy or those with small infants resulting in a neutral impact.</p> <p>Employment: The loss of the employment created by the hotels, leisure facilities and community floorspace is likely to have a negative impact on pregnancy and maternity. This could be off-set from additional employment provisions associated with the larger stadium.</p> <p>Retail: The re-provision of the club shop with extended premises and with improved access will have a positive impact on pregnancy and maternity.</p> <p>Culture: The provision of a new sports stadium for a high profile London-based football club as a cultural facility results in better facilities. The development will include enhanced baby changing facilities in comparison to the existing stadium and it is considered to have a beneficial impact on pregnancy and maternity.</p> <p>Social and Community Facilities: The loss of leisure facilities and community floorspace is likely to have a negative impact on pregnancy and maternity. Some of the negative impacts may be offset by the provision of community services and uses secured in the s106 agreement. This is likely to have benefits for pregnant residents or residents with young children. The nature of the community services and uses is not known at this stage and it is therefore difficult to predict the level of relevance to this protected characteristic.</p> <p>Transport: Improved access will benefit all who may have limited mobility. There will also be maintenance of accessibility at the nearby London Underground Station.</p> <p>Energy: Improvements to energy provision will have a positive impact on pregnancy and maternity.</p>	<p>M</p> <p>M</p> <p>M</p> <p>L</p> <p>M</p> <p>L</p>	<p>-</p> <p>+</p> <p>+</p> <p>-</p> <p>+</p> <p>+</p>
<p>Race</p>	<p>Analysis of impact on race including due regard to PSED (above).</p>		

	<p>Race refers to the protected characteristic of race. It refers to a group of people defined by their colour, nationality (including citizenship), ethnic or national origins.</p> <p>Urban Form: Redevelopment of The Grounds in accordance with the Urban Form Strategy requires designing buildings and places so that they are accessible to all. Redevelopment will deliver an integrated, inclusive urban environment capable of accommodating all racial groups and ethnic minorities. This is likely to have benefits for all race groups.</p> <p>Housing: The loss of housing from the site will have a detrimental impact on race. Some of the negative impacts from the loss of housing, would be off-set in the longer term through the re-provision of housing (to be constructed off-site) secured in the s106 agreement resulting in a neutral impact.</p> <p>Employment: The loss of the employment created by the hotels, leisure facilities and community floorspace is likely to have a negative impact on race. This could be off-set from additional employment provisions created for all associated with the larger stadium. The planning obligations in the s106 agreement will assist in the ability for all local residents to access employment created by the development and this is likely to have a beneficial impact on race.</p> <p>Retail: The re-provision of the club shop with extended premises and with improved access will have a positive impact on race.</p> <p>Culture: The provision of a new sports stadium for a high profile London-based football club as a cultural facility provides an opportunity to cater for all those who want to watch a game. A new stadium with an increased capacity will allow Chelsea to begin to address this demand. Seats specifically for local residents will be made available with a larger spectator capacity; a seating</p>	<p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p> <p>M</p>	<p>+</p> <p>-</p> <p>+</p> <p>+</p> <p>+</p>
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		<p>category which does not currently exist. The proposal is considered to have a beneficial impact on race.</p> <p>Social and Community Facilities: The loss of leisure facilities and community floorspace is likely to have a negative impact on race. Some of the negative impacts will be offset by the provision of community services and uses secured in the s106 agreement. The impact of cultural facilities on race groups will not be known until the nature of the community services and uses is known.</p> <p>Transport: Improved access will benefit all who may have limited mobility. There will also be maintenance of accessibility at the nearby London Underground Station.</p> <p>Energy: Improvements to energy provision will have a positive impact on race.</p>	L	-
	<p>Religion/ belief (including non-belief)</p>	<p>Analysis of impact on religion/belief (including non-belief including due regard to PSED (above).</p> <p>Religion has the meaning usually given to it but 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 for it to be included in the definition.</p> <p>Urban Form: Redevelopment of The Grounds in accordance with the objectives will deliver an integrated, inclusive urban environment accommodating all religious groups but not identifying them nor providing facilities for their practice. Public open space and green space will also be available for formal and informal non-matchday events operated by the user.</p> <p>Housing: The loss of housing from the site will have a detrimental impact on religion belief (including non-belief). Some of the negative impacts from the loss of housing, would be off-set in the longer term through the reprovision of</p>	M	+
			M	+

	<p>housing (to be constructed off-site) secured in the s106 agreement resulting in a neutral impact.</p> <p>Employment: The loss of the employment created by the hotels, leisure facilities and community floorspace is likely to have a neutral impact. The planning obligations in the s106 agreement will assist in the ability for all local residents to access employment created by the development and this is likely to have a beneficial impact on religion belief (including non-belief).</p> <p>Retail: The re-provision of the club shop with extended premises and with improved access will have a neutral impact.</p> <p>Culture: The provision of a new sports stadium for a high profile London-based football club as a cultural facility provides an opportunity to cater for all those who want to watch a game. A new stadium with an increased capacity will allow Chelsea to begin to address this demand. Seats specifically for local residents will be made available with a larger spectator capacity; a seating category which does not currently exist. The proposal is considered to have a beneficial impact on religion belief (including non-belief).</p> <p>Social and Community Facilities: The loss of leisure facilities and community floorspace is likely to have a negative impact. Some of the negative impacts will be offset by the provision of community services and uses secured in the s106 agreement. The impact of cultural facilities on religion belief (including non-belief) will not be known until the nature of the community services and uses is known.</p> <p>Transport: Improved access will benefit all who may have limited mobility. There will also be maintenance of accessibility at the nearby London Underground Station.</p> <p>Energy: Improvements to energy provision will have a neutral impact.</p>	<p>M</p> <p>M</p> <p>M</p> <p>L</p> <p>M</p>	<p>+ & -</p> <p>+ £ -</p> <p>+</p> <p>-</p> <p>+</p>
	<p>Sex</p>		<p>Analysis of impact on sex including due regard to PSED (above).</p>

	<p>Sex means a man or a woman.</p> <p>Urban Form: Redevelopment of the Grounds in accordance with the objectives will deliver an integrated, inclusive urban environment accommodating both men and women. There will be a substantial improvement in general accessibility throughout The Grounds with barriers to accessibility removed and open spaces and concourses built to accommodate all men and women. Public open space and green space will also be available for formal and informal non-matchday events operated by the user. There will be accessibility maintained at the nearby London Underground Station. All new infrastructure including the offsite s106 community uses and services will accommodate all.</p> <p>Housing: The loss of housing from the site will have a detrimental impact on all individuals. Some of the negative impacts from the loss of housing, would be off-set in the longer term through the re-provision of housing.</p> <p>Employment: The loss of the employment created by the hotels, leisure facilities and community floorspace is likely to have a negative impact on men and women. This could be off-set from additional employment provisions associated with the larger stadium. The planning obligations in the s106 agreement will assist in the ability for all local residents to access employment created by the development.</p> <p>Retail: The re-provision of the club shop with extended premises will have a positive impact on all individuals.</p> <p>Culture: The provision of a new sports stadium for a high profile London-based football club as a cultural facility is considered to have beneficial impacts on men and women.</p> <p>Social and Community Facilities:</p>	<p>M</p> <p>M</p> <p>M</p> <p>H</p> <p>M</p> <p>L</p>	<p>+</p> <p>-</p> <p>-</p> <p>-</p> <p>+</p>
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	<p>The loss of leisure facilities and community floorspace is likely to have a negative impact on men and women. Some of the negative impacts will be offset by the provision of community services and uses secured in the s106 agreement.</p> <p>Transport: Improved access will benefit all and in particular will be of benefit to older people and those with small children, who may have limited mobility.</p> <p>Energy: Improvements to energy provision will have a positive impact on all individuals.</p>	M	+
<p>Sexual Orientation</p>	<p>Analysis of impact on sexual orientation including due regard to PSED (above).</p> <p>Sexual orientation means whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. The objectives have not emerged as relevant to this protected characteristic because it is not seeking to provide a service (e.g. land use for a service for lesbian, gay, bisexual, or heterosexual people).</p>		
	<p>Other – Construction</p> <p>The impacts of construction and expected to have varying degrees of negative impacts on age, disability, pregnancy and maternity and children, depending on the measures that are set out in the Construction Management Plan.</p>	L,M,H	-
	<p>Human Rights and Children's Rights</p> <p>Will it affect Human Rights, as defined by the Human Rights Act. It is not considered that the Objectives will have an impact on Human Rights Will it affect Children's Rights, as defined by the UNCRC. As given throughout, there are a number of ways in which the proposal will impact positively on Children's Rights.</p>		

Section 4

<p>Documents and data reviewed</p>	<p>Analysis of relevant data and/or undertake research</p> <p>The following documents and data have been used to help inform this Equality Impact Assessment:</p> <ul style="list-style-type: none">• LBHF Single Equality Scheme <p>The Single Equality Scheme simplifies how we meet our requirements for all, including groups protected by discrimination law. Officers have considered the statutory codes in relation to race, gender, and disability in preparing the scheme, as well as to the duties that were expected to arise from the Equality Act 2010, and most of the provisions which came into force on 01 October 2010 (see below). The Single Equality Scheme objectives are based on the same Community Strategy objectives as the Spatial vision of the LBHF Core Strategy in terms of creating a borough of opportunity for all, including regenerating the most deprived parts of the borough. The Grounds objectives work to these same broad objectives. outcome focused.</p> <ul style="list-style-type: none">• Public Sector Equality Duty <p>The public sector equality duty (PSED) states that in the exercise of our functions, we must have due regard to the need to:</p> <ul style="list-style-type: none">-Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Act;-Advance equality of opportunity between people who share a protected characteristic and those who do not; and-Foster good relations between people who share a protected characteristic and those who do not. <p>Having due regard for advancing equality involves:</p> <ul style="list-style-type: none">-Removing or minimising disadvantages suffered by people due to their protected characteristics;-Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and-Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. <p>The Act states that meeting different needs involves taking steps to take account of groups with protected characteristics. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.</p> <ul style="list-style-type: none">• LBHF Community Strategy <p>The Community Strategy was produced in 2007 and sets the framework of objectives used for both the LBHF Core Strategy and the Single Equality scheme. The Strategy was developed with local partners from across the public, private, voluntary and community sectors and was subject to public consultation. As partners in delivering local</p>
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	<p>services the aim of the Council through the community strategy is to combine opportunity, with social responsibility and social justice to assist the vast majority of people in the borough to help themselves whilst supporting the most vulnerable in the community. The Community Strategy is therefore considered to be consistent with the statutory codes in relation to race, gender, disability etc.</p> <ul style="list-style-type: none"> • Census 2011 • Parsons Green and Walham ward profile • Development Specification • Development Plan • Representations received on the application • Demographic Information Available <p>The Grounds' residential population is approximately 50 persons, with the vast majority of residents living in Village Court and a much smaller number in the Copthorne Hotel. There are 38 residential units in total on site and an average of under 2 people per household.</p>
New research	No new research necessary.
Section 5	
Consultation	<p>Undertake and analyse consultation</p> <p>A preliminary consultation exercise was undertaken in early summer 2015 to inform the public and interested parties of the proposals for redevelopment and to determine and clarify issues. The second stage of consultation was carried out in early autumn 2015 and provided feedback on objectives and key principles along with general feedback on redevelopment of the Grounds. The third stage of consultation was formally undertaken in December-January 2015-2016 and provided further feedback on the objectives and key principles, along with general feedback on redevelopment of the Grounds.</p>
Analysis	<p>The responses to the questions were presented in pie-graph form and discussed, and the results summarised by topic area. Written comments received were also collated and categorised by topic area in Excel and are appended. Discernible preferences from the written comments have been summarised.</p> <p>Consultation Objectives</p> <p>Public consultation is not a statutory requirement during the preliminary stages of a planning application. However, public consultation at an early stage ensures key issues are identified and community aspirations are considered in the drafting of the planning application. This consultation exercise therefore had three key objectives:</p> <ol style="list-style-type: none"> 1. To introduce and inform the community on the potential redevelopment of The Grounds;

	<p>2. Identify the key issues affecting The Grounds and the surrounding area;</p> <p>3. Identify what changes the community of residents and existing match going spectators would like to see through redevelopment of The Grounds.</p> <p>With respect to Objectives 2 and 3, the questionnaire sought to find out what aspects of The Grounds and surrounding area respondents 'rate by preference' in relation to four topics, namely: Spectator View, Atmosphere, Seat Continuity, Ease of Access, Food & Beverage. These questions helped establish in broad terms the respondent profile. Breakdown of the consultation responses are provided in the Community Engagement Statement accompanying this application. Relationship to The Grounds Respondents were asked to state their relationship to The Grounds by proximity postcode.</p> <p>The consultation has shown issues relating to equality and these are summarised and addressed in the accompanying committee report.</p>
<p>Section 6</p> <p>Analysis</p>	<p>Analysis of impact and outcomes</p> <p>Age: In terms of demographics, 18 percent of residents within Parsons Green & Walham ward are under the age of 15, compared to 15 percent overall across LBHF and 19 percent across Greater London. Across the ward the most populous age group is between 25 and 29, making up 43 percent of the population. This figure is 5 percent above the LBHF average, and 9 percent above the London average.</p> <p>Sex: Female residents make up 52 percent of the residential population, in line with figures for LBHF and 1 percent above the comparative figure for Greater London.</p> <p>Ethnic Group: At the ward level, the ethnic composition is broadly in line with that of LBHF, although the proportion of residents from a non-white background was slightly lower than that for Greater London. Overall, 'White British' - 58% is the biggest ethnic group in the ward.</p> <p>Religion: Christian - 54.1%, Buddhist - 1.1%, Hindu - 1.1%, Jewish - 0.6%, Muslim - 10%, Sikh - 0.2%, Other religion - 0.5% No religion - 23.8%, Religion not stated - 8.4%.</p> <p>Population:</p>

The population of the ward on Census day was 10,813. Overall, population has grown consistently over the past 20 years in both LBHF and London, with the GLA estimating there will be a steady growth in the population of both LBHF from 180,000 to 210,000 in 2031 with the city's population rising to 8.8m. LBHF is expected to grow at a faster average annual rate over this period.

Disability:

Inclusive Design sets out the relevant London guidance to ensure appropriate provision is made for people with disabilities. LBHF have also given consideration to the need to make The Grounds accessible for all disabled people.

This Equality Impact Analysis of the planning application on protected groups as defined by the Act shows that:

1. There are positive impacts on age, disability, pregnancy and maternity, sex, race, religion, and belief including non-belief and children in relation to the applicant's proposals to provide additional stadium capacity, more accessible spectator facilities, a redistribution of employment and a safer and more controlled environment in the stadium grounds (resulting from the access and egress improvements). There will also be positive impacts in relation to the additional facilities for disabled/wheelchair bound spectators. The comprehensive package of s106 obligations will provide mitigation measures which would result in the provision of new community uses and services which ameliorates the loss of existing on-site facilities.
2. There will be negative impacts on age, disability, pregnancy and maternity, and children given the loss of housing, hotels, and community/leisure facilities. Some of the negative impacts from the loss of housing, would be off-set in the longer term through the reprovision of housing (to be constructed off-site) secured in the s106 agreement resulting in a neutral impact. Those with the protected characteristics of race, religion belief (including non-belief) will also be negatively impacted from the loss of housing.
3. The loss of the employment created by the hotels, leisure facilities and community floorspace is likely to have a negative impact on age. This could be off-set from additional employment provisions associated with the larger stadium and the additional conference facilities.
4. The impacts of construction are expected to have varying degrees of negative impacts on age, disability, pregnancy and maternity and children, depending on the mitigation measures that are set out in the Construction Management Plan.

5. The provision of a new sports stadium for a high profile London-based football club as a cultural facility is considered to have beneficial impacts on age, disability, race, religion, and sex.

Negative impacts (without any mitigation) are identified in relation to the proposed loss of community facilities and leisure (age, disability, maternity and pregnancy, race and religion/belief (including non-belief), the loss of the employment generated by the hotels/leisure facilities (age, disability, maternity and pregnancy and sex), the impacts of construction (age, disability and pregnancy and maternity) and loss of housing (age, disability, religion, sex, maternity, pregnancy and children).

Generally, it is considered that the impacts of the development proposals are positive, offering enhanced stadium facilities for increased spectator attendance. The proposals comprise significant improvements to the access and egress arrangements (on match and non-match days), ensuring spectators can be marshalled in a safe and controlled manner to/from public transport and the town centre. The proposals would provide improved facilities for all spectators, including those with protected characteristics of age, disability, pregnancy, maternity and children.

Section 7

Reducing any adverse impacts

Outcome of Analysis

Urban Form:

Although many Key Principles of the Urban Form Strategy relate to aspects of secure by design, there is no key principle that underpins it and requires it to be incorporated into the design of buildings and public space. Policy 7.3 of the London Plan 'Designing out Crime' requires Boroughs to seek to create safe, secure and appropriately accessible environments where crime and disorder and fear of crime so not undermine quality of life or community cohesion. It is therefore recommended that a key principle or set of key principles are included within the Urban Form Strategy to ensure safety and security for all people is fundamental to the redevelopment of The Grounds. This is covered by a higher order policy and it is not felt necessary to replicate this high order policy as a new Key Principle.

Housing:

Phasing Strategy required under Key Principles will need to set out measures that not only minimise the impacts of offsite re-housing, but also set in place measures that assist ethnic minority groups with the re-housing process. A Housing Strategy will require the offsite affordable housing mix to have regard to local need and strategic housing

needs assessment. Affordable housing will also be tenure blind helping to achieve an integrated and balanced community. Key Principles require the provision of affordable housing within LBHF. Key Principles seek to ensure a broad range of affordability and seek to ensure that the affordable housing is spread evenly across the Borough, mixed with any market housing. The Housing Strategy will also require any comprehensive development to provide alternative housing types catering specifically for the needs of the elderly, vulnerable groups and students.

Sex:- Key principles require minimum proportions of family units, which will benefit younger men and women with children. Key Principles requires new homes to be carefully designed and laid out to have satisfactory access to outdoor amenity space. Family dwellings at ground level should have access to private open space. This will benefit younger men and women with families. Key Principles require affordable housing as part of all applications for comprehensive development, which may be of more relevance to younger men and women who have built up less capital, and those who have one income, or whose combined income is not high.

Sexual Orientation:- The Housing Strategy has not so far emerged as relevant to lesbian, gay, bisexual, or heterosexual people.

Religion/belief (including non-belief): - The Housing Strategy has not so far emerged as relevant to religious belief and non-belief.

Human Rights: - The objectives do not require a phasing strategy to be submitted.

Children's Rights: - The Offsite Housing Strategy will have positive impacts through ensuring amenity space and private space is provided in conjunction with new housing, and ensuring accessibility for all. These key principles will help consider their best interests, their right to development, rights for disabled children and the right to leisure.

Employment:

Age: - Key Principles requires a local labour, skills and employment strategy and delivery plan that encourages full participation of the local labour force in employment both during the construction and operational phases for all sectors of the population including disabled people. As such it may be of various levels of relevance to disabled people. Key Principles require funding for workplace coordinators to encourage full participation of the local labour force in employment. Disabled people face particular barriers in gaining access to employment, and the strategy encourages employment across all groups.

Gender reassignment: - The Employment Strategy is focussed on providing jobs for local people and is inclusive by nature. The Employment Strategy has not so far emerged as particularly relevant people who have transitioned or are transitioning, although this group does have workplace protection and the overall aims and benefits may have a positive impact.

Marriage and Civil Partnership: - The Employment Strategy is focussed on providing jobs for local people and is inclusive by nature. The Employment Strategy has not so far emerged as relevant to married people or people who are civil partners although this group does have workplace protection and the overall aims and benefits may have a positive impact.

Pregnancy and maternity: - The Employment Strategy is focussed on providing jobs for local people and is inclusive by nature. The key objective and all related key principles of the Employment Strategy will encourage participation in the workforce by pregnant women and child caregivers and so the overall aims and benefits may have a positive impact.

Race: - The neighbourhood of The Grounds and surrounding area features a diverse range of shops, businesses and office based activities, many of which are owned or managed by local residents from a diverse range of ethnicities. The Key Objective of the Employment Strategy is to increase employment opportunities for local people by creating a minimum of 807 new jobs and improving access to training initiatives and apprenticeships. Key Principles require existing floorspace to be renewed and modernised to maintain and intensify existing employment provision. Key Principles require funding for workplace coordinators to encourage full participation of the local labour force in employment.

Religion/belief (including non-belief): - The Employment Strategy is focussed on providing jobs for local people and is inclusive by nature.

Marriage and Civil Partnership: - The Employment Strategy has not so far emerged as relevant to married people or people who are civil partners although this group does have workplace protection and the overall aims and benefits may have a positive impact.

Retail:

The policies of the Retail Strategy have not emerged as particularly relevant to the scope of this redevelopment.

Culture:

The Culture Strategy is inclusive by nature and remains unchanged for this site as the user remains the same.

Social and Communities Facilities:

A Social and Communities Initiatives Strategy will be implemented as part of the s106 commitment. Social and Community Facilities Initiatives will be required to be accessible to all.

Human Rights - The Social and Communities Initiatives Strategy is expected to positively impact upon human rights (Article 2 of Protocol 2: right to education).

Children's Rights - The Social and Communities Initiatives Strategy is expected to positively impact upon children's rights.

Disability: - Green spaces and sites of nature conservation

Transport and Access:

Age: - Key Principles require pedestrian movement to be managed from the station to The Grounds, with crossings improved and accessibility improvements for all, with environmental improvements on streets surrounding The Grounds, which will assist movement and accessibility for all. These will be of benefit to older people and those with small children, who may have limited mobility in comparison to other age groups. Key Principles require physical accessibility maintained to the LUL stations. Key Principles require maintenance of step-free access at Fulham Broadway Station which will be of particular assistance to parents with babies and young children with existing bus stops and coach parking maintained, which may benefit all age groups in getting about.

Disability:- Key Principle require east-west pedestrian movement to be improved and crossings improved and the quality of the pedestrian environment to be improved on streets around The Grounds including crossings, and better pedestrian crossing, all of which will better connect streets and improve legibility for disabled people with mobility impairment. Key Principles require blue badge parking for residents and visitors (in line with London Plan and local guidance), which is of benefit to disabled people.

Gender reassignment: - The Transport and Access Strategy has not so far emerged as relevant to people who have transitioned or are transitioning.

Marriage and Civil Partnership: - The Transport and Access Strategy is not seeking to deliver a service for married people or people who are civil partners and so is not relevant to this protected characteristic.

Pregnancy and maternity: - Key Principles require east-west pedestrian movement to be improved, crossings improved and accessibility improvements for all. Key Principles require environmental improvements and clearer footways on streets surrounding The Grounds, which will assist movement and accessibility for pregnant women and those with small infants. Key Principles require physical accessibility maintained to all the LUL station), which will make moving about this area much easier for this group.

Race:- The Transport and Accessibility Strategy has not so far emerged as relevant to race.

Religion/belief (including non -belief):- Redevelopment of The Grounds in accordance with the Transport and Access Strategy will deliver an integrated, inclusive urban environment accommodating a broad range of religious, faith and special interest groups who are not to identify themselves as individual such groups on the premises but rather as integral constituent parts of the whole spectator body solely devoted to the user. The range of connectivity and accessibility improvements will reduce severance and better connect segregated communities through a new

street network and blend The Grounds into the surrounding area by improving the environment of the existing street network.

Energy Strategy and Environment Strategy:

Heat network to be implemented for the development and an energy centre established during phase 1 of development.

Gender reassignment: - Neither the Energy Strategy or Environment Strategy have so far emerged as relevant people who have transitioned or are transitioning.

Marriage and Civil Partnership: - Neither the Energy Strategy or Environment Strategy are seeking to deliver a service for married people or civil partners and so is not relevant to this protected characteristic.

Pregnancy maternity: - Neither the Energy Strategy or Environment Strategy have so far emerged as relevant to this protected characteristic.

Religion/belief (including non-belief): - The Energy Strategy and Environment Strategy have not so far emerged as relevant to this protected characteristic

Race: - All measures in the Energy Strategy and Environment Strategy are inclusive by nature.

Childhood obesity has been identified as an issue in primary school children within London; there will be clear guidance on play space and open space within both the Urban Form Strategy and Social and Community Initiatives Strategy, therefore playing fields and open space suitable for active recreation will be accommodated in the proposed refurbishment programme.

Section 8

Action Plan

The council's planning department considers that where necessary, planning conditions and the section 106 agreement set out the necessary mitigations where negative impacts arise. The section 106 agreement will secure monies for ongoing monitoring of the impacts of development, so that where necessary, revisions to the section 106 agreement can be made to mitigate arising impacts so far as is possible.

Section 9

Agreement, publication and monitoring

Name: John Finlayson

Position: Head of Planning Regeneration

Email: john.finlayson@lbhf.gov.uk

Chief Officer sign-off

	Telephone No: 020 8753 6743
Key Decision Report	Date of report to PADC: 11/01/2017
	Confirmation that key equalities issues found here have been included: Yes



Pinsent Masons



BY RECORDED DELIVERY

Ms Kim Dero
Interim Chief Executive
Hammersmith & Fulham Council
Town Hall
King Street
Hammersmith
London
W6 9JU

Our Ref 661382.07000

6 July 2017

Dear Madam

SITE: THE SITE OF THE PROPOSED DEVELOPMENT OF STAMFORD BRIDGE FOOTBALL STADIUM UNDER APPLICATION REFERENCE NUMBER 2015/05050/FUL (THE "DEVELOPMENT SITE")

CLAIM NO: HC-2017-001462

CLAIMANTS: (1) LOUIS CHARLES JOHN CROSTHWAITE AND (2) LUCINDA MARGARET CROSTHWAITE

DEFENDANTS: (1) FORDSTAM LIMITED, (2) CHELSEA FOOTBALL CLUB LIMITED, (3) CHELSEA STADIUM LIMITED, (4) THE HOTEL AT CHELSEA LIMITED, (5) CHELSEA LEISURE SERVICES LIMITED, (6) CHELSEA FC PLC

MATTER: PROPOSED ACQUISITION OF THE SITE UNDER S 227 OF THE TOWN AND COUNTRY PLANNING ACT 1990 AND SUBSEQUENT APPLICATION UNDER S 203 OF THE HOUSING AND PLANNING ACT 2016 TO OVERRIDE EASEMENTS OR RIGHTS

1. INTRODUCTION

- 1.1 We act for Mr Louis Crosthwaite and Mrs Lucinda Crosthwaite, the registered freehold owners of a detached residence at 1-2 Stamford Cottages, London SW10 9UP (the "Crosthwaite family home").
- 1.2 Louis and Lucinda live at the Crosthwaite family home with Mr Nicolas Crosthwaite (Louis' father and Lucinda's husband) and Ms Rose Crosthwaite (Louis' sister and Nicolas and Lucinda's daughter).
- 1.3 The proposed development on the Development Site, which now benefits from a planning consent, will cause substantial interference to rights of light the Crosthwaite family home enjoys over the Development Site.

Pinsent Masons LLP

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- 1.4. The Claim, which was issued in the Chancery Division of the High Court on 19.5.17, seeks an injunction to restrain the defendants from unlawfully interfering with those rights of light.
- 1.5. The first, second, fourth, fifth and sixth defendants in the proceedings (the "**CFC Defendants**") have instructed Eversheds-Sutherland LLP to act for them. The third defendant has instructed Travers Smith LLP to act for it.
- 1.6. The purpose of this letter is to address the following comments made by Eversheds-Sutherland LLP in an open letter to this firm dated 12.6.17:-

"Your clients are aware that our clients intend to make a request to the London Borough of Hammersmith and Fulham to acquire an interest in development site pursuant to section 227 of the Town and Country Planning Act 1990, and hold it for planning purposes, so that section 203 of the Housing and Planning Act 2016 can be engaged. This could not realistically be [sic] made in advance of the grant of planning consent on 31 March. Since the grant of in-principle consent, our clients have been in discussions with the London Borough of Hammersmith and Fulham to initiate the acquisition ..."

- 1.7. Our clients' position is that they will take all legal action available to them in the event that you make a decision to acquire the Site under section 227 and/or if rights under section 203 of the Housing and Planning Act 2016 are relied upon, including, if relevant, their right to issue proceedings to review the lawfulness of any decision or action taken by you.

2. SECTION 227 OF THE TCPA 1990

- 2.1. Any arrangement where LBHF acquires land by agreement and then sells it back to the developer of the stadium will be subject to careful scrutiny by a court on any judicial review, particularly insofar as use of the legislation would be to seek to override easements of light and to avoid an injunction or damages in lieu of an injunction.
- 2.2. Section 227(1) of the TCPA 1990 provides that a council can acquire by agreement any land which they require for any purpose for which a local authority may be authorised to acquire land under s226. In this case, it is arguable that the Development Site is not land which the council requires for development. It has been held in this context that "*required*" means more than '*convenient*' and less than '*indispensable*': it means necessary in the circumstances of the case. See e.g. R v Leeds CC, ex p Leeds Industrial Co-Operative Society (1997) 73 P&CR 70 and Sharkey v SSE (1992) 63 P&CR 332.
- 2.3. Section 226(1) of the TCPA 1990 contains a power to acquire land provided that the council think that the acquisition of it will facilitate the carrying out of the development of land. In addition, under s226(1A) the council must think that the development is likely to contribute to the achievement of the economic, social or environmental well-being of the area. To rely on this section, LBHF would therefore be required to demonstrate how the well-being requirement would be satisfied.

3. SECTION 203 OF THE HPA 2016

- 3.1. Section 203 of the HPA 2016 provides that a person (which could include the developer of the stadium as successor in title to LBHF) may carry out building work even if it involves interfering with a right such as a right to light, provided that:-
 - 3.1.1. there is planning permission for the building work;



- 3.1.2 the work is carried out on land that has at any time become vested in or acquired by the council;
 - 3.1.3 the council could acquire the land compulsorily for the purposes of the building work; and
 - 3.1.4 the building work is for purposes related to the purposes for which the land was acquired.
- 3.2 As to the requirement at paragraph 3.1.2 above:-
- 3.2.1 LBHF must acquire the land on which the works will be undertaken which interfere with the right; and accordingly
 - 3.2.2 LBHF cannot just acquire a token interest in the Development Site: it must acquire at least the part of it on which the relevant interfering works will be undertaken. Relevant factors may include whether the CFC Defendants have development funding for the proposed development and/or whether one or more of them has a proprietary interest in at least the part of the Development Site where the proposed structure that will cause the interference to our clients' easement of light would be situated.
- 3.3 As to the requirement at paragraph 3.1.3 above:-
- 3.3.1 notwithstanding paragraph 573 of the explanatory notes to the HPA 2016, it is arguable that the requirement that "*the authority could acquire the land compulsorily for the purposes of the building or maintenance work*" should be confined to circumstances where the land could have been compulsorily acquired, i.e. where compulsory acquisition was a real prospect; and accordingly
 - 3.3.2 in the event it is not, then reliance on the s 203 power can be challenged.
- 3.4 It would be arguable that there would *not* be a real prospect of the Development Site being compulsorily acquired *if* the following requirements in the Government's guidance on compulsory purchase would not be met:-
- 3.4.1 if it cannot be said that reasonable steps have been taken to seek to acquire the necessary rights by agreement;
 - 3.4.2 if it cannot be said that all the necessary resources are likely to be available to achieve the development within a reasonable time-scale or if there is no evidence of how the funding shortfall is intended to be met;
 - 3.4.3 if, save in exceptional circumstances, it would not be reasonable to acquire land on the Site with little prospect of the scheme being implemented for a number of years; and
 - 3.4.4 if the scheme were facing physical or legal impediments to implementation, including the need to reach agreements with third parties.
- 3.5 Other requirements of law and policy on compulsory purchase include, for example, that it is necessary to demonstrate a compelling case in the public interest. In our clients' view, it is arguable, in the circumstances, that this policy requirement cannot be satisfied in this case.



3.6 If and when LBHF considers whether or not to acquire the relevant land in order to engage the protection in s 203 of the HPA 2016, it will need to ensure that the decision is taken properly in public law terms. This will require, *inter alia*, LBHF to take a rational decision, excluding immaterial considerations and taking into account all relevant considerations. Relevant considerations would include *inter alia*:-

3.6.1 whether agreement could be reached voluntarily, for example by negotiation;

3.6.2 whether it is necessary to take this step in order to enable the development to proceed, which could encompass various factors, including whether the development, *or a sufficient development*, could proceed without interfering with our clients' rights;

3.6.3 whether it is necessary in the public interest for the development to proceed; and

3.6.4 whether the interference with the rights to light is justified and proportionate, including in human rights terms.

3.7 In this respect of those considerations, we note:-

(a) the area of the new stadium that will cause the interference to rights of light at the Crosthwaite family home is an area of the new east stand which could be cut-back or the stadium re-designed so as not cause the interference. It is not the case that our clients' rights prevent the whole stadium being built. A substantial stadium could be constructed on the Development Site that does not interfere with our clients' rights of light;

(b) the new stadium will have a disproportionate amount of "hospitality" seating which, generally, takes up more space than general admittance seating. There will be 16,937 hospitality seats at the new stadium which is approximately 28% of the total seats. By comparison, the Emirates Stadium has 9,361 hospitality seats, which is approximately 16% of the total seats. Meanwhile, Wembley, which is a special case in that it was designed to host special events, has 17,252 hospitality seats. That is approximately 19% of total seats and only 315 more than the new Chelsea stadium notwithstanding that Wembley has 30,000 more seats (90,000 compared to 60,000); and

(c) the number of general admittance seats (which generally take up less space than hospitality seats) in the proposed new stadium will, in fact, decrease proportionately. In the existing stadium, 88% of seats are general admission where in the new stadium only 73% of seats will be (Design and Access Statement Part 03, paragraph 3.2, page 16).

4. COMMUNICATION

4.1 We do not have any information relating to your discussions with the CFC Defendants except that such discussions are, apparently, taking place. Nor do we have any information as to what documents the CFC Defendants have disclosed to you, including any without prejudice correspondence which might have passed between our clients and the CFC Defendants since 2015.

4.2 However, we refer to the recent decision of the High Court on without prejudice privilege, EMW Law LLP v Mr Scott Halborg [2017] EWHC 1014 (Ch.), in which Newey J noted at [44] that the authorities show that the without prejudice rule can be *waived* only with the consent of both parties to without prejudice correspondence or discussions. The question that arose in EMW was whether relevant without prejudice documents can be *shown to a third party only* if both parties to the without prejudice negotiations agree? Newey J held at [45] as follows:-

"The answer, I think, must be "No". The voluntary provision of a document has, as it seems to me, to be distinguished from compulsory disclosure. The fact that a party to without prejudice negotiations is entitled to withhold communications within their scope on disclosure cannot mean that he is not free to show them to someone else if he so chooses, at least if there is a legitimate reason for doing so." (our emphasis)

4.3 In the event that full disclosure has not been provided to you by the CFC Defendants, the decision as to whether you now request that is at your discretion.

4.4 For the avoidance of doubt, our clients do not consent to the disclosure of any privileged documents or correspondence, including any without prejudice correspondence relating to the rights of light issue that our clients may have exchanged with the CFC Defendants (including through solicitors) since 2015, and therefore do not waive privilege over any such documents.

We presume that you will take independent legal advice on the content of this letter.


Yours faithfully

Pinsent Masons LLP

Pinsent Masons LLP

Copy to: Ms Tasnim Shawkat (Director of Law) and Ms Juliemma McLoughlin (Lead Director of Planning and Development). Both by post: Hammersmith & Fulham Council, Town Hall, King Street, Hammersmith, London W6 9JU.

Agenda Item 18

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	 <p>h&f hammersmith & fulham</p>
<p>Disposal of Fulham North Housing Office (SW6 7RX) to Shepherds Bush Housing Association (SBHA) to develop new affordable housing</p>	
<p>Report of the Cabinet Member for Housing, Councillor Lisa Homan and the Cabinet Member for Economic Development and Regeneration, Councillor Andrew Jones</p>	
<p>Open report</p> <p>A separate report on the exempt part of the Cabinet agenda provides exempt financial information.</p>	
<p>Classification - For Decision</p> <p>Key Decision: Yes</p>	
<p>Consultation Legal, Finance, Housing Options, Property Services</p>	
<p>Wards Affected: Fulham Broadway</p>	
<p>Accountable Director: Jo Rowlands, Lead Director for Regeneration, Planning & Housing</p>	
<p>Report Author: David Burns, Head of Housing Strategy</p>	<p>Contact Details: Tel: 020 753 6090 E-mail: David.Burns@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The Fulham North Housing Office (FNHO) is a Council owned site in the south of the borough, located on the Clem Attlee Estate. It is a two-storey building with car parking areas at both ends of the building. It currently houses the Pinnacle Housing team, Mitie (Repairs and Maintenance Contractor) and the Early Help, Localities team for the area.
- 1.2. Shepherds Bush Housing Association (SBHA) working with Action on Disability (AoD), have submitted their planning application to redevelop the FNHO and provide a part three / part five storey block with 30 new affordable

residential units for London Affordable Rent and Shared Ownership across all levels. A new fit for purpose office will be provided as the new offices for AoD.

- 1.3. The Council is committed to maximising the supply of genuinely affordable housing and the Council's Housing Strategy 'Delivering the Change we need in Housing' identifies working with housing providers as a key route to achieving this. The disposal of this land at Fulham North Housing Office to provide affordable housing fits clearly within these objectives. In addition, the development will provide a new office and community space to AoD to continue providing their services in the borough.

2. RECOMMENDATIONS

- 2.1. To agree to transfer the land at Fulham North Housing Office to Shepherd's Bush Housing Association under a land sale agreement on a 250-year lease.
- 2.2. To agree to delegate authority to the Lead Director for Regeneration, Planning and Housing, the Director of Finance & Resources (Regeneration, Planning & Housing) and the Director of Building and Property Management in consultation with the Cabinet Member for Housing and the Cabinet Member for Economic Development and Regeneration to complete negotiations with Shepherd's Bush Housing Association and complete a land sale agreement for the transfer of the land, and associated leases, based on the agreed heads of terms (Appendix A, contained in the exempt part of the Cabinet agenda).
- 2.3. To agree to delegate authority to the Lead Director for Regeneration, Planning and Housing, and the Director of Building and Property Management in consultation with the Cabinet Member for Housing and the Cabinet Member for Economic Development and Regeneration to confirm that disposal of the land will be covered by General Consents under s123 of Local Government Act 1972 and seek advice under Housing Act to dispose of the Housing land at Fulham North Housing Office or to seek the necessary consent from the Secretary of State should it be required.
- 2.4. To agree to delegate authority to the Lead Director for Regeneration, Planning and Housing and the Director of Finance & Resources (Regeneration, Planning & Housing), in consultation with the Cabinet Member for Housing and the Cabinet Member for Economic Development and Regeneration to enter into a Funding Agreement with SBHA for the use of right to buy receipts in support of this scheme, should this be required.
- 2.5. To approve costs of £140,000, funded from the Housing Revenue Account, for the move from the Fulham North Housing Office to 363 North End Road and Falkland House. To note the risk that an additional £75,000 of expenditure may be required.
- 2.6. To approve additional annual running costs of £23,000 per year in addition to budgets already held for the Fulham North Office, for 363 North End Road. To note these costs will be funded from the Housing Revenue Account.

3. REASONS FOR DECISION

- 3.1. The Council is committed to maximising the supply of genuinely affordable housing and the Council's Housing Strategy 'Delivering the Change we need in Housing' identifies working with housing providers as a key route to achieving this. The development of this land at Fulham North Housing Office for this purpose fits clearly within these objectives. In addition, the development will provide a new office and community space to AoD to continue providing their services in the borough.

4. PROPOSAL AND ISSUES

- 4.1. Fulham North Housing Office is located on Housing Land situated in the south of the borough, on the Clem Attlee Estate. Due to the significant demands for affordable housing units in the south of the borough, the site has been identified as suitable for development. A plan of the site can be found in exempt Appendix B (contained in the exempt part of the Cabinet agenda) – red line boundary of FNHO. Through the development of new affordable housing units, the council can maximise the use of the site and create a new efficient use of the space available.
- 4.2. Shepherd's Bush Housing Association (SBHA) is a locally based housing association with a strong record of accomplishment of affordable housing delivery. They have a strong presence in the borough, with over 4,000 mixed tenure homes already and are committed to working with the Council to deliver more affordable housing.
- 4.3. Given the scarcity and value of land in the borough, working with SBHA on local authority owned land provides an opportunity for the partnership to be used in delivering more affordable housing and a new office space for AoD.
- 4.4. SBHA have progressed and submitted a planning application for 30 new units comprising of:
- 18 x London Affordable Rented units
 - 12 x Shared Ownership units
 - 4,000 sq ft of community and office space for AoD (planning application is for B1 (office) and D1 (community etc))
- 4.5. Action on Disability (AoD) is a user led organisation, managed, and controlled by disabled people. It campaigns for the rights of disabled people and influences local and national policy and practice. AoD is fully supportive of the proposed development and have been involved in the design process of their new offices.
- 4.6. The Council will retain 100% nomination rights to all properties, under the terms of the planning consent.

- 4.7. During the development by SBHA, part of the car parking will be temporarily suspended. The final property documents will be aligned with the planning conditions and the s.106 obligations.

Land Exemption from Public Procurement Regulations

- 4.8. Under the public procurement regulations, the Council does not have to complete a public procurement exercise for the disposal of land under the land exemption. This provides for the Council to dispose of land without competition where it does not obtain from the developer an enforceable obligation to carry out works to the specification of the Council. Instead the Council is reliant on commercial incentives to ensure that the site is developed.

- 4.9. While not being able to specify works, the Council can specify:

- i) The types of building to be developed
- ii) The disposal would be by way of the 250-year lease rather than a freehold disposal with appropriate clauses in the event of works not being commenced or completed within agreed timescales
- iii) The Council will have nomination rights to all homes if they are built on the land
- iv) In addition, the head lease to SBHA will specify affordable housing under the user clause as well as defining community/office space for AoD
- v) Input into the design of the development
- vi) A long stop date if the development did not proceed.

- 4.10. Full heads of terms are included in Appendix A, in the exempt part of the Cabinet report. SBHA will also agree a sub-lease to AoD. The contract for the grant of the sub-lease is to be contemporaneous with the grant of the main lease. Any grant of a sub-lease needs approval from a freeholder (the Council).

Proposed Development

- 4.11. SBHA submitted their planning application in mid-September 2017 and it is proposed that a decision will be made at Planning and Development Control Committee (PADCC)s on 9th January 2018, subject to completion of s.106 agreement, for:

Bed Size	London Affordable Rented units	Shared Ownership units	Total
1 bed	0	4	4
2 bed	18	8	26
Total	18	12	30

- 4.12. In addition to the affordable housing, the proposals will create a brand-new office space for users of AoD.

- 4.13. The high-quality design of the development will enhance the Clem Attlee Estate and provide an attractive outlook for residents. The increase in passive surveillance will improve security and help to reduce antisocial behaviour.
- 4.14. SBHA expect to start on site early 2018 and complete the development within 24 months.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The Regeneration, Planning & Housing Service considered several options for this site.
- 5.2. **Option 1** - Do nothing – continue using the site as the Fulham North Housing Office. However there is a great demand for affordable housing especially in the south of the borough.
- 5.3. **Option 2** - The Council could choose to develop this site directly, under its direct delivery programme. However, this programme is currently running at capacity in terms of both staff resources and the capital resources required to develop this site. To develop this site directly, the Council would need to wait several financial years before capital resources became available.
- 5.4. **Option 3** - The Council could choose to run an open competition for the development of the land to obtain the maximum possible land value. Potential developers would have to provide a mixed tenure scheme in order to generate a profit and the Council would have limited control over the site. However, this is the least likely option to be delivered and would negate two opportunities:
 - a) To obtain the most possible affordable housing on the site (currently proposed as 100% affordable); and
 - b) The opportunity to provide a new office space for AoD at nil cost to AoD
- 5.5. It would also mean giving up the strong partnership arrangements that are proposed by SBHA. This method of delivery is being considered as a pilot to help shape future use of assets to deliver affordable housing.
- 5.6. As an alternative, the Council could have run a public contracts regulation compliant process (sometimes known as an OJEU process) which would have enabled it to stipulate 100% affordable housing. However, at the time of starting this process no accessible frameworks were available to the Council and this would have added 9-12 months to the process, causing a significant delay to delivering affordable housing.
- 5.7. **Option 4** - Disposing to SBHA delivers the outcomes that align most closely with the Council's agreed housing strategy. The Council has secured external specialist valuations to determine the valuation of the site based on the proposed scheme to assist in determining if formal SOS consent is required under Local Government Act 1972

- 5.8. Having thoroughly tested the options for the site, the Council is satisfied that SBHA's proposals offer the maximum amount of housing that can be accommodated on site, as it has been guided by clear planning advice. The financial proposals from SBHA have been tested by the housing finance team, and the disposal will be subject to the best consideration test.
- 5.9. There is a shortage of affordable housing in the south of the borough. In addition, the provision of new affordable housing satisfies the requirements under the Council's general disposal consent, that the disposal must provide economic and social wellbeing.

6. CONSULTATION

- 6.1. SBHA held a consultation event to discuss the proposals with local residents, at the Clem Attlee Tenants' Hall in June 2017.
- 6.2. The Council's Housing Service attended the Clem Attlee TRA's General Meeting in September to discuss the parking implications during the proposed redevelopment of FNHO.
- 6.3. Residents on the estate and in the south of the borough, have been contacted by the Housing Service regarding the upcoming move of the FNHO and its services. Further communications will be issued to residents prior to the office decant to update them on the new location.
- 6.4. Consultation with local residents will be carried out as part of the statutory planning process.
- 6.5. Regular updates are provided to the Clem Attlee Tenants Residents' Association at their General Meetings. Ward Members
- 6.6. This will continue with a clear communications plan by SBHA and housing services to keep residents informed during demolition of the site and construction of the new building.

7. EQUALITY IMPLICATIONS

- 7.1. The creation of new genuinely affordable housing provides opportunities to address income inequality.
- 7.2. The planning application submitted by SBHA includes 10% as fully wheelchair adapted units. There will also be three disabled parking bays. Therefore, this provides an opportunity for disabled residents to access appropriate housing.

8. LEGAL IMPLICATIONS

- 8.1. A procurable public works contract is likely to exist where the Council obtains from the developer an enforceable obligation to carry out works to the specification of the Council. Conversely, a public procurement competition may not need to be run where the arrangements provide for a loser

relationship with more optionality on the part of the developer or with less specification on the part of the Council.

- 8.2. The disposal would be by way of a 250-year lease rather than freehold with a user restricting use to social housing. This would prevent private sales. The lease would also provide for provision for surrender in the event of the works approved under the Planning Permission not having been commenced or completed by agreed dates
- 8.3. Activities which are permitted under the land exemption include:
- A developer engaging with the Council in respect of the type of buildings they might want to provide (so long as there is not a legally binding obligation to deliver the works to a specification);
 - A developer pursuing planning applications in respect of the site (and the land sale or lease could include a provision that the site would be developed in accordance with planning permission and planning policy);
 - Including a provision (which would need to be appropriately worded) that the Council could re-purchase a site in the event of non-construction (which should be defined as not starting the works) by the developer.
 - Agreeing that if the developer constructed the housing then the Council would have nomination rights into those dwellings.
 - Including overage (profit-sharing payments) within the sale contract provided that this is not accompanied by any legal obligation on the developer to carry out any works;
 - The Council attending design meetings and provide input and opinion into those design meetings, as long as the Council cannot be said to be exercising a "decisive influence" over the design development process in a context where the developer is committed to building the development
- 8.4. As the land is housing land within the HRA the relevant power for the disposal is S.32 of the Housing Act 1985. Secretary of State consent is usually required for a disposal of housing land. Such consent can either be a specific consent or in certain cases by way of a General Consent. General Consent A3.1.1 provides that a local authority may dispose of land for a consideration equal to its market value so no such specific consent would be needed if that is the case with this disposal. In this case the value for this land is being assessed on the basis of the restricted use for this scheme, rather than a full open market value, and so this general consent would not apply.
- 8.5. There is also a further general consent A3.2 permitting the disposal of "vacant land" being land on which no dwelling has been built. The disused community centre building would fall within this definition and so no specific consent under S.32 of the Housing Act 1985 should be required
- 8.6. The requirement under S.123 of the Local Government 1972 that property be disposed of at best value applies, although there is a general consent (**The Local Government Act 1972: General Disposal Consent 2003**) which

permits disposal at an undervalue provided the **undervalue** is **£2,000,000 or less**

- 8.7. The disposal is to be by way of a 250-year lease rather than freehold so its use can be restricted to affordable or intermediate properties and so prevent private sales. The lease will also provide for provision for surrender in the event of the works approved under the Planning Permission not having been commenced or completed by agreed dates to ensure that the agreed scheme is built out.
- 8.8. The contract for the grant of the lease is to be contemporaneous with a separate Agreement between SBHA and Action on Disability for the grant to AoD of a lease on term agreed in advance both by AoD and the Council.

*Implications verified/completed by: Dermot Rayner Senior Property Solicitor
0208 753 2715.*

9. FINANCIAL IMPLICATIONS

Further comments are set out in the exempt part of the Cabinet agenda.

Housing Budget Implications

- 9.1. It is expected that there will be a net increase in ongoing annual costs of £23,000 for the Housing Revenue Account as a result of the moves to new office accommodation. However, there will be significant one-off costs of £140,000.

Item	Annual Costs	One Off
	£000s	£000s
Loss of recharge to General Fund for use of office	36	
Savings on current running costs for Fulham North Area Office	(79)	
Running costs for 363 North End Road	66	
Falkland House refurbishment costs		38
Decant costs from Fulham North Area Office		10
Office refurbishment and removal costs for 363 North End Road		57
Communications costs		10
Legal and agent costs to conclude 363 North End Road letting agreement		5
MITIE ICT infrastructure costs for 363 North End Road		20
	23	140

- 9.2. There will be a reduction of £36,000 in charges to the General Fund due to the discontinuation of the charge from the Housing Revenue Account for the use of the office space at Fulham North Housing Office by Children's Services.
- 9.3. In addition to the above, there are risks in excess of £75,000 mainly relating to negotiations with MITIE on the refurbishment costs for Falkland House.
- 9.4. As the Council will have nomination rights to the new homes, costs will be avoided for the General Fund as we will not have to place homeless families in expensive Bed & Breakfast temporary accommodation. Based on the 18 affordable units and the 2017/18 temporary accommodation budget there will be a cost avoidance for the Council of circa £1,600 per unit which equates to £29,000 per year. The saving for the wider public purse based on the average Local Housing Allowance for the Councils temporary accommodation will be circa £4,400 per unit which equates to £79,000 a year.

Housing Budget Implications verified/completed by: Daniel Rochford, Head of Finance for Regeneration, Planning and Housing Services, Telephone: 020 8753 4023

General Fund Budget Implications

- 9.5. The reduction in the civic accommodation costs of £36,000 (referred to in paragraph 9.9) charged to the General Fund by the HRA for the use of office space at Fulham North Housing Office will be used to mitigate against existing civic accommodation budget pressures.
- 9.6. The costs associated with funding alternative accommodation for Children's Services staff will be funded from existing resources and growth bids within the Family Support Service.

General Fund Budget Implications verified/completed by: Gary Ironmonger, Finance Manager, Finance & Corporate Services, Telephone: 020 8753 2109 and Alexandra Pilgerstorfer Strategic Finance Lead, Family Services, Children's Services, Tel: 07701 372475

10. IMPLICATIONS FOR BUSINESS

- 10.1. The development of new affordable housing will create opportunities within the construction supply chain and thus benefit businesses in the borough.

11. COMMERCIAL IMPLICATIONS

- 11.1. There are no direct procurement related implications. The legal comments confirm that this land sale is exempt from the Public Contracts Regulations 2015 (as amended).

Comments completed by Alan Parry, Procurement Consultant. Telephone (020) 8942 0130.

12. OTHER IMPLICATIONS PARAGRAPHS

Risk Management

- 12.1. The key risk is that SBHA will not carry out the development within an agreed timescale. However, there are provisions within the heads of terms and proposed leases that require return of the land should they not proceed.
- 12.2. The project has a risk register which is updated and reviewed on a regular basis.

Valuation

- 12.3. An external property specialist has been commissioned by Property Services to provide appraisals to assist the Council in complying with s123 of the Local Government Act 1972. The first valuation appraisal of the land based is based on the re-development scheme that has been submitted for planning permission. This is a 100% affordable housing project with community/office space. Financial rental information has been provided by Housing colleagues to assist in the valuation appraisal of the site and information is being provided shortly by SBHA to help finalise this valuation appraisal in late November.
- 12.4. A second valuation appraisal is also being undertaken assuming the site is sold on the open market for a scheme that is private and public housing plus community use based on the Local Plan policies.
- 12.5. Once, these valuation appraisals are finalised, then the Council has information that identifies the difference between valuation 1 and valuation 2. The valuation appraisals are being assessed so if the difference between valuation 2 and 1 is below £2 million then there are general consents under s123 Local Government Act 1972 can allow the sale to proceed. If the difference in valuations are above £2 million, then a formal application is required to Secretary of State for determination. The Council has secured SOS approval for previous projects. If an application is required then consent can take 6-8 weeks.
- 12.6. It is highly likely that there will be no need for a reference to formal SOS consent as the under-value is likely to be below £2 million.

Comments completed by Nigel Brown, Head of Asset Strategy and Portfolio Management. Telephone (020) 8942 2835.

Fulham North Housing Office Decant

- 12.7. FNHO is currently occupied by Housing, Mitie and Children's Services and it is used as hotdesk resource by other Council services. The office receives residents in person for housing enquiries.

- 12.8. The current occupiers will be moved to alternative accommodation and this is an opportunity for service transformation to occur so new accommodation requirements take into account efficiencies and new ways of working.
- 12.9. The Council's Asset Strategy & Portfolio Management team have worked closely with Housing to identify potential options. A long list of options have been undertaken and the following options have been agreed and progressed.
- 12.10. Children's Services are arranging their own decant as part of a wider service transformation programme which is due to take place in February 2018.
- 12.11. Housing staff (Pinnacle) to move to 363 North End Road, SW6 1NW. The property is currently an advice centre providing 2,250 sq ft of office accommodation opening to the main road with good public transport and physical access. There is no parking, which will be accommodated on nearby HRA estates. The freehold is owned by Sobus, a community charity and it is currently rented to H&F Law Centre, another community charity.
- 12.12. Mitie staff will move to Falkland House, Mornington Avenue W14 8UQ. The building was previously let out to NHS Clinic and provides 2,100 sq ft of usable office space located on HRA land on Lytton Estate to the north of the A4 main road, a 5-minute walk from West Kensington tube. Parking will be available on the nearby estate.

Parking on Clem Attlee Estate

- 12.13. The Council's Housing Services has looked at ways to provide more parking spaces as a result of losing parking bays due to the the FNHO development.
- 12.14. Officers have worked up proposals to create more parking spaces and to free up existing spaces currently used by Mitie services which will be returned to the residents once vacant possession is achieved.
- 12.15. The Council's Housing Service have discussed these proposals with the Clem Attlee Tenant Residents' Association and further details will be provided to residents on the estate once planning has been granted.

Indicative Timetable

- 12.16. A high-level Delivery Timetable is set out below:

Planning and Development Control Committee (PADCC)	9 th January 2018
Cabinet Committee	15 th January 2018
FNHO vacant possession	February 2018

SBHA start on site	March 2018
Completion of development	March 2020

Health and Wellbeing

12.17. New affordable housing will be of a higher standard than that which potential social tenants are currently housed and so presents opportunities to improve the health of our residents. Stable housing for those in temporary accommodation has also been shown to have positive effects on mental health.

13. BACKGROUND PAPERS USED IN PREPARING THIS REPORT


None

LIST OF APPENDICES:

Appendix A – Exempt Draft Heads of Terms – LBHF and SBHA – *contained in the exempt part of the Cabinet agenda.*

Appendix B – Exempt Red line boundary of FNHO site – *contained in the exempt part of the Cabinet agenda.*

Agenda Item 19

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
CHARGEABLE SERVICES POLICY	
Report of the Cabinet Member for Housing – Councillor Lisa Homan	
Open Report	
Classification: For decision Key Decision: Yes	
Consultation: Legal, Finance	
Wards Affected: All	
Accountable Officer: David McNulty, Programme Manager, HCH Finance and Resources	
Report Author: Liz Byron Policy Officer	Contact Details: elizabeth.byron@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. This report is submitted to recommend that Cabinet decide to approve the attached Housing Services Chargeable Services Policy.
- 1.2. The Chargeable Services Policy affects all Council homes within the borough. Some services are rechargeable to all Council tenants and leaseholders, and freeholders subject to service charges, regardless of the tenure under which they occupy their premises.
- 1.3. The policy explains how the Housing Services Department will deal effectively with recharges, including those arising from damage, non-standard alterations or for the cost of clearing abandoned possessions left behind by tenants, leaseholders and relevant freeholders or where unauthorised works have been carried out and there is a cost of correcting those works, making safe or returning the property to its original state.
- 1.4. The Council currently has a comprehensive Fire Safety Plus programme funding a major package of testing, works and free equipment for residents. This policy will be effective after the current amnesty for reinstatement works

for residents, including leaseholders, who take up the individual safety check visit offered by the Council.

2. RECOMMENDATIONS

- 2.1. To approve the Chargeable Services Policy for implementation by LBHF. (Appendix 1).

3. REASONS FOR DECISION

- 3.1. Implementation of this policy will help ensure that it delivers against the Excellent Housing Services for all themes and that public money is safeguarded while tenants and leaseholders are dealt with equitably and reasonably.
- 3.2. The key focus of the policy is to create a cultural change in tenants' thinking and behaviour in order to render the need for recharging unnecessary and improve and maintain the condition of council properties.
- 3.3. A key benefit of this policy is that the Council will be recovering money that it is not currently recoverable.

4. PROPOSAL AND ISSUES

- 4.1. Cabinet are also asked to note the principles in delivering the policy, it's purpose and scope as set out below:

4.2. *Principles in delivering the policy*

- Recharging decisions should be consistent and should be signed off by the appropriate Head of Service
- Charges must be supported by documentary evidence to clearly identify the scope of, and reason for, the rechargeable work required
- Tenants and leaseholders with recharges should be told clearly and quickly the reasons for the recharge
- We will aim to raise charges fairly, promptly, and accurately with the minimum of administration cost
- We will aim to be clear in all communication with residents and all communication will be in line with the 'Better Letters' principles
- Payment should be received in advance, where possible, from tenants and leaseholders before issuing a works order or providing a service
- We will be consistent and fair in the treatment of all tenants and leaseholders
- We will deliver 'Value for Money' services and ensure maximum and efficient use of maintenance budgets

4.3. **Purpose**

- 4.3.1 This policy is intended to apply to all Council tenants, leaseholders and freeholders subject to service charges (where the Council accepts that it is the resident's direct landlord), regardless of the tenure under which they occupy their premises, when any damage / works required of a non-standard nature to the Council's property (to include land as well as premises) is caused, or have been carried out.
- 4.3.2 The policy outlines under what circumstances charges will become applicable and what those charges should be. There will be circumstances which the policy does not cover. In these cases, advice must be sought from a senior manager or director.
- 4.3.3 This policy is in line with those adopted by an increasing number of other London Boroughs and District and County Councils elsewhere. This has enabled LBHF to draw on best practice for both policy and implementation, such as resident information on avoiding the necessity of recharges.
- 4.3.4 Recharges will not be made for residents, including leaseholders, for reinstatement works applied for under the current amnesty within the Fire Safety Plus programme.
- 4.3.5 There will be times when discretion is to be used in applying this policy, for example, when dealing with vulnerable tenants, leaseholders and relevant freeholders. Advice should always be sought from a senior manager or director when dealing with vulnerable residents.
- 4.3.6 The policy aims to promote a responsible attitude from tenants, leaseholders and freeholders towards their property, through pursuing costs, where justified, from those tenants and leaseholders who are negligent, deliberately cause damage, or carry out works without permission.
- 4.3.7 An outcome, which is not specifically desired, will be to maximise income by the recovery of debts owed in relation to recharges, whilst still having regard to the Council's overall statutory duty to vulnerable tenants and leaseholders.
- 4.3.8 Any collections required as a result of this policy will be carried out through the joint venture, in line with the Council's ethical debt management collection policy.

4.4 **Scope**

This policy covers the whole of housing services, which includes housing management, property services and estate services.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The policy covers circumstances of repairs, standards of repairs, how charges will be made, the use of community caretakers, actions required in respect of repairs carried out, issues relating to Houses of Multiple Occupation (HMOs), obligations, waiver of charges and appeals.
- 5.2. It is an option for the Council not to recharge though this will result in a loss of money as the services covered by the policy will have to be delivered and funded by the authority.
- 5.3. Recharges will include rectifying negligent or malicious damage, non-standard alterations, the cost of clearing abandoned possessions left behind by tenants, leaseholders and relevant freeholders and the cost of correcting unauthorised works. Current provision of such services indicates that this amounts to an annual cost in excess of £100k (budgetary details shown at section 9).
- 5.4. A recharging policy is intended to trigger positive behaviour changes and increased responsibility by making residents aware of the impact of the policy. Where this does not occur, it will result in the recovery of money for the Council.

6. CONSULTATION

- 6.1. Residents and relevant Council services have been consulted commensurate with the impact of this policy. The policy was addressed by the residents' reading group in February 2017. No additional issues were raised.
- 6.2. The policy was presented to the Housing Representatives' Forum on 28/03/17 and 20/06/17 when minor amendments were requested. The policy was finally agreed on 19/09/17 and full minutes were taken of each discussion.

7. EQUALITY IMPLICATIONS

- 7.1. The policy will apply equally to all tenants, leaseholders and relevant freeholders in Council homes and will ensure that the housing stock is kept in good repair for all current and future residents. Particular regard has been given in the policy to dealing with vulnerable residents where officers are expected to use appropriate discretion, this will include tenants, leaseholders and relevant freeholders with mental and/or physical disabilities and learning difficulties. Recharges will not be sought from victims of, for example, domestic abuse or other crime.

8. LEGAL IMPLICATIONS

- 8.1. The recharging for repairs as per leasehold properties or tenanted properties is a right by way of contract. In recharging for works completed the officer will need to establish that they have followed any provisions that may be applicable under any leasehold agreement. For example, LBHF may be restricted in recharging for works to rectify alterations or where works have

been required to remedy the state of repair of a property if the lease does not allow for it or if we were required to give a period of notice before we were to go into the property and recharge for those works.

- 8.2. Where works could be seen to amount to major works under a lease, the Council will also need to consider the statutory requirements set out including consultation requirements as set out in s20 of the Landlord and Tenant Act 1985 (amended by section 151 of the Commonhold and Leasehold Reform Act 2002). For example, we would need to consult when we
 - 8.2.1. Carry out work which will cost any one leaseholder more than £250. This includes repairs, maintenance and improvements to the building and estate.
 - 8.2.2. Enter into a long-term agreement (for more than 12 months) with outside contractors for work, supplies or services which will cost any one leaseholder more than £100 a year. Examples include cleaning, grounds maintenance and surveying.
 - 8.2.3. Carry out work under a long-term agreement where the work will cost any one leaseholder more than £250.
- 8.3. Legal implications considered by Angus Everett, solicitor Tri Borough Shared Legal Services.

9. FINANCIAL IMPLICATIONS

- 9.1. This policy is intended to ensure that where the Council incurs additional costs arising from the circumstances outlined above in paragraph 1.3 (such as damage, alterations and other unauthorised works or abandoned possessions), these costs can be recovered from the tenant and leaseholder.
- 9.2. A clear and consistent policy will result in making this process more effective and in so doing, deliver value for money for the tenants of the Housing Revenue Account.
- 9.3. Income budgets are already incorporated into the existing Housing Revenue Account budget for 2017/18. These include an income budget of £116,000 for the recovery of compliance-related costs and an income budget of £203,200 for the recovery of costs associated with the need to carry out repairs to tenants' homes. The latest forecast out turn for the 2017/18 financial year as at September 2017 assumes we only collect £29,000 of income.
- 9.4. It may be possible to generate additional income not already budgeted for by applying the new policy, as it will improve the effectiveness of the recharging process and, as residents become aware of the new policy, it may mean we are less likely to incur the costs in the first place. However, it is also likely that some costs may not be recovered given the Council's overall statutory duty to vulnerable tenants and leaseholders.
- 9.5. Implications completed by: Danny Rochford, Head of Finance, x4023.

10. IMPLICATIONS FOR BUSINESS

- 10.1. There are no commercial or procurement implications identified in the recommendations contained in this report.
- 10.2. Implications completed by: Alan Parry, Procurement Consultant. Telephone 020 8753 2581

11. COMMERCIAL IMPLICATIONS

- 11.1. There are no commercial or procurement implications identified in the recommendations contained in this report.
- 11.2. Implications completed by: Alan Parry, Procurement Consultant. Telephone 020 8753 2581

12. IT IMPLICATIONS

- 12.1 There are no IT implications with this policy, as it will be managed within existing IT systems i.e. the invoices will be raised through Agresso and the rechargeable repairs raised and recorded on the Mitie repair ordering system.
- 12.2 Implications verified/completed by Howell Huws, Head of Contracts and Operations. Telephone 020 8753 5025.

13. OTHER IMPLICATION PARAGRAPHS

- 13.1. Nil

14. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

LBHF Housing Strategy Delivering the change we need in housing (published)
Housing Services Chargeable Services Policy (published)
Housing Services Discretionary Repairs Policy (published)

LIST OF APPENDICES

Appendix 1 Housing Services Chargeable Services Policy

Housing Services

Chargeable Services Policy

Department	Housing Services
Responsible Person	Kath Corbett
Resident Sign off	June 2017
Approval Date	September 2017
Next Review Date	January 2019
Version Number	Final

Contents	Page
1. Introduction	2
2. Purpose	3
3. Scope	4
4. Policy	4
5. Responsibility	7
6. Monitoring, Review, and Evaluation	9
7. Associated policies and documents	10

1. Introduction

1.1 This policy explains how the Housing Services Department will deal effectively with recharges, including those arising from damage, non-standard alterations or for the cost of clearing abandoned possessions left behind by tenants, leaseholders and relevant freeholders, or where unauthorised works have been carried out and there is a cost of correcting those works, making safe or returning the property to its original state.

1.2 The policy covers recharges arising from those works which lie outside of the landlord responsibilities, including where costs are involved for dealing with applications for landlord's consent to alterations to Council properties or costs involved for the Council in investigating unauthorised alterations including houses of multiple occupation (HMOs).

1.3 This policy is consistent with the Council's objectives as outlined in the Housing Strategy¹ and delivers specifically against the Excellent Housing Services for All theme by ensuring that the housing stock is kept in good condition for current and future residents.

1.4 The principles in delivering this policy are:

¹ LBHF Housing Strategy: Delivering the change we need in housing, https://www.lbhf.gov.uk/sites/default/files/section_attachments/delivering_the_change_we_need_in_housing.pdf

- Recharging decisions should be consistent and should be signed off by the Head of Service
- Charges must be supported by documentary evidence to clearly identify the scope of, and reason for, the rechargeable work required
- Tenants, leaseholders and relevant freeholders with recharges should be told clearly and quickly the reasons for the recharge
- We will aim to raise charges fairly, promptly, and accurately with the minimum of administration cost
- We will aim to be clear in all communication with residents and all communication will be in line with the 'Better Letters' principles
- Payment should be taken in advance, where possible, from tenants, leaseholders and relevant freeholders before issuing a works order or providing a service
- We will be consistent and fair in the treatment of all tenants, leaseholders and freeholders
- We will deliver 'Value for Money' services and ensure maximum and efficient use of maintenance budgets

2. Purpose

2.1 This policy aims to pursue costs, where justified, from those tenants, leaseholders and freeholders who are negligent, deliberately cause damage, or carry out works without permission.

2.2 This policy is intended to apply to all Council tenants and leaseholders and freeholders subject to service charges (where the Council accepts that it is the resident's direct landlord), regardless of the tenure under which they occupy their premises, when any damage / works required of a non-standard nature to the Council's property (to include land as well as premises) is caused or have been carried out.

2.3 The policy will outline under what circumstances charges will become applicable and what those charges should be. There will be circumstances which the policy does not cover. In these cases, advice must be sought from a senior manager or director.

2.4 There will be times when discretion is to be used in applying this policy. For example, when dealing with vulnerable tenants, leaseholders or freeholders. Advice should always be sought from a senior manager or director when dealing with vulnerable residents.

2.5 An outcome, which is not specifically desired, will be to maximise income by the recovery of debts owed in relation to recharges, whilst still having regard to the Council's overall statutory duty to vulnerable tenants / leaseholders.

3. Scope

3.1 This policy covers the whole of housing services, which includes housing management, property services and estate services.

4. Policy

4.1 This policy specifies how the Council will recover the cost of damage to Council property due to negligent or malicious behaviour. These fall outside the landlord's obligations and therefore become rechargeable.

4.2 Recharges are costs for any repairs that have been / must be carried out to Council property due to damage, neglect, misuse, or abuse by tenants, Leaseholders and relevant freeholders, members of their household or visitors to their home. In addition, it covers the cost of clearing out possessions left behind when a property is vacated or for any work carried out by the Council to repair or maintain the property that is the tenant's, leaseholder's or freeholder's responsibility.

4.3 Recharges will be sought to pay for repairs / works which fall outside of the landlord's responsibilities.

4.4 The following are examples of circumstances which could find a repair / work, which would give rise to recharge being sought:

- Through a routine inspection of the property
- Through a visit to the property after a report for another issue
- Through information received from third parties, such as the Police, Council contractors, the Fire Brigade, Social Services, CCTV staff
- Through self-reporting of an issue
- Through void management including end of tenancy inspection
- Through information received through housing officers visiting tenants, leaseholders or freeholders
- Through mutual exchange/beneficial transfers
- Through property compliance team inspections/contact which give rise to charges being sought in respect of their time and any remedial work needing to be carried out
- Through Health and Safety concerns prior to 'Right to Buy' process

4.5 Following an inspection, it will be at the Council's discretion to decide whether to give tenants, leaseholders or relevant freeholders an opportunity to rectify those

repairs or, alternatively, to request the resident sign a confirmation that they accept the charge to be levied against them.

4.6 Where an opportunity to rectify the works has been granted, an inspection of those works will need to be carried out to check that it is of the standard required.

4.7 Where rectification works carried out by the tenant, leaseholder or freeholder are not of the required standard and more works to put it right must be carried out, the recharge will be recalculated and charged to the tenant, leaseholder or freeholder. The tenant, leaseholder or relevant freeholder can ask for advice from the Council about the standard of work before they carry out the works themselves. This advice will be charged for at a flat rate plus VAT.

4.8 Where any work can be carried out by the estate caretakers or their contracted equivalents, a fixed charge plus VAT will be levied. Where works require an external contractor, the total costs incurred by the Council will be invoiced and will be charged in full.

4.9 Examples of works which community caretakers could carry out are (non-exhaustive list):

- Rubbish removal
- Graffiti cleaning
- General cleaning after rubbish removal
- Replacing padlocks to roof hatches after removal of unauthorised satellite dishes, pirate radio equipment, etc.

4.10 Where more senior officers and managers are involved the cost incurred shall be accounted for and charges based upon that cost.

4.11 This policy also covers the Property Compliance Team, where they deal with applications for landlord's consent to alterations, party wall matters, scaffold licences, skips or storage of building materials on or over the Council land or oversailing on a tight construction site for use of tower cranes and wayleaves for utility companies to carry out work on Council land, whether those works are already underway, complete, or not yet started. Also, where action must be sought against a tenant/leaseholder/freeholder/builder/company for not stopping and making safe the works.

4.12 The Property Compliance Team also deals with unauthorised alterations including houses of multiple occupation. An HMO is currently defined in the Housing Act 2004 to include properties occupied by three or more persons who do not form a

single household, the property is their main residence, and is only used for that purpose, rent or other consideration would be payable by at least one of the persons and two or more persons have to share in at least one basic amenity. The Property Compliance Team will investigate and take action where necessary, e.g. where it is deemed unsafe, unusable, adds more pressure to the services than the building should have (i.e. more rubbish, etc.). This service is chargeable especially where the HMO is operating in breach of the lease and or any licencing requirements.

4.13 When a repair is requested through the Contact Centre or reported to staff via another method, staff will endeavour to determine whether the request is a landlord's obligation, a tenant, leaseholder or freeholder responsibility, or a chargeable repair.

4.14 The Council reserves the right to waive the cost of a recharge for a repair in exceptional circumstances. For example, where a vulnerable tenant, leaseholder or freeholder is involved, or where a tenant, leaseholder or freeholder has died and the recharge would be against the estate. However, this will be at the Head of Service's discretion.

4.15 The Council also reserves the right to waive the cost of a recharge for delivering some services under the Fire Safety Plus package, such as the surveys and the associated remedial works resulting from these.

4.16 If damage is caused due to domestic abuse, or crime such as burglary or anti-social behaviour by someone other than the tenant, leaseholder or freeholder, or by visitors to the property, the tenant, leaseholder or freeholder will be advised to report the incident to the Police to obtain a valid crime reference number. The tenant, leaseholder or freeholder will not be recharged, but, where known, the third party responsible for the damages will be pursued for the recharge.

4.17 Tenants, leaseholders and relevant freeholders have the right to appeal the decision on recharges made by the Council. They can do so in writing to the Housing Finance Team within 10 working days of receipt of the notification of recharge.

4.18 Appeals will be considered by the Director of the Service and the decision will be final. The decision will be communicated to the resident within 5 working days.

4.19 All charges will be clear and transparent. The letter and any subsequent invoice will list the charges and how they have been calculated.

4.20 The charges may include items such as:

- The cost of materials
- The time of contractors
- The time of managers looking into the recharge case
- The cost of the handyman service
- Time and cost of the Property Compliance Team

4.21 Any questions about the charges can be directed to the Housing Finance Team at the Council.

4.22 Where there is non-payment of a recharge by a tenant, leaseholder or freeholder, the Council reserves the right to pass the debt to a debt management company.

5. Responsibility

5.1 Director

5.1.1 To review and sign-off (where appropriate) any escalated issues where clarity is needed.

5.1.2 To ensure that this policy is adopted across the department and is signed-off in the relevant review groups.

5.2 Heads of Service

5.2.1 The Heads of Service will be responsible for checking that all officers are aware of the policy and ensure this becomes part of business as usual. They will ensure that when officers are attending sites, they understand what to do to check whether there are any issues which could give rise to this policy being enforced.

5.2.2 To ensure that officers are aware of the charging methodology and have the correct contacts within services in place to be able to check the levy of any charges.

5.3 Tenants, Leaseholders and Freeholders paying service charges

5.3.1 The tenants / leaseholders / service charge paying freeholders on estates will always be responsible for adhering to their tenancy / lease / licence / property deeds as appropriate and, where unsure should ask questions to clear up any ambiguity.

5.3.2 The tenants, leaseholders and relevant freeholders will ensure that where they are requested to pay for a recharge that they pay the charge within the timescales set within this policy.

5.3.3 Where a tenant, leaseholder or relevant freeholder disputes the recharge, they must raise an appeal within the timescale set within this policy.

5.3.4 The tenants, leaseholders and relevant freeholders must allow access to their property to allow for works to be carried out, where applicable, even if there is an appeal in place to determine the party responsible for the recharge.

5.4 Officers

5.4.1 To be aware of the policy and its implementation.

5.4.2 To become familiar with the charging methodology and ensure that they cross check any charges to be levied with the appropriate team.

5.4.3 To understand how to raise a charge against a resident using this policy and the processes in place for finance where applicable.

5.4.4 To handle all situations with residents with respect and care, especially where a vulnerable resident is involved.

5.4.5 To check whether residents are vulnerable before taking any action in relation to recharges and act accordingly.

5.4.6 Where an appeal has been made, to carry out an investigation and write up an appeal response for Director level sign-off.

5.4.7 Speak with residents sensitively in relation to this policy and be aware when dealing with vulnerable residents.

5.5 Finance officers

5.6.1 To check all recharges are raised in line with this policy and are in line with all relevant charging methodologies.

5.6.2 To keep in communication and raise issues with all stakeholders in a clear and timely manner.

5.7 Recharge Team / Property Compliance Team

5.7.1 To write letters to the tenants / leaseholders / freeholders where recharges have been identified

5.7.2 To raise invoices and chase payments

5.7.3 To ensure all recharges are logged appropriately

5.7.4 To carry out performance analysis on the data received monthly

5.7.5 To speak directly to tenants / leaseholders / freeholders when needed.

5.7.6 To liaise with services where appeals have been raised to gather the required information to pass to a Director for decision

5.7.7 To inform tenants / leaseholders / freeholders of the outcome of appeals

5.7.8 To speak with tenants / leaseholders / freeholders sensitively in relation to this policy and be aware when dealing with vulnerable residents.

5.7.9 To co-ordinate the recharges process in line with this policy

6. Monitoring, Review, and Evaluation

6.1 To comply with the service commitments, the Council should monitor the effects of rechargeable repair procedures. The areas for monitoring and review will be as follows:

- Number of repairs carried out which were rechargeable, split by agreed categories, such as voids, responsive repairs, etc.
- Cost of rechargeable repairs carried out
- Income received from rechargeable repairs
- Recovery rate from rechargeable repairs
- Number of appeals and the outcome of appeals
- Top 10 (most expensive) repairs carried out and themes of repairs needed

6.2 The review of this policy will take place in January 2019 with a view to identifying any issues that have arisen over the prior approx. 18 months and with any emerging issues / changes to services in mind.

7. Associated policies and documents

7.1 This policy can and should be read in conjunction with the following policies, procedures, and processes:


- Chargeable Services Procedure / Process

Chargeable Services Policy

Appendix 1

- Chargeable Services Letter Templates
- Discretionary Repairs policy
- Leases
- Licences
- Property Deeds
- Tenancy Agreement
- Property Compliance Team Charges
- Property Compliance Team website - <https://www.lbhf.gov.uk/housing/Council-leaseholders/alterations-Council-properties>

Agenda Item 20

London Borough of Hammersmith & Fulham CABINET 15 JANUARY 2018		 hammersmith & fulham
OLDER PEOPLE'S SUPPORT & SOCIAL INCLUSION SERVICES PROCUREMENT STRATEGY & BUSINESS CASE		
Report of the Cabinet Member for Health and Adult Social Care: Councillor Ben Coleman		
Open Report A separate report on the exempt part of the agenda provides exempt information in connection with this report.		
Classification - For Decision		
Key Decision: YES		
Wards Affected: ALL		
Accountable Director: Lisa Redfern Director of Adult Social Care		
Report Author: Julia Copeland Strategic Commissioner	Contact Details: Tel: 020 87753 1203 E-mail: Julia.Copeland@lbhf.gov.uk	

1. EXECUTIVE SUMMARY

- 1.1 This report seeks approval for the procurement strategy and business case for two services for older residents. The aim of the strategy is to improve service quality, outcomes, and value for money and to contribute to the Council's ambition to reduce social isolation and loneliness amongst older residents.
- 1.2 Two existing contracts for older residents are due to expire in 2018 as set out in Table 1.

Table 1 – Existing Services

Service	Type of services	Service Aims & Objectives	Current contract end date
Service A	Floating support to residents over 55 years living in any type of housing in H&F. Types of support include help with bills, managing the home,	To enable older residents to maintain their accommodation & independence. Through the provision of weekly open-access advice	31st March 2018

	signposting. Ten drop-in advice sessions a week in sheltered housing schemes.	sessions to provide advice & reassurance to residents in council and housing association sheltered housing.	
Service B	Telephone & face to face befriending; casework; community activities and trips for residents in council sheltered housing.	To reduce isolation and loneliness. To encourage older people to develop or maintain social networks and interests.	31 st October 2018

- 1.3 It is recommended the Council undertakes a one-stage Open Tender. It is proposed to invite Tenderers to bid for a single contract at a fixed annual price for a three-year period, with the option to extend for a further two-year period.

2. RECOMMENDATIONS

- 2.1 That the Procurement Strategy and Business Case for support and inclusion services for older people as set out on the exempt part of the agenda, be approved.
- 2.2 That a three-year contract with the option to extend for a further two-year period will be awarded to the successful tenderer.
- 2.3 That a contract modification in accordance with section 20.3.2 of the Council's Contract Standing Orders to continue provision by the incumbent provider until contract award and implementation is completed, no later than 31st October 2018, be approved.

3. REASONS FOR DECISION

- 3.1 A procurement strategy is required to maximise the outcomes of future support and inclusion services for older people. Bringing existing services together into one contract with a new specification will eliminate any duplication of services; reduce management and transactional costs enabling more resources to be directed at front-line services and streamline the services older people have to access to meet their needs, in line with residents' preferences.
- 3.2 While the outcome of the Tender will be known prior to the end of one of the current contracts 31 March 2018, the governance and mobilization period will run beyond this date. Sufficient time is required to resolve TUPE matters; involve residents in the transition to the new service and to ensure appropriate support is in place for vulnerable people. A modification to the existing contract is therefore recommended to ensure service continuity during the mobilization period.

4. PROPOSALS AND ISSUES

Background

- 4.1 The two existing services provide a range of housing support and advice; befriending and community activities for older people. The overall objectives of both services are set out in Table 1. Both services deliver valuable preventive services, promoting social inclusion and independence and are highly valued by residents using the services. Residents' views are included in detail in Appendix A on the exempt part of the agenda.

Strategic Importance

- 4.2 The Council is committed to tackling loneliness and social isolation. Age is one of the factors that can put individuals at greater risk of loneliness. In developing the Older People's Housing Strategy, the Council has set four key objectives, this procurement strategy supports the delivery of two of these objectives:
- Increase older people's awareness of their housing options to best meet their needs.
 - Support older people to maintain their independence.

- 4.3 The detailed findings from the service reviews of both existing services are included in Appendix A on the exempt part of the agenda.

Service Specification

- 4.4 A new service specification will set out the Council's expectations of the service provider as detailed in Appendix A on the exempt part of the agenda.

Procurement Timetable

- 4.5 If the strategy is approved, the procurement of the new contract will start in February 2018. The new service is expected to commence in September/October 2018, and no later than 1 November 2018.

5. OPTIONS AND ANALYSIS OF OPTIONS

Allow Existing Contracts to Expire on 31 March 2018 and 31 October 2018

- 5.1 The existing contracts provide valuable services to approximately 850-900 residents a year and both services support the Council's strategic priority to reduce loneliness and social isolation. Therefore, for these reasons, this option is not recommended.

Undertake a Procurement for Two Separate Contracts

- 5.2 Option Two as set out on the exempt part of the agenda. This option is not recommended.

Undertake a Procurement of a new Contract for Older People's Support and Inclusion Services

- 5.4 The service reviews have indicated both services are valued by residents and support the Council's strategic priority to reduce loneliness and increase social inclusion of older people and contribute to the other strategic priorities. As set out in more detail in Appendix A on the exempt part of the agenda it is proposed that

a one-stage Open Tender for a single contract will improve outcomes and result in a more efficient use of resources. This option is recommended.

6. CONSULTATION

- 6.1 Consultation with a range of stakeholders, including residents, existing providers and potential suppliers has been undertaken and their views have been incorporated into the procurement strategy. Findings are outlined in detail in Appendix A on the exempt part of the agenda. Further engagement with residents and suppliers will be undertaken as part of the procurement and service implementation processes.

7. EQUALITY IMPLICATIONS

- 7.1 We do not consider there will be any adverse equality implications for protected groups because of the proposals in this report. Overall the impact on older people is adjudged as neutral or positive as service improvements and service continuity will be secured. The service provider will be expected to ensure services meet the needs of people from different cultural and ethnic backgrounds; gender and sexuality.

8. LEGAL IMPLICATIONS

- 8.1 As set out on the exempt part of the agenda.

9. FINANCIAL AND RESOURCES IMPLICATIONS

- 9.1 As set out on the exempt part of the agenda.

10. IMPLICATIONS FOR BUSINESS

- 10.1 The project will identify and engage with all relevant local organisations and businesses to support the delivery of the new services. During the procurement process, bidders will be assessed as part of the procurement strategy for evidence of delivering added and social value in the borough, including:

- extensive use of local volunteers;
- local employment and supply opportunities; and
- opportunities for partnerships between the successful provider and local voluntary and community organizations to provide social inclusion and leisure opportunities.

- 10.2 The provider will work closely with the Economic Development Team to explore creating employment and learning opportunities for local people and supply chain opportunities for local SMEs.

- 10.3 Business Implications completed/verified by Albena Karameros, Economic Development Team, 020 7938 8583.

11. RISK MANAGEMENT

- 11.1 Meeting local needs, including anticipating future need, should form the basis of all commissioning decisions to ensure a strategic and long-term approach. Residents and suppliers should be a part of this discussion. Understanding current levels of service provision, spend and patterns of demand and use over time is also vital to making a decision over what service should be delivered in the future.
- 11.2 The strategy, together with a range of options available for consideration by Members, contributes positively to the management of procurement risk. It provides transparency to Members of the options available and better outcomes for local people.
- 11.3 Managing corporate and service spending efficiently through a structured approach to commissioning and procurement offers potential to improve financial performance through: competition between all parties; accountability in the spending of public money; transparency in the decision-making process; and value for money.
- 11.4 Risk Management implications verified by Michael Sloniowski, Risk Manager, telephone 020 8753 2587.

12.0 PROCUREMENT IMPLICATIONS

- 12.1 As set out on the exempt part of the agenda.

13. LOCAL ECONOMIC AND SOCIAL VALUE

- 13.1 Due to the size of the contract and the specialist nature of the services to be delivered, it will be difficult to stipulate specific local social and economic contribution requirements in the contract e.g. offering an apprenticeship or a % of local residents to be employed. The successful provider will need to have a local office base in the borough. It is anticipated the successful provider will be a community or voluntary sector organization.

14. HUMAN RESOURCES IMPLICATIONS

- 14.1 It is considered that TUPE (Transfer of Undertakings, Protection of Employment) is likely to apply, in terms of existing staff transferring to a new provider but this does not involve any Council staff or staff with Council Terms and Conditions.

15. PRIVACY IMPACT ASSESSMENT


- 15.1 An initial Privacy Impact Assessment (PIA) has been undertaken. There will be a full PIA undertaken prior to the procurement as there may be a new provider to hold or share information about individuals.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None		

Contact officer(s): Julia Copeland - Strategic Commissioner Julia.Copeland@lbhf.gov.uk

Agenda Item 21

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
<p>NOS.84 – 90B FULHAM HIGH STREET – SECTION 106/SECTION 278 HIGHWAYS WORKS</p>	
<p>Report of the Cabinet Member for Environment, Transport and Residents' Services - Councillor Wesley Harcourt</p>	
<p>Open Report</p>	
<p>Classification - For Decision Key Decision: YES</p>	
<p>Wards Affected: Palace Riverside</p>	
<p>Accountable Director: Mahmood Siddiqi – Director for Transport and Highways</p>	
<p>Report Author: Stephen Daway - Project Engineer</p>	<p>Contact Details: Tel: 020 8753 2954 E-mail: stephen.daway@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1 This report seeks cabinet approval to implement the combined s.106/s.278 Agreement for highway works at Nos.84-90B Fulham High Street and the cost of the works.
- 1.2 In October 2012 planning permission was granted for the new development at 84-90b Fulham High Road. The permission allows for the demolition of the existing buildings (excluding Gate Houses) and redevelopment to provide 48 flats and 10 mews houses, one retail unit (424 sq. m.) four A1/A2 and/or A3 units (412 sq.m.), 47 basement and 18 surface parking spaces (reference 2011/03257/FUL). The Heads of Terms set out in S106/S278 agreement included highway improvements to Fulham High Street in the vicinity of the development. The highway works are to be carried out by contractors on behalf of the Council.

2. RECOMMENDATIONS

- 2.1. To approve the implementation of the proposed Section 106 and Section 278 highway works at a cost of £133,000 for the works for Nos.84 – 90b Fulham High Street.

- 2.2. To note that cost of the works will be funded by the developer Tesco Stores Limited.

3. REASONS FOR DECISION

- 3.1. The value of the Section 106 highway works has been estimated at £133,000. As this is over £100,000 a Cabinet decision is required.
- 3.2. The works are being implemented to improve parking and loading facilities, whilst providing a safer and more pleasant environment for all road users

4. PROPOSAL AND ISSUES

- 4.1. The highway works consists of the following improvements as shown in the plan in Appendix A:
- Introduction of a lay-by, including a loading area and disabled parking
 - Traffic regulation Order amendments, for the installation of the new loading area and disabled parking bay, and the amendment to the existing parking restrictions
 - Kerb build outs (footway widening) at the entrance to the development
 - Build outs (footway widening) at All Saints Church/Park View Access to north; to improve visibility at that point
 - Realignment of the kerb on the western side of Fulham High Street and the relocation of the pedestrian crossing point and traffic signal poles at the pedestrian crossing north of the All Saints Church access
 - Extension of the southbound cycle lane on Fulham High Street
 - Stopping up of the existing vehicular accesses
 - Associated road markings and signage
 - Improvements to the pedestrian route to Putney Bridge Underground station, including new paving, tree planting and the provision of street furniture.

5. CONSULTATION

- 5.1. A Consultation has been conducted as part of the planning application process and permission was subsequently granted for the development. Amendments to Traffic Orders will follow the procedural requirements set out in The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.
- 5.2. The consultation was mainly to the Statutory group (e.g. Metropolitan Police, London Ambulance, London Fire Brigade etc), Local Business

6. EQUALITY IMPLICATIONS

- 6.1. The Council has had regard to its public sector equality duty contained in Section 149 of the Equality Act 2010. Hammersmith and Fulham Action on Disability (AOD) will be consulted on the proposed highway works.

7. LEGAL IMPLICATIONS

- 7.1. On 23rd October 2012, the Council entered into a combined Section 106/Section 278 Agreement under the Town and Country Planning Act 1990 and Section 278 of the Highways Act 1980. The highway works are detailed in the s.106/s278 agreement as in paragraph 4.1 above
- 7.2 *Implications verified/completed by: Poonam Rajput Solicitor, 020 8753 6378*

8. FINANCIAL IMPLICATIONS

- 8.1. The Council has received the sum of £133,000 from the developer Tesco Stores Limited which will be used to fund the works. There are therefore no financial implications to the Council.
- 8.2. Implications verified/completed by: Gary Hanaway, Head of Finance, 0208 753 6071.

9. IMPLICATIONS FOR BUSINESS

- 9.1 The contractor already works closely with the Economic Development Team to secure local employment and skills opportunities and to look at ways of utilising local SMEs in its supply chains.
- 9.2 The new development is located within a commercial area. The section 106/278 highway improvements will be coordinated with the outgoing development works at 84-90B Fulham High Street and be undertaken with minimal impact on local businesses.
- 9.3 The provision of inset Loading bays will aid loading to businesses in the area, while maintaining a steady flow of traffic.
- 9.4 The installation of inset Disabled parking bays facilitate the use of the all the shops and businesses for people disabilities.
- 9.5 Implications verified/completed by: Albena Karameros, Economic Development Team, 020 7938 8583.

10. OTHER IMPLICATIONS


- 10.1. The Council's works will improve safety for all road users, particularly for pedestrians and cyclists.
- 10.2 The streetscape will be improved with replacement of the paving of the public footway, resurfacing of the carriageway in Fulham High Street and the removal of redundant street clutter around the site.

10.3 The construction works are likely to commence in January 2018, and will cause some disruption in the proximity to the site. The Council will endeavour to minimise disruption to local businesses, schools and residents.

11. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
	None		

Agenda Item 22

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
LOCAL PLAN: ADOPTION OF DOCUMENT	
Report of the Cabinet Member for Environment, Transport and Residents' Services - Councillor Wesley Harcourt and the Cabinet Member for Economic Development and Regeneration – Councillor Andrew Jones	
Open Report	
Classification: For decision Key Decision: Yes	
Consultation: <i>Legal and Finance</i>	
Wards Affected: All	
Accountable Director: Jo Rowlands, Director of Regeneration, Planning and Housing Services	
Report Author: Matt Butler	Contact Details: Tel: 020 (8753 3943) (matt.butler@lbhf.gov.uk)

1. EXECUTIVE SUMMARY

- 1.1. This report seeks recommendation for the adoption of the Council's Local Plan. The Local Plan sets out the Council's vision in the Labour Manifesto commitments to see, amongst other things, more people in decent affordable homes; a stronger local economy that provides training and job opportunities for local people; a 'greener' borough; and securing and promoting health facilities for residents. It contains strategic objectives and strategic policies for the regeneration of the borough over the next 15 -20 years.
- 1.2. The report also confirms that upon adoption of the Council's Local Plan, the Core Strategy 2011 and the Development Management Local Plan 2013 will be fully superseded for the purposes of future planning decision making in the borough. It also seeks agreement to the formal revocation of the supplementary planning guidance associated with the Core Strategy and

Development Management Local Plan, as the policies to which the guidance relates will no longer be applicable.

- 1.3. In addition, the report notes that the Council must announce both the adoption and availability of the Local Plan and other supporting documents, as well as the replacement of the Core Strategy and the Development Management Local Plan and the revocation of the supplementary planning guidance.

2. RECOMMENDATIONS

- 2.1. That approval be given for the Local Plan to be recommended for adoption by Full Council incorporating the main modifications recommended by the Inspector (set out at Appendix 2) and the minor modifications (detailed at Appendix 3).
- 2.2. That approval be given to recommend to Full Council the revocation of the supplementary planning guidance identified in paragraph 4.6 of this report.

3. REASONS FOR DECISION

- 3.1. To progress the Local Plan to adoption in accordance with the current Local Development Scheme, to ensure that an up-to-date Local Plan for the borough is in place and to comply with regulatory requirements.
- 3.2. The adoption of the Local Plan will provide the Council with up-to-date policies that will assist in delivering its regeneration and corporate objectives especially when determining planning applications and promoting development opportunities.

4. PROPOSAL AND ISSUES

- 4.1. If the Local Plan (see Appendix 1) is adopted by the Council it will become, together with the London Plan, part of the development plan for the borough.
- 4.2. The policies in these documents make up the statutory development plan for the borough, with which applications for planning permission must be determined in accordance with, unless material considerations indicate otherwise. These will also be supported by the Planning Guidance SPD (to be adopted in February 2018) which will provide additional detail on the application of strategic and boroughwide policies. The SPD will be a material consideration in planning decisions although it will not be part of the development plan.

Post Local Plan adoption requirements

- 4.3. After adoption, it will be necessary under the Town and Country Planning (Local Planning) (England) Regulations 2012 to make the Local Plan, along with the Inspector's Report and other documents supporting the Local Plan, available for inspection and to publish these on the Council's website. The Council must also make an adoption statement available and notify any

person who requested to be notified of the publication of the adoption of the Local Plan. The adoption statement must be sent to the Secretary of State.

- 4.4. Under the Environmental Assessment of Plans and Programmes Regulations 2004, the Council must also make the sustainability appraisal available and send the adoption statement to consultation bodies, eg. Natural England, Historic England, and the Environment Agency and parties who are likely to be affected by or have an interest in the decision to adopt the Local Plan.

Expiry of the existing policies

- 4.5. The Local Plan will supersede all Core Strategy 2011 and Development Management Local Plan 2013 policies, therefore, upon the adoption of the Local Plan, these policies will no longer be in force.
- 4.6. The replacement of the Core Strategy and Development Management Local Plan policies mean that any associated Supplementary Planning Document (SPD) will be out of date and will not supplement any extant development plan policy, i.e. it will serve no development plan policy objective. Accordingly, they should be revoked. The SPDs to be revoked include:
- Planning Guidance SPD 2013 (to be replaced by a 2017 version)
 - Earls Court and West Kensington Opportunity Area Joint SPD
 - South Fulham Riverside Regeneration Area SPD
 - White City Opportunity Area Planning Framework SPD

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The Options available to the Council are as follows:
- I. To adopt the Local Plan incorporating main modifications recommended by the Inspector (as set out in Appendix 2);
 - II. To adopt the Local Plan with the main modifications (Appendix 2) and the additional minor modifications (Appendix 3) if the additional modifications (taken together) do not materially affect the policies that would be set out in the document, if it was adopted with the main modifications, but no other modifications; or
 - III. To withdraw the proposed Local Plan and to retain the current development framework.
- 5.2. The recommendation is Option II above, that the Council adopt the Local Plan incorporating the main modifications recommended by the Inspector (Appendix 2) and the minor modifications detailed at Appendix 3.
- 5.3. The Council is legally required to incorporate any main modifications recommended by the Inspector if it chooses to adopt the Plan. The additional minor modifications are necessary technical changes resulting from

representations received during the public consultations and at the hearing sessions held in June 2017.

- 5.4. It is considered that Option III above to withdraw the Local Plan would be at odds with the Council's vision and Local Development scheme.

6. CONSULTATION

- 6.1. In January 2015 and September 2016, the Council carried out consultations on the Local Plan. The Proposed Submission Local Plan which was consulted on in September 2016 and was approved for Consultation by Cabinet on 4th July 2016. After consultation, the Local Plan and the representations were submitted for independent examination to the Secretary of State in February 2017. The public hearings took place in June 2017.
- 6.2. During the Examination, the Council suggested a number of minor changes to the Proposed Submission Local Plan document (approved by Cabinet in July 2016), for example to clarify or expand upon policy matters. The Inspector also recommended a number of main modifications to make the plan sound. These main modifications were made available for consultation from August until 15th September 2017. The Inspector considered the comments that were received and will issue his final report before the end of November 2017.
- 6.3. The key modifications to the Local Plan since Cabinet in July 2016 include:
- providing greater clarity in policy H03 'Affordable Housing' on the key considerations when negotiating for affordable housing, as well as clarity over when viability assessments will be required.
 - amendments to policy to accord with national policy which requires affordable housing to be sought only on schemes of 11 units or more
 - amendments to policy TLC6 'Betting Shops' to provide clarity that the requirement is to consider the impact and concentration of such uses on a case by case basis, subject to certain criteria.
 - further detail on how gypsy and traveller needs will be considered during the plan period.
 - further detail on waste apportionment targets for the borough in Policy CC6 and how these will be met during the plan period.
 - further detail provided in Policy CC10 'Air Quality' on the assessment of air quality in new development proposals.
- 6.4. The Inspector will decide whether, subject to inclusion of the modifications, the Hammersmith and Fulham Local Plan provides an appropriate and sound basis for the future planning of the Borough. The main modifications recommended by the Inspector, as well as the additional minor modifications proposed by the Council, may be seen in Appendix 2 and 3 of this report or on the Council website. (www.lbhf.gov.uk/localplan). The Inspector has reached a decision based on these main modifications and issued his report (Appendix 4) to the council on 19th December 2017.

- 6.5. The Local Plan has been subject to sustainability appraisal (SA) which will accompany the Local Plan when it is adopted. There is also a report that sets out how earlier consultation has been undertaken and summarises the main issues raised and how these have been addressed in the Local Plan.

7. EQUALITY IMPLICATIONS

- 7.1. An Equalities Impact Assessment (EQIA) was prepared to accompany the draft Local Plan. It is a background document to the Local Plan. The changes made to the Local Plan as a result of modifications and minor changes have not impacted significantly on the EIA and there are no significant equality implications.
- 7.2. The EQIA assists the Council in demonstrating compliance with its public sector equality duty under Section 149 of the Equality Act 2010.

8. LEGAL IMPLICATIONS

- 8.1. The preparation and adoption of the Local Plan is governed primarily by the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 8.2. Throughout the plan-making process, the Council is required to comply with a number of legal duties including but not limited to the “duty to co-operate” (requiring engagement with neighbouring authorities). It is understood that all legal requirements have been complied with through the process, however, in any event the Inspector’s final report should also expressly confirm the Council’s compliance with all relevant legislative requirements (it is understood that the final Inspector’s report will be available prior to the Full Council meeting which will consider the Plan’s adoption).
- 8.3. Given that the Inspector has suggested “main modifications” the Council is legally obliged to incorporate these modifications into the final revision of the adopted Local Plan and will have the Options detailed at paragraph 5.1 of this Report available to it.
- 8.4. Adoption is the final stage of bringing a Local Plan into force. A Local Plan may only be adopted by a decision of Full Council (as set out under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000).
- 8.5. The policies in the new Local Plan will supersede the Core Strategy 2011 and Development Management Local Plan 2013 and this replacement shall be effective immediately following formal adoption of the Local Plan.
- 8.6. The post-adoption requirements are set out in paragraphs 4.3 and 4.4 of this Report.
- 8.7. The Council has the power to revoke supplementary planning documents pursuant to the Town and Country Planning (Local Planning) (England) Regulations 2012.

8.8. By Section 133 Planning and Compulsory Purchase Act 2004 a person aggrieved may challenge the Local Plan with permission of the High Court on a point of law within six weeks of adoption.

8.9. **Legal Implications section of this Report has been completed by Christopher Todman, Solicitor (christopher.todman@rbkc.gov.uk)**

9. FINANCIAL IMPLICATIONS

9.1. It is expected that the costs of adopting the Local Plan will be met from existing revenue budgets, mainly those relating to staffing and minor printing costs within the Policy and Spatial Planning budget.

9.2. There is a risk of challenge during the six week period following adoption of the Local Plan. This is unlikely but could potentially result in additional unbudgeted legal and staffing costs.

9.3. **Implications completed by Daniel Rochford, Head of Finance 020 8753 4023.**

10. IMPLICATIONS FOR BUSINESS

10.1. The Local Plan contains strategic objectives and policies that include supporting businesses, particularly local firms and small and medium sized enterprises; encouraging training and employment in order to reduce polarisation and worklessness; and regenerating the most deprived parts of the borough through the provision of homes and jobs.

11. COMMERCIAL IMPLICATIONS

11.1. None

12. IT IMPLICATIONS

12.1. None

13. OTHER IMPLICATION PARAGRAPHS

13.1. The subject of the report is not included on a departmental or corporate risk register. All adverse comments on soundness or legal compliance have been taken into account following public consultation and the examination stage of the plan making process.

13.2. **Implications verified/completed by: David Gawthorpe, Team Leader Development Plans team, ext. 3384.**

14. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name and contact details of responsible officer	Department/ Location
	All in public domain		

LIST OF APPENDICES

Appendix 1 - [Proposed Submission Local Plan 2016](#)

Appendix 2 - [Main Modifications to the Proposed Submission Local Plan](#)

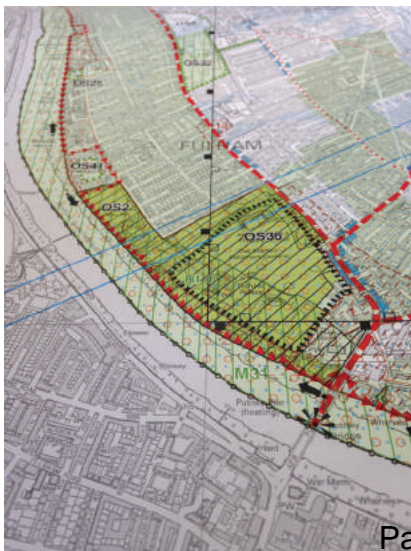
Appendix 3 - [Minor Modifications to the Proposed Submission Local Plan](#)

Appendix 4 - [Inspector's Report](#)

Proposed Submission Local Plan

Regulation 19
September 2016

www.lbhf.gov.uk/localplan



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1 Introduction

Purpose of this document

1.1 This document is Hammersmith and Fulham's proposed submission Local Plan. In accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 it has been published to allow representations to be made before the document, along with the representations, is submitted to the Secretary of State for Examination in Public.

1.2 The document has benefited from the results of pre-Regulation 18 engagement with stakeholders on issues and options for review undertaken from July to September 2013, and Regulation 18 consultation undertaken in January 2015.

What is a Local Plan?

1.3 The Local Plan is a development plan document and is part of the Government's planning policy system introduced by the Planning and Compulsory Purchase Act 2004.

1.4 When adopted, the Local Plan will be used, together with the London Plan (2016)⁽¹⁾, to help shape the future of the borough and to determine individual planning applications and deliver development. It will be supplemented by supplementary planning documents (SPDs) which will need to be in conformity with the Local Plan. The Local Plan will replace the existing Core Strategy and Development Management Local Plan.

1.5 The Local Plan will set out the council's vision for the borough for the next 20 years, including seeing more people in decent, affordable homes in a stronger local economy that provides training and job opportunities for local residents. It will highlight the strategic objectives for the borough, focusing on the key planning issues to be addressed, and include a delivery strategy for achieving these objectives. It will identify the major regeneration areas, including additional regeneration that would be secured in the South Fulham Riverside area with a Crossrail 2 station at Imperial Wharf. It will allocate strategic sites for development which are considered crucial to the achievement of the Local Plan, including site policies for the Hammersmith Flyunder and the Imperial Gasworks National Grid site.

1.6 The document will set out as far as practicable when, where and by whom actions will be taken, identifying the council and its partners where relevant.

1.7 All the planning documents that the Council is producing, and their production timeframe, are set out in the borough's Local Development Scheme (LDS). The LDS and all the borough's planning documents may be viewed on the link to the Council's website below:

www.lbhf.gov.uk/localplan

The Local Plan's relationship with other policies and strategies

1.8 The Local Plan will build upon the existing Core Strategy and Development Management Local Plan. Although a number of existing policies will be amended, or replaced, many other policies will remain substantially the same as those included in the

1 Mayor of London, The London Plan: spatial development strategy for Greater London, GLA March 2016

1 Introduction

existing Core Strategy and Development Management Local Plan. However, a major change is the deletion of policies that are applicable to the area of the borough now included within the boundary of the Old Oak and Park Royal Development Corporation. Since April 2015, the establishment of the OPDC, the responsibility for development plan making for the Old Oak Regeneration Area have been taken over by the Mayor of London's Old Oak and Park Royal Development Corporation.

1.9 With the exception of the area covered by the OPDC, the Local Plan will provide a clear way forward for the regeneration of the borough. It will closely relate to the council's housing and regeneration strategies and its Corporate Plan. The policies will also reflect effective co-operation that has taken place with strategic partners, such as the GLA, neighbouring boroughs and Hammersmith and Fulham Clinical Commissioning Group on cross-boundary issues.

National Policy and the London Plan

1.10 The Local Plan must be consistent with national policy, produced by the Department for Communities and Local Government in the form of the National Planning Policy Framework (NPPF)⁽²⁾, supporting Guidance Notes and Circulars. The Local Plan also needs to be in general conformity with regional guidance and policies produced by the Mayor of London and set out in the London Plan.

1.11 National and London policy is continually being produced and updated. As new policies emerge, the Local Plan will need to take account of them.

Sustainability Appraisal

1.12 Development Plan Documents must be subject to a sustainability appraisal (SA) which is an integral part of the plan preparation process. An SA involves identifying and evaluating a plan's impacts having regard to social, environmental and economic impacts and helps to ensure that the plan accords with sustainable development principles. Sustainability appraisal incorporates the requirements of the European Directive 2001/42/EC on the 'assessment of effects of certain plans and programmes on the environment' (SEA Directive).

1.13 Appendix 1 of this proposed submission Local Plan provides a summary of the findings of the SA. The full SA is published separately as a supporting background document.

What happens next?

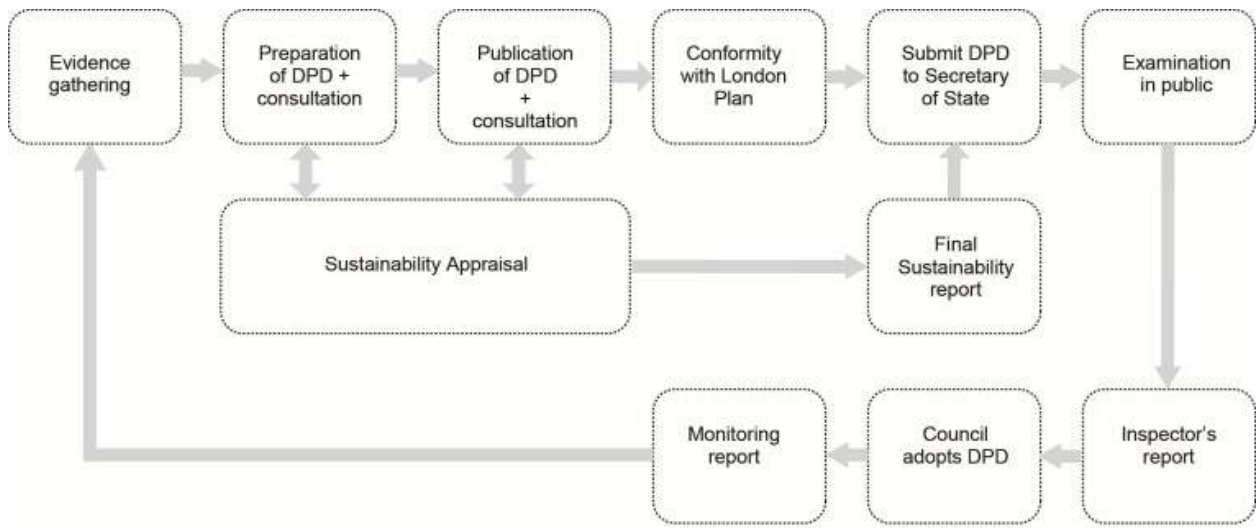
1.14 The Council will consider the representations received on the proposed submission Local Plan and on the sustainability appraisal and will forward these to the Secretary of State together with a summary of the main issues raised.

1.15 The Council will advertise the submission of the Local Plan and notify all those who have made representations on previous consultations. There will be an Examination in Public (EIP) chaired by an Independent Planning Inspector.

1.16 After the EIP, the Inspector will publish a report. The Council will then formally adopt the Local Plan and revoke the existing Core strategy and Development Management Local Plan. Adoption is scheduled for Summer 2017.

2 Communities and Local Government, National Planning Policy Framework, March 2012

Key stages in the production of Development Plan Documents



Appendix 1

1 Introduction

2 Hammersmith and Fulham

2.1 It is important that the strategy for the future development of Hammersmith and Fulham is based on an understanding of the area as it is now, the challenges that need to be addressed and the opportunities that exist. The summary below outlines the key features of the borough and the challenges that the Local Plan seeks to address.

The Area

2.2 Hammersmith and Fulham is an inner London borough in a strategic location on the transport routes between the City and Heathrow. The borough is oriented north-south with most major transport links, both road and rail carrying through traffic east-west across the borough. Some of the busiest road junctions in London are located in the borough at Hammersmith Broadway, Shepherds Bush and at Savoy Circus and the borough suffers disproportionately from the effects of through-traffic. However north-south transport links are limited. The borough benefits from a long frontage along the River Thames (7km/4 ½ miles) and from a section of the Grand Union Canal in the north of the borough which lies within the boundary of the Old Oak and Park Royal Development Corporation. These waterways enhance the environment and character of the borough and provide the potential for further benefit to the borough.

2.3 It is an area of contrasts, of wealth and poverty, and of attractive environments, many of which are protected by conservation designations and other areas that are less attractive and that need improvement. It has at least four distinct areas each with their own character - Fulham, Hammersmith, Shepherds Bush and the area to the north of Wormwood Scrubs. There are four designated regeneration areas which overlap with these areas and which will transform much of the borough in the years ahead as new housing, employment and supporting infrastructure is built.

2.4 The four regeneration areas in the borough, namely White City, Hammersmith Town Centre, Earls Court and West Kensington and South Fulham Riverside, offer tremendous opportunities for growth, in terms of new mixed tenure private and social housing and jobs, as well as provision of supporting infrastructure. The areas are at different stages of development and will require careful management over the next 20 years or more. Plans for Earls Court and West Kensington as well as White City Regeneration Area are well advanced. In all cases it will be important for the new development to meet local needs and to integrate seamlessly with the rest of the borough and west London. A fifth area is that covered by Old Oak Common, Hythe Road and Wormwood Scrubs. Until the establishment of the Old Oak and Park Royal Development Corporation in April 2015, this area fell within the local planning authority functions of Hammersmith and Fulham Council. The area is characterised by large areas of railway infrastructure, including Cross Rail safeguarding strategic work sites and the Car Giant dealership. Wormwood Scrubs comprises a large area of metropolitan open land.

Population

2.5 The population of Hammersmith and Fulham has risen by over 10% from 165,242 in 2001 to 182,500 in 2011. The GLA's 2015 projections estimates the population to be 186,800. The population of the borough is relatively young and ethnically diverse. It is also a highly mobile population with about half of all households having moved in the previous five years. Nearly half of the population (45%) is between the ages of 20 and 40 years old

2 Hammersmith and Fulham

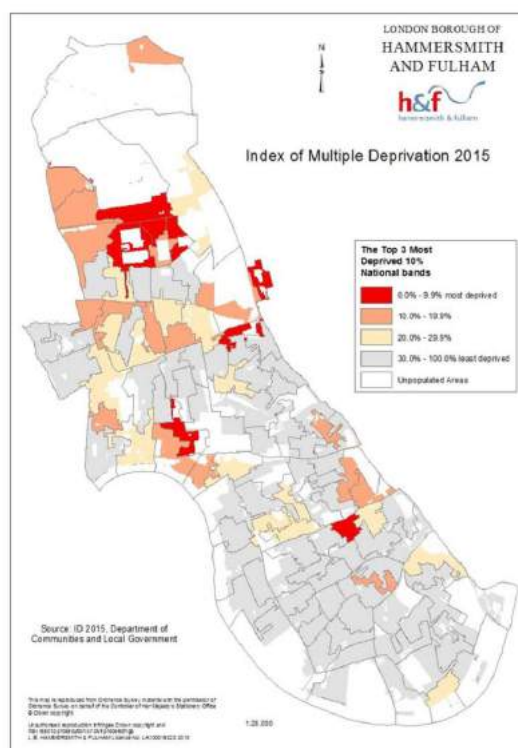
which is significantly higher than in London (32%) and the rest of the country (27%). The borough has a high proportion of single people, the fourth highest proportion (55.9%) in London. Three in ten (29%) of all households consist of one person (Source: 2011 Census).

2.6 According to the 2015 GLA Population projections (SHLAA)⁽³⁾, the borough's population is expected to increase by 11,895 people (6.7%) between 2011 and 2021; this compares to a 9.1% increase in London as a whole. The further projected increase in population between 2021 and 2031 is 8.2%; a similar level as the London average (8.3%). While there will be growth in the borough's population in all age groups, the main growth will occur for people aged 85 and over. The population in that age group is expected to increase by 2,260 by 2031, equivalent to 110%. The population aged 65 to 84 is expected to grow by 61% during the same period, and population aged 50 to 64 to grow by 30%. The main growth in number of households will be in 'one person' households (32% up to 2026), while the number of 'couple' households will decrease by nearly 8%.

Deprivation

2.7 The borough has high levels of deprivation. According to the 2015 Indices of Deprivation, it is ranked 76th most deprived local authority area in the country (31st in 2010 and 38th in 2007) and there are significant pockets of deprivation, particularly in the north of the borough. Eight (7%) of the borough's Lower Super Output Areas (LSOAs are used by the Office of National Statistics (ONS) to identify local neighbourhoods of about 700 households) are within the top 10% most deprived nationally. These areas comprise major public sector housing estates: Clem Attlee, Edward Woods, White City, Wormholt, Charecroft and Ashcroft Square. A further 15% of the borough's LSOAs are in the 10-20% worst nationally. Most of these areas are in the north of the borough, but also extend into parts of Hammersmith and north Fulham (see Map 1).

Map 1 Index of Multiple Deprivation



2.8 Hammersmith and Fulham not only has high levels of deprivation, it is polarised socially and economically. For example, in the last census 41.6% of household heads classified themselves as “managers or professionals”, while more than a quarter said they were entirely dependent on benefit. Some 23.9%⁽⁴⁾ of households in Hammersmith and Fulham depend on less than £20,000 per annum compared to 27% for London and 34.9% for Great Britain. Just under 40% of borough households have an unequivalised household income between £20k and £50k per year and 21.3% have an income between £50k and £80k per year. 16.2% of households have an income greater than £80k per annum; this is equivalent to nearly 13,000 households.

3 Linked to development trajectories from the Strategic Housing Land Availability Assessment (SHLAA)

4 CACI 2015

2.9 Until the 1970s, social housing and council estates tended to be occupied by households with a greater mix of incomes than is now the case. The mix of social housing tenants has come to include proportionally more people on lower incomes, some experiencing multiple deprivation. Approximately 53% of households living in social housing in Hammersmith and Fulham are currently workless and dependent on benefits and they make up the largest single group within the estimated 13,150 workless households in the borough (2011 Census). Nearly 2,000 lone parents are dependent on out-of-work benefits and a further 2,800 are claiming Working Tax Credit and/or Child Tax Credit benefits.

2.10 Deprivation and low household incomes also impact on health inequalities and result in high levels of child poverty. About 20% of people are in poverty in Hammersmith and Fulham compared to 32% of children in poverty⁽⁵⁾. Childhood poverty in Hammersmith and Fulham does not follow the general north-south divide, but is much more scattered geographically across the borough. In 2012, over 7,490 children under the age of 16 were living in families receiving means-tested benefits. In 2013 over 30% of primary school children and 23.8% of secondary school children were entitled to free school meals in the borough compared to national figures of 15% and 12% respectively. Further details of the health, wellbeing and social care needs of the borough can be found in the Joint Strategic Needs Assessment 2013/14⁽⁶⁾ carried out by the council and NHS Hammersmith and Fulham (now NHS Hammersmith and Fulham Clinical Commissioning Group).

Health

2.11 Among the key health issues in relation to the council's spatial strategy is the health and well-being of residents as well as ensuring that health care is provided to meet the needs of local residents. Life expectancy for men in Hammersmith and Fulham is 79.7 years and for women it is 84.1 years⁽⁷⁾. The difference in life expectancy between affluent and deprived areas in the borough is 7.9 years in men and 5.4 in women. In order to improve the health of borough residents it is important that they have good access to the appropriate facilities, including high quality specialist and emergency health care facilities. The borough's hospitals are a key part of the local community and the recent closure of Hammersmith Hospital A&E and the proposed closure of Charing Cross Hospital A&E, together with the loss of 336 acute in-patient beds are of great concern. The council is concerned that the health needs of the increasing local population has not been adequately assessed. Also that the proposed improvements in primary and community care and the Out of Hospital Strategy⁽⁸⁾ have not yet reduced demand for in-patient beds. Until there is evidence of a reduced need for hospital beds to serve the local community, Charing Cross Hospital should not be closed.

2.12 As part of a strategy to improve the health of the local community, it is important that residents and workers are able to live and to participate in healthier lifestyles. Tackling overcrowding and poor housing, improving air quality, reducing the impact of climate change, improving access to parks and open spaces, controls on hot food takeaways and opportunities to walk and cycle can all help to reduce health inequalities in the borough.

5 Children and Young People's Plan 2008-11

6 Joint Strategic Needs Assessment 2013/14

7 Public Health England - Health profiles 2012-2014

8 Hammersmith and Fulham CCG's out of hospital strategy: 2014/15 progress and plans for 2015/16

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Local Economy and Employment

2.13 Hammersmith and Fulham has a very successful and diverse economy and it makes a significant contribution to the economies of London and the UK, with its concentration of businesses, retail and tourism uses.

2.14 The borough occupies a favourable location in west London and is attractive to a variety of businesses including foreign owned businesses. It has enjoyed significant growth in employment and economic activity over the last three decades with the central Hammersmith area becoming an important sub-regional location for offices. The local economy is the 6th most competitive in the country⁽⁹⁾, with an estimated Gross Value Added of £8.1bn⁽¹⁰⁾. There is also a strong visitor economy with 1.25 million visitors each week to our town centres. Westfield London alone attracts approximately 600,000 visitors each week.

2.15 The borough has developed as a centre for a range of creative and media industries, due partly to the presence of the BBC in the White City area but also to good transport links. The largest employers in the borough include L'Oreal Ltd, Hammersmith Hospital, Charing Cross Hospital, Metropolitan Police, Mref Tradeco Ltd, Omni Facilities Management and Walt Disney Co Ltd. In recent decades there has been a substantial change in the composition of businesses with a significant decline in traditional manufacturing and increases in retail and leisure activities as well as in emerging markets such as knowledge based industries and life sciences. Over £2billion of public and private sector funding has already been invested over the last five years by developers such as Imperial College who are developing a large life sciences campus in White City.

2.16 In Hammersmith and Fulham there are 12,055 registered businesses and over 5,000 self-employed sole traders and VAT exempt enterprises. In 2014, 155,450⁽¹¹⁾ people worked in the borough. Smaller firms have become much more important to the economy of the borough; 13.3% of employees worked in the borough's 'micro enterprises' (less than 10 employees) and these make up 90% of the total enterprises of the borough. At the other extreme, 58.4% of all employees work in large enterprises with more than 250 or more employees, but account for 0.6% of all enterprises⁽¹²⁾. In 2014, B use class property accounted for 37% of all businesses in the borough and 33.5% of employment.

2.17 With the development of the Westfield London shopping centre there has been an increase in importance of the retail sector to the local economy, with Westfield London providing approximately 8,000 jobs. The wholesale and retail sector is now the largest sector in the borough with almost 22,000 people working in the sector in the borough. This is a 49% increase from the number working in the sector 5 years ago. There is a footfall of 1.25m per week which equates to a retail spend of more than £1billion across 26 key shopping areas and high streets. Other key sectors include publishing, information services, accommodation and food services, real estate activities, professional scientific and technical activities, administrative and support services, property, arts and culture, entertainment and recreational services⁽¹³⁾.

9 2013 Huggins Competitiveness Index

10 TBR LBHF Commissioned Report

11 LBHF Employment Study 2016

12 2011 BRES analysis, ONS

13 IDBR 2012, Location Quotients by number of enterprises

2.18 The council is sensitive to the needs of businesses in the borough, including small local firms. The challenge is to build upon success in delivering workspace for small and medium enterprises and new start-ups and to continue to ensure that in addition to protecting employment land and premises where justified there is a strong supply of new, relevant space for small businesses. The areas that are most appropriate for growth are those areas with high levels of public transport accessibility. In particular, new flexible business space in the vicinity of transport nodes provide a useful means of stimulating growth within the business community. In regeneration areas it will be important for a balance to be made between employment and housing.

2.19 The Local Plan needs to provide the conditions for businesses to thrive to ensure that there is a broad range of employment opportunities and for the qualifications and skills of local people to be improved so that the levels of worklessness can be reduced. The Local Plan aims to improve and maintain the supply of employment land, allocate development sites to accommodate forecasted employment growth and to support the borough's many smaller and younger firms and highly entrepreneurial economy to develop and remain in the borough. The Local Plan policies also need to continue to contribute to London's world city role.

Housing

2.20 The very high cost of private sector housing in the borough means that it is difficult for households on low to middle incomes to access suitable housing that they can afford in Hammersmith and Fulham. Many households cannot get suitable housing in either the private or social housing sectors and have to move out of the borough when they no longer want to share with others or need a larger house. This lack of affordable homes to rent or buy for low and middle income households is a key challenge for the Local plan.

2.21 Approximately one third of Hammersmith and Fulham's housing stock is social rented housing (31%) compared to an average of 24.1% in London. Social rented housing is particularly concentrated in the north of the borough, where over 40% of the housing is in this tenure. Shared ownership and other intermediate low cost housing only makes up 1.6% of housing stock in the borough (Census 2011).

2.22 Another key challenge in relation to housing supply is overcrowding. According to the 2011 Census 13% of dwellings are overcrowded by at least one bedroom. Private rented and social rented households have proportionally more overcrowding (17% each) than owner occupied households (5%). Of the council owned housing, about one third is one bedroom accommodation and about one third is two bedroom. There are over 40 different Private Registered Providers (PRPs) with properties in the borough but most of the PRP properties are owned by a small number of well-established PRPs such as Notting Hill, Peabody, Guinness, Octavia and Shepherds Bush.

2.23 The council's housing stock is relatively old and becoming increasingly expensive to maintain to a decent standard and very difficult to improve so that it meets residents' expectations and their changing needs and is resilient to the potential impacts of climate change. All the council owned stock was improved to meet the national decent homes standard but this programme did not address the fundamental issue of an ageing housing stock that is becoming increasingly expensive to repair.

2.24 The design of the current social housing stock also makes it difficult to increase the number of dwellings that are accessible to residents who need to use a wheelchair. Of 508 medium-rise mansion or deck access blocks, only 85 (17%) have lift access.

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Retrofitting lifts to blocks that were not designed to have such a facility is often difficult, if not impossible, and where it is possible, the cost of installation is prohibitive. Also, access ways into blocks and homes are not wide enough and there are often stairs and raised thresholds which would need to be removed to allow full access

2.25 The way that public housing has been funded in the past means that new housing built over the past 25 years or so has tended to be smaller sized units. This has meant that overcrowding has become an issue as families grow and cannot move on to more suitable accommodation, which can impact on the health and well-being of residents. As a result, there is need for more family sized housing in the borough both from new and existing demand; this also applies across low income households who wish to rent or purchase.

2.26 The age of the borough's housing stock also affects the energy efficiency of the housing stock because most of the older stock is of solid wall construction and only 16% having cavity walls. This impacts on the levels of fuel poverty in the borough with over 8,000, or nearly 11% of all households estimated to be fuel poor. Council owned housing has higher energy and environmental performance than private sector housing. Council housing in the borough has an average Standard Assessment Procedure (SAP) rating of 74 as compared to a SAP rating of 53 for private sector housing in the borough⁽¹⁴⁾.

2.27 In the private sector, improvements to energy efficiency will be mainly through government legislation and initiatives, for example through the building regulations and programmes such as RE:NEW, the Green Deal and through private investment. Planning policies can help to ensure that new housing is built to meet higher standards of energy efficiency and accessibility.

Town centres and local centres

2.28 The main challenge in relation to the town centres – Hammersmith, Shepherds Bush and Fulham - is the need for their continued regeneration and better utilisation of sites within the designated town centres. It will be important to ensure the continued provision of a wide range of high quality retailing, services, arts, cultural and other leisure facilities, including those that contribute to a vibrant night time economy to serve local residents, visitors and workers.

2.29 There have been public realm improvements in all three town centres and others are planned, and there is a need for regeneration to respect local context as well as provide for further improvements to increase the vitality and quality of each centre. The economic health varies in different parts of each town centre and specific policies and intervention is needed to improve these areas.

2.30 There is concern that too many independent and specialist shops and services are being displaced by retail chains and that there is little difference in offer between centres, and common challenges which affect the town centres and other centres within the shopping hierarchy to a greater or lesser extent include:

- pressure to change from shopping to other uses;
- increases in the numbers and clustering of betting shops and payday loan shops;
- too many vacant shops and premises and poor quality environment in some centres and parades;
- the loss of local pubs to higher value uses;

14 H&F Home Energy Conservation Act Report 2013

- concern about takeaways close to schools and the potential impact on children's health;
- underutilisation of sites and older premises; and
- the need to ensure parking policy encourages rather than deters local shopping.

Children and Young People

2.31 According to GLA projections, by 2031 the number of 4-10 year-olds (primary sector) is predicted to rise from 13,368 to 16,208. For the age range 11-15 (secondary sector), numbers will rise from 7,337 to 9,875. The projections clearly show that the need for additional secondary places will increase after 2017 at a much faster rate than for primary places. The council uses these projections to help plan future investment in new school places. The council's investment programme will maintain a surplus of primary school places until 2023, however there will be a deficit in secondary provision by 2019-20 without further investment.

2.32 Additional primary school places will also be needed to support the projected population growth resulting from proposed development, particularly in the Wood Lane and Earls Court areas. The council will respond to this growth by an assessment of the capacity in existing primary schools, as well as the possible provision of new schools.

2.33 Many of the schools in the borough are built on sites with limited outdoor space and therefore it is important to improve access to and provision of sports facilities in order to improve health and to reduce child obesity levels.

Transport

2.34 The strategic location of the borough and its position in relation to London's transport network means that it suffers from some of the worst road congestion in London⁽¹⁵⁾. Congestion on north-south routes, particularly the Fulham Palace Road– Shepherds Bush –Wood Lane–Scrubs Lane corridor is a major issue. The only alternative north-south route in Fulham is North End Road and that is also heavily congested.

2.35 Road traffic is one of the main causes of carbon dioxide (CO₂) emissions, poor air quality⁽¹⁶⁾ and noise pollution in the borough. Nearly one sixth of CO₂ emissions in the borough in 2011 was from road transport⁽¹⁷⁾ and traffic related emissions contribute to exceedance of air quality targets in the borough. In 2000 the whole borough was designated an Air Quality Management Area and an Action Plan adopted with the aim of meeting the government's national air quality objectives for nitrogen dioxide and particulates. Exposure to high levels of these pollutants has been shown to cause respiratory and cardiovascular diseases. The other main cause of noise pollution and to a lesser extent air pollution is air traffic, the flightpaths into Heathrow and its associated road traffic. Any further expansion of capacity at Heathrow could adversely impact on borough residents through increased surface transport congestion, as well as increased noise and air pollution.

2.36 Most of the borough has good public transport apart from pockets in the south and particularly the north of the borough, where some borough residents have relatively poor levels of personal accessibility. There is also overcrowding of passenger rail services, particularly at peak times, but increasingly at other times as well. The future growth in the demand for travel will impact on the environment of the borough, including on air quality.

15 TfL RNPR Tech Note 3 April 2006

16 Air quality progress report and action plan review: LBHF

17 Local and Regional CO₂ Emissions Estimates for 2005-2006: DEFRA

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The proposed HS2/Crossrail/Great Western Main Line interchange at Old Oak Common will significantly increase public transport capacity and provide a catalyst for sustainable development in this area.

2.37 There is also an issue with the lack of access to London Underground services for disabled and other less mobile people. Only 5 of the 14 stations are accessible from the street and one is accessible travelling in one direction only. The provision of a lift at Shepherds Bush Central Line Station is particularly important in this respect, serving the major transport interchange and Westfield shopping centre; however the council recognises that due to financial constraints this will not be installed in the near future, but remains as a longer term aspiration.

2.38 A specific challenge will involve ensuring that proposed growth in the borough, especially in the regeneration areas, is adequately provided with new transport infrastructure that adds to (and complements) existing transportation provision and accessibility, combined with Travel Demand Management to minimise the amount of motorised traffic generated by new development.

2.39 Although the borough has one of the highest rates of cycling in London, there are barriers to cycling and walking at particular locations, notably the Hammersmith gyratory.

Environmental Sustainability

2.40 Environmental sustainability is a major long term challenge that needs to be addressed in this Local Plan and in future development in Hammersmith and Fulham. Carbon dioxide (CO₂) emissions need to be reduced through a range of measures that reduce energy consumption, decarbonise the energy supply and help move towards the use of transport that has low/zero carbon emissions, such as the modal shift to water transport and rail transport.

2.41 Climate change is expected to lead to more frequent extreme weather events, so as well as reducing CO₂ emissions, developments need to be designed to cope with warmer, wetter winters and hotter, drier summers. They also have to withstand potential impacts such as heatwaves, droughts and flooding. The latter is of particular importance in Hammersmith and Fulham, as much of the borough is subject to some risk of flooding, including from surface water run-off and sewer discharge during intense storms.

2.42 Flood risk is a challenge that needs to be addressed in this Local Plan. Flood risk is a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources. Much of Hammersmith and Fulham is affected by one or more of these potential sources of flooding. The council's Strategic Flood Risk Assessment (SFRA) (2015) and Surface Water Management Plan (SWMP) (2015) identify these risks and where tidal, surface water, sewer and groundwater flooding could occur. The extent of flood risk varies across the borough, with large parts being classified as high to medium risk to flooding from the Thames, and at risk of elevated groundwater with over 250 surface water flooding hotspots and over 2,000 sewer flooding incidents recorded by Thames Water in the borough. As such, these risks need to be taken into account when planning for development. Mitigation measures may need to be integrated to ensure new development is protected against flood risk and to prevent any further increase of flood risks in the borough.

2.43 A further serious challenge is that of air quality. The whole of the borough is an Air Quality Management Area for Nitrogen Dioxide (NO₂) and particulate matter (PM₁₀).

Green and Open Space

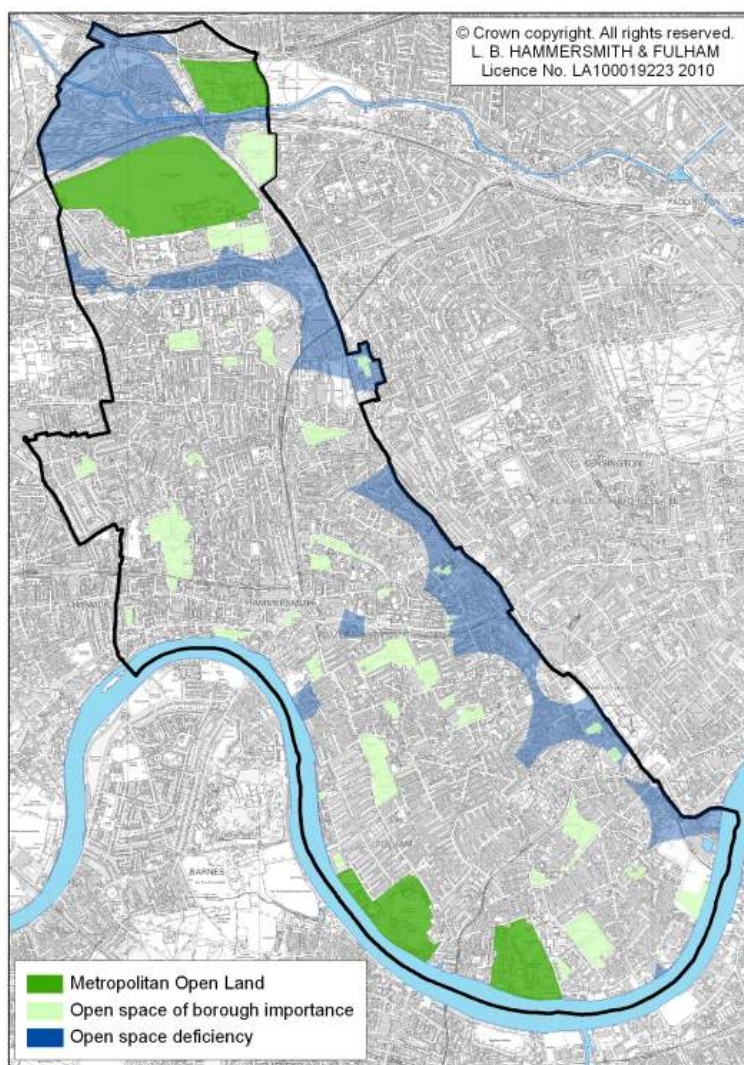
2.44 The quality of the local environment is a key issue for many local people and businesses and is influenced by many factors. The borough's open spaces and waterways give Hammersmith and Fulham its character and sense of place.

2.45 Hammersmith and Fulham has relatively little open space per person, just 231ha of public open space, or 1.3ha of open space per 1,000 residents⁽¹⁸⁾. It has some fine parks which have been awarded green flag status and is fortunate to have a section of the Thames which is a major linear open space. However, in some parts of the borough, particularly to the east, many residents do not have convenient access to local parks. Additional development in the borough will put further pressure on the open space that is available to local residents and visitors, unless additional open space can be created as part of new developments, such as the new park at Imperial Wharf and within the regeneration areas in general.

2.46 The value of open space is immense and parks and open spaces fulfill a number of different and sometimes potentially conflicting roles – including providing opportunities for walking and sitting, active play and quiet recreation, allowing for social interaction and decreasing the sense of loneliness, benefitting mental health and mitigating the impact of pollution and heat island effects. Many borough parks and open spaces are subject to nature conservation area designations. Two parks are designated as historic parks and gardens.

2.47 Of the open space in the borough, just 58.6 ha (a quarter of the public open spaces), is available as outdoor playing space. This equates to 0.34 ha of space per 1,000 residents, which is only 14% of the national standard recommended by the National Playing Fields Association. The difficulty of providing additional open space means that all opportunities

Map 2 Open Space



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to increase the provision or improve access to and the quality of outdoor playing space or other forms of sports provision need to be taken⁽¹⁹⁾. This means that where appropriate, new developments will be required to provide appropriate amenity space for recreation.

River Thames and Canal

2.48 The River Thames was the major influence on early settlement patterns in the borough and it remains a major asset in the environmental quality of Hammersmith and Fulham. There are vacant and underused sites and premises along the Thames which have significant potential for more intensive development. However, any development of riverside sites will need to respect the unique character of the river and will need to enhance the vitality of the riverfront whilst improving public access to the Thames for recreation and sporting activities. The Thames Strategy Kew to Chelsea⁽²⁰⁾ document provides detail of the riverside environment, and the Riverside Walk Enhancement Report⁽²¹⁾ outlines opportunities for improvement along the river.

2.49 The Thames performs many functions, ranging from being a transport resource to a refuge for plants and wildlife. Hammersmith and Fulham has three safeguarded wharves in the south of the borough identified in the London Plan (2016)⁽²²⁾. Only one of these wharves still uses the river for freight movements and one wharf, Hurlingham, has been vacant since 1997 and is now safeguarded for Thames Tideway Tunnel construction works. The London Plan (2016) seeks to protect these wharves for cargo-handling uses and all three wharves are designated as safeguarded wharves on the Proposals Map. However, it is the council's view that vacant and under-used wharves should continue to be comprehensively assessed approximately every 5 years to determine their longer term use by the Mayor of London. In addition, the review should look at opportunities to consolidate wharves. A long stretch of the Thames is in the South Fulham Riverside Regeneration Area.

2.50 The Grand Union Canal has many of the characteristics and environmental features of the River Thames. The stretch within the borough lies within the Old Oak and Park Royal Development Corporation area which will be subject to considerable change to accommodate and take advantage of HS2 and Crossrail.

19 Sport and physical activity strategy 2006 to 2012: LBHF

20 Thames Strategy - Kew to Chelsea 2002

21 Council's Riverside Walk Enhancement Report 2010

22 Mayor of London, The London Plan: spatial development strategy for Greater London, GLA March 2016

Built Heritage

2.51 The borough's rich and varied townscape that is evident today is largely a result of its historical development. Most of the borough's built fabric dates from the extensive building programmes in the nineteenth and early twentieth centuries and it has maintained a much-valued built heritage, much of which falls within the borough's 45 designated conservation areas (Map 3). In many of these areas, the street provides a sense of scale and the setting for the consistent terraces of uniform architectural design⁽²³⁾.

2.52 Within the borough, there are approximately 500 statutorily Listed Buildings and approximately 2,150 locally designated Buildings of Merit, as well as a number of archaeological priority areas and the ancient monument of the Fulham Palace moated site. The heritage assets make an important contribution to the townscape character of the borough.

2.53 The town centres at Hammersmith, Fulham and Shepherds Bush have developed from the earliest patterns of settlement, and now have their own character and sense of place. Their architectural and historic quality is reflected in their conservation area designations. Historically they developed at accessible locations, an advantage that remains today. The areas around these centres, at Fulham in the southern part of the borough, Hammersmith in the central part, and Shepherds Bush in the northern part of the borough, have their own character which reflects their development over time. Each of the areas have strong, identifiable townscape characters defined by their form, grain, building typology and architectural design. It will be important that the rich and varied character of the borough is preserved. Any design for proposals in these areas will therefore need to be informed and inspired by careful analysis of the character and form of the specific area in order that it enhances the locality and respects its history.

2.54 Although some parts of the borough are very attractive, other areas are of poor quality. The areas of poor quality often exist within the designated regeneration areas. There is the challenge of encouraging redevelopment and regeneration in the borough

Map 3 Conservation Areas



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whilst preserving and enhancing valued local character especially in the areas that are protected by the borough's conservation areas. The provision of green infrastructure in regeneration schemes can help to improve the quality of the local environment.

Community and leisure facilities

2.55 Hammersmith and Fulham has a wide range of community uses, provided by the public, private and voluntary sectors. These are located across the borough in numerous buildings and spaces of varying quality. Although these uses are a valuable resource they often do not work in a joined up and focused way to meet the needs of vulnerable households.

2.56 Therefore as part of the development of area based social regeneration initiatives, the council is assessing whether there is the opportunity to improve the quality and access to community uses by the co-location of services. Accessible recreation facilities are very important to local residents and workers, not only for enjoyment but because of their contribution to improving health, particularly children's health. In addition, recreation facilities can provide diversionary activities and help reduce anti-social behaviour and crime.

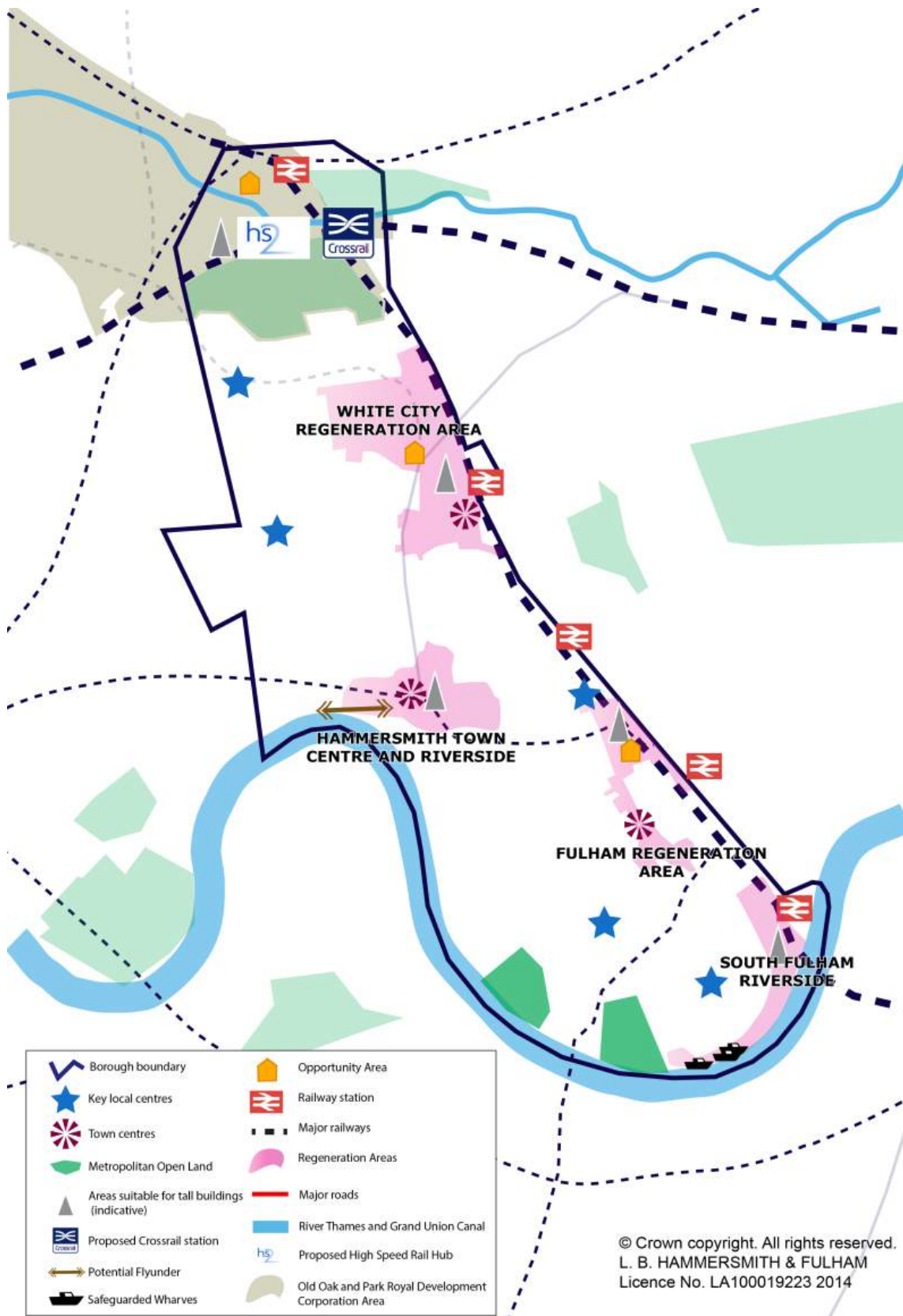
2.57 Hammersmith and Fulham also has a wide range of arts, cultural and entertainment facilities which are important to both local residents and in some cases to residents of a much wider area. These facilities enrich, educate and improve lives and add greatly to making the borough a place where people want to live. Facilities such as the Apollo, Lyric Theatre, Bush Theatre and the three professional football clubs are also of London-wide significance. Pubs can also be seen to be a place of community value and provide facilities of local importance. The challenge is to enable renovation or replacement where this is necessary without losing the uses.

2.58 Although leisure activities bring many benefits to the local area, for example contributing to the night time economy, enriching cultural opportunities and providing jobs, they can in some cases cause problems for local residents. Pubs, bars and clubs that stay open late and serve alcohol can lead to significant environmental disadvantages including concerns over crime and disorder if not properly managed.

3 Spatial Vision and Strategic Objectives

3.1 The Local Plan spatial vision and objectives interpret the council's corporate priorities and those of its partners and outlines how the borough will have been transformed in 15-20 years' time.

Map 4 Key Diagram



3 Spatial Vision and Strategic Objectives

Spatial Vision

By 2035 Hammersmith and Fulham will be a key part of, and contributor to, London's thriving international economy and the benefits of this will be shared throughout the borough. It will be home to centres of innovation, a skilled workforce and a growing number of businesses and jobs providing opportunities for local people. Genuinely affordable homes to buy and rent will have been delivered to meet local needs. The achievements of Hammersmith and Fulham's young people will be widely celebrated and the levels of worklessness in the borough will have significantly declined. Hammersmith and Fulham will be the greenest borough and at the forefront of tackling and adapting to climate change.

Building a stronger local economy

Our vision is for a borough renowned and recognised nationally and internationally for its expertise and opportunity in the growth sector of Science, Technology, Engineering and Maths by attracting inward investment and partnerships in the borough with institutions such as Imperial College. Opportunities will have been taken to regain our pre-eminent position for Culture, Media, Arts companies in the borough following the relocation of parts of the BBC from Shepherd's Bush. We will have encouraged inward investment, to support new enterprises and start-up businesses and to facilitate job growth in the local area, where all people are connected to economic opportunities and live in strong and thriving communities.

Delivering affordable homes for local people to buy and rent

At least 22,200 additional homes will have been developed, particularly family and affordable homes to buy or rent, that meet the needs of local people and maintain and create more mixed and sustainable communities. Fifty per cent of the new residential dwellings will be affordable. The new housing will be fully integrated socially, economically and physically with the rest of the borough.

Regenerating the Borough

Growth in housing and jobs will be mainly focused in the designated regeneration areas and the major town centres of Hammersmith and Fulham and Shepherd's Bush Metropolitan Centre and will include additional regeneration that would be secured in the South Fulham Riverside area, with the promotion of a Crossrail 2 station at Imperial Wharf. The regeneration of the Old Oak Common Area in the north of the borough will have started under the guidance of the Old Oak and Park Royal Development Corporation with phased, comprehensive mixed use development centred on the major HS2/Crossrail and Great Western Main Line interchange. We will, in conjunction with the GLA/TfL, have pursued options for replacing the Hammersmith Flyover and other sections of the A4 with a tunnel ("Flyunder") coupled with redesigning the local road systems in order to reduce congestion and noise, improve air quality and allow pedestrian re-connections with the river.

Our town centres and smaller local centres will be important hubs within the borough, helping to sustain a strong, safe and prosperous borough community with fewer vacant shops and more local control over uses such as betting shops and pay day loan shops. Both footfall and the visitor economy will have been strengthened.

Delivering an environmentally sustainable borough

By 2035, Hammersmith and Fulham will be the greenest borough. New buildings will be energy and resource efficient and much more of the borough's waste will be sustainably managed and there will be increased recycling. All development in the borough, both buildings and infrastructure will have been intelligently designed for durable and resilient futures, supporting the move to a low-carbon economy and taking account of climate change impacts, particularly the risk of flooding. Developments will have contributed to the concept of a "smart city", where multiple information and communication technology (ICT) solutions have been integrated in a secure fashion to enable effective performance in terms of energy, water, waste and reducing CO2 emissions and to improve people's health and well-being and quality of life. Sustainable Drainage Systems will be common place and major developments in the regeneration areas will be promoted as zero carbon exemplars.

By 2035, most areas of the borough will be of high environmental quality. The amount of open space in the borough will have increased through provision in mixed use schemes in our regeneration areas. The borough's parks and open spaces will have benefited from improvement programmes to make them more accessible and attractive and to improve sports and play facilities for local residents. They will be valued for leisure, sport and recreation as well as for their contribution to the biodiversity and health of the borough and will help to manage and adapt to climate change impacts such as over-heating and flooding. There will also be more street trees.

New development will have created a high quality safe environment that respects and enhances local context and the borough's natural and built environment, including heritage assets, such as conservation areas, listed buildings, historic parks and gardens and archaeological priority areas. Developments along the River Thames will have respected the special character of this waterway and will have increased both public access and the use of the waterways, as well as enhancing biodiversity and improving flood defences where required.

The council will have reduced road traffic generated in the borough and will have reduced the impact of other road traffic on the local environment, particularly in terms of air quality and noise impacts. We will have worked with partners to improve sustainable transport in the borough, particularly north - south links, including the opportunities for cycling and walking.

Improving local health and adult social care provision

The health and wellbeing of residents will have been improved, inequalities in health will have reduced and there will be more opportunities for physical activity which will have assisted in reducing childhood obesity. Healthcare will continue to be based on specialist healthcare provided at accessible local hospitals such as Charing Cross Hospital and a network of local health centres. The integration of services across the health and social care sector through the Health and Wellbeing Board will support prevention, early intervention and reduce hospital admissions.

3 Spatial Vision and Strategic Objectives

Hammersmith and Fulham's residential neighbourhoods will house: mixed, cohesive, more stable communities that thrive on the diversity of their population, including different ethnic groups, faiths and sexual orientations, the young, the elderly and disabled people. They will be green, safe, accessible areas that enable healthy and sustainable lifestyles and foster wellbeing. Although high in density, they will excel in the sustainable design and management of their built environment and public spaces, with a strong focus on health, liveability, community safety, enhanced historic buildings and spaces with an improved sense of place.

Delivering social and digital inclusion

Social exclusion will have been reduced as a result of the council and its partners, including the local third sector, faith groups and businesses working together and through the better use of resources. Digital inclusion will have been increased with improved access to high speed internet across the borough.

Providing the best start for younger people

The standard of education in the borough's schools will have been further improved to ensure that local schools provide the best possible education for local children, including those with special educational needs and disabilities. Schools will have strong links with their local communities and will enable community use of their facilities outside of school hours.

This vision will be delivered co-operatively by Hammersmith and Fulham Council and its partners in consultation with all stakeholders and supported by the policies contained in this Local Plan.

Spatial Vision and Strategic Objectives 3

Strategic Objectives

3.2 The Local Plan objectives, set out below, outline how the council will encourage the delivery of this vision for the future of the borough and address the challenges identified. They give direction to the Local Plan policies.

Strategic Objectives	
Regenerating the borough	<p>1. To regenerate the most deprived parts of the borough and the designated town centres, regeneration and opportunity areas by improving their viability and vitality and promoting a network of supporting key local centres providing local services.</p> <p>2. To ensure that regeneration in the borough benefits and involves all sections of the community and meets the diverse needs of residents and visitors now and in the future.</p>
Achieving sustainable communities	<p>3. To create opportunities for education, training and employment in order to reduce polarisation and worklessness and create more stable, mixed and balanced communities.</p> <p>4. To ensure that both existing and future residents and visitors have access to a range of high quality facilities and services, including: health, education and training, retail, leisure, recreation, sporting activities, arts, entertainment and other community infrastructure, such as policing facilities and places of worship.</p>
Delivering affordable homes for local people	<p>5. To increase the supply and choice of high quality housing and ensure that the new housing meets local needs and aspirations, particularly the need for affordable housing for local residents to rent or buy and for homes for families.</p> <p>6. To protect social housing, improve services for council residents and provide more new affordable homes for local residents to buy or rent.</p>
Building a stronger local economy	<p>7. To encourage inward investment, help foster job growth and promote the borough's many smaller and younger firms enabling a highly entrepreneurial economy to develop and remain in the borough.</p> <p>8. To help advance businesses, particularly local firms and the third sector so that they maximise job opportunities, develop apprenticeships and recruit and maintain local people in employment and enhance the vitality and vibrancy of high streets.</p> <p>9. To protect and enhance the borough's attractions for arts, science and technology and creative industries.</p>

3 Spatial Vision and Strategic Objectives

Strategic Objectives	
Delivering an environmentally sustainable borough	<p>10. To preserve and enhance the quality, character and identity of the borough's natural and built environment (including its heritage assets) by respecting the local context, seeking high quality, intelligent developments and design, and ensuring compliance with the principles of inclusive and sustainable design.</p> <p>11. To protect and enhance the borough's open green spaces and create new parks and open spaces where there is major regeneration, promote biodiversity and protect private gardens.</p> <p>12. To increase public access and use of Hammersmith and Fulham's waterways as well as enhance their environment, quality and character.</p> <p>13. To reduce and mitigate the local causes of climate change, mitigate flood risk and other impacts and support the move to a low-carbon future.</p> <p>14. To ensure the development of a safe, sustainable transport network that includes improvements to public transport, cycling and walking infrastructure which will improve transport accessibility and local air quality and reduce traffic congestion and the need to travel.</p>
Improving local health and adult social care provision	<p>15. To maintain and improve health care provision in the borough and encourage and promote healthier lifestyles, for example through better sports facilities, to reduce health inequalities.</p>
Tackling crime and anti-social behaviour and ensuring a safer borough	<p>16. To protect and enhance the amenity and quality of life of residents and visitors by providing a safe, accessible and pleasant local environment, characterised by a strong sense of place.</p> <p>17. To promote the safety and security of those who live, work and visit Hammersmith and Fulham.</p>
Delivering social and digital inclusion	<p>18. To work with partner organisations to reduce social exclusion and facilitate access to high speed internet across the borough.</p>
Providing the best start for younger people	<p>19. To ensure that the child care facilities and schools in the borough meet the needs and aspirations of local parents and their children.</p>

4 Delivery and Implementation

Policy DEL1 - Delivery and implementation

The council will implement the policies and proposals of the Local Plan by:

- working with stakeholders and partner organisations through a variety of fora and other arrangements, including resident working groups and designated neighbourhood forums;
- preparing other Local Plan documents, supplementary planning documents, joint Opportunity Area Planning Frameworks (OAPFs) development briefs, master plans and best practice guidance where necessary;
- maintaining an Infrastructure Schedule (part of the Infrastructure Delivery Plan) that identifies the infrastructure projects and programmes that seeks to create the most benefits from development;
- utilising development management powers, including pre-application discussions and involving partner organisations where appropriate;
- having regard to the financial viability of development in the following ways:
 - plan-making;
 - CIL charge-setting; and
 - negotiating Section 106 Agreements ('106s'), including for affordable housing, applying the principles set out in the Viability Protocol in Appendix 9.
- allocating council funding and seeking other monies for projects which support the Local Plan; and
- preparing authority monitoring reports on an annual basis to review the effectiveness of policies and identifying alterations where necessary.

Justification

Stakeholders and partner organisations

4.1 Responsibility for the successful implementation of the policies within the Local Plan falls not only upon the council as Local Planning Authority and in some cases as the land owner or service provider, but also upon the council's partners and other stakeholders, including neighbouring boroughs, the Old Oak and Park Royal Development Corporation, the GLA and other public and private sector organisations, especially with regard to strategic matters.

4.2 Landowners and developers will be important partners in the regeneration of the borough. Much of the land in the regeneration areas is held by private landowners and their commitment and active involvement is required to implement the regeneration the borough needs. There are ongoing discussions with these key landowners and stakeholders to determine the way forward for development and the council has adopted or is preparing area frameworks for some of the identified regeneration areas. In some cases, there are opportunities to consider joint schemes with private landowners or developers holding adjacent or nearby sites which could involve joint ventures or special purpose vehicles, subject to European Union procurement rules.

4 Delivery and Implementation

4.3 An Infrastructure Delivery Plan (IDP) has been prepared alongside the Local Plan. The IDP sets out the borough's key infrastructure requirements, anticipated costs and expected delivery based upon partnership working throughout the Local Plan process. The IDP is a 'live' document that the council will monitor and review on a regular basis to reflect the current circumstances and to inform the development management process. The Infrastructure Schedule contained in the IDP sets out an overview of the key infrastructure requirements necessary to support regeneration in the borough.

Development Management

4.4 It will be through development management processes, including pre-application discussions and Resident Working Groups and designated Neighbourhood Forums that the council will seek to implement many of the policies and proposals in the Local Plan. The council will also consider, when appropriate, the use of compulsory purchase powers to enable land to be developed, redeveloped or improved to help deliver regeneration. The council will usually try to negotiate with the owner, but if the owner refuses to sell, the council can start the process that will allow it to buy the land or property.

Provision of detailed guidance and encouraging development

4.5 The council's pro-active planning approach to regeneration will be supported by a number of planning documents and detailed guidance. In particular, the council will prepare other Local Plan documents, Supplementary Planning documents (SPDs), joint Opportunity Area Planning Frameworks (OAPFs), development briefs, master plans and best practice guidance where necessary.

4.6 More detail on planning frameworks can be found in the relevant sections of the Local Plan and more detail on the timescale and portfolio of Local Plan documents can be found within the council's Local Development Scheme.

4.7 The preparation and implementation of area planning frameworks provides a focus for discussions with the landowners and developers and with the infrastructure providers who are key to the delivery of the council's strategy for each area. They are also important in explaining to local residents and other stakeholders how the strategy for their area affects them and enables them to get involved at an early stage in the regeneration of their area.

Viability

4.8 With regard to viability, The National Planning Policy Framework (NPPF) ⁽²⁴⁾ requires local planning authorities to, *inter alia*:

- work closely with the business community to identify and address barriers to investment, including viability (paragraph 160);
- give careful attention to viability and costs in plan-making and decision-taking (paragraph 173);
- ensure the sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened (paragraph 173);
- assess the likely cumulative impacts on development in their area of all existing and proposed local standards, SPDs and policies, when added to nationally required

24 Communities and Local Government, National Planning Policy Framework, March 2012

standards to ensure the implementation of the plan is not put at serious risk (paragraph 174); and

- consider, where practical, working up and testing Community Infrastructure Levy (CIL) charges alongside the Local Plan (paragraph 175).

4.9 The NPPG on Viability provides further detail and states that the requirement to assess viability “should not undermine ambition for high quality design and wider social and environmental benefit, but such ambition should be tested against the realistic likelihood of delivery” (paragraph 1).

4.10 In particular, the CIL Regulations 2010 (as amended) require charging authorities to strike an appropriate balance between funding infrastructure and the impact on economic viability (Regulation 14(1)) and CIL guidance elaborates further on this.

4.11 The council considers that its policies together with its CIL charges are deliverable and allow development to be viable as defined by paragraph 173 of the NPPF, i.e. “provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”. The evidence for this is provided in the following documents as well as other relevant background documents:

- Affordable Housing Viability Assessment 2016 (BNP Paribas for LBHF)
- LBHF CIL Viability Study (June 2014) (Peter Brett Associates for LBHF);
- White City Opportunity Area Development Infrastructure Funding Study (WCOA DIFS) Original Report (September 2012) and Final Report (May 2013) (AECOM and Deloitte for LBHF, GLA);
- South Fulham Riverside Delivery and Infrastructure Funding Study (SFR DIFS) (March 2012) (CgMs for LBHF); and
- Earls Court and West Kensington Opportunity Area Viability Summary (November 2011) (DVS for LBHF, RBKC, GLA).

4.12 The council will apply the principles set out in the Viability Protocol (Appendix 9) when receiving and assessing financial viability appraisals submitted with planning applications and in negotiating Section 106 Agreements, to ensure the maximum reasonable level of affordable housing is provided and that other plan requirements are met.

Funding sources

4.13 The council will allocate council funding and seek monies for projects which support the Local Plan. More detail on infrastructure funding is provided in the Infrastructure Delivery Plan. Much of the funding will be provided through development in the borough, namely through on-site development, the CIL and Section 106 agreements.

Monitoring

4.14 To enable the council to know whether the Local Plan policies and programmes for infrastructure are achieving their objectives and targets. Alongside the Local Plan, an IDP has been produced. This is considered to be a ‘live’ document that will be monitored on a regular basis to address infrastructure provision and delivery. The council will monitor policies and infrastructure delivery and prepare Authority Monitoring Reports (AMRs) on an annual basis.

4 Delivery and Implementation

4.15 Section 113 of the Localism Act 2011 sets out the requirements for AMRs. Regulation 34 of The Town and Country Planning (Local Planning) (England) Regulations 2012 provides further detail on these requirements which are also reflected in the National Planning Practice Guidance on Local Plans. The requirements are summarised here. The AMR must:

- identify the timetable for preparation and stages reached (including adoption and dates) for each Local Plan document or Supplementary Planning Document (SPD) listed in the council's Local Development Scheme (LDS), and the reasons for any slippage in achieving the timetable;
- identify the extent to which the council is, or is not, implementing policies in the Local Plan and, where policies are not being implemented, explain the reasons why and the steps intended to be taken to ensure that the policy is implemented;
- specify the council's progress in meeting targets for net additional dwellings or affordable dwellings for both the period in respect of which the report is made and the period since the policy was first published, adopted or approved;
- detail any made neighbourhood development orders or neighbourhood development plans;
- contain monitoring information required by the Community Infrastructure Levy (CIL) Regulations 2010 (as amended); and
- give details of what action the council has taken regarding the duty to cooperate.

4.16 The detailed monitoring indicators are listed in Appendix 6.

5 Regeneration Area Strategies

5.1 The section below provides detail and policies related to the parts of the borough where the most significant growth is expected to take place.

Strategic Policy - Regeneration Areas

The council supports major regeneration and growth in the borough's four regeneration areas and will work with the local community and key stakeholders to ensure that within these areas, proposals will:

- provide new exemplary sustainable communities, delivered to the highest standards of urban design, environmental sustainability and social inclusion;
- deliver 19,800 new homes in the period up to 2035 to meet local housing needs and enable local residents to access affordable homes to buy or rent;
- deliver 29,500 new jobs in the period up to 2035, providing a range of skills and competencies and supported by initiatives to enable local residents to access employment and training; and
- deliver new physical, social and environmental infrastructure that meets the needs of new residents as well delivering tangible benefits for surrounding communities.

5.2 The council has identified four regeneration areas (see Table 1), which are anticipated to be the key focus for growth in the borough over the next 20 years. Please note that the former Old Oak Regeneration Area is now within the Old Oak and Park Royal Development Corporation. Together, these four regeneration areas have the capacity to deliver approximately 19,800 homes and 29,500 jobs within the plan period and have the potential to tackle physical barriers and social deprivation.

Table 1 Regeneration Areas and indicative homes and jobs targets

Regeneration Area	Indicative new homes	Indicative new jobs
White City Regeneration Area (WCRA)	6,000	10,000
Hammersmith Regeneration Area (HRA)	2,800	10,000
Fulham Regeneration Area (FRA)	7,000	9,000
South Fulham Riverside Regeneration Area (SFRRRA)	4,000	500
Total	19,800	29,500

The figures for the White City Opportunity Area and the Fulham Regeneration Area are consistent with the London Plan (2016). In the London Plan (2016), the Earls Court & West Kensington Opportunity Area has a minimum target of 6,500 dwellings. In the figures above, 7,000 dwellings have been allocated to that part of ECWK Opportunity Area that is within LBHF and 1000 to the area that is within RBKC.

5 Regeneration Area Strategies

5.3 Two of the regeneration areas are designated as opportunity areas in the London Plan (2016)⁽²⁵⁾. The White City Regeneration Area (WCRA) covers the same area as the White City Opportunity Area, which is identified in the Mayor's London Plan 2016 as having the capacity for 6,000 homes and 10,000 jobs. The Fulham Regeneration Area includes part of the Earl's Court and West Kensington Opportunity Area, which also covers part of the Royal Borough of Kensington and Chelsea. The Earl's Court and West Kensington Opportunity Area is identified as having the capacity for 7,500 homes and 9,500 jobs.

5.4 The regeneration areas represent an opportunity for significant new sustainable place-making and will provide the focus for new development in the borough. For each of the regeneration areas the council has set out the overall strategy for the area and the proposals for sites of strategic importance. In taking forward these proposals, the council will aim to involve all sections of the community in the development of policies and proposals for the regeneration of the borough and in planning decisions. Development in each of the regeneration areas will need to respect and enhance the existing townscape context and heritage assets both within and around the area.

5.5 A fifth regeneration area, namely Old Oak, now lies within the Old Oak and Park Royal Development Corporation (OPDC). The policies for this part of the borough are now being prepared for by the OPDC, although the council is heavily involved in their formulation. The OPDC's policies could result in 25,500 new homes being built and the creation of up to 65,000 jobs over the next 20 years, with Old Oak alone providing 24,000 homes and 55,000 jobs. The council will seek to ensure that the needs of the borough, including affordable housing and job opportunities for local people, are appropriately met.

25 Mayor of London, The London Plan: spatial development strategy for Greater London, GLA March 2016

White City Regeneration Area

Context

5.6 White City Regeneration Area (WCRA) comprises 110ha on the eastern edge of the borough, adjacent to the boundary with the Royal Borough of Kensington and Chelsea (RBKC). The WCRA has been designated as an opportunity area in the Mayor's London Plan 2016⁽²⁶⁾. The area has also been identified as a potential future 'International Town Centre' in the London Plan (2016). The regeneration area has three distinct sub-areas: White City East, Shepherd's Bush Town Centre and the estates in White City (White City West).

5.7 White City East consists of land to the north of Westfield London and to the east of Wood Lane with the addition of the Media Village site and former BBC Television Centre. Imperial College London is developing a new campus to the north of the A40, bringing academic uses related to bio-medical and technological research to this area.

5.8 White City West comprises LBHF's largest local authority housing estates - the White City Estate and Batman Close. This area also includes the Wood Lane Estate, Loftus Road Football Stadium and the TA Centre.

5.9 Shepherd's Bush Town Centre lies to the south of the WCRA and is an important retail, entertainment and cultural centre which includes Westfield London, the W12 Centre and Shepherd's Bush Market. The town centre is designated a metropolitan centre in the London Plan (2016).

5.10 There are a number of heritage assets throughout the area. Much of the area is within the Wood Lane Conservation Area, which centres around the Grade II Listed BBC Television Centre, but also includes the White City London Underground Station, which is a building of merit. The Grade II Listed DIMCO building is to the south of the conservation area. The Shepherd's Bush Conservation Area covers Shepherd's Bush Green and surrounding buildings, including the Shepherd's Bush Empire theatre and the former Odeon Cinema buildings, which are both Grade II Listed.

5.11 The opportunity exists in the WCRA for substantial mixed-use development which will help to regenerate the wider area, by providing new housing, including affordable housing, a greater range of job opportunities and community and leisure facilities to contribute to the aspirations for the wider West London sub-region, helping to sustain London's growth.

26 Mayor of London, The London Plan: spatial development strategy for Greater London, GLA March 2016

Strategic Policy WCRA - White City Regeneration Area

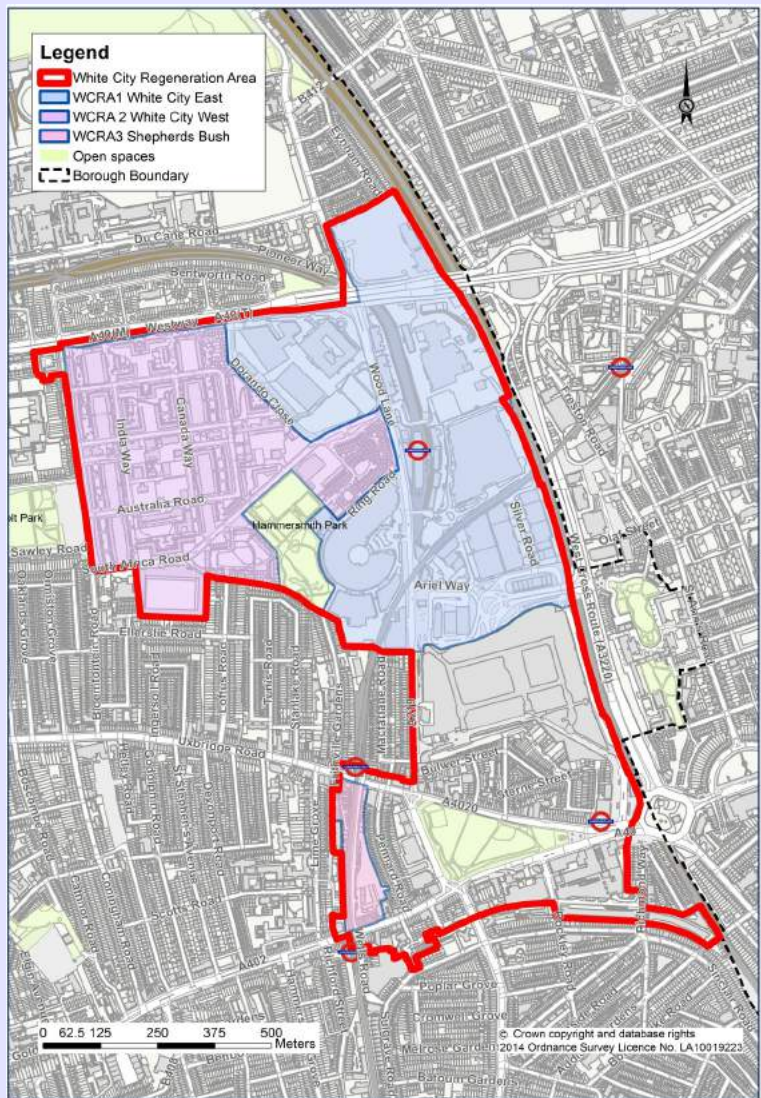
Indicative additional homes	Indicative new jobs
6,000	10,000

The Council will work to secure the comprehensive regeneration of WCRA, in particular the creation of a new high quality mixed-use development in White City East, along with the creation of a major educational facility with supporting retail, community facilities and open space; the regeneration of the historic Shepherd’s Bush Town Centre; and the phased renewal of the estates. In order to achieve this, the council will:

- work with the GLA, TfL, other strategic partners, and landowners to secure the comprehensive regeneration of the area;
- actively engage with local residents and community groups to ensure that the regeneration delivers benefits for the surrounding area; and
- work with the community and local enterprises, to establish ongoing partnerships and initiatives to provide sustainable public sector service delivery in the area.

Proposals for development in WCRA should:

- contribute to the provision of 6,000 new homes across a variety of tenures and 10,000 jobs, mainly within White City East, but also in smaller scale developments elsewhere in White City West and in the town centre;
- provide commercial uses within a new mixed-use area in White City East, capitalising on existing activities in the area including academic and research facilities as well as the creative, media and bio-technology sectors;
- include educational use, together with a limited amount of student accommodation;



- **sustain regeneration of the historic town centre, by locating retail activities within the town centre. Major leisure and retail that cannot be located within the town centre may be appropriate north of Westfield on the edge of the existing town centre boundary;**
- **improve the vitality of the important Shepherd's Bush Market;**
- **provide appropriate social, physical, environmental and transport infrastructure to support the needs arising from the development of WCRA as a whole and create new sustainable communities;**
- **support the maintenance of existing open space and encourage the creation of new open space;**
- **secure economic benefits for the wider community by providing programmes to enable local people to access new job opportunities through training, local apprenticeships or targeted recruitment;**
- **improve connections to existing communities, including between White City West, the town centre and east to RBKC to improve both north-south and east-west connectivity within the WCRA and connections to the wider area;**
- **ensure that development extends and integrates with the urban grain and pattern of development in the WCRA and its surrounding area;**
- **ensure that new development recognises the substantial scope offered by the scale and location of the White City Regeneration Area to create a new sense of place and range of densities. There may be scope for tall buildings, however any tall buildings would need to be justified by a full urban design analysis; and**
- **provide further enhancements across the area to ensure high public transport use, along with provision for more pedestrian and cycle infrastructure, including an enhanced Wood Lane, a bridge across the A3220 adjacent to the Hammersmith & City and Circle Lines and the provision of an east-west underpass from the Imperial College former Woodlands site to land to the west in RBKC.**

Justification

5.12 White City is identified as an Opportunity Area in the London Plan (2016) which contains a significant area of underused industrial land within close proximity to Central London and key transport links. The White City Opportunity Area is identified in the London Plan (2016) for a minimum of 6,000 homes and 10,000 jobs. The Mayor identifies the redevelopment of the opportunity area as having potential for mixed density housing and a focal point for office development at or around the tube stations at White City and Wood Lane along with other commercial, leisure, open space, education and retail uses of appropriate scale to support the local community. Housing-led intensification should support local regeneration, enable estate renewal and seek a mixed and balanced community. It identifies there may be scope to enhance education and research capabilities in the area, linked in particular to healthcare and bio-technology. Development should promote the vitality of the town centre, particularly the Shepherd's Bush Market, and complement the viability of other west and central London centres.

5.13 The White City Regeneration Area remains an area with one of London's highest levels of deprivation in terms of income and employment. It requires further investment within the community in order to facilitate opportunities for more residents to enter the workforce, through education, training and recruitment. A major catalyst to the improvement

5 Regeneration Area Strategies

in the area has been the introduction of Westfield London Shopping Centre which has brought significant numbers of visitors to the area and improvements to public transport accessibility and the surrounding public realm, including Shepherd's Bush Green.

5.14 There is already an existing large employment focus in the area, particularly with a focus on creative industries, with BBC's presence at the former Media Village (now referred to as White City Place), the business start-up companies within the Ugli building, and soon with Imperial College London's research and development sector. There is scope to develop further employment activities in White City East, not only to replace jobs lost by the relocation of existing employment activities but for creating additional jobs linked to new uses coming forward for development. Imperial College has commenced development on the former BBC Woodlands site, for a mix of uses including student accommodation, housing, medical research, offices, technology transfer space, and other ancillary uses. Further educational and research uses are likely to be brought forward on the former Dairycrest site as part of a wider mix of uses to encourage business start-ups and incubator space. The departure of most of the BBC's activities at the former Television Centre has provided the opportunity to open up the site for major refurbishment to comprise a new mixed-use development.

5.15 Imperial College London is a world-class university which has a reputation for excellence in science, medicine, engineering and commerce and ranks within the top 10 universities in the world. The council supports the opportunity to provide a world-class higher educational campus in the area, as it will bring much needed investment to the area. Primary and secondary educational facilities are also encouraged at this location. Some student accommodation may be appropriate as part of the overall mix of residential types, sizes and tenures within the WCRA.

5.16 In recognition of the opening of Westfield London and the improved transport links, the Mayor's London Plan (2016) identifies Shepherd's Bush as a Metropolitan Centre. The London Plan (2016) identifies it as having potential to become an international town centre. Westfield, along with the W12 Centre and Shepherd's Bush Market, provide the three key retail anchors for the town centre. Each anchor provides a retail offer that is attractive to different communities and cultures and helps contribute to the town centre's vitality and viability. The W12 Centre on the south side of Shepherd's Bush Green consists of a two level shopping mall and cinema. The centre has been subject to a rolling programme of refurbishment and improvements in recent years, which has led to improved shops and a new hotel. In respect of the Shepherd's Bush Market, this is likely to be refurbished which will further encourage footfall throughout the town centre. The Hammersmith and Fulham Retail Needs Study 2016 has projected a need for further retail floorspace in the town centre before 2031 (see Table 3). A larger scale mixed use scheme has been consented immediately north of the existing Westfield London, from the edge of the existing Westfield London shopping centre to the Hammersmith & City Line viaduct. This scheme includes additional retail floorspace, substantial leisure facilities and housing.

5.17 Shepherd's Bush Market and adjacent land has planning permission for a scheme which intends to reconfigure the market space, providing new stalls and shops and an improved layout alongside the existing traders and to provide a greater mix of uses with residential units above. The market will provide benefits for existing market traders with a better layout and improved public realm which will in turn attract greater numbers of visitors to the area. This investment will ensure the market is sustained for its richness in culture and wide range of goods for years to come.

5.18 Development must contribute to the provision of infrastructure necessary to support the new sustainable community. Because of the scale of development in the regeneration area, supporting infrastructure will need to include provision on site towards public open space, community, health, sports, arts and leisure facilities, new schools (primary, secondary and nursery provision), junction improvements, bus enhancements and new pedestrian and cycle connections. Where on-site provision is not possible or not feasible, financial contributions will be sought. Consideration will need to be given to the capacity of the physical infrastructure, particularly for sewerage and surface water and the ability of the sewerage network to take increased foul and surface water drainage generated by new development. Surface water will need to be managed as close to its source with run-off minimised through the integration of appropriate Sustainable Urban Drainage Systems (SuDS), in line with the London Plan (2016) drainage hierarchy. Opportunities should be explored to secure the provision or connection into an existing or planned decentralised energy network. In order to deliver the objectives for the area, it is essential that there is a comprehensive approach and that individual private sector site developments contribute to wider regeneration in the WCRA as a whole, at the very least providing tangible benefits to achieving sustainable communities. This will contribute to many of the key corporate aims, namely, giving more power to local communities, delivering social inclusion, creating more opportunities for young people and delivering greater efficiencies in public spending. Any public sector services delivered in the White City Regeneration Area should be discussed with the local community.

5.19 Due consideration will need to be given to the impact of each site within the strategic transport network, ensuring that future development will not consume a disproportionate amount of transport capacity. A Strategic Transport Study prepared in 2012, modelled the impact of the potential increase in population on the local highway and public transport network. The study identifies areas recommended for transport investment in and around the regeneration area. The majority of the opportunity area is well served by public transport, however, the area suffers from problems with high volumes of road traffic and also a lack of physical connectivity, particularly in White City East where the A40, the A3220 and rail infrastructure creates physical barriers restricting access to and from the area. The whole area should be planned to enable easy movement within the area, especially from homes to transport connections, employment, shops, schools, open space, leisure and other facilities. Planned and committed TfL improvements to the West London Line services, including both London Overground and Southern Services, will increase public transport capacity. In addition, a Crossrail station and/or HS2 rail link station in the Old Oak and Park Royal Development Corporation Area would bring great benefits to this area in the long term as it will be likely to relieve pressure on the Central Line.

5.20 Census data from 2011 indicates that the unemployment rate was at 7.4% in White City, as compared to 5.1% in London overall. The introduction of new employment uses and large-scale retail provides an important opportunity for the local community which currently suffers from high levels of unemployment and skills deficits. Proposals that involve substantial new employment opportunities should offer skills training, work placements, apprenticeships and targeted local recruitment campaigns in order to make best use of added value of employing local labour. The council will encourage businesses to embrace the London Living Wage. Developments should also look to promote local businesses and encourage sustainable business enterprise and entrepreneurship especially among young people and business start ups.

5 Regeneration Area Strategies

5.21 East-west pedestrian and cycling connectivity will be improved by the proposed subway under the West London Line and A3220 which has been secured as part of the Imperial College development. The council's vision for the area is dependent on improvements and capacity in public transport, cycling and walking to ensure a high proportion of trips are made in environmentally sustainable ways.

5.22 The layout of each of the sites and how they relate and connect to one another to overcome barriers to movement will be carefully considered. There is an opportunity to create a high quality townscape to open up the area to enable easy movement within the area and to the surrounding area (including the Royal Borough of Kensington and Chelsea), especially from homes to transport links, employment, shops, open space and other facilities. It should have regard to the existing character and pattern of surrounding streets, along with respecting nearby quieter streets that wish to retain that character.

5.23 Development should respect the prevailing scale of the surrounding townscape along its edges, and be generally medium rise. However, parts of the area such as alongside the A40 and A3220 are less sensitive to the impact of building height due to large pieces of road and rail infrastructure that act to separate potential taller elements from nearby lower-rise residential areas. Some other limited locations within the regeneration area may also be acceptable for tall buildings, as long as it can be demonstrated that they enhance and do not have a negative impact on the character and setting of Listed Buildings, Conservation Areas and the local area in general. This will also be subject to consideration of other design and amenity policies as set out within the Borough-Wide policies within this Local Plan.

Strategic Site Policy WCRA1 - White City East

The council will seek regeneration in White City East for a mixed-use urban quarter within a high quality environment.

Proposals for development in White City East should:

- be mixed use providing housing, employment, including creative and academic based industries, community uses, a major educational hub, leisure facilities as well as small-scale retail;
- provide large amounts of housing for residents across all tenures, house sizes and affordability;
- ensure that on sites primarily developed for higher educational purposes, that a mix of uses is provided, including non-student accommodation and other non-educational uses;
- demonstrate how the proposal fits within the context of a detailed masterplan, and how it integrates and connects with the surrounding context.



There should be improved permeability and access between Westfield and areas north in the WCRA, particularly through areas of public open space including opening up arches underneath the Hammersmith and City Line railway viaduct, where appropriate;

- provide a network of green corridors and public open spaces including a local park located centrally of approximately 2ha;
- ensure that development provides high quality places for living and working that are well integrated with, and respect the setting of, the surrounding area;
- retain those remaining parts of the former BBC TV Centre which have historic and/or architectural interest. The Centre's setting should be integrated with the surrounding public realm, providing connectivity to the east, west and south of the site; and
- contribute proportionally to the achievement of the objectives and policies for the area; to the overall provision of social and physical infrastructure such as: a health centre, educational facilities, public open space, employment training and recruitment programmes, community facilities, a decentralised energy network and other necessary improvements to the transport infrastructure to enable the White City Regeneration Area to be developed to its potential.

5 Regeneration Area Strategies

Justification

5.24 This area includes the land to the north of Westfield London on the east side of Wood Lane, but also includes the former BBC TV Centre and the BBC Media Village sites. The White City East site provides the most substantial opportunity for early regeneration in the WCRA. Development proposals will need to secure an appropriate mix of land uses to provide the full benefits of regeneration, ensuring that the appropriate number of homes and jobs are delivered, that separate planning applications are well related and connected and provide appropriate social and physical infrastructure to mitigate the impacts of their development. Development proposals must contribute to the provision of social and physical infrastructure necessary to support development of the whole area to create a sustainable community, including the timely availability of local skilled labour through pre-employment and skills training.

5.25 White City East has the capacity to provide many of the 6,000 new homes for the regeneration area, including a range of new affordable housing in different tenures, student housing and housing for those in need of care and support. The aim is to create a sustainable community which will include accommodation for families, students and people that already live in the area. White City East will secure as much affordable housing as viable, which will over the next 15-20 years, provide new affordable housing which could create opportunities also for estate residents in the regeneration area to access accommodation that better suits their needs. Any decision about the approach to this would need to be tested with residents, but it could consider providing:

- new social and affordable rented housing of the right sizes and types would provide more opportunities for transfers to alleviate overcrowding, under occupation or obtain housing more suited to a tenant's needs.
- intermediate housing at the right price levels to enable existing tenants who can afford to move into home ownership, to do so.
- similar opportunities for leaseholders living on the estates who would have opportunities to move if they consider that new homes are more suited to their needs.

5.26 Imperial College London has purchased two key sites to the north of White City East, and construction is underway on the former BBC Woodlands site to the north of the Westway. The council supports the development of these sites for large scale higher educational uses together with residential (non-student), employment and local retail and supporting infrastructure to ensure that the council achieves its aims for regenerating the area for a mix of uses. Student accommodation will be considered on these sites, but it should not compromise the overall housing capacity of the area nor should it create large areas of predominantly student housing. It is important that the area will achieve a mix of housing types and sizes across all sites to ensure the area comprises a cross-section of people.

5.27 Westfield London is implementing planning permission for a mixed use scheme including larger scale retail uses and residential units on the site immediately north of their existing retail store and south of the Hammersmith and City Line viaduct. Although this constitutes larger scale retail, it is located at the south of the railway viaduct and adjacent to the town centre.

5.28 The strategic site covers a large area which is bounded and crossed by roads and railway lines, but it must not be planned out of context with the surrounding area. Development provides the opportunity to connect with and knit together the surroundings while providing a permeable internal layout. Development in White City East should provide

north-south and east-west connections to overcome the physical severance experienced across this part of the WCRA. The railway arches situated between the Westfield and Marks and Spencer site are key to delivering the north-south pedestrian flows and should be opened up for circulation and other active uses. There is also potential for providing a new pedestrian and cycle route from the TV Centre to Shepherds Bush Market, alongside the Hammersmith and City Line, which would be a useful addition to permeability and connections. Development of land beside the West London Line and A3220 should provide for east-west pedestrian and cycle connections to encourage sustainable modes of transport. Development on either side of the A40 must be well connected through provision of a primary north-south route, with provision for pedestrians and cyclists, together with additional secondary vehicular roads that link to additional east-west links. The area immediately north of Westfield requires careful handling in urban design and land-use terms to provide improved permeability and linkages to the north to overcome the barrier effect of the Hammersmith and City Line railway arches.

5.29 Sufficient public open space for residents and workers should be provided to support the future residential and working population in the area. A local park and open spaces of approximately 2 hectares will support the additional population that will come to the area. A central location to the east of Wood Lane would be most beneficial, which as well as providing for the needs of development in White City East, would be well located as a space for those people visiting the area for work or shopping in the town centre. The open space will be provided on the development land to the north and south of the Hammersmith and City Line Railway viaduct, owned by St James (M&S site), Transport for London and Westfield. Open spaces should be connected to provide a network across the area to encourage biodiversity corridors across the area, including the provision of an ecological corridor along the West London Line.

5.30 Development should be of a high architectural quality and its scale should be sensitive to the surrounding context, particularly existing heritage assets and nearby conservation areas. White City East is the most appropriate site within the WCRA for taller buildings. This is mainly due to the area east of Wood Lane containing buildings with larger footprints with significant transport infrastructure routes in between that separate the taller elements from lower rise housing in the surrounding area. Tall buildings are likely to be acceptable closest to the A40 and A3220 if they can be located sensitively to limit the impact of overshadowing on existing and future communities or areas of public realm and open space, and do not have an unreasonable impact on views from nearby conservation areas adversely impact upon surrounding heritage assets.

5.31 The retained parts of the former BBC TV Centre have been identified as being of special architectural and historic interest, and are statutorily listed as Grade II. It is these buildings that form the key focus of the Wood Lane Conservation Area. The former TV Centre is significant to the future of the WCRA because of its location and the potential for linking the western part of the regeneration area with Wood Lane, for the creation of a public realm focus on Wood Lane. The development and re-use of the Television Centre includes the retention and refurbishment of the buildings that are of historic and architectural importance. The approved development scheme proposes to safeguard the iconic appearance of the former BBC Television Centre from Wood Lane. Preferred uses for this site should be relevant to the nature of the historic use and its legacy.

5.32 Provision of infrastructure is key to ensuring the WCRA is successful, not only to provide for the additional population, but also to bring about benefits for the whole area. This is essential to create a sustainable community. The size of the regeneration area and the anticipated development potential may mean that the majority of infrastructure will

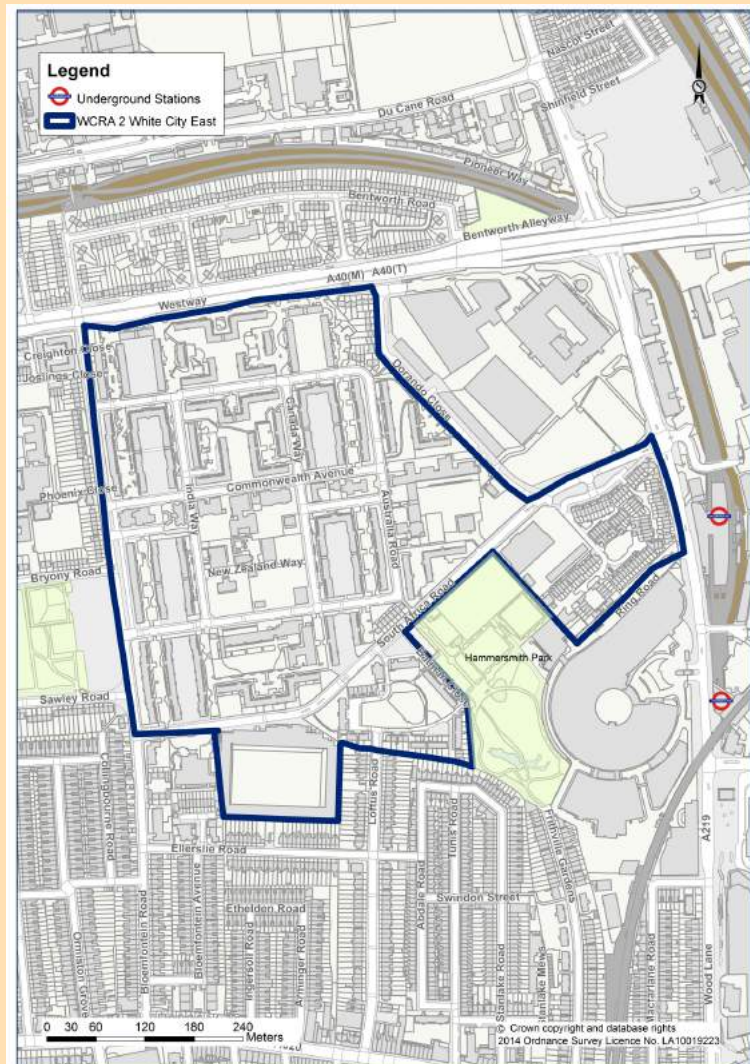
5 Regeneration Area Strategies

need to be provided on site. It is considered that development will need to provide an area of public open space, a community and health centre, leisure facilities, a recruitment and job shop and educational facilities (secondary, primary and nursery provision) if it is considered that expansion of existing facilities is not a preferred option. Social infrastructure such as contributions for training and employment will be required. Employment and training packages should help local residents to access construction and end-user employment opportunities in order to achieve the desired social and economic mobility ambitions. Development must also take into account the provision of other on site physical infrastructure, particularly new access roads, electrical capacity and substations, sewerage and surface water management and the ability for the sewerage network to take increased foul and surface water drainage generated by this site. Surface water will need to be managed as close to its source as possible, with run-off being minimised as far as possible through the integration of appropriate Sustainable Drainage Systems (SuDS), in line with the London Plan (2016) drainage hierarchy. CCTV and other secure by design infrastructure will also be required. Development must incorporate the principles of sustainable design and construction, including the consideration of provision or connection into a combined heat and power/ decentralised energy network and the sustainable management of waste generated by the development.

Strategic Site Policy WCRA2 - White City West

The council will work with estate residents and other stakeholders to secure the renewal of the estates and the creation of a sustainable community. Development proposals within this strategic site should:

- support employment and skills training opportunities to assist residents in obtaining local jobs
- enable existing residents to remain in the area, providing a more sustainable community through provision of new housing with a mix of tenures and sizes of units that enable greater housing choice;
- provide an appropriate level of social, environmental, transport and physical infrastructure and co-locate facilities where this will make the most efficient use of infrastructure;
- assist in providing a permeable street pattern that is well integrated with the surrounding area; and
- enable the continuation of some commercial uses in areas less suitable for residential purposes.



If either the Loftus Road Stadium or Territorial Army (TA) Centre come forward for redevelopment, the council will seek residential led development. On the Loftus Road site, in particular, there should be provision of community facilities and open space.

Justification

5.33 Currently 53% of residents in WCRA live in social rented housing and 28% are living in private rented accommodation (Census 2011). Providing new alternative accommodation will give people who live on the White City Estates and who consider they live in less than ideal circumstances (e.g. because of overcrowding or because of mobility issues) the opportunity and choice to transfer to more suitable accommodation in the WCRA. For existing tenants, and for their children when they need their own home, whether

5 Regeneration Area Strategies

rented or owned, there would be a much better choice of housing types and tenure in the locality with more opportunities for people to realise their aspirations and move into affordable home ownership.

5.34 The estate has a number of sites providing a range of services to local residents, some of which could be co-located, providing opportunities for other sites to come forward for redevelopment over the next few years, as well as providing a more coherent and efficient use of services throughout the area, benefiting the local community by making better use of funding. The area does still require significant investment in infrastructure to ensure that new developments contribute to the regeneration of the area, and this should be considered by any forthcoming Ward Panel, who will be there to ensure quality and local oversight to generate cost savings.

5.35 There could be a better, more permeable layout within the area to create more attractive, useful and easier to maintain amenity spaces and connections. There would be the opportunity to design out crime, anti-social behaviour and improve security in and around open spaces. All new developments should connect and integrate well with the surrounding residential estates, which could provide clear and safe pedestrian and cycle connections to the east and south of the area.

5.36 Where areas are not appropriate for replacement housing, commercial development and/or small scale retail may be appropriate to provide further jobs, self employment and enterprise opportunities within the local area and better access to facilities.

5.37 The Queens Park Rangers (QPR) football ground at Loftus Road is a cramped site with limited opportunity for expansion, and the Club's ambitions should be considered in planning of this area over the next 20 years. The football stadium is a valued community asset for the White City community and the pitch is designated as open space. Therefore any redevelopment of this site would need to include a sport/community/leisure facility that could achieve substantial benefits for the community as well as open space. The TA Centre is a low intensity use of land which could be better used given its location. The opportunity for a development to facilitate estate renewal should be considered if the TA facility can be relocated, but development must also contribute to the objectives for regeneration of the area, including housing for local people.

Strategic Site Policy WCRA3 - Shepherd's Bush Market and adjacent land

The council will continue to support and work with existing traders for the retention and improvement of Shepherd's Bush Market to provide a more vibrant mix of town centre uses, retaining accommodation for existing market traders and traders along Goldhawk Road.

Development proposals for this strategic site should:

- retain and improve the market, including its layout, to create a vibrant, mixed use area; include additional leisure uses, offices and residential development to ensure a more vibrant mix;
- consider including adjacent Pennard Road Laundry site in any development scheme and land to the west of the market off Lime Grove
- provide the opportunity for the re-provision of Goldhawk Road businesses within new high quality retail premises within the proposed frontage; and
- provide affordable housing in accordance with Policy H03.



Justification

5.38 Shepherd's Bush Market is an important and distinctive part of the town centre's cultural and retail offer. The council considers that the market requires improvement to secure its long-term viability. The layout of the market should be improved to maximise the space within the site and provide an improved public realm.

5.39 A mixed use scheme providing replacement market stalls as well as other uses such as leisure, housing and offices, will not only improve the market as a destination but will also help regenerate and bring more trade to the town centre.

5.40 The market currently operates on a cramped site and there are opportunities to consider combining it with other land to produce a scheme with wider regeneration benefits. The adjacent Pennard Road former laundry land is key to this, and a joint development is a better solution for what is a backland site with limited access. The Peabody Trust and Broadway Centre land could be brought into a scheme, subject to agreement on relocation.

5 Regeneration Area Strategies

Hammersmith Regeneration Area

Context

5.41 The Hammersmith Regeneration Area (HRA) is centred on King Street and Hammersmith Broadway, although the southern boundary extends to Hammersmith Bridge and the Thames. The HRA includes Hammersmith Town Centre, the A4 and its flyover.

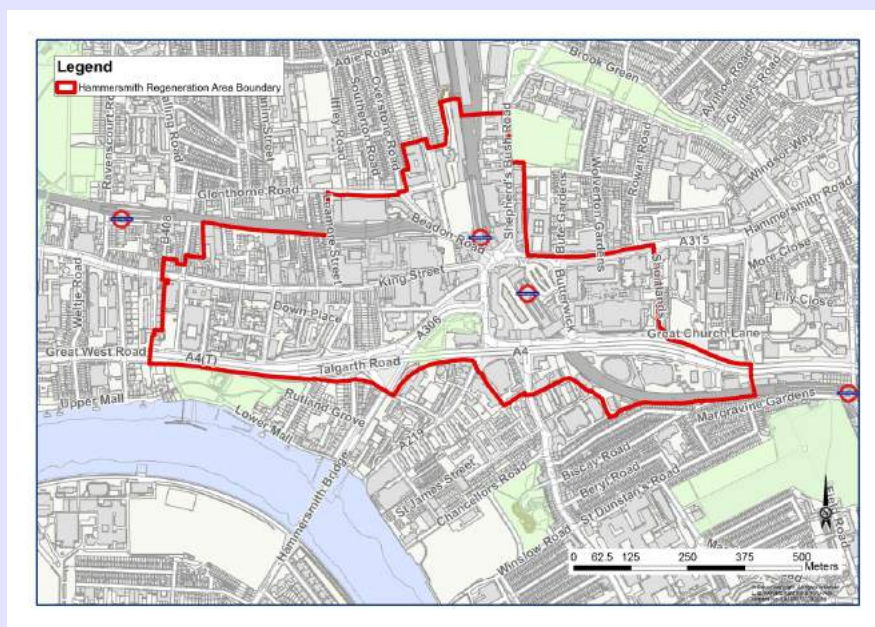
5.42 Hammersmith has seen a substantial amount of regeneration in recent years with schemes coming forward for the former Beadon Road NCP car park, Hammersmith Palais, Hammersmith Embankment (now known as Fulham Reach) and new housing on Glenthorne Road. There has also been significant investment in improvements to the Kings Mall and the Hammersmith Apollo, while works are being carried out to the Lyric Theatre to expand it. The bus station at Hammersmith Broadway has been expanded temporarily pending permanent extension in a future development. The Hammersmith London Business Improvement District (BID) is now well established and aims “to inject life and vibrancy into central Hammersmith attracting more people to the area and making it a more desirable place to work in and visit”. The council has also set up a Hammersmith Residents Working Party to assist the council in producing a development strategy for how Hammersmith could change over the next 20 years.

5.43 There is a need to continue the regenerative drive and continue to compete with London’s other employment and retail centres. Although Hammersmith has a wide range of town centre functions, its major roads, including the A4 flyover and the gyratory, severely impact on the centre, significantly reducing environmental quality and restricting pedestrian movement between the town centre and the riverside.

Strategic Policy HRA – Hammersmith Regeneration Area

Indicative additional homes	Indicative new jobs
2,800	10,000

The council will encourage the regeneration of Hammersmith Town Centre and seek development that builds upon the centre's major locational advantages for office and retail development. Opportunities will be taken to secure more modern accommodation, to continually



improve the environment and public realm, and to improve access between the town centre and the Thames. In order to achieve this, the council will:

- work with the GLA, TfL, other strategic partners, including the Hammersmith BID and landowners to secure the regeneration of the area;
- actively engage with local residents and community groups to ensure that regeneration delivers benefits for the surrounding area;
- support the continuation of Hammersmith as a major town centre with a wide range of major retail, office, local government services, leisure, arts, entertainment, community facilities and housing;
- promote the continued regeneration of Hammersmith Town Centre by actively encouraging the improvement of the Kings Mall and other retail in this part of the town centre, and the range and quality of independent and specialist shops;
- promote the continuation of the town centre as a key strategic office location, through provision of modernised office blocks;
- support proposals for the regeneration of the western part of the town centre in the vicinity of the Town Hall;
- support proposals that expand Hammersmith's arts and leisure offer, capitalising on the existing facilities such as Hammersmith Apollo, Lyric Theatre, St Pauls Green, Lyric Square, and the river front;
- promote and support the replacement of the flyover and section of the A4 with a tunnel; and
- return the Hammersmith Gyratory to two way working provided that this can be done without unacceptable traffic and environmental costs in the neighbouring areas.

5 Regeneration Area Strategies

Proposals for development in the HRA should:

- **improve pedestrian and cycle infrastructure, including connectivity with the River;**
- **improve the range and quality of independent and specialist shops and services, as well as leisure services;**
- **provide appropriate social, physical, environmental and transport infrastructure to support the needs arising from the development of HRA;**
- **secure economic benefits for the wider community around the Hammersmith Regeneration Area by providing programmes to enable local people to access new job opportunities through training, local apprenticeships or targeted recruitment;**
- **seek the creation of an urban environment, with public spaces, architecture and public realm of the highest quality, that is sensitively integrated into the existing context;**
- **improve and enhance St Pauls Green and Furnivall gardens and their connections to the rest of the regeneration area.**

Justification

5.44 Hammersmith is a major town centre providing shopping facilities for a catchment population of nearly 46,000 people. Many people commute daily to Hammersmith which is a key office location for West London. The town centre is also important for government services with the London Borough of Hammersmith and Fulham's Town Hall, Hammersmith Library & Archive Centre, Adult Learning & Skills Service, Hammersmith police station and Hammersmith fire station all located within or close to its boundary. Hammersmith also has a strong tradition of arts, culture and entertainment with the Lyric Theatre, a four screen cinema and the Hammersmith Apollo. The Riverside Studios (currently being replaced by improved facilities as part of a mixed use redevelopment), the Thames Path National Trail and Furnivall Gardens are outside the HRA Regeneration Area but these also provide a valued contribution to the area's leisure offer. There are also a number of hotels within the town centre and its surrounds.

5.45 It is important that Hammersmith continues to compete as a retail location. The council will support proposals that further enhance the vitality and viability of the centre. The approach to regenerating the town centre has two key elements. Firstly, the primary shopping area focused on the eastern end of King Street should be strengthened by encouraging development that modernises existing accommodation that attracts a range of varied retail and facilities in the area that links well with Lyric Square. Secondly, the council will encourage a general upgrading of the shopping offer at the western end of King Street, up to and around the Town Hall, through the provision of uses which will lead to greater pedestrian flows in King Street while not detracting from the core shopping area.

5.46 Hammersmith is an office centre of sub-regional significance, both for the public and private sector. Its role as an office centre extends to the east along Hammersmith Road to Olympia and to the south along Fulham Palace Road. It is proposed to maintain the town centre's status as a primary office location, encouraging its renovation and replacement of floorspace with more energy efficient, low carbon and modern office accommodation, particularly in the northern and eastern part of the town centre where there is less focus on retail and leisure uses.

5.47 In the town centre the priority should be for shopping, leisure and offices, but new housing development is also important and will supplement existing important residential resources such as Ashcroft Square. New housing can help bring evening activity and vitality into the town centre and will be expected to contribute to creating a more sustainable community and provide housing for people on low to middle incomes.

5.48 The council also wish to sustain and enhance Hammersmith's role as a cultural and leisure destination. With the possibility of land being freed up by the tunnelling of the A4, there is an opportunity to create an arts, leisure and public space precinct that could improve connections between the Hammersmith Apollo, Lyric Theatre and Square, Riverside Studios, St Pauls Green and the river front. However, whilst maintaining the important leisure role of the centre, the council will seek to ensure that any adverse impact that some leisure uses can have on local residents, such as anti-social behaviour and noise is minimised.

5.49 Following the emergency closure of the A4 flyover in Hammersmith in 2011, issues have been raised about the viability of the flyover, especially in relation to the escalating cost of maintenance and the increased risk of failure. The council has undertaken a feasibility study to look at the possibility of removing the flyover and parts of the A4 and replace it with a tunnel⁽²⁷⁾. This study has demonstrated that a tunnel is viable, and the proposal has the support of local people, the Mayor of London and TfL. The land released through removal of the A4 would create opportunities to reconnect Hammersmith Town Centre to the River Thames, as well as opening up opportunities for development which could help fund the delivery of the tunnel. Much of this land could provide the opportunity for new homes for people to live in the regeneration area, in a range of tenures and affordability which will contribute to the key aim of creating sustainable communities.

5.50 The possibility of tunnelling the A4 may also open up opportunities to consider the unravelling of the one-way system in Hammersmith, which currently covers the Hammersmith Gyratory, King Street and Glenthorne Road. The council has been involved in an early public meeting with key stakeholders and residents where a number of different possible tunnelling alternatives were discussed. The Hammersmith Gyratory is currently at capacity with long queues of traffic often developing along several arms of the junction, especially when there is disruption to the road network. A high level feasibility study is being carried out to consider a range of road options for the area, which will also investigate the impact of traffic on the town centre.

5.51 Pedestrian movement between the town centre and the riverside is currently limited due to the lack of pedestrian routes, the uninviting environment under the A4 flyover and poor signage. There could be potential to provide a high quality, safe and easily accessible public realm that will encourage activity toward the Riverside Studios and the Thames Path and uses along the river frontage.

5.52 There is currently investment in Hammersmith Town Centre, with the upgrading of the Kings Mall, which has already attracted a number of new shops along King Street and new office developments such as 10 Hammersmith Grove. The redevelopment around Hammersmith Town Hall at the western end of King Street will include a public square with new shops, restaurants and a replacement cinema. This should lead to greater pedestrian flows along King Street and help to improve the vitality and viability of the western end of King Street.

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5.53 Development must contribute to the provision of infrastructure necessary to support new development in HRA. Supporting infrastructure will need to include provision on site towards public open space, community, health and leisure facilities, junction improvements, bus enhancements and pedestrian and cycle connections. Where on site provision is not possible or not feasible, financial contributions will be sought. It is likely that infrastructure for new schools (primary, secondary and nursery provision) will need to be provided as a contribution for the expansion of existing schools in the area. Development must also take account of the capacity of the infrastructure for sewerage and surface water management and the ability of the sewerage network to take increased foul and surface water drainage generated by this site.

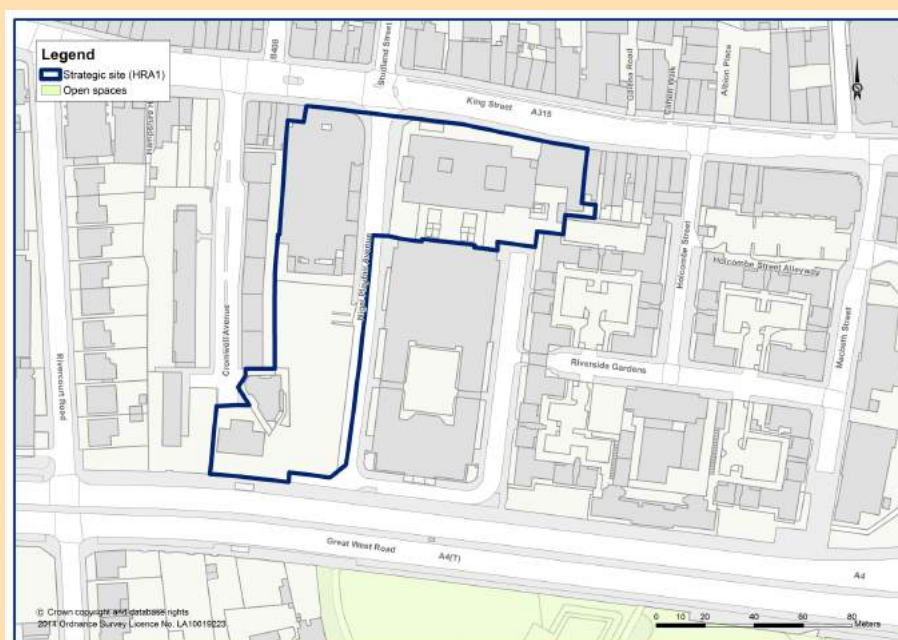
5.54 Regeneration in HRA provides opportunities to secure economic benefits for the wider community. New development will increase local employment opportunities. It will be important to put in place schemes to assist people in gaining access to new jobs.

5.55 It is important that any new schemes in the town centre are of high quality architecture and design which improve the appearance and quality of buildings.

Strategic Site Policy HRA1 - Town Hall Extension and adjacent land, Nigel Playfair Avenue

The council will work with partners to upgrade the Town Hall Extension and neighbouring land to provide refurbished or replacement council offices of high quality design along with a mix of other uses to contribute to the improvement of the area at street level. Proposals will be expected to:

- include replacement council offices and a mix of town centre uses, including retail, employment and housing;
- provide an active frontage along King Street, complementing the core shopping area and helping to improve the economic health of the western part of the town centre;
- improve the area at street level by either opening up the Grade II listed Town Hall frontage and creating a new public space or refurbishing the Extension building and including an area of civic space;
- provide space for a cinema;
- improve links with Furnivall Gardens and the river;
- ensure building height is generally consistent with the existing height in the townscape, having particular regard to the civic significance of the site and the importance of enhancing the contribution and setting of the Grade II listed Town Hall building and respecting views along the river.



Justification

5.56 This major site at the western end of the town centre is key to the regeneration of this area and this end of King Street. In order to realise the regenerative benefits and a suitable mix of uses, a comprehensive development based on assembling a sufficiently large site is proposed. This could comprise a combination of redevelopment and refurbishment of land and buildings including car park and registry office, cinema, the

5 Regeneration Area Strategies

Town Hall Extension and the Friends Meeting House. However, as the cinema is included on the local register of buildings of merit, it should be included in redevelopment proposals only if the benefits to this part of Hammersmith outweigh its loss.

5.57 Development should include a mix of retail units (shops and restaurants) at ground floor level on King Street. The western part of the town centre currently suffers from poor footfall and the provision of a number of retail stores as part of redevelopment proposals could attract shoppers to this end of King Street. Retention of a cinema at this end of King Street is required, thereby maintaining a key town centre leisure facility that attracts footfall at different times of the day/evening. Any development should also include residential development above ground floor level, built to meet high standards of access and environmental sustainability. Provision for additional housing will help meet the objective for a greater choice of housing in the town centre and help regenerate this part of King Street through increased trade for local shops.

5.58 The Town Hall Extension is outmoded and unattractive and its refurbishment or demolition could improve the setting of the Grade II listed main Town Hall building. The creation of a high quality civic campus with new offices and a new public space and potential for arts and leisure events, together with a mix of new retail uses would greatly enhance this part of the town centre. It will also enable improved road access and servicing of the site.

5.59 The provision of new public spaces can provide an opportunity for improved pedestrian and cycle access to Furnivall Gardens and the riverside. This will also help to establish this end of the town centre as a destination. The existing underpass could be upgraded and widened, or if the A4 was to be tunnelled, access could be provided at street level.

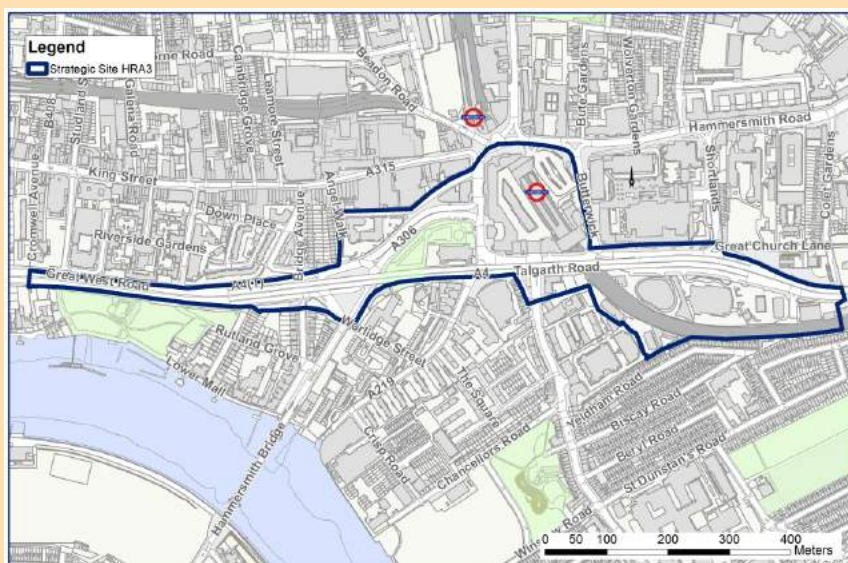
5.60 Taller buildings are not appropriate for this part of the town centre. An existing permission allows for development no higher than the existing town hall extension, with the exception of a clock tower which is proposed to assist in identifying its civic location and the end of the town centre.

Strategic Site Policy HRA2 - A4, Hammersmith Flyover, Hammersmith Gyratory and adjoining land

The council will work with Transport for London and other stakeholders to replace the Hammersmith Flyover and sections of the A4 with a tunnel, thereby releasing land for development that will contribute to the social, environmental and economic regeneration of Hammersmith Town Centre.

The council will expect any proposal to remove the Hammersmith Flyover and a section of the A4 and replace it with a tunnel to:

- result in the release of land formerly occupied by the Flyover and its approaches for redevelopment;
- ensure that there will be no detrimental impact on the flow of traffic on this strategic route and no increase in levels of traffic congestion in Hammersmith Regeneration Area and the surrounding road network, minimising the displacement impact;
- develop and improve the quality and safety of pedestrian and cycle routes, particularly those connecting Hammersmith Town Centre to the riverside;
- improve the quality of the environment of Hammersmith Town Centre and its environs by removing high levels of noise, vibration and air pollution;
- ensure that the tunnel entrances and exits have a minimal impact on the amenity of nearby residents; and
- minimise disruption during construction.



Development proposals for the strategic site released by the tunnel should:

- provide for mixed-use redevelopment, including housing for local people across a range of tenures and affordabilities, employment, hotels, retail and arts, cultural and leisure facilities and supporting infrastructure;
- improve and enhance St Paul's Green and Furnivall Gardens and their connections with the rest of the regeneration area;
- provide new areas for public open space and improve physical connections between the town centre and the riverside; and
- be of a coherent urban design that has regard to the setting and context of the regeneration area.

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In respect of the Hammersmith Centre West Island site, the council will work with Transport for London and other stakeholders to assess and bring forward the redevelopment of this site as well as return the Hammersmith Gyratory to two way working and improve the capacity of Hammersmith bus station.

Development proposals for this site will be required to:

- **provide a state of the art inter-modal interchange that facilitates the safe and efficient movement of passengers from buses, taxis and trains, including cycles, into and out of the station;**
- **provide for mixed-use redevelopment , including office, retail, arts, cultural and leisure facilities and supporting infrastructure to help retain a strong commercial role for the town centre and increase its vitality and viability;**
- **include the provision of housing for local people across a range of tenures and affordabilities;**
- **ensure that there will be no detrimental impact on cyclists or pedestrians or on the flow of traffic on this strategic route, and no increase in levels of traffic congestion in Hammersmith Regeneration Area and the surrounding road network, minimising the displacement impact;**
- **ensure that building height is generally consistent with the prevailing height in the townscape, whilst recognising the scope offered by the scale and location of the regeneration area to create a range of densities. Any tall buildings would need to be justified by a full urban design analysis; and**
- **be designed to help facilitate any future proposals to replace the flyover and A4 with a tunnel.**

Justification

5.61 The Hammersmith Flyover was opened in 1961. It was constructed with the aim to take traffic out of Hammersmith Town Centre, but has unfortunately had adverse consequences, cutting off Hammersmith Town Centre from the River Thames, severing the traditional Victorian street pattern and creating large amounts of traffic moving around the Hammersmith Gyratory to get on and off the A4. Other traffic impacts, such as pollution, noise and visual impact make the area around it unpleasant. Removal of the flyover and putting a section of the A4 underground has the key benefit of reconnecting Hammersmith communities separated by the construction of the road, and reconnecting Hammersmith to its riverside. It also has the benefits of creating significant environmental, social and physical improvements, not only through removal of the road infrastructure, but also through the provision of new opportunities for redevelopment on land previously occupied by the flyover, including the potential for creation of a new public green open space around the town centre. The additional housing, offices, retail and leisure uses would provide economic benefits for the surrounding area, by delivering much needed new homes and jobs and through enhanced retail and leisure offer that development would afford Hammersmith Town Centre.

5.62 Any proposals would need to ensure that as much through-traffic as possible uses the tunnel to reduce levels of traffic on surface roads, particularly in and around Hammersmith Regeneration Area. Proposals would also need to ensure that the traffic that currently uses the A4 is not displaced into neighbouring areas.

5.63 The redevelopment on land freed up by the removal of the flyover and the A4 provides the opportunity to improve pedestrian and cycling links between Hammersmith Town Centre and the River Thames, encouraging the use of more sustainable modes of transport. Redevelopment also provides opportunities to enhance the quality and quantity of public open space in Hammersmith, providing better opportunities for leisure and recreation for new and existing residents and workers.

5.64 The tunnelling of the A4 provides opportunities to enhance the environmental quality in Hammersmith through the improvement in noise and air quality. Government targets for nitrogen dioxide are high within Hammersmith Broadway and have been above target for the last five years.

5.65 While the tunnel would significantly improve the air quality where the stretch of A4 will be moved underground, the air quality, noise and vibration implications at new entrances and exits will need to be investigated carefully. However, with adequate tunnel ventilation using technological best practice, much can be done to mitigate this impact.

5.66 The initial feasibility study carried out in 2013/14 by the council considered the level of traffic disruption throughout the construction phase. Traffic flow along the A4 is assumed to be disrupted for approximately 18 months (half of the construction time), with lane closures, tidal flow, night-time and weekend closures and construction traffic. Any project that comes forward will need to carefully consider this in detail against the construction methodology and design of any tunnel to ensure these impacts are minimised. This will also have to be weighed up against a do-nothing scenario, which would involve substantial traffic disruptions associated with regular maintenance or upgrading of the flyover.

5.67 The land freed up by the A4 and flyover will provide opportunities for development to help finance the tunnel. Within Hammersmith Town Centre, development should be mixed use. Around St. Paul's Green, development proposals should increase the size of the green and provide new town centre uses. To the east of the town centre around the Ark office building, there will be opportunities for commercial led development, helping to further anchor the predominant office based uses in this location. Outside of the Hammersmith Town Centre boundary, development should be residential led. Development proposals should result in an enhancement to the size and quality of Furnivall Gardens. Proposals should also deliver strong connections between Furnivall Gardens and St. Paul's Green, linking the two spaces together visually and through the creation of new green infrastructure.

5.68 The tunnelling of the A4 and flyover provides substantial opportunities for development proposals to re-knit together the Victorian street pattern that was severed during its construction and reconnecting Hammersmith Town Centre to the River Thames. The opportunity would also be created to rebuild and improve public access across Hammersmith Broadway. Re-linking the centre, north-south and east-west routes is consistent with the Mayor of London's Road Task Force criteria for the future of strategic road improvements.

5.69 Development proposals would need to be of a sympathetic scale and height to neighbouring buildings and the surrounding context. There are also a number of Grade II and II* listed buildings in Hammersmith such as St. Paul's Church and Hammersmith Apollo. Development would need to sensitively respond to these heritage assets as well as the character of nearby conservation areas.

5 Regeneration Area Strategies

5.70 Hammersmith Centre West Island Site is located in the heart of Hammersmith, bounded by the Hammersmith Gyratory. The site currently operates as an important transport interchange in Hammersmith Town Centre. Given the scale of the site along with its wider role as a key transportation node, this site presents an opportunity for the delivery of an improved gyratory and transport inter-change, as well as opportunities for improved town centre uses and housing. The Hammersmith Gyratory is a complex junction in the local and strategic road network, connecting the A4, A406, King Street, Beadon Road, Shepherd's Bush Road, Hammersmith Road and Fulham Palace Road. The junction is further complicated by its surrounding Hammersmith's key public transport interchange for underground and buses and acting as a barrier to pedestrians accessing Hammersmith. TfL has removed other similar gyratory systems to return them to two-way working over the last few years to the benefit of road and pedestrian users. Their current work programme includes a proposal to deliver a safer and more direct east-west cycle route through Hammersmith Town Centre, which would involve a number of changes to cycle and pedestrian infrastructure at the gyratory. Any proposals to redevelop the Hammersmith Centre West Island Site and return the Hammersmith Gyratory to two way working should be designed to help facilitate any future proposals to replace the flyover and A4 with a tunnel.

Fulham Regeneration Area

Context

5.71 The Fulham Regeneration Area (FRA) covers a total of 47 hectares and comprises Fulham Town Centre and the Earl's Court and West Kensington Opportunity Area.

5.72 Fulham Town Centre is designated in the Mayor's London Plan (2016) as a Major Town Centre. It provides a wide variety of shopping facilities, which serve the needs of the surrounding communities. The centre is generally healthy with low vacancy rates, although retail on North End Road in the north of the centre has seen higher vacancy and less investment.

5.73 The Earl's Court and West Kensington Opportunity Area is identified in the Mayor's London Plan (2016). The Opportunity Area is partially within the Royal Borough of Kensington and Chelsea and, in total, is identified in the Mayor's London Plan (2016) as having the capacity for 7,500 homes and 9,500 jobs. The Opportunity Area is primarily split into three key land holdings, namely the Earl's Court Exhibition Centre, the Lillie Bridge London Underground depot and the West Kensington and Gibbs Green housing estates.

5.74 The area is well served by public transport. To the south, Fulham Town Centre is served by Fulham Broadway District Line station and a number of bus routes. To the north, the Earl's Court and West Kensington Opportunity Area is served by West Kensington (District line), Earl's Court (District and Piccadilly Lines) and West Brompton (District Line, London Overground and Southern Services).

5 Regeneration Area Strategies

Strategic Policy FRA – Fulham Regeneration Area

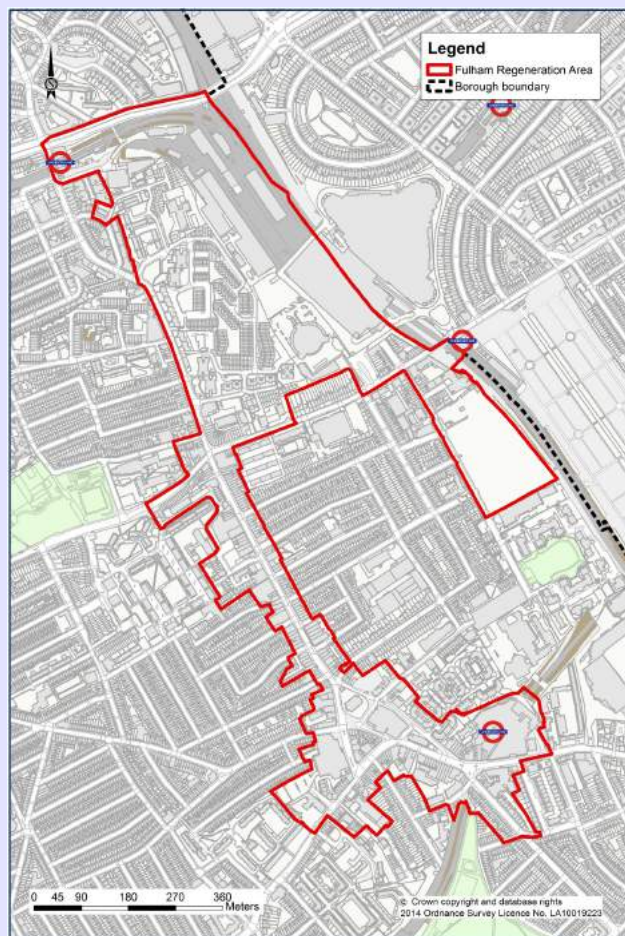
Indicative additional homes	Indicative new jobs
7,000	9,000

There is a substantial opportunity for regeneration within the Fulham Regeneration Area (FRA) and for the development of strategic sites to benefit the wider community. In order to achieve this, the council will:

- work with the GLA, Royal Borough of Kensington and Chelsea, other strategic partners and landowners to secure the regeneration and renewal of the area; and
- actively engage with local residents and community groups to ensure that regeneration delivers benefits for the surrounding area.

Development proposals should:

- contribute to the provision of 7,000 homes and 9,000 jobs;
- enhance the vitality and viability of Fulham Town Centre, particularly on North End Road and explore opportunities to secure the long term future of and enhance the North End Road street market;
- provide for the improvement of the West Kensington, Gibbs Green and Registered Provider estates;
- secure economic benefits for the wider community around the Fulham Regeneration Area to enable local people to access new job opportunities through training, local apprenticeships or targeted recruitment;
- provide appropriate social, physical, environmental and transport infrastructure to support the needs arising from the area as a whole;
- demonstrate a high quality of urban design and public realm; and
- preserve or enhance the character, appearance and setting of heritage assets including the Grade II* listed Fulham Town Hall.



Justification

5.75 Most of the FRA overlaps with the Earl's Court and West Kensington Opportunity Area, which is identified in the Mayor's London Plan (2016) and also covers land within the Royal Borough of Kensington and Chelsea. In order to secure the greatest benefits from regeneration, the council will work closely with the Greater London Authority and Royal Borough of Kensington and Chelsea to ensure that a holistic approach is taken to the future planning of the opportunity area and will work with residents, businesses, landowners and other interested parties to ensure that development in the opportunity area secures wider benefits for the local community.

5.76 The FRA benefits from a high level of public transport accessibility due to the four London Underground stations within or near to its boundary. This high level of public transport accessibility, together with the facilities and services in Fulham Town Centre provides the opportunity for the delivery of a substantial number of new homes and jobs. The largest development opportunity within the FRA is in the Earl's Court and West Kensington Opportunity Area, which is identified in the London Plan (2016) as having the capacity to deliver 7,500 homes and 9,500 jobs across both LBHF and RBKC. It is anticipated that 6,500 homes and 8,500 jobs could be accommodated in LBHF. In addition to this capacity in the Earl's Court and West Kensington Opportunity Area, the FRA is considered to have the capacity to deliver an additional 500 homes and 500 jobs making an overall total for the FRA of 7,000 homes and 9,000 jobs.

5.77 Fulham Town Centre will be supported to re-establish its historic role in the locality and maintain its status as a major town centre in the London Plan (2016). Further shopping and leisure uses will be encouraged in the town centre and at an appropriate scale within the opportunity area. There is scope for providing modern shop facilities as part of possible development in North End Road.

5.78 The North End Road Market is important to the vitality and viability of the town centre and should remain. Regeneration in the Earls Court & West Kensington Opportunity Area may present new opportunities for enhancing the market. Any enhancement of the market will be in consultation with the market traders.

5.79 The FRA and its surroundings are dominated by a number of large council housing estates. The redevelopment of the Earls Court Exhibition Centre could provide the opportunity for improvements to the West Kensington and Gibbs Green estates, including the potential for renewal of and additions to all or parts of the estates, to enable improved housing opportunities for local residents and to support economic regeneration in this area.

5.80 As a whole, the north Fulham area (West Kensington together with the area around and including the northern part of the town centre) remains one of the most polarised in the borough in social, economic and physical terms. Regeneration in the FRA provides opportunities to secure economic benefits for the wider North Fulham community. New employment would be expected to stimulate considerable investment in the surrounding area and in town centre businesses. All this will, in turn, increase local employment opportunities.

5.81 New social, physical, environmental and transport infrastructure will be necessary to support the needs of the growing residential and worker community in the FRA. It is anticipated that most infrastructure will be needed to support development within the Earl's Court and West Kensington Opportunity Area. Financial contributions will be sought for

5 Regeneration Area Strategies

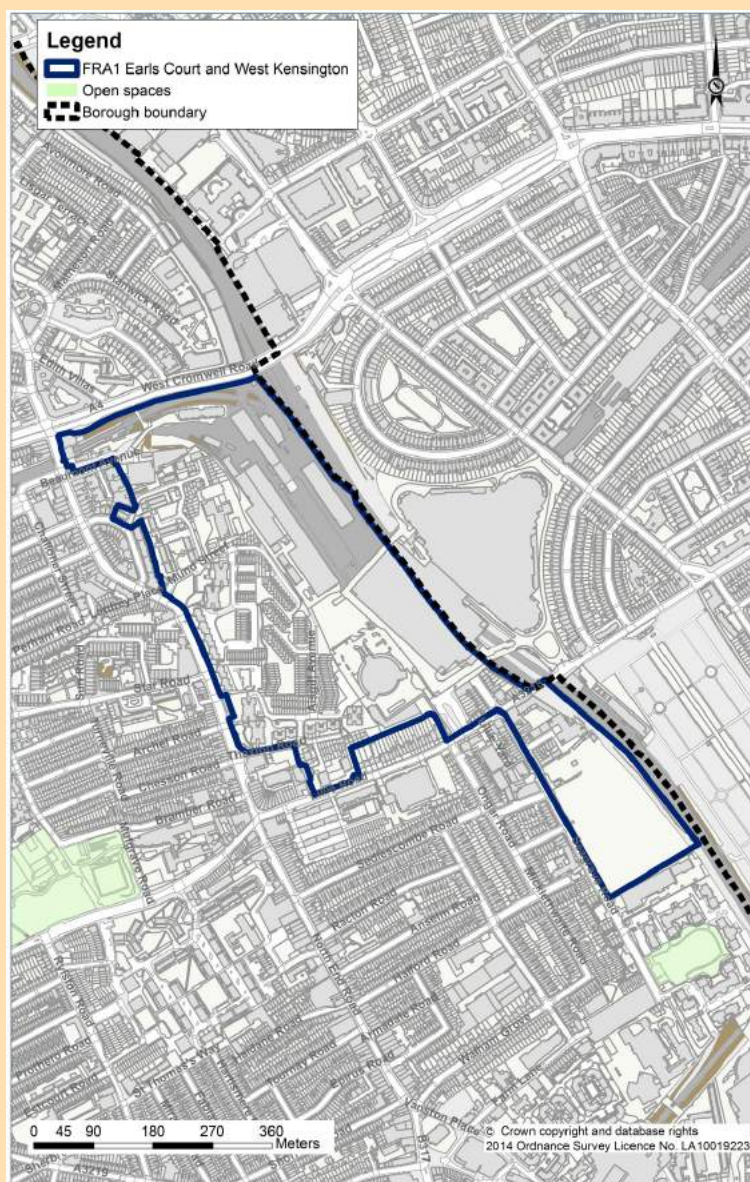
the delivery of off site improvements where the on site delivery of infrastructure cannot be secured. Substantial improvements to the public transport network and highway network will also be necessary, including improvements to London Underground and Overground station, new and more frequent bus routes and new bus stops, and junction and road capacity improvements. Opportunities should be explored to secure the provision of a decentralised energy network, particularly within the Earl's Court and West Kensington Opportunity Area. Development must also take account of the capacity of the physical and environmental infrastructure, particularly for sewerage and surface water.

5.82 Development within the FRA should be of the highest quality of design and respect surrounding heritage assets. The FRA is bounded by a number of conservation areas and statutory listed and locally listed buildings. There will be opportunities for higher density development, including the potential for tall building, subject to detailed design and analysis. Architecture within the FRA should be of the highest quality and opportunities should be explored to improve connectivity through the FRA, especially within the Earl's Court and West Kensington Opportunity Area.

Strategic Site Policy FRA1 – Earl’s Court and West Kensington Opportunity Area

The Council will support the phased mixed use residential led redevelopment of the Earl’s Court and West Kensington Opportunity Area. Development proposals should:

- provide a mix of land uses, including housing, employment, hotels, leisure and associated facilities, retail and cultural facilities. Cultural facilities should include a major arts, leisure or entertainment activity;
- provide adequate social, physical, environmental and transport infrastructure to support the needs of the area as a whole;
- provide for improvement to the West Kensington, Gibbs Green and Registered Provider estates, as part of the comprehensive approach to the regeneration of the Opportunity Area;
- provide green corridors and public open spaces including the provision of a centrally located local park of at least 2 hectares; and
- recognise the substantial scope offered by the scale and location of the Opportunity Area to create a new sense of place and range of densities. There may be scope for tall buildings, however any tall buildings would need to be justified by a full urban design analysis.



Justification

5.83 The Earl’s Court and West Kensington Opportunity Area covers approximately 37 hectares across both the London Borough of Hammersmith and Fulham and the Royal Borough of Kensington and Chelsea.

5 Regeneration Area Strategies

5.84 The Earl's Court and West Kensington Opportunity Area is identified in the Mayor's London Plan (2016) as having the capacity to deliver 7,500 homes and 9,500 jobs. It is estimated that 6,500 homes and 8,500 jobs could be accommodated within Hammersmith and Fulham. In order to realise this development potential, the council will expect a comprehensive approach to be taken to the improvements to and the redevelopment of the FRA Opportunity Area. This approach will have benefits in terms of:

- a comprehensive approach for the whole area would provide the opportunity to create a permeable layout for the whole area, with a good range of facilities and useful open space and better connections to rail and underground stations. It will also provide the potential to enable the inclusion of new road links between the A4 and Lillie Road that will help improve the local highway network (in LBHF and RBKC) as well as better servicing the development. There would be a holistic approach to design issues across the area;
- a phased development would underpin regeneration of the surrounding area through a greatly increased demand for local shops and services. It would help regenerate North End Road;
- There would be significant scope for new commercial development and development of a new major visitor destination with associated hotel and leisure development. This would provide more local employment opportunities and the scope for training and apprenticeship schemes;
- a comprehensive approach to all the area would enable estate renewal and provide more scope for development of an appropriate mix and a more even distribution of housing tenures across the opportunity area.

5.85 Development should be primarily residential led, but the size of the FRA Opportunity Area allows for a range of supporting uses to be provided. The quantity of office floorspace will need careful assessment in relation to the role of Hammersmith Town Centre as a preferred office location and the proposals for the Old Oak and White City Opportunity Areas.

5.86 The Earls Court & West Kensington Opportunity Area will be expected to deliver a range of other commercial uses, for example retail, leisure, culture and hotels. Retail and leisure uses will need to ensure that they have no significant adverse impact on existing centres. Earls Court has been a cultural destination for a significant period of time. Despite the loss of the Earl's Court Exhibition Centre, this legacy should not be lost and development proposals brought forward within the opportunity area should provide a arts, leisure or entertainment venue which should help to continue the area's cultural legacy.

5.87 The size of the site and the anticipated development potential will mean that the majority of social infrastructure provision can be provided on site. It is considered that development may need to provide educational facilities (secondary, primary and nursery provision), a health centre, a community centre which could potentially include a library, an affordable leisure centre and a police station as well as public open space.

5.88 The majority of the opportunity area is well served by public transport including bus routes and railway stations linked to the District, Piccadilly and West London lines, but access to public transport will need to be improved. Planned and committed TfL improvements to services will greatly increase public transport capacity. However, traffic congestion limits the capacity of the highway network consequently new development will need to be based on very high public transport use. Development is likely to need a range of transport improvements including, potential improvements to the highway network.

5.89 Development must also take account of the capacity of the physical infrastructure, particularly for sewerage and surface water management and the ability of the sewerage network to take increased foul and surface water drainage generated by this site. In addition, the West London Line railway corridor is designated partly as a green corridor and partly as a nature conservation area of borough wide importance. It is important that these ecological resources are protected and enhanced. Opportunities should also be explored for the provision or connection into a decentralised energy network.

5.90 The West Kensington and Gibbs Green housing estates lie to the west of the Opportunity Area. The West Kensington Estate was built between 1972-74 and includes 604 properties in 5 tower blocks, low rise flats, maisonettes and terraced houses. Gibbs Green Estate has 98 properties built in 1961 and comprising 7 medium-rise blocks. There are also pockets of newer Housing Association development across the estates. The eastern boundary is formed largely by the TfL depot which has an adverse effect on the estate environment.

5.91 The council will encourage comprehensive redevelopment proposals for the opportunity area that include improvements to the West Kensington and Gibbs Green estates. This could potentially include renewal and additions to parts of the estates. There should be no net reduction in the amount of social rented housing in the opportunity area. Mixed and balanced communities should be created across the opportunity area and the existing community should be supported and strengthened through the provision of a variety of housing, including affordable housing, made available to local people.

5.92 The FRA Opportunity Area has a strong physical, social and economic context provided by the surrounding communities, and the existing urban grain, form and pattern of development of the surrounding residential areas, conservation areas, and town and local centres. New development must be planned having regard to and respecting this setting and should reflect the high quality residential conditions found in the vicinity in both boroughs. Also, owing to the size and scale of the opportunity area, new development should realise the scope for delivering new places of different character, including varied urban form and density. Development should be permeable and provide new connections to improve the existing local highway, pedestrian and cycle networks. This will help to ensure that the potential regeneration benefits to the surrounding area are optimised and that people living in both boroughs will benefit.

5.93 In principle, some tall buildings may be appropriate in the FRA Opportunity Area. However, tall buildings will need to be put in context as part of full urban design analysis that considers, in particular, local and longer distance views (e.g. from the riverside), as well as examining the impact on the rest of the opportunity area and conservation areas in the surrounding area in both boroughs. Overall, the design, layout, massing and density of development should have regard to the local context and setting of local heritage assets. Care needs to be taken to protect and enhance the character and appearance of Brompton Cemetery in the Royal Borough of Kensington and Chelsea which is a Grade I Registered Historic Park and Garden of Historic Interest.

5.94 In 2013, planning approval was granted for the redevelopment of the Earl's Court Exhibition Centre, Lillie Bridge transport depot and the West Kensington and Gibbs Green housing estates to provide a mixed use residential led development. Separately, in 2012 planning permission was granted to redevelop the Seagrave Road car park.

5 Regeneration Area Strategies

South Fulham Regeneration Area

Context

5.95 The South Fulham Riverside Regeneration Area (SFRRA) is located in the south of the borough, next to the River Thames. The area has a south facing river frontage of 1,700m, which is the most defining feature of the area. It is bound by the Hurlingham Club and the Broomhouse Drawdock on the west and the West London Line embankment in the east. The northern boundary generally follows the line of Carnwath Road and Townmead Road, extending north to include the Imperial Gasworks National Grid site.

5.96 The area comprises a mix of land uses and includes underutilised and vacant riverfront commercial sites that sit alongside new large residential developments. The area is in fragmented ownership, and access to the riverside is limited, restricted to isolated passages around large plots of land. The area has been designated a regeneration area because it is capable of a substantial increase in homes and jobs along the riverfront.

5.97 The majority of the SFRRA lies within the Sands End Conservation Area, designated to protect the River Thames and riverside from unsympathetic development. Part of the north and eastern part of the SFRRA is included within the Imperial Square & Gasworks Conservation Area. On the Gasworks site there are a number of listed structures including the Gasholder (circa 1830), believed to be the oldest surviving gasholder in the world. The Cremorne Bridge, also known as Battersea Railway Bridge - built between 1861 and 1863 - is listed as Grade II*, it is considered to be the most complete of the early railway bridges across the Thames in inner London. The River Thames is a nature conservation area of metropolitan importance.

5.98 The construction of the Thames Tideway Tunnel along Carnwath Road is a major project in the SFRRA. The Thames Tideway Tunnel was granted development consent, by virtue of the Thames Water Utilities Limited (Thames Tideway Tunnel) Order on 12 September 2014, which came into force on 24 September 2014. Whiffin Wharf, Hurlingham Wharf and Carnwath Road Industrial Estate will combine to form a 'drive site' from which a tunnel boring machine (TBM) will be received from Kirtling Street and a further TBM will be given to Acton Storm Tanks in London Borough of Ealing. Works on the site will last up to 7 years, commencing in Summer 2016.

Strategic Policy SFRRRA - South Fulham Riverside Regeneration Area

Indicative homes	Indicative jobs
4,000	500

The council will work with landowners and other partners to secure the phased regeneration of the area to become a high quality residential area together with a mix of other uses. In order to achieve this, the council will work with:

- neighbouring boroughs, strategic partners, and landowners to secure regeneration of the SFRRRA; and
- actively engage with local residents and community groups to ensure that regeneration delivers benefits for the surrounding area.

Proposals for development in SFRRRA should:

- predominantly be for residential purposes to contribute to the South Fulham Riverside target of 4,000 additional dwellings by 2035;
 - include employment based uses that will meet local business needs and are compatible with residential development in the most accessible parts of the area, particularly in the vicinity of Imperial Wharf Station and on sites close to the Wandsworth Bridge Road, Townmead Road and Carnwath Road junction;
 - include appropriate small scale retail, restaurants/ cafe's and leisure uses to support day to day needs. These uses are likely to be appropriate on the Thames frontage to provide activity adjacent to the river.
- Opportunities for river related uses will be encouraged in accordance with the objectives of the Local Plan River Thames policies;
- create a high quality urban environment. On the riverside, a very high standard of urban design will be necessary. Opportunities will be



5 Regeneration Area Strategies

encouraged that maximise the permeability and connectivity between sites, including the extension of the Thames Path National Trail and provision of open spaces that create interest and activity;

- demonstrate how they integrate and connect with the surrounding context, particularly the river;
- support the implementation of a pedestrian and cycle bridge that will provide access to the south of the river;
- provide appropriate social, physical and environmental infrastructure to support the needs arising from development and the area as a whole;
- secure economic benefits for the wider community around the South Fulham Regeneration Area by providing programmes to enable local people to access new job opportunities through training, local apprenticeships or targeted recruitment;
- be acceptable in terms of their transport impact and contribute to necessary public transport accessibility and highway capacity in the SFRRRA; and
- be sensitively integrated with the existing townscape, ensuring no substantially harmful impact on heritage assets, and respect for the scale of the surrounding residential buildings. Building height can be gently stepped up toward the riverside, to provide a presence and give definition to the river frontage.

The council will work with Transport for London and other Stakeholders to seek a new Crossrail 2 station at Imperial Wharf.

Justification

5.99 The South Fulham Riverside, along Carnwath and Townmead Roads, is in a variety of uses: residential, commercial and industrial, retail and leisure. Many sites in the SFRRRA, including Imperial Wharf, Chelsea Creek, Baltic Sawmills, Lots Road and Fulham Wharf, have planning permissions for development, but there has been limited new employment development for light industrial, office or storage uses whereas considerable residential development has taken place. The overriding need is for new homes and much of the area is not accessible enough for significant new employment space. The Strategic Housing Land Availability Assessment (SHLAA) identifies capacity for nearly 4,000 additional homes in the plan period, up to 2037. Individual development sites may need to be supported by Transport Assessments which detail the impact of any scheme on the highway, walking and cycling networks, public transport routes and taking into consideration any committed developments within the area.

5.100 With much of the area having a low PTAL rating, it is important that employment space should be located in the most accessible parts of the regeneration area, being Imperial Wharf Station, with a secondary location around the junction at Wandsworth Bridge Road, Townmead Road and Carnwath Road where it is closest to a number of bus routes that run both along Wandsworth Bridge Road and along Townmead Road. With many previous employment sites being redeveloped for housing, it is important that some replacement employment opportunities are provided in new development schemes to create a mixed use area and provide jobs locally.

5.101 Small scale retail, restaurants and cafes should be provided as part of mixed use developments, primarily to meet local need, particularly on the riverfront to provide a vibrant and high quality environment that will increase riverfront activity along the Thames Path

National Trail. The riverside walk should connect to a series of public spaces along its length to accommodate active uses and interest along the linear spaces. The council does not consider that it is appropriate for additional major stores to be considered in the area. Any additional floorspace in the area should primarily cater for local needs in order to sustain the town centres. The majority of the SFRRRA is within the Thames Policy Area where specific design policies apply, as set out in the borough-wide policies. It is also a key priority to extend and improve the Thames Path National Trail, together with pedestrian routes linked from the river and canal to the surrounding area. The riverside walk should be at least 6 metres wide. Much of this will depend on the development of vacant and underused riverside sites. The River Thames also has a significant potential for water based activities that can increase opportunities for sport and recreation in the borough.

5.102 A holistic approach to the regeneration of SFRRRA will provide opportunities to improve local connectivity in the area. The whole stretch should be dealt with in a comprehensive way. The area was shaped by its industrial heritage and this pattern remains apparent today. Without consideration of how the schemes relate to one another and have regard to its setting and context, there is a danger of isolating communities. The council will expect developers to demonstrate how the development approach will optimise the site for development, accessibility and recreational benefit, along with how it will benefit neighbouring developments and local residents. Each development should identify key spaces and nodes where routes intersect or are prominent. Connections to and from Imperial Wharf West London Line Station will be key for providing direct access to the key transport connections.

5.103 There are three safeguarded wharves, with only Comley's Wharf still in use for waterborne freight transport. The adjoining Swedish Wharf is still used as an oil storage depot but does not currently use the river for transport. Hurlingham Wharf is currently vacant and has not been used as an operational wharf for 16 years.

5.104 The London Plan (2016) and the Port of London Authority seek to protect safeguarded wharves for cargo handling uses. The Mayor of London's Safeguarded Wharf Review in 2011/12 contained, among other things, recommendations to continue to safeguard Hurlingham, Swedish and Comleys wharves. However, the Secretary of State has not yet reported on the Mayor's recommendations which were submitted to the DCLG in March 2013 for approval.

5.105 Hurlingham Wharf and adjoining sites are required as a main drive site for the construction of the Thames Tideway Tunnel. The construction of the Thames Tideway Tunnel was approved by the Secretaries State for Communities and Local Government and for Environment, Food and Rural Affairs in September 2014 and will limit regeneration in the Carnwath Road area for the next 10 years. On 24th September, the Thames Tideway Tunnel Order 2014 came into force and Hurlingham Wharf and adjoining sites have been safeguarded for the construction of the tunnel under provisions set out in article 52 of the Order.

5.106 The council will continue to promote the consolidation of wharf capacity downstream of Wandsworth Bridge on Swedish and Comleys Wharves, where road access to the strategic road network can be improved. Any proposals for non-river use on the safeguarded wharf sites will need to be supported by viability assessments in accordance with the London Plan (2016) policy 7.26 'Increasing the Use of the Blue Ribbon Network for Freight Transport'.

5 Regeneration Area Strategies

5.107 A new pedestrian and cycle bridge would provide a key link to allow more people to access the south of the river and the Clapham Junction Town Centre. Pedestrians and cyclists could use either side of the river, providing alternative leisure and commuter routes, and will be likely to increase the number of pedestrians and cyclists using the Thames Path National Trail. Planning permission has been approved for a footbridge adjacent to Cremorne Bridge, as it is located most centrally between the other crossing points of Wandsworth Bridge and Battersea Bridge, which are approximately between a 1km and 1.2km walk in either direction. Proposals will have to be carefully considered in relation to any impact the footbridge may have on the setting of and views toward the Grade II* Listed Cremorne Bridge.

5.108 It is anticipated that most physical and social infrastructure capacity required by the increase in resident and worker population will need to be provided on site or in close proximity to the development. This will need to include facilities such as primary and secondary school places, contributions toward health facilities, public open space, play space, a community centre and policing. There will also be requirements for highway network and public transport improvements throughout South Fulham Riverside particularly at the Wandsworth Bridge Road junction.

5.109 Regeneration in the SFRRA provides opportunities to secure economic benefits for the wider community in the borough. Training and employment funding and initiatives, including through pre-employment support activity and local recruitment campaigns will be important. New employment would be expected to stimulate considerable investment in the surrounding area. All this will, in turn, increase local employment opportunities. It will be important to put in place schemes to assist people in gaining access to new jobs. The council will encourage businesses to embrace the London Living Wage.

5.110 The amount and type of development will depend on the capacity of public transport and the road network in this area and the potential for their improvement. Public transport accessibility is generally at a low level with most of the area being at least a 10 minute walk from an underground or rail station. However, bus services have improved in recent years and the Imperial Wharf West London Line (WLL) station has improved accessibility in the eastern part of the area. The WLL is set for a platform extension and TfL will be improving bus services in the area through s106 contributions as and when demand dictates. The council will work with transport partners to carry out further public transport improvements in this area. The extension of the river bus service will be encouraged to call at Chelsea Harbour Pier. It currently runs at peak times between Putney and Central London. In addition, the council supports Crossrail 2 and will seek a new station at Imperial Wharf. This will provide better transport links in this part of the borough and will support the new homes and jobs planned for the area.

5.111 The majority of the South Fulham Riverside Regeneration Area lies within the Sands End Conservation Area, while part of the north east section is included within the Imperial Square and Gasworks Conservation Area. The townscape analysis prepared as part of the previous Core Strategy SPD for South Fulham Riverside suggests that the area has two key focal points of townscape significance, the first being at Fulham Wharf where the supermarket provides a draw and focus of activity. The second is at Imperial Wharf/Chelsea Harbour, which is based around the new development, park and station. These areas, in particular, in view of the townscape significance could accommodate increased massing and height. However, such developments should consider any potential impacts of increased height and/or massing on heritage assets in the surrounding area, including any impact of the view from the Brompton Cemetery. The general scale height and massing of any development along the edges of the regeneration area should have

a closer relationship to the existing townscape. There is a variation in building height in the area, and it would be appropriate for new development to adopt a similar variety of scale, ensuring that development on the river front provides a clear edge to the riverside walk in order to provide some presence and enclose the area fronting onto the river.

Strategic Site SFRA1 - Imperial Gasworks National Grid

The council supports comprehensive residential-led development of the site with supporting community facilities and open space. Development proposals for this site should:

- be predominantly residential with supporting social, physical, environmental and transport infrastructure;
- provide for a link road through the site connecting Imperial Road through to the New Kings



Road together with a network of pedestrian and cycle connections.

- aim to provide a pedestrian access under the West London Line at the southern end of the site connecting to Lots Road;
- provide an area of public open space to support the needs of the development and contribute to reducing open space deficiency in the area;
- be of high quality design which respects the character and appearance of the Imperial Square and Gasworks Conservation Area and protects the Grade II Listed Gasholder and its setting and other heritage assets in the surrounding townscape;
- ensure building height and massing has an acceptable impact on the skyline and views from and to the riverside and waterways and heritage assets in the area, and contributes positively to the surrounding townscape context; and
- ensure any remaining gas operations that may be required are designed in such a way to ensure that that may be required health and safety requirements are met and integrated into the high quality design for the area with minimal impact.

Justification

5.112 The Imperial Gasworks National Grid site has been mainly used for a gas storage facility and is now decommissioned. The site has potential to come forward for a residential-led development to increase the quantity of new housing in the borough, in line

5 Regeneration Area Strategies

with the overall SFRRRA policy. Ancillary uses such as small scale retail for day to day needs will also be appropriate, along with social and physical infrastructure to adequately provide for the additional population.

5.113 A new link road will be required to enable development of this site and facilitate the regeneration of South Fulham Riverside by easing capacity at the Bagley's Lane junction, as tested and modelled in the Strategic Transport Study. Further work will be required to assess any link road options and the impact that increased traffic would have on nearby junctions, including those in the Royal Borough of Kensington and Chelsea. The site must also be designed to ensure increased permeability through to the Chelsea Creek development which is currently under construction.

5.114 A network of pedestrian and cycle links should be encouraged, to provide access through the strategic site to the Chelsea Creek development and on to the Thames Path National Trail, but also improve connections under the West London Line which currently acts as a barrier to pedestrian movement and connect the site to Lots Road. Such a connection could be provided immediately north of the Counters Creek/ Chelsea Creek.

5.115 The area is located in an area of open space deficiency, therefore an area of public open space should be provided as part of any proposal for this site. A larger park could be provided at this site which could include a variety of spaces that will provide vitality and interact with its surrounding environment. The open space should feel generous and well-designed so that it feels safe and accessible.

5.116 Part of the site lies within the Imperial Square and Gasworks Conservation Area. There is a rich history of industrial archaeology on the Gas Works site including statutory and locally listed buildings, some of which make a key contribution to the character and appearance of the conservation area must be retained and integrated into the design of any new development. Where non-designated heritage assets cannot practicably be retained on site, the building or structure should be fully recorded.

5.117 New buildings should respect the scale and amenity of nearby residential properties. There may be potential for taller buildings and an increase in massing away from the edges of the site particularly at the south-eastern end of the site near to the neighbouring taller buildings at Chelsea Creek, however this would need to be of very high quality design and would be subject to detailed views analysis.

5.118 Any remaining activities relating to the gas works facility should comply with environmental policies, particularly borough wide policies on hazardous substances and control of potentially polluting uses if any related activities to gas storage are to be retained on site.

6 Borough-wide Policies

6.1 In addition to the regeneration area policies, there are a number of borough wide and locally specific policies to deliver the spatial strategy and to ensure that development both within and outside the proposed regeneration areas contributes to meeting the council's objectives. The borough wide policies set out below are relevant to development throughout the borough, including the regeneration areas.

Meeting Housing Needs and Aspirations

Policy H01 - Housing Supply

The council will work with partner organisations and landowners to exceed the London Plan (2016) target of 1,031 additional dwellings a year up to 2025 and to continue to seek at least 1,031 additional dwellings a year in the period up to 2035. The new homes to meet London's housing need will be achieved by:

- a. **the development of strategic sites identified within the Local Plan;**
- b. **the development of sites identified in the council's Strategic Housing Land Availability Assessment (SHLAA);**
- c. **the development of windfall sites and the change of use of buildings where there is no reasonable prospect of that site and/or premises being used for that purpose;**
- d. **the provision of new homes through conversions;**
- e. **ensuring that new dwellings meet local needs and are available for occupation by people living in London;**
- f. **the retention of existing residential accommodation and improvement in the quality of private rented housing; and**
- g. **working to return vacant homes to use and ensure that new homes are occupied.**

6.2 Table 2 shows the estimates of the likely increases in new housing in different parts of the borough. The estimates are based on identified sites. Due to the smaller nature of the sites outside of the Regeneration Areas, there are no major development sites that are expected to come forward outside of Regeneration Areas in the longer term.

6 Borough-wide Policies

Table 2 Indicative Housing Targets

Area	2015/20	2020/25	Total 10 years	2025/30	2030/35	Total 20 years
White City Regeneration Area/Opportunity Area **	1,000	2,500	3,500	1,500	1,000	6,000
Hammersmith Town Centre	200	600	800	1000	1,000	2,800
Fulham Regeneration Area **	1,500	2,500	4,000	1,500	1,500	7,000
South Fulham Riverside	1,500	1,500	3,000	500	500	4,000
Rest of the borough	1,000	700	1,700	700	0*	2,400
Total	5,200	7,800	13,000	5,200	4,000	22,200
Average/year	1,040	1,560	2,600	1,040	800	1,110

* The estimates are based on identified sites. Due to the smaller nature of the sites outside of the Regeneration Areas, there are no known sites that are expected to come forward outside of the Regeneration Areas in the longer term.

**The figures for the White City Opportunity Area and the Fulham Regeneration Area are consistent with the London Plan 2016. In the London Plan 2016, the Earls Court & West Kensington Opportunity Area (ECWK OA) (which forms part of the Fulham Regeneration Area) has a minimum target of 6,500 dwellings. In the figures above, 7,000 dwellings have been allocated to that part of the ECWK OA within LBHF and 1,000 to the area that is within RBKC.

Justification

6.3 The council's housing target in the London Plan (2016)⁽²⁸⁾ is 1,031 additional homes a year in the period up to 2025. The figure of 1,031 additional homes was developed through collaborative working with the Mayor of London on the London Housing Capacity Study 2013 and through further work on the council's and London's Strategic Housing Land Availability Assessment⁽²⁹⁾. However, it should be noted that the figure of 1,031 pre-dates the establishment of the Old Oak and Park Royal Development Corporation and that a new housing target for the borough will need to be set by the Mayor in the proposed review of the London Plan due to begin in 2016.

28 Mayor of London, The London Plan: spatial development strategy for Greater London, GLA March 2016

29 The London Strategic Housing Land Availability Assessment (SHLAA) 2013

6.4 Table 2 indicates that the council would expect housing provision to exceed the London Plan (2016) target for additional homes for the period 2015 up to 2025. Recent experience indicates that even though sites are developable and have the benefit of planning permission, housing completions do not come forward at the anticipated rate. The council will monitor the annual completion of dwellings and will work with developers to ensure that sites with residential planning permissions are developed.

6.5 Housing capacities in the two opportunity areas in White City and Earls Court & West Kensington are based on recent planning permissions and on guidance included in the Core Strategy 2011 Supplementary planning documents namely, the White City Opportunity Area Planning Framework and Earls Court and West Kensington Opportunity Area Joint Supplementary Planning Document.

6.6 The indicative housing targets are based on the assessment methodology set out in the council's SHLAA. The actual numbers of houses built on any site will be considered through the planning application process. This process will take account of the site setting, urban design of housing areas, appropriate housing mix, transport capacity and other factors as set out in policies in the Local Plan and other guidance.

6.7 In addition to the significant amounts of new housing proposed in the regeneration areas, additional housing will come forward on windfall sites throughout the borough and as a result of changes of use of non-residential buildings and the conversion of larger houses to two or more smaller dwellings.

6.8 In addition to the provision of new housing to meet both local need and London's need for more housing, it is essential that housing is not lost to other uses and that it is not allowed to remain vacant. There is evidence from the 2011 Census and from other sources that some flats and houses, particularly those that have been recently completed, are unoccupied. Properties are being purchased by investors and being left vacant and therefore are not contributing to meeting London's housing need. The Mayor of London is seeking to address this by encouraging developers to sign up to his New Homes for Londoners Concordat which commits them to making homes in their developments available for sale to Londoners before or at the same time as they are available to buyers from other countries. The council will therefore work with developers and land owners to ensure that new dwellings are marketed and occupied as homes by local and UK residents. More details of measures to encourage occupation and discourage vacancy will be included in a supplementary planning document to the Local Plan.

6.9 The Mayor of London's Supplementary Planning Guidance on Housing⁽³⁰⁾ should be read in conjunction with this policy.

Policy HO2 - Housing Conversion and Retention

The council will:

- a. **Permit conversions of existing dwellings into two or more dwellings where:**
 - the net floor area of the original dwelling is more than 120m²;
 - at least 50% of the proposed units consist of two or more bedrooms;
 - housing appropriate for families has access to any garden or amenity space; and
 - there is no adverse impact on on-street parking stress.
- b. **Resist proposals which would result in a net loss of permanent residential accommodation as a result of redevelopment or change of use without replacement (measured by floorspace), including to short stay accommodation.**
- c. **In streets where there is less than 10% night-time free space the number of additional dwellings may be restricted or conditioned to allow no additional on-street parking.**

Residential conversions that result in an increase in the number of high quality family size dwellings will be supported, particularly where the reinstatement of a family house can be achieved.

Justification

6.10 In order to achieve the council's housing target of an additional 1,031 dwellings per annum, it is important that as well as provision of new housing there should be no net loss of the existing housing stock through change of use or redevelopment for other uses.

6.11 The smaller terraced houses in the borough provide a source of accommodation suitable for families and it is important to ensure that this stock is not unduly reduced because of conversion into flats or larger HMO's.

6.12 The requirement for at least 50% of the proposed units in conversions to be of two or more bedrooms will allow for the retention of a mix of units offering the possibility of accommodation to be provided for families. Larger schemes will allow for a possible net increase in the amount of family sized accommodation in the borough.

6.13 Some areas of the borough are likely to be considered less suitable for family accommodation, including areas adjacent to busy roads where there is little opportunity to provide amenity space, in town centres or where there are residential premises above shops. In these instances, there will be more flexibility in the approach to conversions, although each case will be assessed on a site by site basis.

6.14 Over the years many houses have been converted into two or more smaller flats which are generally not suitable as family accommodation. In order to increase the supply of family housing in the borough, the council may support the de-conversion of smaller flats in order to enable the reinstatement of a single family dwelling.

6.15 Because conversions can give rise to a demand for additional on-street parking space, it will be important to ensure that parking stress is not exacerbated. In streets where there is less than 10% night-time free space, the number of additional dwellings may be restricted or conditioned to allow no additional on-street parking.

6.16 The loss of existing housing, particularly affordable housing, will be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace in accordance with London Plan (2016) policy 3.14 - Existing Housing. Short stay accommodation (defined as housing let for less than 90 days) is primarily intended for visitors and does not meet the need for additional permanent housing in London and will be resisted. There is evidence that at least 225 flats and houses in the borough are being used as short stay accommodation for visitors to London.

Policy HO3 - Affordable Housing

Housing development should increase the supply and improve the mix of affordable housing to help achieve more sustainable communities in the borough.

On sites with the capacity for 10 or more self-contained dwellings, affordable housing should be provided having regard to the following:

- a. **a borough wide target that at least 50% of all dwellings built between 2015-25 should be affordable;**
- b. **60% of additional affordable housing should be for social or affordable renting, especially for families and 40% should be a range of intermediate housing;**
- c. **affordable dwellings should be located throughout a new development and not concentrated on one part of the site;**
- d. **the provision of affordable rented and social rented housing in ways that enable tenants to move into home ownership;**
- e. **in negotiating for affordable housing in a proposed development, the council will seek the maximum reasonable amount of affordable housing and take into account:**
 - **site size and site constraints; and**
 - **financial viability, applying the principles set out in the Viability Protocol (Appendix 9) and having regard to the individual circumstances of the site and the availability of public subsidy.**
- f. **In exceptional circumstances, a financial contribution may be required to provide affordable housing off-site where other sites may be more appropriate or beneficial in meeting the borough's identified affordable housing needs.**

In addition, there should be no net loss of social/affordable rented housing on any development sites.

6 Borough-wide Policies

Justification

6.17 A key aim of the Local Plan is to meet local housing need by increasing housing supply, particularly the supply of affordable housing. In order to achieve this strategy Hammersmith and Fulham will seek to increase the amount of affordable housing in the borough by setting an affordable housing target of at least 50% of all dwellings built between 2015 and 2025. 60% of the net gain in affordable housing should be social or affordable rented housing and 40% should be intermediate housing available to households who cannot afford to buy and/or rent market accommodation in the borough.

6.18 In schemes of nine or less units the council will negotiate for affordable housing where there is considered to be capacity for more units. In determining capacity the council will take into account the guidance included in London Plan (2016) policy 3.13 and supporting supplementary planning guidance, for example in schemes where dwellings are large in floorspace terms but below 10 units and could yield a larger number of average sized homes the application of affordable housing policy will apply. In order to meet the target for affordable housing, the council will negotiate for affordable housing to be provided on all larger sites in accordance with the London Plan (2016) threshold for sites with the capacity for 10 or more self-contained dwellings.

6.19 In some circumstances it may be appropriate to redevelop social/affordable rented housing in order to improve the quality of the housing stock or to provide a better mix of housing. Where this is appropriate, the local community should be fully involved and there should be no net loss of social/affordable rented housing in terms of numbers of dwellings or habitable rooms provided.

Income and the cost of housing

6.20 As outlined previously, some parts of Hammersmith and Fulham are very deprived and other areas have some of the most prosperous neighbourhoods in London. There are four Lower Super Output Areas⁽³¹⁾ within the 10% most deprived nationally; and, 25 Lower Super Output Areas, or 23% of the borough, amongst the 20% most deprived nationally. The most deprived neighbourhoods are also those with the highest levels of social rented housing.

6.21 House prices and private sector rents are well above the London and the West London average. Hammersmith and Fulham has the 4th highest house prices in the country. The average property price in September 2014 was £795K which is 73% above the London average. Also house prices have been increasing much faster in London than elsewhere in the country⁽³²⁾.

6.22 Rents in the private sector are also high compared to the rest of London. The average rent in the borough is £1,886 per month, the 8th highest in London and over twice the average for England as a whole⁽³³⁾.

31 A Super Output Area (SOA) is a geographical area designed for the collection and publication of small area statistics. There are 111 SOAs in Hammersmith and Fulham each comprising about 700 households

32 September 2014 Land Registry. Market Trend Data

33 Valuation Office Agency, May 2016 – Table 2.7: Summary of monthly rents recorded between 1 April 2015 and 31 March 2016 by administrative area for England)

6.23 The very high cost of market housing both for owner occupation and for rent impacts on who can afford to live in the borough. Using the 3.5x earnings as a measure of affordability and the current lower quartile income house price for the borough (£360,000), a household would need an income of £103,000 to purchase an 'entry level' property in the borough.

6.24 Although private sector rents are high in comparison to incomes they are significantly more affordable than owner occupation. The number of households living in private rented housing has risen from 17,650 (23.4%) households in 2001 to 26,800 (33.3%) in 2011, about a 50% increase in 10 years. In 2011, 34% of households live in owner occupied housing which is a significant reduction since 2001, when 44% of households were in owner occupation.

6.25 Although the stock of intermediate affordable housing has increased in the last 10 years, the 2011 Census recorded only 1,257 households living in shared ownership housing compared to 706 households in 2001. The census does not provide data on the number of households living in other forms of intermediate housing, such as discounted market sale housing. These households are all included in the owner occupied sector.

6.26 Social rented housing has increased from 24,630 (31.7%) in 2001 Census to 25,133 (31.1%) in 2011 Census. In some parts of the borough, particularly in the north the proportion is significantly higher.

Need for affordable housing

6.27 The analysis of income and housing costs above highlights the very high cost of housing both for owner occupation and private renting in relation to household incomes in the borough. The need for more affordable housing in the borough is demonstrated by the number of households on the Housing Register – (as of October 2014) there were 850 applicants and the number of households, approximately 1,200 in temporary housing, including bed and breakfast. Also, 17% of households in social rented housing in the borough are overcrowded. Hammersmith and Fulham is ranked 12th in terms of boroughs with the most overcrowded properties.

6.28 In addition to the number of households requiring social/affordable rented housing, there are also applicants on the Homebuy Register seeking intermediate affordable housing to buy. As house prices and market rents are so high in the borough, affordable rented and intermediate housing needs to be affordable to a broad range of incomes. The income range of households that should be eligible for new intermediate affordable housing in Hammersmith and Fulham is £21,100 to £80,000 for households that require three or more bedrooms.

Negotiating for Affordable Housing

6.29 In considering the mix of tenure that is appropriate for additional dwellings to be built in the borough, the council has had regard to the London Plan (2016) affordable housing policies and to its assessment of the housing market, including housing need and how this can be met.

6.30 It is recognised that in negotiating for affordable housing specific site constraints and financial viability may affect the amount of affordable housing that can be achieved on that site. The council encourages early discussions with applicants during the pre-application stage when financial viability appraisals are required with planning applications. The council will apply the principles and requirements set out in the Viability

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Protocol (Appendix 9) when receiving and assessing financial viability appraisals submitted with planning applications and in negotiating Section 106 Agreements, to ensure the maximum reasonable level of affordable housing is provided and that other plan requirements are met.

6.31 The government is considering measures that would require councils to promote Starter Homes and allow developers to include Starter Homes in development schemes as an alternative to more traditional forms of affordable housing. Starter Homes are seen by the government as a way to help first-time buyers under 40 buy their own home and will need to be offered at a discount of at least 20% below market value and, in London, cost no more than £450,000. The council considers that a supply of Starter Homes in the borough may have some potential to retain middle-income households that would otherwise have to move elsewhere to satisfy aspirations for owner-occupation, but will do little to meet the aspirations of lower income households in housing need. The council will need to weigh the needs of different groups when considering development proposals. Where Starter Homes are substituted for affordable housing in development proposals, the council will expect them to replace affordable home ownership products (primarily shared ownership) rather than affordable rented housing.

6.32 Affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated that this is not appropriate in terms of the policies in this Plan, it may be provided off-site. A cash in lieu contribution will only be accepted where this would have demonstrable benefits in furthering the affordable housing and other policies in this Plan. It will be ring-fenced and, where appropriate, pooled to secure additional affordable housing either on identified sites elsewhere or as part of an agreed programme for provision of affordable housing.

6.33 Mixed tenure housing developments should be tenure blind, meaning that it should be difficult to spot the difference in the architectural quality of market and affordable properties.

Policy HO4 - Housing Quality and Density

Housing Quality

The council will expect all housing development to respect the local setting and context, provide a high quality residential environment, be well designed internally and externally, be energy efficient and (subject to the size of scheme) provide a good range of housing types and sizes.

All new housing must take account of the amenity of neighbours (see also Design and Conservation policies) and must be designed in accordance with London Plan internal space policies unless it can be shown that not building to those standards is justified by the circumstances of a particular site.

Ground level family housing should have access to private gardens/amenity space. Family housing on upper floors should have access to shared amenity space, children's playspace, and/or a balcony or terrace subject to acceptable amenity and design considerations.

Housing Density

In existing residential areas, new housing will be expected to be predominantly low to medium rise consisting of developments of houses, maisonettes and flats, and modern forms of the traditional mansion block and other typologies of residential development that may be suitable for its context, with gardens and shared amenity space in street based layouts (see also Policy OS1 Parks and Open Spaces).

High density housing with limited car parking may be appropriate in locations with high levels of public transport accessibility (PTAL 4-6) provided it is satisfactory in all other respects. Acceptable housing density will be dependent primarily on an assessment of these factors, taking account of London Plan policies and subject to public transport and highway impact and capacity.

Justification

6.34 The Local Plan seeks to improve the quality and mix of new housing in the borough. A key element of the strategy is to provide a significant proportion of new housing as low to medium rise housing with gardens and shared amenity space.

6.35 It is not only important for new housing to meet standards on matters such as room size and amenity space, but changes to the existing stock should also be fit for purpose. The London Plan (2016) has identified minimum space standards for new development outlined in Table 3.3, developers are encouraged to exceed these, to assist in providing a mix of sizes. The London Plan (2016) is accompanied by a Housing SPG⁽³⁴⁾ which provides more guidance on the implementation of London Plan (2016) Policy 3.5 'Quality and Design of Housing Developments'. In addition the council will prepare an SPD to provide relevant guidance regarding local issues. It will be easier for new housing to meet size and other quality criteria, but a level of flexibility will be appropriate to take into account

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on-site circumstances. A level of flexibility will also be appropriate for conversions and change of use, where adaptation of existing stock means that it can be difficult to meet the same standards as for new build.

6.36 The need for developments to take into account residential amenity of neighbours and impact on the environment is very important in new high density schemes and in other developments in a built up borough such as Hammersmith and Fulham where developments are often juxtaposed with their neighbours.

6.37 Access to outdoor amenity space, particularly green space, is important for quality of life, for biodiversity and to provide playspace for children and young people. Additional green space is also important for mitigating flood risk in this borough. Although the provision of balconies can provide outdoor amenity space for the occupants of flats above ground floor level, they should always be designed to respect amenities of neighbours and be designed to complement the character of surroundings.

6.38 Residential density ranges set out in the London Plan (2016) are important for assessing the development potential of sites, but they are only one factor to be taken into account in considering the appropriate scale and intensity of development.

6.39 The London Plan and the Mayor's Housing SPG⁽³⁵⁾ provides policy guidance to ensure that housing output is optimised for different types of location and Table 3.2 of London Plan (2016), Policy 3.4 identifies density ranges related to setting in terms of location, existing building form and massing, and public transport accessibility. 'Central' areas are defined as areas with very dense development, a mix of different uses, large building footprints and typically buildings of 4-6 storeys, located within 800m walking distance of an International, Metropolitan or Major town centre. Although most of Hammersmith and Fulham is within 800m of a Metropolitan or Major town centre, only limited areas meet the remaining criteria of the 'central' areas definition. Much of the development in Hammersmith and Fulham, including within and around the town centres, is primarily residential with small building footprints and buildings of less than 4 storeys. Therefore the higher density ranges of the London Plan (2016) 'Central' setting will only be appropriate in those parts of the regeneration areas identified in the Local Plan as being suitable for higher density development.

6.40 Small development sites can often be problematic and the council will especially resist attempts to overdevelop which often leads to adverse effects on neighbours and the locality. In large schemes, such as in regeneration areas, there is more scope to achieve higher density housing and as long as there is still a good mix of housing types overall, some high rise non-family residential may be acceptable. Such large schemes will need to be supported by appropriate social infrastructure.

Policy HO5 - Housing Mix

The council will work with Registered Providers and other house builders to increase the supply and choice of high quality residential accommodation that meets local residents' needs and aspirations and demand for housing. In order to deliver this accommodation there should be a mix of housing types and sizes in development schemes, including family accommodation.

Developments should aim to meet the following mix subject to viability, locational characteristics and site constraints being considered on a site by site basis:

- a. for social and affordable rented housing approximately: 1 bedroom: 10% of units; 2 bedrooms: 40% of units; 3 bedrooms: 35% of units; 4+ bedrooms 15% of units;
- b. for intermediate housing approximately: 1 bedroom: 50%; 2 bedroom: 35%; 3 or more bedrooms : 15% of units; and
- c. for market housing, a mix of unit sizes including larger family accommodation.

Justification

6.41 There is a particular need in this borough for more family sized housing (three or more bedrooms), particularly affordable housing. However, some sites may be more appropriate for families with children, particularly sites with safe access to amenity and playspace, than other sites that are in town centres where access may be more difficult.

6.42 For affordable homes larger than one bedroom, it will be important for accommodation to come in a variety of sizes and bedrooms to assist in meeting housing needs. For example, with two bedroom affordable rented homes, the council will encourage developers to provide half of these with capacity for four persons (with the other half for three persons). The same approach should be applied to three bedroom properties with 50% being capable of accommodating five persons and six persons and so on for larger properties.

6.43 Although there is a recognised need for larger house sizes in the intermediate housing market, costs of larger units can mean that that the level of subsidy required to make three or more bedroom houses affordable can make it difficult to achieve a higher proportion of the other affordable family dwellings. Therefore the focus of the policy is on one and two bedroom dwellings whilst ensuring that schemes should also include larger family homes. As set out within the policy, this will be negotiated on a site by site basis.

6.44 Market housing should provide for a variety of house sizes and opportunities for family as well as non-family households to purchase new housing in the borough.

6 Borough-wide Policies

Policy HO6 - Accessible Housing

The council will seek to secure high quality accessible homes in all developments that include housing, in particular we will require that:

- a. **90% percent of new housing should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and where feasible, additional dwellings resulting from conversions, changes of use and dwellings formed from extensions or floors added to existing blocks of flats should also meet this requirement;**
- b. **10% percent of new housing should meet Building Regulation requirement M4(3) 'wheelchair user dwellings' designed to be wheelchair accessible users. 'Wheelchair user dwellings' should be provided in proportion to the tenure mix of the development.**

Accessible width car parking spaces should be provided to meet the needs of blue badge holders in accordance with Local Plan Policy T5 and British Standards.

Justification

6.45 Over the next 20 years it is estimated that there is likely to be a 58% increase in the population aged over 65 and the population aged 85 and over is projected to more than double over the same period⁽³⁶⁾. Improved life expectancy and a gradual shift towards longer periods of time spent with chronic and disabling conditions, services are focusing more on community based support to keep people in their own homes. Currently three quarters of the council's general needs housing stock is flats with nearly half having no ground floor entrance and many having no lift access. It is therefore essential for Hammersmith and Fulham to increase the supply of both wheelchair accessible and wheelchair adaptable housing across all tenures.

6.46 The government has produced optional Building Regulations which can be used to increase the accessibility of new homes to people with mobility difficulties. The optional Building Regulations in approved document Part M4 include Category 2 for "accessible and adaptable dwellings". This is known as M4(2), and is broadly equivalent to satisfying Lifetime Homes criteria. Approved document Part M4 also includes Category 3 for "wheelchair user dwellings" known as M4(3). Part M4(3) further distinguishes between "wheelchair accessible" dwellings (homes readily useable by a wheelchair user at the point of completion) and "wheelchair adaptable" dwellings (homes that can be easily adapted to meet the needs of a wheelchair user).

6.47 London Plan (2016) Policy 3.8 'Housing Choice' seeks to ensure that 90% of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. To comply with this requirement, step free access must be provided. Generally a lift will be required where a dwelling is accessed above or below the entry storey. Although most new build housing will be built to meet this requirement, the council considers that new dwellings resulting from a change of use, conversion or extension to existing residential building, should also aim to meet the M4(2) requirement. It is recognised that there may

be circumstances where it is not possible to achieve all the full M4(2) requirements. The policy therefore allows for some flexibility in achievement of the criteria, but the council will require assessments to show why the requirements cannot be met.

6.48 The requirement for 10% of all new housing to be built to Building Regulation requirement M4(3) 'wheelchair user dwellings' designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users is in accordance with the London Plan (2016) Policy 3.8. When providing 'wheelchair user dwellings' in a development, it is important not only to ensure an increase in accessible homes within the borough but also to ensure that where there are mixed tenure schemes that the provision of 'wheelchair user dwellings' are provided in equal proportion to the tenure mix of the development.

6.49 'Wheelchair accessible dwellings' which are designed to be readily useable at the point of completion will only be required for those dwellings where the council is responsible for allocating or nominating a person to live in that dwelling. The remaining dwellings should be 'wheelchair adaptable' and built to be easily adapted to meet the needs of a household that includes a wheelchair user.

Policy HO7 - Meeting Needs of People who Need Care and Support

The council will encourage and support applications for new special needs and supported housing, including specialist housing for older people, if it meets the following criteria:

- a. **there is an established local need for the facility;**
- b. **the standard of the facilities are satisfactory and suitable for the intended occupants;**
- c. **there is a good level of accessibility to public transport and other facilities needed by the residents; and**
- d. **the impact of the proposed development will not be detrimental to the amenity of the local area or to local services.**

Applications for development that would result in the loss of special needs housing will only be granted permission if it can be demonstrated that there is no longer an established local need for this type of accommodation or that the current facility is unfit for purpose, or that it will be replaced elsewhere.

Where relevant, any evidence of need should consider the full range of special needs, including the frail elderly, people with physical and learning difficulties, and people needing short term support.

Justification

6.50 Special needs housing covers all housing types with an element of care and support such as, extra care housing, housing for people with learning disabilities and nursing homes, sheltered housing and residential care homes with on-site home and medical care. The council considers that elderly residents should have the opportunity to access special needs housing located in the borough. The council aims to create more sustainable communities to enable residents to remain in their communities through different stages of their life.

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6.51 Where appropriate, it will be necessary for any evidence of need to consider the full range of special needs, including the frail elderly, people with physical and learning difficulties, and people needing short term support, although some accommodation may not be suitable for all groups without significant investment.

6.52 The London Plan (2016) includes an indicative benchmark for specialist housing for older people in Hammersmith and Fulham of 60 additional dwellings per annum. This includes 45 specialist dwellings for private sale and 15 for intermediate sale. The council is working with residents, the NHS and other providers to deliver new types of private and social sheltered housing which will include on-site home and medical care⁽³⁷⁾. To ensure that new specialist housing can meet local needs, applications for new provision will be assessed in relation to the identified local need for the facility and its potential impact on the provision of services to the local community, such as health and social care. Special needs accommodation that serves a London-wide or a sub-regional need can put additional pressure on these local services. Also, some special needs housing can impact on the amenity of the local area, for example through people coming and going, and this needs to be taken into account in considering the scale and location of such developments.

6.53 Special needs housing should normally be located in areas accessible to public transport and other local facilities for the benefit of residents and visitors.

Policy HO8 - Hostels and Houses in Multiple Occupation

The acceptability of planning applications for new houses in multiple occupation (HMOs) or hostels or for the loss of existing HMOs or hostels will be considered in relation to the following criteria:

- a. **the quality of the accommodation that is proposed or might be lost;**
- b. **the impact of the accommodation on the locality; and**
- c. **the local need for the proposed or existing HMO or hostel accommodation.**

Justification

6.54 HMOs may be classified as either small (housing three to six people) or large (housing more than six people). The former are classified as class C4 in the use classes order, whereas the latter are sui generis. There are permitted development rights for all changes between small HMOs (class C4) and residential (class C3) without the need for planning applications.

6.55 The council recognises the role that hostels and HMOs play in providing accommodation for single people who cannot afford self contained accommodation. Despite this, a number of existing premises are considered to be in a poor state of repair and do not provide adequate accommodation, for example in terms of size and condition, for people on low incomes. The council will therefore assess any application that would result in a loss of a large HMO or hostel against the criteria listed above. The loss of such accommodation may be acceptable where the standard of accommodation can be improved, and/or any adverse impact on the surrounding area reduced. The council may permit new hostels and HMOs that meet an identified need and which do not have an adverse impact upon residential amenity.

Policy HO9 - Student Accommodation

The council recognises the London-wide need for student accommodation, and to assist in meeting this need it will support applications for student accommodation as part of mixed use development schemes within the White City and Earls Court and West Kensington Opportunity Areas. Applications for student accommodation outside of these areas will be assessed on a site by site basis, however the council will resist proposals which are likely to have adverse local impacts.

An application for student accommodation will need to show that:

- a. the site is in an area with good public transport accessibility (normally PTAL 4-6) with access to local convenience services and the proposal would not generate additional demands for on-street parking;
- b. there would be no loss of existing housing;
- c. the development does not have a detrimental impact on the local area, and should include a management and maintenance plan for the accommodation to demonstrate how the amenity of neighbouring properties will be protected and what steps would be taken to minimise the impact of the accommodation on neighbouring uses;
- d. the accommodation is of high quality, including size of units, daylight and sunlight standards;
- e. wheelchair accessible accommodation is provided to meet the needs of disabled students in accordance with relevant British Standards; and
- f. the student accommodation should be secured for occupation by members of specified London-based educational institutions or an element of affordable accommodation in accordance with the London Plan.

Justification

6.56 The borough is home to a number of university and higher education institutions, principally Imperial College, which has teaching facilities at Hammersmith Hospital and Charing Cross Hospital and proposals for development in the White City Opportunity Area. A number of these higher educational institutions have expressed a need to increase their capacity, as have many other higher educational institutions across London, buoyed by London's international status and reputation as a global centre for higher education. This has put pressure on conventional housing to accommodate students and there is a need to increase the capacity of student accommodation in London in order to ensure that there is a suitable choice of available purpose built accommodation.

6.57 The council considers that the borough's largest and most deliverable regeneration areas offer an opportunity to help deliver a significant quantum towards addressing this student accommodation shortage for local institutions. It considers that student housing in these areas will be best provided within major new developments as part of mixed use schemes. All applications will need to demonstrate satisfactorily that the proposals will have a positive impact on the overall strategies for the opportunity areas and will not adversely impact on residential neighbours or town and local centres. Applications will need to be accompanied by a management plan, setting out how the impact upon neighbours and the amenity of the borough's existing residents will be managed.

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6.58 The management plan should set out how any impact upon its neighbours and the amenity of the borough's existing residents would be minimised, including any impact from move-in and move-out dates at the beginning and end of terms and the impact of possible alternative use during the vacations.

6.59 Outside of the opportunity areas, applications for student accommodation will be assessed on a site by site basis. It is acknowledged that students can create benefits for an area, for example by adding vibrancy and vitality to the local economy. However, concentrations of students can also have a negative impact. In particular, the council is concerned about the direct impact of noise and comings and goings on neighbouring properties, and the indirect impact of the growth in facilities such as bars and takeaways that can themselves cause a nuisance, especially late at night. The council will consider all applications on their own merits, but the primary consideration will be the amenity of the borough's existing residents and the strategy to direct student accommodation schemes to the opportunity areas.

6.60 In order to ensure that students are able to travel to and from their area of study, it is important that the development is located within an area of good public transport accessibility within the regeneration areas.

6.61 Although student accommodation does not need to meet the internal space standards required for permanent housing, the accommodation must be high quality and meet the needs of all potential students, including the needs of wheelchair users and other disabled students. In determining the number and design of accessible bedrooms, kitchen areas and other communal facilities the developer is expected to take account of BS8300:2009 "Design of buildings and their approaches to meet the needs of disabled people. Section 12: Individual Rooms, Para 12.8.1 also recommends 10% of bedrooms in communal residential buildings should be accessible to students with an additional 5% capable of being adapted in the future to accessibility standards.

6.62 To ensure that accommodation specifically designed for the occupation by students is not subsequently used for general residential use, or some other form of hostel accommodation, there will need to be a planning agreement ensuring that the accommodation is occupied only by students of specified educational institution(s), normally a London based education institution in easy commuting distance of the accommodation. As student housing is not subject to the affordable housing policy, this will also ensure that student housing is not proposed to avoid this policy.

Policy HO10 - Gypsy and Traveller Accommodation

The council will work closely with the Royal Borough of Kensington and Chelsea, and any other relevant partners to protect, improve and, if necessary, increase the capacity of the existing gypsy and traveller site at Westway.

Justification

6.63 The council and the Royal Borough of Kensington and Chelsea (RBKC) jointly provide a site for 19 travellers' pitches on land in RBKC to the east of the White City Opportunity Area. Following engagement with the local traveller community an assessment of the need for traveller pitches was carried out in accordance with the Gypsy and Traveller Accommodation Needs Assessments (DCLG 2007). This study suggested a need for extra

pitches for an additional five families by 2020⁽³⁸⁾. The council is currently working with RBKC and the local traveller community to determine how best to meet the identified needs.

Policy HO11 - Detailed Residential Standards

The council will ensure that the design and quality of all new housing, including new build, conversions and change of use, is of a high standard and that developments provide housing that will meet the needs of future occupants and respect the principles of good neighbourliness.

To achieve a high standard of design, the following considerations will be taken into account:

- a. **floor areas and room sizes in new build dwellings, conversions and changes of use, including meeting 'Nationally Described Space Standards;**
- b. **accessibility for disabled people;**
- c. **amenity and garden space provision;**
- d. **a safe and secure environment;**
- e. **vehicle and cycle parking;**
- f. **flood protection measures and attenuation of surface water run off;**
- g. **sustainable energy measures that provide resilience to climate change impacts;**
- h. **use of durable construction materials to construct low maintenance dwellings with low environmental impacts;**
- i. **provision of waste and recycling storage facilities;**
- j. **noise insulation and layout to minimise noise nuisance between dwellings; and**
- k. **protection of existing residential amenities, including issues such as loss of daylight, sunlight, privacy and outlook.**

Proposals for extensions will be considered acceptable where it can be demonstrated that there is no detrimental impact on:

- **privacy enjoyed by neighbours in adjoining properties;**
- **daylight and sunlight to rooms in adjoining properties;**
- **outlook from windows in adjoining properties; and**
- **openness between properties.**

The council has prepared a Planning Guidance SPD that provides further guidance on these and other residential amenity issues referred to in this Local Plan.

Justification

6.64 Once the principle of residential development has been established through land use policies, there is a need to assess planning applications against detailed standards to ensure that a development is of high quality, well designed, accessible and that it will not be detrimental to the amenities of residents in the surrounding area, including loss of

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daylight, sunlight and privacy for existing residents. These standards are often subject to on-site judgement, but a departure from the standards needs to be justified by the circumstances of a particular case.

6.65 It is important for new housing to meet standards on matters such as minimum dwelling and room size and on the amount of amenity space. The government is proposing to introduce a Nationally Described Space Standard which as a minimum new dwellings in the borough will be expected to meet. Where changes to the existing stock are proposed, including basement accommodation, they should also be fit for purpose. It will be easier for new housing to meet size and other quality control criteria, but a level of flexibility is appropriate to take into account on-site circumstances. This is even more so with conversions and change of use, where adaptation of existing stock means that it is difficult to meet similar standards as for new build. The council anticipates adopting detailed residential standards in the Planning Guidance SPD. The detailed guidance in this SPD will take account of the London Plan (2016) and the Mayor of London's Housing SPG⁽³⁹⁾ which includes detailed standards for housing that have been gathered from a number of sources, for example Lifetime Homes, Lifetime Neighbourhoods and Secured by Design.

6.66 It is always necessary for developments to take into account the residential amenity of neighbours and the impact on the environment. However, this is especially important in a densely built borough such as Hammersmith and Fulham where developments are often juxtaposed with their neighbours. In particular, changes to terraced properties, including extensions and roof terraces, can impact on neighbours if not carefully designed, for example, through overlooking and visual intrusion, and can also impact upon flooding, for example through surface water run off, if not consistently managed.

Local Economy and Employment

Policy E1 - Providing for a Range of Employment Uses

The council will support proposals including mixed use schemes for new employment uses, especially those that recognise the existing strengths in the borough in creative industries, health services, bio-medical and other research based industries, such as those at Imperial College in Shepherd's Bush.

The council will also support the retention and intensification of existing employment uses. It will require flexible and affordable space suitable for small and medium enterprises in large new business developments, unless justified by the type and nature of the proposal. When considering new employment floorspace or the extension of existing floorspace the council will also take into account:

- a. whether the scale and nature of the development is appropriate, having regard in particular to local impact, the nature of the surrounding area, and public transport accessibility;
- b. impact upon small and medium sized businesses that support the local community;
- c. scale and nature of employment opportunities generated in the new development;
- d. whether there will be displacement of other uses such as community facilities or housing; and
- e. the Hammersmith and Fulham Economic Growth Plan and the council economic strategies.

The borough's three town centres and the White City and Earl's Court and West Kensington Opportunity Areas will be the preferred locations for new office development above 2,500m². Proposals outside of these areas for large new office development (above 2,500m²) will generally be discouraged unless it can be demonstrated that provision cannot be provided within the town centres or the White City and Earl's Court and West Kensington Opportunity Areas.

Justification

6.67 The borough has many positive attributes which support economic development, over the years, the borough has proved to be an attractive location for many multi-national companies, including the BBC and Earls Court and Olympia Group, and the continued presence of large businesses is welcome because of their contribution to the local economy and in providing jobs and opportunities to residents. However, as well as being favoured by major companies, often located in the town centres or regeneration areas, the strength of the local economy is also buoyed by the very many local office and industrial businesses which are scattered throughout the borough and often provide services direct to residents or to other businesses in the borough. The Council's Employment Study⁽⁴⁰⁾ identified a number of sub-markets within the borough, including a lot of smaller businesses in SW6 in the Putney Bridge and Parsons Green and and Peterborough Road sub markets. Creative industries such as TV and music companies are a particular strength, which the council

40 Employment Study Borough of Hammersmith and Fulham 2016

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is keen to encourage, and there is also the opportunity to build on the presence of Hammersmith Hospital/Imperial College and Charing Cross Hospital by encouraging bio-medical and other related companies. In addition, the council will use its economic strength to encourage local business when procuring and hiring contractors. The Council's Economic Development Plan for 2016-2019 provides further details of these and other economic development initiatives.

6.68 Many of the borough's businesses are small or medium sized and there is a demand for accommodation from such enterprises⁽⁴¹⁾. Figures show that between August 2014 and August 2015, 62% of requirements were for businesses between 93 and 465m². Therefore, it is important that new and refurbished business developments as well as mixed use schemes provide accommodation that can meet the needs of a variety of activities, including start up businesses; are flexibly designed to meet a variety of types and sizes of businesses, and adaptable to changes in working practices in the future, and the provision of affordable business units, so that the rich mix of businesses in the borough can continue. In addition, the replacement of existing, well used small business premises will be sought in redevelopment schemes.

6.69 The council will ensure that its own stock of business premises continues to meet the needs of the local economy, and it will support new local enterprise partnerships and encourage local credit union finance.

6.70 The council wants to strengthen the economic base of the borough, ensure there is sufficient land and floorspace to meet the economic growth requirements and is well located in relation to other amenities and transport infrastructure to serve the requirements of the development. The London Office Policy Review 2014 projected a likely requirement of an additional 290,000m² (gross) of office floorspace within the borough to 2036. However, the council's Employment Study predicts a higher need of between 383,000 and 511,000m² based on 1 person per 9m².

41 see the Council's Employment Study - February 2016

Policy E2 - Land and Premises for Employment Uses

The council will require the retention of land and premises capable of providing continued accommodation for employment or local services. Permission will only be granted for a change where:

1. continued use would adversely impact on residential areas; or
2. an alternative use would give a demonstrably greater benefit that could not be provided on another site; or
3. it can be evidenced that the property is no longer required for employment purposes.

Where the loss of employment use is proposed in line with sub para.3 above, the council will have regard to:

- the suitability of the site or premises for continued employment use with or without adaptation;
- evidence of unsuccessful marketing over a period of at least 12 months;
- the need to avoid adverse impact on established clusters of employment use; and
- the need to ensure a sufficient stock of premises and sites to meet local need for a range of types of employment uses, including small and medium sized enterprises, in appropriate locations.

The mixed use enhancement of employment sites will be considered acceptable where these are underutilised, subject to the satisfactory retention or replacement of employment uses in the scheme where this continues to be appropriate.

Justification

6.71 Employment use is defined as all Class B Uses and similar uses that are classified as sui generis (Town and Country (Use Classes) Order 1987 (as amended)).

6.72 Notwithstanding the council's desire to protect valuable sites and promote economic growth in sustainable locations, there has been a loss of B class stock in the borough. The Council's Employment Study estimates a loss of 149,000m² since 2012, partly as a result of permitted development and partly through planning permission. In order to ensure that future loss is managed effectively, the council will apply a criteria based approach to assessing change of use and redevelopment planning applications based on site characteristics and market demand.

6.73 In general, where there is a planning application for a site or building for change of use out of employment, the council will require supporting evidence that indicates that despite efforts to find a user for the premises, it remains vacant. In respect of demonstrating that a property is no longer required for employment use a reasonable marketing exercise will include continuous marketing generally over a period of at least 12 months with at least two recognised commercial agents. Evidence of this marketing will be required to be submitted along with the two agents' views as to why the property is not letting. The council will expect this marketing to be at prices similar to that pertaining in the local area for similar premises.

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6.74 The loss of employment use may also be permitted where continued use of a site or building where evidence is provided to show that it is no longer viable by virtue of poor location or site characteristics. In addition, where accommodation is poorly suited to meet the requirements of modern occupiers and where the cost of modernisation cannot be justified, the council may grant change of use. Robust evidence will be required to support change of use on this basis in the absence of marketing information.

6.75 The council will also consider the impact of any proposed loss of employment use on existing employment areas and the provision of a satisfactory range of type of employment uses. The council will have regard to regular monitoring undertaken by itself and the Mayor of London and to supplementary planning guidance to the London Plan. The borough is currently identified in the London Plan (2016) as an area where transfer of industrial and warehousing land to other uses should be “restricted (with exceptional planned release)”. Applications for change of use of industrial and warehousing (Use Classes B1(c), B2 and B8) sites and premises will be subject to consideration of this classification. The council also wishes to ensure that the future of its preferred office location at Hammersmith town centre continues to offer a range of modern office facilities and is not adversely affected by a loss of office uses. Where premises are part of a complex of employment uses, regard will be taken of the impact of the introduction of an alternative use on the satisfactory functioning of the employment cluster.

6.76 There may be some sites in employment use that are capable of more intensive use to accommodate additional uses, particularly residential. Where this is appropriate, the council will seek to ensure that floorspace is retained within mixed use schemes for employment uses for which there is a demonstrable need. This will include adequate replacement accommodation for small businesses.

Policy E3 - Provision for Visitor Accommodation and Facilities

Permission will be granted for new visitor accommodation and facilities or the extension of existing facilities within the three town centres, the Earl’s Court and West Kensington and White City Opportunity Areas subject to:

- the development being well located in relation to public transport;
- the development and any associated uses not having a detrimental impact on the local area;
- no loss of priority uses such as permanent housing;
- provision of adequate off street servicing;
- at least 10% of hotel bedrooms designed as wheelchair accessible;
- the facility being of a high standard of design;
- the scheme adding to the variety and quality of visitor accommodation available locally; and
- all new hotel applications should demonstrate that the site can provide appropriate servicing and pick up points for the type of facility proposed.

Outside of the identified areas, the following will be considered appropriate, subject to meeting the above criteria:

- small scale hotels; and
- visitor accommodation related to major visitor attractions of sub-regional or greater significance in accordance with the provisions of London Plan.

Justification

6.77 The London Plan (2016) seeks 40,000 additional hotel bedrooms by 2031 located primarily in London's town centres and opportunity areas. It also seeks a greater dispersal of accommodation outside London's central area. An improvement in the range and quality of provision is also encouraged, as well as accommodation that meets the needs of businesses.

6.78 In recent years a number of additional hotels have been built and there are some permitted additional hotel rooms to be completed. The existing and committed stock is considered adequate to meet the borough's share of anticipated growth within London within the next few years. Any further proposals for new hotels will be directed to the three town centres or the identified opportunity/regeneration areas in line with London Plan policy (2016). These areas are considered the most appropriate to accommodate visitor accommodation with the least impact and where there is the availability of complementary town centre uses. Small hotel schemes, normally not in excess of 50 bedrooms, will be considered in other areas of the borough where the scale is appropriate to public transport accessibility and surrounding uses. In many areas, a scale of less than 50 bedrooms is more likely to be appropriate. Proposals for extensions of existing hotels will be considered having regard to the criteria set out in Policy E3 subject to the primary focus of new visitor accommodation to be the town centres and opportunity/regeneration areas identified in the policy.

6.79 The council will also seek adherence to the London Plan (2016) requirements of at least 10% wheelchair accessible bedrooms and submission of an Accessibility Management Plan.

Policy E4 - Local Employment, Training and Skills Development Initiatives

The council will require the provision of appropriate employment and training initiatives for local people of all abilities in the construction of major developments and in larger employment generating developments, including visitor accommodation and facilities, when these are completed. Local businesses will be encouraged to adopt the London Living Wage.

Justification

6.80 Continued economic growth in the borough will require a growing work force. These jobs will not go to workless residents in the borough unless they have the necessary qualifications and skills. If local workless people are not moving into the local labour market, the growth in jobs will have to be met by workers from outside the local area. This will increase pressure on the already overstretched supply of housing and local transport infrastructure.

6.81 A priority of the council is to understand and address skills shortages and it will negotiate Section 106 planning obligations with developers proposing large scale employment generating activity (usually over 200 jobs), including visitor accommodation and facilities, skills training, work placements, apprenticeships and targeted local recruitment campaigns in order to make best use of the added value of employing local labour. Initiatives should be brought forward through:

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- i. production of a local labour, skills and employment strategy;
- ii. an employment training and education action plan; and
- iii. a local business charter.

6.82 There are many agencies involved in training, such as the Ealing Hammersmith & West London College (EHWLC) and Job Centre Plus (JCP) and the voluntary & community sector (VCS), but the council has a central role in ensuring that learning and skills provision for adults in Hammersmith and Fulham is delivered in a coherent and effective way.

6.83 The council will encourage developers to work in partnership with the Council's Economic Development Team to maximise job opportunities for local people including: employment, training, apprenticeship opportunities, outreach programmes including schools to raise aspirations and awareness of job opportunities, including during construction phases. In doing so, the council will ask them to commit to programmes to enhance business and area competitiveness as well as maximising opportunities for local entrepreneurship and enterprise. This will be secured through associated S106 agreements as part of larger developments including those within the opportunity/regeneration areas. Further guidance is available in the regeneration area policies and the supporting SPDs for the opportunity/regeneration areas whilst the Economic Development Plan 2016 - 2019 sets out priorities for the early years of the Local Plan. The council will also encourage the London Living Wage which it believes is good for businesses, good for the individual and good for society.

Town and Local Centres

Policy TLC1 - Hierarchy of Town and Local Centres

The council will work with the Mayor of London and other stakeholders, such as Business Improvement Districts, to enhance the vitality and viability of the borough's hierarchy of three town centres, 5 key local centres, 15 neighbourhood parades and 6 satellite parades (see Appendix 2 and Map 5 for details). In particular the council will:

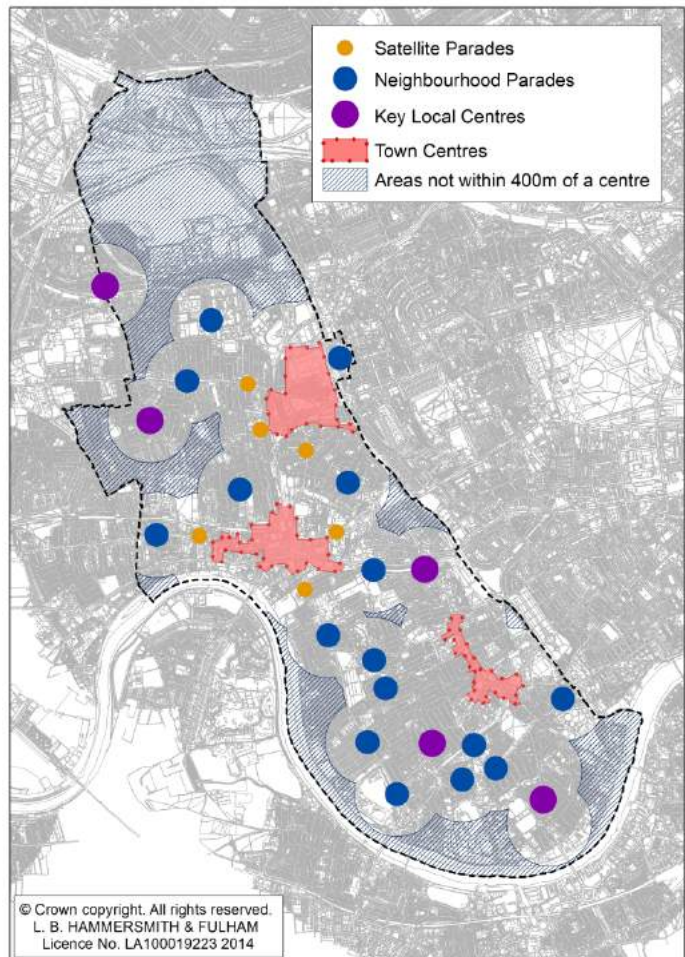
- a. support the regeneration of the town centres for a mix of town centre uses, including residential development on appropriate sites;
- b. maintain the predominant retail function of primary shopping areas;
- c. support the night time economy in town centres;
- d. support the conversion of unused or underused space above ground floor units for new residential accommodation (subject to the requirements of other relevant policies);
- e. seek a mix of shop sizes and types, with independent as well as national traders, that are accessible to local residents, workers and visitors;
- f. ensure that new developments for town centre uses are appropriately located, are of an acceptable scale, and do not negatively impact on the existing hierarchy, in accordance with national and regional policy and local need (see Table 3);
- g. require a retail impact assessment for out of centre retail proposals which are in excess of 300m² (gross);
- h. require a sequential test for out of centre retail development proposals in accordance with the NPPF;
- i. promote the provision of shopmobility schemes;
- j. safeguard local shops and other local services within local centres to meet local need;
- k. support and protect local markets and clusters of specialist shopping; and
- l. negotiate planning obligations where appropriate, feasible and viable to mitigate the loss of, and/or secure or support, affordable retail space to encourage small or independent traders.

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Justification

6.84 The council wants to encourage the regeneration of Hammersmith and Fulham’s town centres to improve their viability and vitality as well as sustain a network of supporting smaller centres. It is aware that, in the context of economic, demographics, retail supply and social changes, some centres will require substantial extra retail space and others will need to plan for a more static and in some cases possible decline in retail space. A key aim in relation to the town centre and local centre hierarchy is to ensure that there is sufficient capacity for new retail floorspace in line with identified need and that surplus capacity does not lie vacant. The council will encourage other uses where appropriate, including health and leisure facilities. It is also important to ensure that there are supporting complementary facilities in towns, including arts, culture and entertainment.

Map 5 Shopping Hierarchy



6.85 Regional studies prepared by Experian on behalf of the Mayor of London⁽⁴²⁾ provide a range of quantitative outputs which the council will consider when responding to retail proposals. The most recent council retail study⁽⁴³⁾ has identified future estimated retail need in the borough and specifically within the borough’s three town centres up to 2031 as set in Table 3 below:

Table 3 Estimated Retail Need

	Borough-wide (Sq m gross)	Hammersmith (Sq m gross)	Fulham (Sq m gross)	Shepherds Bush (Sq m gross)
Comparison	35,700	11,100	4,300	13,900
*Convenience	3,400	2,000	3,600	- 900

*Convenience figures based on supermarket sales densities
(Source: Hammersmith and Fulham Retail Needs Study 2016)

6.86 The council aims to meet future need primarily within the established shopping hierarchy so as to maximise opportunities to obtain goods, services, jobs and leisure activities in places that are convenient to where people live and work. A number of

42 Consumer Expenditure and Comparison Goods Retail Floorspace Need in London, Experian – October 2013

43 Hammersmith and Fulham Retail Needs Study 2016

development sites have been identified for future retail growth in the town centres, but there will be some new provision to support growth in the identified regeneration areas, particularly the White City Opportunity Area and the Earls Court and West Kensington Opportunity Area. The Hammersmith and Fulham retail needs study⁽⁴⁴⁾ estimates are based on London Plan (2016)⁽⁴⁵⁾ population growth projections and the estimates will need to be considered in the light of the potential local growth in regeneration areas.

6.87 The council's policies will assist in ensuring a good range of convenient and accessible local facilities and services for borough residents, which is an important part of what makes a decent neighbourhood. The policies will also discourage the further increase of businesses such as pay day loan shops, betting shops, pawnbrokers and hot food takeaways which are already well represented. Supporting policies will seek a range of shopping and other facilities in these centres and where development takes place, it may be appropriate to seek affordable space and agreements with developers so that a proportion of space can be offered to independent small retailers. In town centres, the council will encourage uses that contribute to the night time economy.

6.88 A key council priority is to capture the regenerative benefits of Westfield in the original Shepherds Bush town centre. Planning permission was granted in April 2014 as part of a mixed use scheme for Westfield to extend the town centre retail and leisure offer to the north of Westfield towards the Hammersmith and City Line Viaduct. The council considers that these uses will assist in regenerating the town centre as well as achieving many additional objectives for the White City Opportunity Area. Other key proposals for Shepherds Bush include strengthening the western part of the town centre through the regeneration of the Shepherds Bush Market as well as maintaining the W12 shopping centre as an important retail anchor. These initiatives will help strengthen the convenience offer in Shepherds Bush and assist in meeting local needs as well as enhance Shepherd's Bush's function as a metropolitan centre.

6.89 Hammersmith will continue to be a major town centre and the council will support development that improves the vitality and viability of the centre and strengthens its role as a centre for offices, local government and for arts, culture, leisure and services as well as shopping. Key sites in meeting this objective, as well as providing new housing are: the Town Hall and adjacent land in Nigel Playfair Avenue and King Street, Kings Mall car park, and the remaining part of the Hammersmith Island Site currently occupied by the temporary bus station. The proposed "Hammersmith Flyunder" (see Strategic Policy for Hammersmith Regeneration Area) could potentially release existing highways land for redevelopment which could significantly improve the town centre's offer.

6.90 Fulham Town Centre will be supported to re-establish its historic role in the locality and maintain its status as a major town centre in the London Plan (2016). The Local Plan policies will seek to provide further shopping and leisure uses at an appropriate scale to meet locally generated needs. One opportunity for improvement is in the northern part of the centre, along North End Road and Lillie Road. Regeneration in this locality should link with the regeneration of the Earls Court/West Kensington Opportunity Area.

6.91 In key local centres, the aim is to ensure a greater variety of uses than in neighbourhood parades. However, in both types of centre the council's policies will seek to retain a predominance of shopping over other uses. These centres can help contribute towards the identified estimated need for further low and mid ranking comparison and

44 Hammersmith and Fulham Retail Needs Study 2016

45 Mayor of London, The London Plan: spatial development strategy for Greater London, GLA March 2016

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convenience retail floorspace to meet the needs of the local population. The council will work with its partners to try to coordinate service provision based on these centres. The council will consider the designation of further local centres or parades within the WCOA and ECWK Opportunity Areas if this is required to meet the needs of the new development and is supported by capacity studies (see also policies for these individual areas).

6.92 Those centres that adjoin or are in close proximity to town centres are known as satellite parades. The purpose of these parades is to provide local services, but they also provide opportunities for a variety of uses that will support the nearby town centres.

6.93 In shopping parades, other than those identified in the hierarchy, particularly where shops and premises have been vacant for a long time, there will be more limited protection of shopping facilities, and possible alternative uses could include small offices, health facilities and A class uses other than those falling within class A1. These alternative uses would need to be compatible with adjoining uses and therefore in some more residential locations, uses such as restaurants, pubs and bars may not be appropriate.

6.94 Prime retail frontages are where retail development is concentrated and generally comprise the main component of primary shopping areas in town centres. In all the centres and shopping areas there will be planning controls to maintain appropriate levels of retailing, local services and other uses.

6.95 In addition to the hierarchy described above, there is one superstore in Sands End, another on Shepherds Bush Road and a small number of shed based retailers, mainly at Wandsworth Bridge. There continues to be pressure for new supermarkets of different sizes to be established throughout the borough, both in and outside centres included in the hierarchy. Whilst small supermarkets may expand the choice in local shopping centres, large stores can have potential for adverse impacts on town or local centres and increase local traffic. In order to ensure that smaller foodstores that compete directly with local centres are assessed, the council has set a local threshold for retail impact assessments of 300m² gross. Assessments of impact should be proportionate to the development proposed and it will be necessary for applicants to agree the scope of any assessment at an early stage of any pre-application engagement.

Policy TLC2 - Town Centres

In the designated town centres (as shown on the Proposals Map and defined in Table 4), changes from A class use at street level will be permitted for alternative uses which can be shown to be complementary to the shopping frontage, maintain or increase the vitality and viability of the town centre and do not have an adverse impact on the local area. In particular, permission for changes of use will be considered on the following basis:

1. no more than 40% of the length of the prime retail frontage as a whole will be permitted to change to non-class A1 uses;
2. additional A4 and A5 uses (pubs, bars and takeaways), betting shops, pay day loan shops, amusement centres, mini cab offices and residential uses will not be permitted on the ground floor of the prime retail frontages;
3. the nature and characteristics of the proposed use are complementary to the shopping frontage;
4. the proposed use contributes to the function of the centre in terms of the size of the unit, the length of its frontage and the location of the unit within the centre;
5. planning conditions will be imposed in any permission for such changes of use to secure provision of a shop style fascia, and window display at street level, and to control the hours of opening of class A3-A5 uses; and
6. consent will not be granted for residential use within the ground floor frontage.

In non prime retail frontages, criteria 3-6 above will apply. In all calculations of the proportion of the frontage in class A1, the lawful use and unimplemented extant permissions for changes of use will be taken into account.

Justification

6.96 In respect of the shopping frontages, the council has defined prime and non-prime retail frontages in order to assist in safeguarding and managing the distribution of retail uses and related facilities and services within the three town centres. . In addition, it is considered appropriate to continue the approach of controlling the amount of class A1 retail and non-A1 businesses by limiting the amount of frontage that can be in non-retail uses. This has proved to be a workable management tool in the past and one that allows some flexibility for change of use within the frontages and the achievement of a good mix of uses. As some malls are subject to specific planning consents that permit changes within Use Class A, the quota policies will not apply to these frontages.

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Table 4 Shopping frontages by Town Centre

Town Centre	Frontage
Shepherds Bush	Uxbridge Road: North Side - Nos. 54-202; South Side – Shepherds Bush (West 12) Centre.
Hammersmith Centre	King Street : North Side - Between No.2. and No. 94, Including Kings Mall, South Side - Nos. 1-131. Hammersmith Broadway: Broadway Centre (excluding Queen Caroline Street frontage) - subject to Planning Permission (31.3.89) which permits A1 and A3 uses.
Fulham Centre	North End Road : West Side Nos. 276-406 East Side Nos. 373-471 Jerdan Place: North Side Nos. 1-19a; South Side Nos. 2-24 Fulham Road: North Side 480 and 498-504.

6.97 For a town centre to operate successfully, it is necessary for shops to group together. Intrusion of non-retail uses on too large a scale can inhibit this process, reducing the attractiveness of a centre and damaging its trading position. Non-retail uses for these purposes are defined to include all uses other than those included within class A1 of the Use Classes Order 1987.

6.98 Some non-retail uses, such as a bank, restaurant or pub, are complementary to the town centres' primary shopping function because they may provide a vital local service, are essential to the operation of the shops, or are heavily used by shoppers. However, the retail function will be adversely affected if the mix of uses is affected by too great a loss of shops, and by making comparison shopping more difficult through dispersal of those which remain.

6.99 The quota is intended to permit a variety of uses whilst protecting the predominance of retail in prime retail frontages. However, the growth in class A3, A4 and A5 uses and the rationalisation of many A2 financial uses has led to some frontages where frontage is predominantly A3-A5 uses and /or where there is a high concentration of betting shops and pay day loan shops. There are cumulative effects arising from the clustering of these uses, such as “dead frontages” at certain times of the day and adverse impacts on residential amenity outside normal shopping hours.

6.100 In certain cases, where there is clear evidence that particular types of use will have serious effects on residential amenity or the environment, the council will consider imposing conditions that restrict future changes of use which the Use Classes Order would otherwise allow.

6.101 The clustering of non-retail uses may create dead frontages because of a lack of interesting window displays and for this reason all premises in the prime retail frontage should provide appropriate window displays. In addition, the avoidance of blank frontages, such as, office or residential uses can be a major contribution to retaining pedestrian activity, retaining commercial life in the area, and to crime prevention. Although new ground floor residential use will not be permitted in the prime retail frontages, access to residential upper floors will be encouraged.

6.102 The non-prime retail frontages in the town centres have an important function. They provide locations for more specialist retailers, businesses that cannot afford prime location rents but sell goods appropriate to the town centre, such as activities in the A2, A3, A4 and A5 use classes, and health and other services. It is desirable, therefore, to maintain the stock of premises suitable for these uses in order to maintain the vitality and viability of the town centres and the range of facilities available. It will normally not be appropriate to allow changes to other uses, including residential at ground floor level, that do not contribute to the vitality of the shopping frontages or the town centre as a whole and which reduce the stock of accommodation for uses that do have this role. In addition, in respect of betting shops and pay day loan shops, it is important that too many do not concentrate in any area and detract from the vitality and viability of the centres.

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Policy TLC3 - Local Centres

The council has designated key local centres, neighbourhood parades and satellite parades to provide accessible shopping and service facilities to meet local needs (see Proposals Map and Appendix 2). In these centres, changes of use will be permitted subject to the proposed use being shown to be complementary to the function of the centre, enhancing the centre's viability and vitality and not having an adverse impact on the local area and where it meets the quotas set out below:

Neighbourhood Parades:

- no more than 40% of the neighbourhood parade frontage as a whole will be permitted to change to non-class A1 uses.

Key Local Centres:

- no more than 50% of the length of the key local centre frontage as a whole will be permitted to change to non-class A1 uses.

Satellite Parades:

- no more than 60% of the satellite parade frontage as a whole will be permitted to change to non-class A1 uses.

Where a proposal does not meet the quotas set out above and where the premises have been vacant for at least 1 year with evidence of marketing, the council may consider granting permission taking into account other factors such as:

- the contribution the unit makes to the function of the centre in terms of the size of the unit and the length of its frontage;
- the nature and characteristics of the proposed use and evidence of need;
- the location of the unit within the centre; and
- the shop front appearance.

In all calculations of the proportion of the frontage of street blocks in class A1 and non-A1 uses, the lawful use and unimplemented extant permissions for changes of use will be taken into account.

Consent will not be granted for any ground floor residential frontages, however residential may be appropriate at the rear of premises, subject to satisfactory evidence that neither shopping policy nor the long term viability of the retail unit will be prejudiced.

Justification

6.103 Although the council recognises that non-retail uses can contribute to the vitality and viability of lower tier centres, it also recognises that too many non-retail uses can undermine the retail base of the centre and can have a detrimental effect on the environment and nearby residents, for example through parking pressures, ambient noise levels and smells from cooking food. The extent to which non-retail pressures threaten the existing function of individual centres varies, with some being more capable of accommodating change than others.

6.104 The additional non-quota criteria such as vacancy and marketing evidence, to be used in assessing other uses, will allow flexibility in the consideration of uses within the centres. Class A3, A4 and A5 uses may still be limited to ensure that shopping parades retain their shopping function for the local community, but other uses such as community services or small businesses could be permitted.

6.105 Allowing non class A1 uses within local centres, neighbourhood parades and satellite parades, will add to the diversity of the centres. Because key local centres and satellite parades are larger and offer a greater range of services than neighbourhood parades, it is appropriate that a greater range of non-class A1 uses are allowed in these centres. Where proposals are contrary to the quotas, the council will consider the criteria set out in the policy, such as nature and characteristics of the use and evidence of need, to see if there is a case for approval. Residential use will not be permitted on ground floor frontages because this will impact upon the function of the centres. However, there may be circumstances where shopping and service use floorspace at the rear of a premises is surplus to requirements. In these situations, residential may be appropriate, but the council will require evidence that neither its shopping policies nor the long term viability of the retail unit will be prejudiced.

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Policy TLC4 - Small Non Designated Parades, Clusters and Corner Shops

Outside town centres, key local centres, neighbourhood parades and satellite parades, the council will seek to retain shops and other local services to meet local needs. Residential use and changes to other non class A uses will be permitted, except where this will result in a demonstrable shortage of class A1 uses in the locality.

In assessing an application in a non designated parade or cluster for a change of use from a class A1 use to any other use, the council will take into account:

- a. the proximity and the range of shops in the locality to meet local needs (where town centres, key local centres, protected parades and satellite parades are not within 400 metres);
- b. the length of time that the application premises may have been vacant and the marketing of the premises; and
- c. the number of uses that may adversely impact on the quality of the parade or cluster, such as betting shops and amusement centres.

Corner shops are important for meeting local needs and will be protected for continued retail use (class A1). Changes of use of corner shops from retail use will not be permitted where there is a shortage of alternative shopping (where town centres, key local centres, protected parades and satellite parades and non-designated parades and clusters are not within 400 metres).

In all calculations of the proportion of the frontage of street blocks in Class A1 and non-A1 uses, the council will take into account the lawful use and unimplemented extant planning permissions for changes of use.

Justification

6.106 A substantial amount of the borough's retail floorspace is located outside of the Local Plan retail hierarchy. These un-designated retail premises can provide important goods and services for local residents and the council does not wish to see a significant reduction in the stock of such premises. The quotas will normally be applied to the whole non designated parade or cluster, although the council may also take into account any shopping provision in nearby locations.

Policy TLC5 - Managing the Impact of Food, Drink and Entertainment uses

Planning permissions for use class A3, A4 and A5 food and drink establishments as well as arts, culture, entertainment and leisure uses will be subject to conditions controlling hours of operation, as follows:

- a. **except in predominantly commercial areas, such as parts of town centres – premises shall not be open to customers later than the hour of 23:00; and**
- b. **within predominantly commercial areas, such as parts of town centres – premises shall not be open to customers later than the hour of 24:00.**

Extended opening may be permitted where:

- **the activities would not be likely to cause impact especially on local residents, and that, if there is potential to cause adverse impact, appropriate measures will be put in place to prevent it; and**
- **there will not be any increase in the cumulative impact from these or similar activities, on an adjacent residential area; and**
- **there is a high level of public transport accessibility to and from the premises at appropriate times; and**
- **the activity will not be likely to lead to a demonstrable increase in car parking demand in surrounding residential streets and roads forming part of the Strategic London Road Network or the London Bus Priority Network.**

In addition, subject to the location of the proposals, the council will consider the type of activities appropriate to the class A3, A4 and A5 premises, and apply conditions on uses where these are appropriate.

Where a use will impact on local amenity, the council may also set an appropriate start time.

Justification

6.107 Hammersmith and Fulham has an extensive evening and night time economy which is centred in the three town centres. The council wishes to encourage this activity, and further opportunities to enhance the night time economy in the regeneration areas as part of mixed use developments. Activities such as restaurants, bars and pubs, cinemas and theatres, add variety and vitality to the town centres and, together with facilities in local centres, also provide services for the local community and visitors to the borough. In addition, these uses can provide important employment and economic development opportunities for the community. However, some of the uses and activities associated with this economy can, if not properly managed, detract from creating a high quality residential environment. In particular, the traffic and car parking generated, particularly in the evening and anti-social behaviour associated with some licensed premises can cause considerable

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problems for local residents. The appearance of ventilation ducts, and the noise and smell generated by restaurants, can also be a major problem, particularly in conservation areas, or where they are in close proximity to residential areas.

6.108 In order that the council can control the number and distribution of class A3, A4 and A5 uses, there are controls on the length of frontage that will be permitted to change to these uses in town centres and other parts of the borough. To manage the impact on residential amenity, the council will also control the scale and nature of new proposals, including how premises are managed, notably through regulation of opening and closing times. In addition, because of the impact that some uses may have on amenity, planning conditions may be applied to control hours of early morning opening.

6.109 Exceptions to the normal closing times may be possible provided that the policy clauses are met. In looking at these clauses, the council will consider a number of factors, including:

- the type of use and the number of customers likely to attend;
- the proposed hours of operation;
- the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by customers; and
- the means of access to premises, the level of likely car parking demand on surrounding streets and the cumulative impact of uses in the area, and the scope for mitigating any impact.

6.110 In certain cases, where there is clear evidence that particular types of use will have serious effects on residential amenity or the environment, the council will consider imposing conditions that restrict future changes of use which the Use Classes Order would otherwise allow.

6.111 The council's planning policy is complemented by its licensing policy which is designed to maintain a dynamic, innovative and attractive place to live, work and relax. The council works closely with the police, the fire authority, local businesses, community representatives and local people in meeting these objectives. The licensing policy recognises that certain types of licensed premises can lead to an increase in anti-social behaviour and the policy is designed to assist in prevention of crime and disorder in safeguarding public safety, in the prevention of public nuisance and in the protection of children from harm.

6.112 The council requires alcohol licence applicants to have planning permission before applying for a licence, and this allows the planning consent to determine the licensed hours of operation thereby helping to protect surrounding residential uses. There is additional guidance available from the council relating to the provision of tables and chairs on the public highway.

6.113 The council has also introduced a special policy relating to cumulative impact under section 182 of the Licensing Act 2003 (paragraphs 13.24 to 13.39) as well as the council's Statement of Licensing policy dated January 2011 at Annex 4 for parts of Fulham Town Centre, focusing on Fulham Broadway and Shepherds Bush.

6.114 Where premises do not require planning permission or already have consent, it will not be possible to control hours of operation through the planning process. Through town centre management initiatives the council will endeavour to ensure that the night time economy is managed in a way that benefits residents, visitors and businesses.

Policy TLC6 - Betting Shops, Pawnbrokers and Payday Loan Shops and Hot Food Takeaways

To ensure that shopping areas remain diverse and balanced, the council will seek to limit the amount and concentration of betting shops, pawnbrokers and payday loan shops in areas of high concentration.

Planning permission for new betting shops, pawnbrokers and payday loan shops will not be permitted in the prime retail frontage of town centres or within 400 metres of the boundary of an existing or permitted betting shop, pawnbrokers or payday loan shop.

Outside of these areas, planning permission will only be granted for a betting shop, pawnbrokers or payday loan shop in accordance with the quotas that apply and where it can be demonstrated that the proposal will not impact on residential amenity and will add to the vitality of the existing shopping parade or cluster.

When considering proposals for hot food takeaways (class A5), and in addition to the quota policies that will apply, the council will take into account proximity to areas where children and young people are likely to congregate, such as schools, parks and youth facilities.

Justification

6.115 Hammersmith and Fulham has a high concentration of betting shops, pawn brokers and payday loan shops per capita. There are notable concentrations on North End Road and in our designated town and local centres. Local retail health checks confirm that the over representation of such uses is especially high in the most deprived parts of the borough.

6.116 The over representation of betting shops, pawn brokers and payday loan shops in the most deprived parts of the borough can restrict the retail choices available to the more vulnerable members of the local community and can have an impact on their health and finances.

6.117 To ensure that shopping areas remain diverse and balanced, the council is seeking to limit the amount and concentration of betting shops, pawnbrokers and payday loan shops in areas of high concentration. This will also help the council address strategic and borough wide objectives in relation to health and regeneration. The betting shop exclusion zone of 400 metres enables the council to manage the amount of new betting shops within walking distance of existing premises, thereby reducing the clustering and concentration of such uses. 400 metres is considered to be a standard benchmark for walking distance equating to approximately 5 minutes walk. Applying a criteria to be met with regard to residential amenity will enable the council to only allow such uses in locations where they will not impact upon the local community.

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6.118 Although hot food takeaways provide a service for the community, the council is concerned about the potential health impacts of hot food takeaways on children and young people. Therefore, in the case of proposals for class A5 uses (hot food takeaways), consideration will be given to the proximity of schools and similar facilities as well as the prevalence and clustering of takeaways when assessing the acceptability of these uses. The council's Planning Guidance SPD provides further supplementary policy related to hot food takeaways.

Policy TLC7 - Public Houses

1. **The council will only permit the change of use or redevelopment of a public house (A4) after consideration of relevant town and local centre retail policies and an assessment of the following:**
 - a. **a viability report that demonstrates to the council's satisfaction that the public house is no longer economically viable, including evidence of active and appropriate marketing for a continuous period of at least 12 months;**
 - b. **the role the public house plays in the provision of space for community groups to meet and whether the loss of such space would contribute to a shortfall in local provision;**
 - c. **the design, character and heritage value of the public house and the significance of the contribution that it makes to the streetscape and local distinctiveness, and where appropriate historic environment, and the impact the proposal will have on its significance; and**
 - d. **the ability and appropriateness of the building and site to accommodate an alternative use or uses without the need for demolition or alterations that may detract from the character and appearance of the building.**
2. **Where the evidence demonstrates to the council's satisfaction that a public house is not economically viable, but where the building is assessed as making a significant contribution to the local townscape and streetscape, or is assessed as making a positive contribution to the historic environment, the council will require the building to be retained.**
3. **The proposed change of use of a ground floor of a public house for residential use will only be acceptable where:**
 - a. **the premises are not within a town centre, key local centre, satellite parade or neighbourhood parade;**
 - b. **the proposal has been assessed against parts 1c and 1d of this policy and the impact of the proposal on these features; and**
 - c. **the council is satisfied that residential use is acceptable, the accommodation to be provided will be of high quality and it meets the requirements outlined in residential standards.**
4. **The applicant will be required to carry out an assessment of the needs of the community for community facilities to show that the existing or former public house is no longer needed and that alternative provision is available in the area.**

Justification

The National Planning Policy Framework (NPPF)⁽⁴⁶⁾ identifies public houses as a community facility that contributes to enhancing the sustainability of communities and residential environments. As such, pubs should be safeguarded and retained for the benefit of the community and planning policies and decisions should guard against any unnecessary loss.

This approach is supported by the London Plan (2016) Policy 3.16 'protection and enhancement of social infrastructure' which cites the protection and enhancement of social infrastructure, which can include pubs. In addition, it is supported by changes to policy 4.8 (supporting a successful and diverse retail sector and related facilities and services) of the London Plan (2016) which recognises the important role that London's public houses can play in the social fabric of communities.

The council identified over 100 traditional pubs in the borough in 2014 after discounting premises that operate as bars and clubs. Over recent years the borough, like the rest of London, has seen a number of pubs change to other uses, including retail and residential. There is increasing public concern at this loss, however the General Permitted Development Order currently allows public houses (A4 Use Class) to change to some other uses including retail, professional and financial services, and restaurants without the need for planning permission. In instances where planning permission is required, the council will resist the loss of public houses as they can fulfil the following important community role:

- a **social** role in supporting local community interaction and activities to help maintain sustainable neighbourhoods;
- an **economic** role in contributing to the vibrancy and vitality of shopping and commercial areas, and the vibrancy of residential areas contributing to a mix of land uses; and
- an **environmental** role in their intrinsic value to the cultural and historic heritage of local neighbourhoods.

In order to ensure that the council can make a sound assessment when a change of use is proposed, applicants will be required to submit a viability report. The council will require supporting evidence that indicates that despite efforts to find a user for the premises it remains vacant. A reasonable marketing exercise will include continuous marketing generally over a period of at least 12 months with at least two recognised commercial agents. Evidence of this marketing will be required to be submitted along with the agents' views as to why the property is not letting.

The use of pub space for community groups can be a valued resource and evidence will be required demonstrating consultation has taken place with local community and voluntary organisations. Where there is local need, this use should be retained or replaced within the building, unless an alternative approach can be identified and agreed.

The retention of the ground floor for non-residential use will normally help maintain street activity and a mixed use neighbourhood.

46 Communities and Local Government, National Planning Policy Framework, March 2012

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When nominations are received, the council may also consider adding certain public houses to the Register of Assets of Community Value if the community support for their retention is significant.

The townscape, streetscape and heritage significance of the public house will need to be assessed, where relevant. This will mean submitting a report prepared by a suitably qualified professional, and where the heritage significance needs to be assessed, the submission of a heritage statement assessing the heritage values of the building as set out in English Heritage's Conservation Principles⁽⁴⁷⁾, including a townscape appraisal.

Where the building is deemed significant, but the retention of the public house use is shown not to be economically viable, then the building itself or the identified significance will need to be retained.

47 English Heritage's Conservation Principles: Policies and Guidance (2008)

Community Facilities, Leisure and Recreation

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Policy CF1 - Supporting Community Facilities and Services

The council will work with its strategic partners to provide borough-wide high quality accessible and inclusive facilities and services for the community by:

1. Seeking to ensure high quality healthcare and the retention and enhancement of existing healthcare facilities, such as accident and emergency departments, including Charing Cross Hospital; and
 - a. assisting in securing sites and buildings for future healthcare provision or reorganisation of provision, including local hubs for a wide range of health services in the north, centre and south of the borough, including new provision in the regeneration areas; and
 - b. supporting renewal of existing GP premises and other healthcare facilities where this is required.
2. Seeking the improvement of school provision, including:
 - a. improvement and/or expansion of secondary schools;
 - b. improvement and/or expansion of primary schools through the primary school capital programme;
 - c. supporting the creation of new free schools;
 - d. requiring the building of new primary schools as appropriate and applicable to the need generated by development proposals and available existing capacity in the White City Opportunity Area, the Fulham Regeneration Area (including Earls Court and West Kensington Opportunity Area);
 - e. working with and supporting the Old Oak and Park Royal Development Corporation in the provision of school facilities to meet the need arising from proposed development in the OPDC area;
 - f. supporting the provision of schools and facilities for those with special needs; and
 - g. supporting provision of childcare nurseries.
3. Improving the range of leisure, recreation, sports, arts, cultural and entertainment facilities by:
 - a. protecting existing premises that remain satisfactory for these purposes;
 - b. supporting re-provision of facilities for existing users in outworn premises where opportunities arise; and
 - c. seeking new facilities where appropriate and viable, including as part of major development proposals, in particular:
 - major new leisure, arts, sports and recreation facilities in the White City Opportunity Area, especially east of Wood Lane and in Shepherds Bush town centre, in the Earls Court and West Kensington Opportunity Area; and
 - water related sports and educational facilities in riverside developments.

- 4. Supporting the continued presence of the major public sports venues for football and tennis, subject to the local impact of the venues being managed without added detriment to local residents;**
- 5. Enhancing sport, leisure and cultural provision for schools and public use in suitable local parks;**
- 6. Protecting all existing community facilities and services throughout the borough unless there is clear evidence that there is no longer an identified need for a particular facility or service, or where that facility or service can be appropriately replaced or provided elsewhere in the locality;**
- 7. Supporting the Metropolitan Police Service, the London Fire and Emergency Planning Authority and Her Majesty's Court Service and action to deal with safety, crime and anti-social behaviour; and**
- 8. Requiring developments that increase the demand for community facilities and services to make contributions towards, or provide for, new or improved facilities.**

Justification

6.119 In a built up borough like Hammersmith and Fulham where there are many competing uses, it is important to maintain, manage and enhance community facilities. Such uses include education, health, leisure, places of worship, recreation facilities, and 3rd sector uses, but may also embrace uses such as pubs where they provide a valued community asset (see glossary for full definition). These community facilities can play an important part in the social fabric of communities and are an important element of what makes a decent neighbourhood. The council will work with partners to keep aware of needs, assist with the implementation of agreed programmes by allocating sites for specific uses and ensure that further requirements as a result of new development are taken into account.

6.120 Community facilities need to be located so that they have maximum accessibility for their potential users. It will be appropriate for some facilities that attract people from a large area to be located in a town centre or key local centre, and the council's policies allow for this possibility. Other local facilities may be better located close to the communities they serve. The council will seek to co-locate community facilities for which it is responsible and will encourage others to do so in order to provide services that are better integrated with both public and private sectors. The council believes that establishing community hubs in areas of the borough where there are high levels of deprivation will better meet the accommodation needs of the 3rd sector.

6.121 The council's strategy for the regeneration of the borough will see a rise in the borough's population as well as more visitors to the borough. This growing population will increase the demand for community services and facilities and will impact on all providers of social infrastructure, such as the Metropolitan Police Service and the NHS Clinical Commissioning Group. Finding sites for new facilities to support this growth can be difficult, but the council will ensure that the strategies for the borough's four regeneration areas fully take into account the need to provide appropriate education, health and other community facility infrastructure. Elsewhere, when new developments result in an increase in the demand for community facilities, they will also be required to make appropriate

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provision for new or improved facilities, to create sustainable development. Where there is pressure to redevelop existing facilities the council will protect these, unless it can be shown that a need no longer exists or that facilities can be appropriately replaced or provided elsewhere. The application of the need test, which includes the acceptability of proposals involving replacement/ alternative appropriate provision, is contained within the wording of Policy CF2.

6.122 The current situation regarding known planned community service provision is set out below.

Schools and other educational and training facilities

6.123 The council's key educational priorities are to:

- meet the council's statutory responsibility to meet demand for school places;
- progress the schools of choice agenda for expansion of popular schools;
- increase the percentage of resident children choosing the borough's schools; and
- deliver the Special Schools Strategy.

6.124 There will need to be an increase in primary and secondary school places in the north of the borough to meet the anticipated increase in child population. At secondary stage, the council is committed to the provision of adequate school places to meet local need, for instance the on-going expansion of Lady Margaret School, the on-going expansion of Sacred Heart School, and the recently completed new accommodation for Queensmill School, and is supportive of the development of post 16 learning. The council also supports the government's new Free Schools policy which it considers will improve the educational choices of children in the local community. The following Free Schools have been established in the Borough: West London Free School (Primary and Secondary); Earls Court Primary; Ark Conway; Fulham Boys School (C of E) Secondary and new Ark Primary School within the grounds of Burlington Danes Academy. A temporary 16-19 Free School operated by Tri-Borough Alternative Provision (TBAP) Multi Academy Trust (MAT) is planned to open in September 2016. Redevelopment of existing buildings as well as the provision of a new build is expected to be completed in December 2017. Delivery of the above strategy will result in improved education and training so that young people will be better able to take advantage of local jobs.

6.125 The following school improvements have been committed to in the Council's Primary, Secondary and Alternative Provision Strategy for 2016/17 and beyond with funding from the Children's Services Capital Programme:

- Expansion of Pope John Primary School (on site 2015)
- Expansion of Holy Cross RC Primary School
- Expansion of Holy Cross Bilingual provision at Clancarty Road
- Development of an improved Alternative provision at the Bridge Academy
- William Morris Sixth Form – enhanced SEN provision (on site 2015)
- New special needs centre offering 19+ Provision at Queensmill School

6.126 In addition the council will generally support developments that improve independent educational, further educational and training facilities in the borough.

Leisure, recreation, sports, arts, culture and entertainment facilities

6.127 The borough has a rich and varied range of leisure, recreation, sports, and arts, culture and entertainment facilities. The responsibility for the provision of these facilities, including investment and maintenance, falls to a number of organisations, including the council. As the facilities give residents and visitors to the borough the opportunity to participate in a range of activities that help to improve quality of life, health and well being, the council will seek to protect existing uses, such as the Apollo, the Lyric Theatre and Linford Christie Stadium, and assist in providing new facilities. Where there is a recognised deficiency in the provision of any facility or activity, the council will seek to readdress this situation through the application of Local Plan policies, particularly in the regeneration areas where there are identified development sites (see also policies for these areas).

6.128 In respect of sport, the limited amount of open space in the borough, including in most of our secondary schools, means that the council has to maximise the use of its resources. The council have prepared a Sports and Physical Activity Strategy to increase participation in sports.

6.129 Given the limited amount of open space, the council also wants to make better use of the Thames River for water sports and the council will negotiate for new facilities, as part of redevelopment schemes, where appropriate.

Health

6.130 The council wishes to see the improved health and wellbeing of the community and will work with the Imperial College Healthcare NHS and other partners to achieve this objective. The council recognises there are changing health needs as a result of factors such as people living longer and more people living with long-term conditions like diabetes, heart disease, asthma and dementia. However, whatever the needs, the priority must continue to be to improve the health of all residents, to reduce health inequalities and to deliver new and improved health facilities in the borough.

6.131 The Imperial College Healthcare NHS' s strategy has led to the reorganisation of hospital facilities and other health services in the borough, including the closure of A&E services at Hammersmith Hospital. The council is concerned that such changes should not lead to the reduction of NHS services and particularly supports the continuation of A&E services at Charing Cross. The council supports the enhancement of existing facilities and provision of new services with capital receipts from sales of land and buildings where release has been justified.

6.132 In terms of secondary care, the three main hospitals operating in the borough (Queen Charlotte's Hospital, Hammersmith Hospital and Charing Cross Hospital) are managed by the Imperial College Healthcare NHS Trust which is one of the largest NHS trusts in the country. As part of the 'Shaping a Healthier Future' service re-modelling, due to be implemented in 2017, it has been announced that Charing Cross Hospital will become a world-class elective (non-emergency) surgery centre and will retain its local Accident and Emergency (A&E) service, along with other changes. The council will continue to work with its health delivery partners to protect hospitals and A&E units and to ensure adequate services are provided to support the existing and future population of the borough.

6.133 In terms of primary care, the Hammersmith & Fulham Clinical Commissioning Group (CCG) is responsible for commissioning local health care services in conjunction with the NHS Commissioning Board. The CCG commissions local community and acute services and works with GP's to support primary care. The ambitions of the CCG are set

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out in its Out of Hospital Care Strategy 2012-2015 which aims to shift the emphasis towards providing more care in GP surgeries, people's homes, local communities, and in children's centres and schools. The NHS Commissioning Board develops and oversees all CCG's and directly commissions primary care services and some specialised services.

6.134 In terms of primary care property and estates, the Department of Health has set up NHS Property Services Limited (NHS PS) to provide expert management of a large portion of the NHS estate which owns and manage all PCT estate that was not transferred to NHS providers in March 2013. It also manages 'surplus' NHS and government estate. The focus of its role centres on delivering and developing cost-effective property solutions for community and primary care health services. NHS PS works with the new commissioning bodies and the Health & Wellbeing Boards (HWBs) to ensure that estate needs of the local NHS can continue to be met.

6.135 The Local Plan also recognises the contribution that other elements of the plan have on the health of residents ("public health"), including access to parks and play areas, recreation facilities, the opportunities to walk and cycle, community safety, access to shops selling fresh foods, controls on hot food takeaways, educational attainment and access to employment, the borough's air quality and noise and light pollution. Public health functions and statutory duties are managed by the Tri-Borough Public Health Department (jointly between LBHF, RBKC and City of Westminster). It works with and supports other council services in delivering public health benefits, including recognising the influence planning and the built environment has on improving health and wellbeing and reducing health inequalities.

6.136 The council also has a Health & Wellbeing Board (HWB) which has statutory duties including promoting integrated working, the production of a Joint Strategic Needs Assessment (JSNA) and a Joint Health and Wellbeing Strategy (JHWS) which is informed by the JSNA. The JHWS has been developed which sets out the following priorities:

- integrated health and social care services which support prevention, early intervention and reduce hospital admissions;
- delivering the White City Collaborative Care Centre to improve care for residents and regenerate the White City Estate;
- every child has the best start in life;
- tackling childhood obesity;
- supporting young people into Healthy Adulthood;
- better access for vulnerable people to Sheltered Housing;
- improving mental health services for service users and carers to promote independence and develop effective preventative services; and
- better sexual health across Tri-borough with a focus on those communities most at risk of poor sexual health.

6.137 In the council's regeneration areas it will be important for new health services to be provided as part of supporting social infrastructure. The council will also seek other ways of improving the health of residents, including access to new and existing parks and play areas, recreation facilities, opportunities to walk and cycle, community safety, access to shops, controls on hot food takeaways, educational attainment and access to jobs, and management of air quality and noise and light pollution. It is also important to the council that existing health and community facilities are protected and improved, such as those at Park View Centre for Health and Wellbeing, Parsons Green Health Centre, White City Community Centre and Milson Road Health Centre.

6.138 Further details on proposals for specific new or expanded health facilities are provided in the Infrastructure Schedule in the Infrastructure Delivery Plan.

Policy CF2 - Enhancement and Retention of Community Uses

Proposals for new or expanded community uses should meet local needs, be compatible with and minimise impact on the local environment and be accessible and inclusive to all in the community they serve.

The provision of new or expanded community uses should be provided as part of the necessary supporting social infrastructure for significant new housing and other development proposals. Where it is not appropriate to provide community uses on site or as part of a development scheme, a contribution to new and/or enhanced uses in the locality will be sought.

In any development proposal, existing community uses should be retained or replaced, unless there is clear evidence that there is no longer an identified short or long term need for a particular facility or service, or where the existing facility or service can be appropriately replaced or provided elsewhere in the locality. In assessing need and viability, the council will:

- **take into account the role the facility plays in the provision of space for community groups and whether the loss of such space would contribute to a shortfall in local provision; and**
- **require a viability report that demonstrates to the council's satisfaction that the facility or an alternative community use is not economically viable, including evidence of active and appropriate marketing for a continuous period of at least 12 months.**

Justification

6.139 Buildings and land used for community uses constitute a major community resource. Community uses cover a variety of activities (see Glossary for definition) ranging from schools and churches to some public houses and often need to be sited in locations that are readily accessible to the users of a specific service, particularly where it serves a local community. However, whilst some community uses will have a local catchment, others may attract users from a much wider area.

6.140 Where new or expanded community uses are provided, they should be designed to meet need and should be accessible, affordable and adaptable, and where appropriate offer flexible accommodation that can be used for a variety of uses. In those circumstances where it is not appropriate to provide new facilities as part of a development scheme, for example because the development is not large enough or because there are other nearby schemes also liable to provide social infrastructure, it may be more appropriate to provide funding towards new or expanded facilities to be provided in the locality.

6.141 The loss of buildings and land for community uses will only be acceptable where there is no identified need for the facility and satisfactory marketing has been undertaken for appropriate alternative community uses. An assessment of short term and long term need should be provided together with evidence of viability in such circumstances where the loss of community uses is proposed and where the existing use is capable of being

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tested for economic viability. The assessment should include how this need is currently being met and give consideration of other existing providers which contribute to meeting that need. The Localism Act's provisions allow local community groups, which meet a set of criteria laid down by government, to nominate an 'asset' in their local area to be placed on a Register of Assets of Community Value. The purpose of this is to give community groups the opportunity to identify land or property that they believe furthers the social wellbeing or social interests of the local community, and gives them time to bid for that asset if an owner decides to sell.

Policy CF3 - Enhancement and Retention of Arts, Culture, Entertainment, Leisure, Recreation and Sport uses

The council will support the enhancement of arts, culture, entertainment, leisure, recreation and sport uses by:

- a. **supporting the continued presence of the borough's arts, culture, entertainment, leisure, recreation and sports venues subject to the local impact of venues being managed without added detriment to local residents;**
- b. **requiring proposals for new and expanded venues to be accessible and inclusive and to be supported by evidence of how impacts such as noise, traffic, parking and opening hours have been assessed, minimised and mitigated;**
- c. **seeking retention or replacement of existing arts, culture, entertainment, leisure, recreation and sport uses, unless there is clear evidence that there is no longer an identified need for a particular facility or alternative community arts, culture, entertainment, leisure, recreation and sport uses. A viability report that demonstrates to the Council's satisfaction that the facility or alternative arts, culture, entertainment, leisure, recreation and sport use is not economically viable, including evidence of active and appropriate marketing for a continuous period of at least 12 months, will be required; and**
- d. **encouraging the temporary use of vacant buildings for community uses, including for performance and creative work.**

Justification

6.142 Accessible arts, cultural, entertainment, leisure, recreation and sports facilities are important elements of social infrastructure and contribute greatly to the quality of life of all members of the community as well as visitors to the borough. Such facilities are particularly important elements of town centres and will be essential in supporting the borough's growth which is particularly directed to the four regeneration areas (see also policies for these areas).

6.143 The venues occupied by these uses vary greatly from purpose built premises to conversions from other uses. They are often open during the evening and at night-time, for example music venues, and along with uses such as restaurants and pubs and bars, help sustain a night-time economy which is particularly vibrant in the town centres. However, because such uses can also impact on residential amenity, for example through comings and goings, it is necessary for new or expanded venues to be appropriately located and managed.

6.144 Notwithstanding the presence within Hammersmith and Fulham of a varied range of arts, cultural, entertainment, leisure, recreation and sports facilities, there are some parts of the borough that are not well served by such uses. It is important to try reduce these deficiencies. Facilities the borough has must therefore be protected. As a consequence, the council will require adequate justification for any proposals for change of use or redevelopment of premises to other uses. The proposed loss of buildings and land that are used for arts, culture, entertainment, leisure, recreation and sports uses will be considered against criteria such as the suitability and viability of the site or premises for such uses with or without adaption, evidence of unsuccessful marketing, evidence of need and community asset value. In addition, in order to try to reduce deficiencies in provision, when regeneration schemes come forward, the council will seek to ensure that these are accompanied by arts, cultural, entertainment, leisure, recreation and sports uses that are appropriate to the scale and location of the development and are accessible and affordable and meet the needs of the community.

6.145 Temporary use of buildings may offer the opportunity for community uses, particularly those that are transient or may have a short life. They may help to enliven town centres where vacancy is an issue.

Policy CF4 - Professional Football Grounds

In considering any redevelopment proposal for all or part of an existing football ground, the council will require the provision of suitable facilities to enable the continuation of professional football or other field-based spectator sports.

6.146 The council wishes to retain professional football in the borough, because it provides a major source of entertainment and contributes to the life of the community. The council is only prepared to consider re-development proposals for professional football grounds if they make provision for continuation of professional football or other field-based spectator sports at that ground. If it can be demonstrated that professional football or other field-based spectator sports are no longer viable there, the redevelopment should include provision for other community service uses in accordance with other policies in this Chapter.

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Green and Public Open Space

Policy OS1 - Parks and Open Spaces

The council will protect, enhance and increase provision of parks, open spaces and biodiversity in the borough by:

- a. designating a hierarchy of open space that includes metropolitan open land (MOL), open space of borough wide importance and open space of local importance (see Appendix 3) as well as a hierarchy of nature conservation areas of metropolitan, borough and local importance, and green corridors along the borough's railway lines (see Appendix 4);
- b. requiring a mix of new public and private open space in the White City and Earls Court and West Kensington Opportunity Areas and the South Fulham Riverside Regeneration Area and in any new major development; and
- c. improving existing parks, open spaces and recreational facilities throughout the borough.

Justification

6.147 In a densely built up area like Hammersmith and Fulham, the local environment and public spaces are very important.

Hierarchy and status of parks and open space

6.148 The council's 2008 Parks Survey and other background information shows that open space is important for peoples' quality of life and for enhancing biodiversity in the borough. Open spaces provide opportunities for people to exercise and to take part in outdoor sport and recreation which enhances the health of local people. It is therefore important to maintain open spaces for the benefit of the community and involve local communities in the use of such spaces. The council has designated an open space hierarchy that responds to the variety of parks and open spaces in the borough, including strategically important open space, namely Metropolitan Open Land (MOL), and open spaces of borough-wide and more local importance (see Proposals Map and Appendix 3). Overlapping with this hierarchy are those areas which have particular nature conservation interest. These areas were originally identified by the former London Ecology Unit and are classified as of metropolitan, borough-wide and local importance (see Proposals Map, Map 6 below and Appendix 4). On Wormwood Scrubs, now in the Old Oak and Park Royal Development Corporation, there is also a designated local nature reserve.

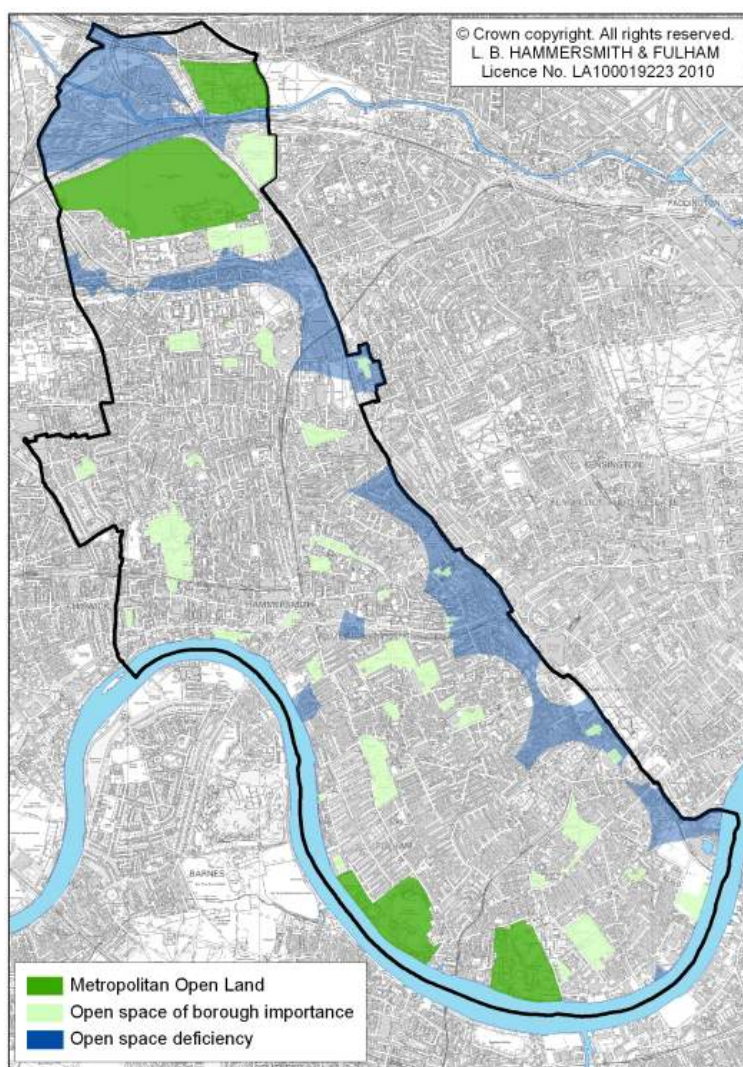
New and improved parks and open spaces

Map 6 Open Space

6.149 The Council's 2006 Open Spaces Audit reveals that Hammersmith and Fulham has relatively little open space per person and with more people living and working in the borough, the improvement of existing parks and open spaces and facilities within them, and the provision of more public open space and private amenity space as part of new developments will be important, particularly in areas of deficiency (see Map 6).

6.150 The Parks and Open Spaces Strategy 2008-2018 sets out a framework for the delivery of services and future improvement actions for the London Borough of Hammersmith and Fulham, community partners and stakeholders involved in providing, managing and enjoying open spaces across the borough. Due to the existing deficiency in open space, nature conservation (see Map 7) and children's play areas throughout the borough, it is important that new developments contribute to reducing this deficiency by provision of open space and play facilities for all ages as part of regeneration schemes. Such open space should be provided overall in a combination of public and private areas.

6.151 In the opportunity and regeneration areas there are opportunities for new open space. This may be provided in a number of ways, for example, in easily accessible small private spaces and in larger parks. New publicly accessible open spaces, whether public or private, will allow provision of high quality and attractive, durable and adaptable places and contribute to improving the quality of life, reducing the incidence of crime and anti-social behaviour and to making places better for people. This will offer opportunities to contribute to biodiversity and flood risk management.



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Policy OS2 - Access to Parks and Open Spaces

The council will seek to reduce open space deficiency and to improve the quality of, and access to, existing open space by:

- a. refusing development on public open space and other green open space of borough-wide importance (see Appendix 3 and Proposals Map) unless it can be demonstrated that such development would preserve or enhance its open character, its function as a sport, leisure or recreational resource, and its contribution to biodiversity and visual amenity;
- b. refusing development on open space that is not identified in the Local Plan where such land either on its own or cumulatively has local importance for its open character or as a sport, leisure or recreational facility, or for its contribution to local biodiversity or visual amenity unless:
 - the proposed development would release a site for built development needed to realise a qualitative gain for the local community in pursuance of other physical, social and economic objectives of the Local Plan and provision is made for replacement of open space of equal or greater value elsewhere.
- c. requiring accessible and inclusive new open space in any new major new development; and
- d. seeking improvements to existing open space and the facilities within them, such as Linford Christie Stadium, where appropriate and when development proposals impact upon provision.

Justification

6.152 The type, size and quality of parks and open spaces, including allotments, play areas, school playing fields and private gardens in the borough varies, but they have many benefits, including those associated with health, sport and recreation, children's play, culture, biodiversity and the public realm.

6.153 The council considers that it is important to have a general presumption against development on existing open space, however, notwithstanding the need to protect, improve and increase open space in the borough, situations may arise when the benefits of protecting existing open spaces (private and public) need to be considered against the benefits of allowing some limited development on them. The policy criteria that relate to the possible release of open spaces of borough-wide importance and local importance are considered appropriate to clarify the special circumstances where limited types of development on public and private open space may be acceptable. However, it will not be appropriate to exacerbate or create a deficiency in access to open space or undermine the overarching objective to improve access to open space. In order to improve access to the borough's parks and open spaces for local residents, the council will restrict their use for private events and use by out-of-borough schools.

6.154 New open space is sought in regeneration areas and strategic site policies to help achieve the vision of a borough of opportunity for all. It is also sought elsewhere as opportunities arise and if justified by the type and nature of the development. This approach will require new accessible and inclusive open space to meet the needs of the occupiers

of the new development, including schools, and other users, to help reduce open space deficiency; to improve the public realm and to contribute to biodiversity and flood risk management. The open space requirement will be secured through on site provision or, if appropriate, elsewhere in the borough.

6.155 In some cases, a contribution to secure improvements in existing open space, rather than provision of new open space, will be appropriate. This is likely to involve improvements to existing public open space in proximity to developments where it is not practicable to provide adequate open space on site. The improvements could include new or upgraded play areas, refurbished pathways, better signage or additional seating, and would be provided in the context of the council's Parks and Open Spaces Strategy. The council will support friends' groups that are representative of the community and will work in partnership with all groups that meet these overarching criteria to improve parks and open spaces. The more detailed matters of nature conservation and greening are included in the Planning Guidance SPD.

Policy OS3 - Playspace for Children and Young People

Development proposals should not result in the loss of existing children and young people's playspace or result in an increased deficiency in the availability of such playspace.

In new residential development that provides family accommodation; accessible and inclusive, safe and secure communal playspace will be required on site that is well designed and located and caters for the different needs of all children, including children in younger age groups, older children and disabled children. The scale of provision and associated play equipment will be in proportion to the scale and nature of the proposed development.

Justification

6.156 High quality playspace is important for children of all age groups, including those who are disabled, but particularly for children who do not have access to private gardens or amenity space so that they may have opportunities for play, social interaction and the physical activity. As with open space in general, it is important to protect and improve existing playspace in a borough where there is an overall deficiency of such facilities and an uneven distribution. The council has a programme for refurbishment of play areas.

6.157 New residential development, including mixed use developments with housing, in the identified regeneration areas and elsewhere should make provision for new playspace. The council will take into account the Mayor of London's SPG⁽⁴⁸⁾. The council considers that playspace for young children should be located close to the home, but for older children and teenagers it could be located off site if this is considered appropriate.

Policy OS4 - Nature Conservation

The nature conservation areas and green corridors identified on the Proposals Map (and shown on Map 7 and listed in Appendix 4) will be protected from development likely to cause demonstrable harm to their ecological (habitats and species) value. In these areas, development will not be permitted unless:

- a. the proposed development would release a site for built development needed to realise a qualitative gain for the local community in pursuance of other physical, social and economic regeneration objectives of the Local Plan, and measures are included for the protection and enhancement of any substantive nature conservation interest that the site may have so that there is no net loss of native species and no net loss of habitat; or
- b. provision is made for replacement nature conservation interest of equal or greater value elsewhere in the locality.

Outside of the areas identified on the Proposals Map, proposals should enhance the nature conservation interest through initiatives such as new green infrastructure and habitats, tree planting and brown and green roofs and protect any significant interest on the site and any nearby nature conservation area, appropriate to the scale and nature of the development.

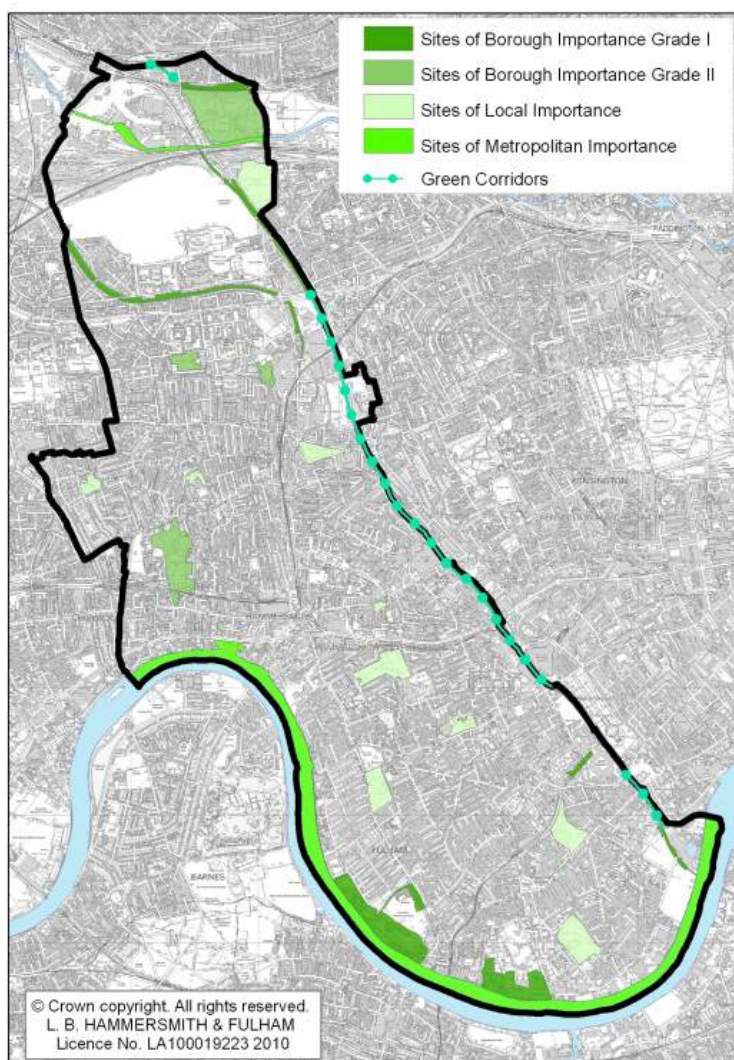
Planning conditions will be imposed, or planning obligations sought to ensure the maintenance and enhancement of nature conservation areas where these are affected by development proposals.

Justification

6.158 There are nature conservation areas of metropolitan importance in the borough, namely the River Thames and its inlets, and the Kensal Green Cemetery. There are also a number of sites of borough-wide and local importance. All three types of areas provide habitats for species of flora and fauna, as well as a valuable resource for the local community for educational and recreational purposes. In a borough where land is at a premium and where many locations require physical, social and economic regeneration, it is important to protect these areas from demonstrable harmful impacts both from on-site development but also from development in the local area because of their contribution to ecosystem services. Where replacement nature conservation areas are proposed as a result of development, then permission will only be given where it has been demonstrated that there will be at least equal nature conservation value, that is no net loss of either species or habitat, provided by the new site. It is also important that these areas are managed in order to minimise the impact of invasive non-native species.

Map 7 Nature Conservation Areas

6.159 In this borough green corridors extend along parts of the railway network and link nature conservation areas. The River Thames allow some animals and plants to penetrate further into the built-up area than would be the case if they did not exist. They may thus enhance the major habitats that they link e.g. the railway line linking the river and the canal and the nature conservation areas in between. Such corridors are of great value in boroughs such as Hammersmith and Fulham which are not well endowed with nature conservation areas. Opportunities to further strengthen the fundings of the green corridors will be sought. These may be future development proposals within the corridors, including those arising from operational uses or specific environmental improvement schemes as a result of council or voluntary activities. Any such proposals to enhance the green corridors or waterways, including filling in gaps or extensions, should not prejudice the operational needs alongside the road or rail thoroughfares, or the safe navigation of the waterways.



6.160 The closely built-up nature of the borough, and the overall deficiency in accessible nature conservation areas, makes it important that all new development respects existing nature conservation interest and provide future opportunities to improve the biodiversity of the area. The regeneration areas play an important part in this. In respect of new development, this can readily be achieved by following a few simple guidelines which do not affect the efficient functioning of the new building, and are not likely to be a significant part of total development costs. Nature conservation measures can enhance the character of the building and the value of the site.

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Policy OS5 - Greening the Borough

The council will seek to enhance biodiversity and green infrastructure in the borough by:

- a. maximising the provision of gardens, garden space and soft landscaping, seeking green or brown roofs and other planting as part of new development;
- b. protecting back, front and side gardens from new development and encouraging planting in both back and front gardens;
- c. seeking to prevent removal or mutilation of protected trees;
- d. seeking retention of existing trees and provision of new trees on development sites; and
- e. adding to the greening of streets and the public realm.

Justification

6.161 Enhancing biodiversity and increasing the amount of green areas through new development will have a number of benefits to the borough. Soft landscaping and increasing the number of trees not only benefit biodiversity but also can help to reduce the impact of higher summer temperatures and reduce rainfall run-off rates, which will help to reduce the risk of surface water flooding, as well as improving the borough's health, for example through improved local air quality. There will also be visual benefits from a greener borough. Green or brown roofs and walls are also an essential sustainable design consideration and provide many of the benefits of more conventional urban greening.

6.162 Back, front and side gardens can play an important part in maintaining biodiversity as well as contributing to the townscape and quality of life. Parked cars in front gardens can add visual clutter and be detrimental to the appearance of the street scene, impact on permeable surfaces and reduce the potential for soft landscaping and tree planting which would add to the street scene. The council therefore wishes to protect gardens and will generally discourage the installation of paving and impervious surfaces in existing front gardens and will encourage their removal, unless the paving is original. The enhancement of front gardens will not only help improve the street environment and biodiversity, but will also reduce the rate of surface water run off and the risk of flooding. More detailed guidance for applicants seeking permission for new development is included in the council's Planning Guidance SPD.

6.163 The loss of trees will nearly always result in a deterioration of the ecological value and environmental character of an area and will not be acceptable without good cause, particularly if subject to a Tree Preservation Order. Pruning or reducing, using best practice, should be investigated as an alternative to other trees works. New development schemes provide the opportunity to provide landscaping including tree planting on site. Trees indigenous to this country should be planted, as these provide habitats for indigenous wildlife. This policy needs to be read in conjunction with the Mayor of London's SPG on Green Infrastructure & Open Environments⁽⁴⁹⁾.

49 Green Infrastructure & Open Environments: Preparing borough tree and woodland strategies– February 2013

River Thames

Policy RTC1 - River Thames

The council will work with its partner organisations, including the Environment Agency, Port of London Authority, Thames Water and landowners to enhance and increase access to, as well as use of, the waterways in the borough, namely the River Thames, and improve waterside environments by:

- a. identifying the Thames Policy Area on the Proposals Map and setting out general criteria for the design of development in this area, in this Local Plan;
- b. encouraging the development of vacant or underused land along the waterways, namely the River Thames, Chelsea Creek and taking into account their local context and character;
- c. protecting existing water dependent uses and requiring new development to provide opportunities for water based activities where appropriate and enhance river and canal related biodiversity, safeguard and enhance where necessary flood defences, as well as encouraging public access especially for leisure and educational activities; and
- d. ensuring the provision, or improvement and greening, of the Thames Path National Trail (the riverside walk) in all riverside developments.

Justification

6.164 The River Thames is of considerable benefit to Hammersmith and Fulham and is of strategic importance to London as a whole. The Thames Policy Area designation and associated policies aim to protect the features of the riverside and of the river, including the Chelsea Creek, particularly its environmental quality and importance as:

- a major linear open space which is particularly important in an area with limited parks and open spaces;
- a landscape feature with views and landmarks of local importance;
- a resource for recreation and sport, tourism and leisure;
- an ecological resource and an important refuge for plants and wildlife;
- an area with considerable archaeological and historic interest; and
- a transport resource.

6.165 Further details of the qualities and character of the river and riverside are included in the Thames Strategy - Kew to Chelsea 2002.

6.166 A balance needs to be reached between the many functions of the river. In Hammersmith and Fulham there is a particular issue with vacant and under-used safeguarded wharves and the development of the land adjoining these sites. More detail on the wharves is provided in the policy for the South Fulham Riverside Regeneration Area. However, in respect of the land adjoining the wharves, their sterilisation would not accord with London Plan⁽⁵⁰⁾ policies to optimise the potential of sites or to improve the environment of the River Thames. It is therefore the council's intention to encourage

50 Mayor of London, The London Plan: spatial development strategy for Greater London, GLA March 2016

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development of these sites and to encourage suitable waterside uses as part of mixed use schemes where these would be appropriate. However, the development of land should take into account London Plan (2016) policy and the need for design to seek to minimise conflict between different uses (see also Local Plan policy RTC4). The River Thames has a significant potential for water based activities that can increase opportunities for participation in sport and recreation in the borough. It also provides a home for a number of boat dwellers.

6.167 It is important that all waterside developments respect the flood defences and enhance these where necessary. The council will work closely with the Environment Agency on these matters. It is also important to extend and improve the Thames Path National Trail, together with pedestrian and cycling routes to link it to the surrounding area, which will often depend on the development of the vacant and underused riverside sites.

Policy RTC2 - Access to the Thames Riverside and Foreshore

The council will seek accessible and inclusive public access to the riverside, including through-site links when riparian development takes place and the provision and enhancement of the Thames Path National Trail (the riverside walk). It will also seek the retention and enhancement of access to and from the foreshore in development schemes where it is appropriate and safe to do so, and will promote enjoyment of riverside heritage assets and open spaces.

The riverside walk should generally be at least 6 metres wide and should be accessible to cyclists if this can be achieved without risk to the safety of pedestrians or river users.

All proposals will need to ensure that flood defences are not adversely affected.

Justification

6.168 The council has for many years been seeking to open up the riverside and river for greater public access. This includes through-site links in new riverside development, and the provision of an accessible and safe access way along the whole length of the riverside as part of the Thames Path National Trail (see policy RTC1 - River Thames). New sections of the river walk will normally be achieved when redevelopment of riverside land takes place and its provision is specifically set out in the policies for South Fulham Riverside Regeneration Area. Elsewhere, development will still be expected to incorporate construction of the riverside walk, and in instances where development creates a direct need to improve or enhance an existing section of the riverside walk, planning conditions may be imposed or developer contributions sought.

6.169 Although priority will be given to pedestrians so that they may benefit from the many opportunities that walking can give, the council wishes to encourage cycling, and the riverside walk can also provide a traffic-free route for cyclists. Measures will be taken to reduce pedestrian/cyclist conflicts, for example by providing separate paths where appropriate, or measures to slow cyclists. The council also accepts that the design of the riverside walk should respect and enhance the natural character of the river wherever possible e.g. by use of planted embankments. However, it should also embrace the

industrial heritage of the river so that visitors, can learn about the river's past. The council's Riverside Walk Enhancement Report 2010 provides details of opportunities for improving the riverside walk.

6.170 Access to the foreshore, which is primarily in the ownership of the Port of London Authority, can have a recreational and educational value. There is a right of access for fishing, navigational and other customary purposes, but public access must be considered in the context of the environmental and archaeological importance of the foreshore and particularly safety considerations, bearing in mind the fast tidal flows affecting this part of the River Thames.

6.171 Development bordering the river has an important role to play in access to the foreshore. Some sites may include drawdocks, slipways, steps, stairs, hards, piers, pontoons, ladders, chains or other infrastructure enabling access to and from the river and its foreshore. It is important that these are retained, kept in good repair or added to as appropriate, and planning conditions may be used to ensure this happens. The profile of the river bank may also have a bearing on ease of access to and away from the foreshore, and on the protection of environmental interests, while mutual visibility between development sites and the foreshore is also an important aid to public safety. These are matters that will be taken into account when considering the design of developments bordering the river.

6.172 Consultation with the Port of London Authority, the Environment Agency and other stakeholders will be undertaken on all proposals concerned with or affecting access to the riverside and the foreshore.

Policy RTC3 - Design and Appearance of Development within the Thames Policy Area

Development will not be permitted within the Thames Policy Area as shown on the Proposals Map, unless it:

- respects the riverside, including the foreshore, context and heritage assets;
- is of a high standard of accessible and inclusive design; and
- maintains or enhances the quality of the built and natural environment.

The council will encourage the greening and naturalising of the river bank and/or flood defences with reference to the Thames Estuary 2100 Plan to create habitats for wildlife and improve the visual attractiveness of the area. Schemes that meet these requirements, and, by their design, contribute to creating an attractive, safe and interesting riparian environment will be welcomed. The council will require the submission of a design and access statement as part of a planning application within the Thames Policy Area.

Justification

6.173 In addition to the general design policies, development on the riverside needs to respect the unique character of the river, having particular regard to the height, massing and bulk of development and its relationship to the river corridor, river walk and/or river edge, its tributaries and foreshore, as well as landward development. The river and much

6 Borough-wide Policies

of the riverside is subject to conservation area status, whilst the river itself is a nature conservation area of metropolitan importance and development must protect its ecological value.

6.174 The aim is to secure a special quality for all new development on the river and riverside, and where appropriate to enhance the vitality of the riverfront and include river-related uses that attract the public. The design and access statements should include:

- an assessment of scale, mass, height, silhouette, density, layout, materials and colour in relation to the local context, including river frontage;
- impacts on local and strategic views, including views across, along and from the river, the skyline and local landmarks and historic buildings and structures and archaeological remains;
- impacts on navigation, hydrology and ecological interests;
- proposals for river edge treatment, including evidence of the Environment Agency's agreement if the 16 m setback for development from the river flood defences is not met and impact on the integrity of flood defences;
- visual and physical permeability and links with the river's hinterland; and
- sections on protecting and enhancing public access to and along the river, landscaping, open spaces and street furniture and lighting.

6.175 The council will refer to conservation area character areas character profiles and to the 'Thames Strategy - Kew to Chelsea (2000)' to assist in identifying the qualities of the Thames Policy Area, including:

- i. the individual character of reaches within the borough;
- ii. areas, sites, buildings, structures, landmarks, skylines, landscapes and views of particular sensitivity and importance;
- iii. development sites and regeneration opportunities;
- iv. sites of ecological importance;
- v. sites of archaeological importance;
- vi. focal points (existing and proposed) of public activity; and
- vii. public access and recreation opportunities.

6.176 In respect of proposals for tall buildings, further policy guidance is provided in policy DC3 'Tall Buildings'. The South Fulham Riverside Regeneration Area policy has additional guidance for this area.

Policy RTC4 - Water-Based Activity on the Thames

Development will not be permitted if it would result in the loss of existing facilities in the river for water-based activities and uses, unless the facilities are demonstrably surplus to current or anticipated requirements, or unless alternative facilities of similar or greater utility are to be provided. Specific requirements regarding development of the borough's three safeguarded wharves are set out in the London Plan.

Developments that include provision in the river for water-based and river-related activities and uses, including new permanent moorings, passenger services, and for facilities associated therewith, particularly where these would be publicly accessible, will be welcomed, provided:

- a. they are compatible with the character of the river, the riverside, and the importance of the river as a wildlife habitat;**
- b. they do not impede or give rise to hazards to navigation, water flow, the integrity of flood defences or public safety; and**
- c. they accord with other objectives and policies of the Plan.**

Justification

6.177 The River Thames can and should be used in ways that reflect its special character, for example as a base for many water-related recreational and commercial activities, a transport route that can relieve congestion on road and rail, a feature of the landscape and a habitat for many varieties of flora and fauna.

6.178 It is important to retain and improve the river infrastructure identified in paragraph 6.176 above, such as drawdocks, slipways, steps, stairs, hards, piers and pontoons because these enable access to and from the river for water-based activities such as sailing and rowing and for improved passenger services on the River Thames. Although, the council wishes to see increased use of the river and will seek new facilities in riverside development, a balance must always be struck with regard to other issues such as ecological and navigational interests and the amenity of residential neighbours. In particular, improving the quality of the river for aquatic life could be adversely affected by inappropriate development extending onto the foreshore or into the river and proposals will be resisted unless these serve a water based purpose.

6.179 In considering proposals for the use of the river, the council will consult and collaborate with appropriate organisations such the Port of London Authority and the Environment Agency. Proposals for development on the three safeguarded wharves are subject to referral to the Mayor of London under amended directions issued to the council in 2000. London Plan (2016) policy 7.26 and supporting text set out the viability tests against which the redevelopment of safeguarded wharves for other land uses should be assessed. In addition, the development of sites adjacent or opposite safeguarded wharves should be designed in such a way so as to minimise the potential for conflicts of use and disturbances.

6 Borough-wide Policies

6.180 The council will work with TfL and the Port of London Authority to encourage the development and provision of passenger riverboat services for both leisure and commuting, not only eastwards between Putney Bridge and Central London, but also westwards towards Hammersmith and Chiswick.

Design and Conservation

Policy DC1 - Built Environment

All development within the borough, including in the regeneration areas, should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping, heritage assets and land use can be integrated to help regenerate places.

Justification

6.181 The council will expect applicants to consider urban design in a wide context. It is not just about the design and materials of individual buildings. There should be a holistic approach to design that considers what makes a place function and how buildings, public realm, land uses and movement patterns can combine to produce attractive, distinctive and safe areas that achieve the highest standards. The council will expect all development proposals to provide an accessible environment that meets the needs of all users.

6.182 The existing character of the borough is heavily influenced by a variety of historical, landscape and architectural assets. Some of these are of national importance, such as listed buildings and the Fulham Palace Moated Site, whereas others are of borough importance, including archaeological priority areas (see Appendix 5) and locally listed buildings of merit. However, whether they are of national or local importance, they should be considered in all developments in accordance with the policies of the National Planning Policy Framework (NPPF)⁽⁵¹⁾ and the associated English Heritage Historic Environment Planning Practice Guide.

6.183 Many residents value the human scale of the traditional streetscape in the borough and often want to see this maintained in new development. The council will seek this form of design in development proposals. In addition, all new development will need to be inclusive and accessible to the whole community, and designed to minimise opportunities for crime and anti-social behaviour. A large proportion of the public realm is public highway, and works should follow the best practice design principles laid out in “Streetsmart” which will regularly be reviewed and updated.

6 Borough-wide Policies

Policy DC2 - Design of New Build

New build development will be permitted if it is of a high standard of design and compatible with the scale and character of existing development and its setting.

All proposals must be designed to respect:

- a. **the historical context and townscape setting of the site, and its sense of place;**
- b. **the scale, mass, form and grain of surrounding development and connections to it;**
- c. **the relationship of the proposed development to the existing townscape, including the local street pattern, local landmarks and the skyline;**
- d. **the local design context, including the prevailing rhythm and articulation of frontages, local building materials and colour, and locally distinctive architectural detailing, and thereby promote and reinforce local distinctiveness;**
- e. **the principles of residential amenity;**
- f. **the local landscape context and where appropriate should provide high quality landscaping and public realm with good permeability;**
- g. **sustainability objectives; including adaptation to, and mitigation of, the effects of climate change;**
- h. **the principles of accessible and inclusive design; and**
- i. **principles of Secured by Design.**

Justification

6.184 The council is committed to excellence in urban design in all new development within the borough. This includes consideration of both buildings and open spaces and the relationship between the two; a balance between the need for neighbourliness and the scope for design freedom. New development should embrace sustainable design principles and contribute positively to the public domain at all levels; improving legibility and permeability, respecting the overall height and form of neighbouring development, its massing as well as its rhythm and articulation of facades.

6.185 The design of new development should be informed by, and developed from, a considered analysis of the existing townscape, including the setting and role of the site within the local environment. Where appropriate, this analysis should be carefully laid-out and fully explained in the Design and Access Statement accompanying the planning application.

6.186 Buildings should have a visual identity appropriate to their location and intended use. The aim is not to stifle innovation but to promote or reinforce local distinctiveness. All development should be human in scale, and be designed with details and materials that complement the local area.

6.187 The council will encourage development which visually enhances the borough, and avoids harm by ensuring that the bulk and massing of schemes are appropriate in relation to the surroundings. In the general assessment of bulk and massing, full consideration will be given to amenities of neighbouring properties against Planning Standards included in the Mayor of London's Housing SPG⁽⁵²⁾.

6.188 All the above policy criteria must be considered in relation to the existing fabric of the borough and in particular the context of the development site. Much of the borough is of a traditional character reflected in the number of conservation areas. The finer grain and traditional form of much of the borough requires a particular design approach and in many streets there is a strong pattern of development in existence which derives much of its character from the uniform appearance of the streetscape.

6.189 It is recognised that new build development within areas experiencing substantial change in the borough, such as regeneration and opportunity areas, provide the opportunity to create a high quality architectural character, and sense of place which would add to the boroughs townscape character. It will be important for the design of such sites to be informed by the character of the surrounding environment, and the role of the site within a wider context. Larger schemes should connect to their surroundings, allowing permeability through the site and providing a high quality public realm. Larger schemes should aim to meet the criteria outlined in the Building for Life Assessment.

6.190 Where appropriate, new development should contribute to an improved and more legible public realm. The council promotes a high standard of design for the public realm in its design guidance – StreetSmart and the Riverside Walk Enhancement Report. These documents encourage reduced clutter and promote high standards of design in the public realm which is harmonious with, and enhances, the local area thereby reinforcing local distinctiveness.

6.191 In its consideration of proposed new development, the council will seek to ensure that developments are sustainable, durable and adaptable. Designs should deliver safe and inclusive environments. All development should be sited, designed and laid out to offer ease of entry and use by disabled people, and for parents of small children and others with needs for an environment which is accessible and inclusive.

6 Borough-wide Policies

Policy DC3 - Tall Buildings

Tall buildings, which are significantly higher than the general prevailing height of the surrounding townscape and which have a disruptive and harmful impact on the skyline, will be resisted by the council. However, areas where tall buildings may be appropriate are as follows:

- White City Regeneration Area;
- Earls Court & West Kensington Opportunity Area;
- South Fulham Riverside Regeneration Area; and
- Hammersmith Town Centre.

In the areas identified as appropriate for tall buildings, any proposal will need to demonstrate that it:

- a. has a positive relationship to the surrounding townscape context in terms of scale, streetscape and built form;
- b. is of the highest quality of architectural design and materials with an appropriate form and silhouette which contributes positively to the built heritage and image of the borough;
- c. has an acceptable impact on the skyline, and views from and to open spaces, the riverside and waterways and other locally important views and prospects;
- d. has no harmful impact in terms of the setting of, and views to and from, heritage assets;
- e. is supported by appropriate transport infrastructure;
- f. has an appropriate design at the base of the tall building and provides ground floor activity;
- g. interacts positively to the public realm and contributes to the permeability of the area;
- h. is of a sustainable design and construction, including minimising energy use and the risk of overheating through passive design measures, and the design allows for adaptation of the space;
- i. does not have a detrimental impact on the local environment in terms of microclimate, overshadowing, light spillage and vehicle movements; and
- j. respects the principles of accessible and inclusive design.

Justification

6.192 Due to the generally low rise character of the borough, most areas will be sensitive to the impact of tall buildings. However, there is scope for tall buildings in the regeneration of the borough. The general character of any particular area will always be an important consideration in assessing the acceptability of tall buildings and a full design appraisal of the impact of a tall building will always be required.

6.193 The White City Regeneration Area includes some parts which are less constrained in terms of local townscape context than other parts of the borough and so tall buildings may be appropriate, providing a distinctive recognisable landmark. The White City Opportunity Area Planning Framework SPD sets out guidance on this matter.

6.194 Hammersmith Town Centre has a number of existing tall buildings and further tall buildings of a similar height could be appropriate in some parts of the centre. Any proposals for tall buildings in the town centre will need to respect public parks and squares, historical context views from the river and make a positive contribution to the skyline emphasising a point of civic or visual significance, demonstrate tangible urban design benefits, and be consistent with the council's wider regeneration objectives.

6.195 In the Earls Court and West Kensington Opportunity Area there may also be some scope for tall buildings in carefully selected locations that are less constrained by the surrounding context, and the Earl's Court and West Kensington Opportunity Area Joint SPD sets out further guidance.

6.196 Parts of the South Fulham Riverside Regeneration Area may be appropriate for tall buildings and these are identified in the South Fulham Riverside SPD (see also Tall Buildings background paper). Elsewhere, there are areas in the borough, particularly in conservation areas and along some parts of the Thames, that are particularly sensitive to tall buildings and where heights of buildings should generally be restricted.

6.197 The council recognises and values the variation in character across the borough, and is committed to the preservation of the borough's built heritage and overriding townscape character found in large swathes of the borough of tree-lined street blocks of traditional family housing with rear gardens. In these areas of consistent townscape character, tall buildings would be seriously intrusive. In addition, in other areas of the borough, some parts of which are protected by conservation area designation, higher buildings can detrimentally impact upon the character and skyline, especially where they intrude on established views and skylines from open spaces, the river, riverside or bridges. The impact of tall buildings in sensitive locations should be given particular consideration.

6.198 The policy aims to ensure that tall buildings do not harm the built heritage and townscape character, but are properly located, contribute in a positive manner to enhance a sense of place and are an integral part of the long term spatial vision for the borough. The townscape character of the borough suggests that there are few opportunities for tall buildings in the borough. It is important therefore that within the limited areas identified, the precise locations for tall buildings meet the criteria of this policy and the English Heritage / CABE Guidance on Tall Buildings. It is this delicate balance that has determined the council's approach to tall buildings in the borough.

6.199 The Strategic Linear View from King Henry's Mound in Richmond Park to St Paul's Cathedral as identified in the London View Framework, crosses the borough. The view corridor is shown on the Proposals Map and will be protected.

6 Borough-wide Policies

Policy DC4 - Alterations and Extensions (including Outbuildings)

The council will require a high standard of design in all alterations and extensions to existing buildings. These should be:

- compatible with the scale and character of existing development, neighbouring properties and their setting;
- subservient and successfully integrated into the architectural design of the existing building; and
- should never dominate the parent building in bulk, scale, materials or design.

In considering applications for alterations and extensions the council will take into account the following:

- a. scale, form, height and mass;
- b. proportion;
- c. vertical and horizontal emphasis;
- d. relationship of solid to void;
- e. materials;
- f. impact on skyline silhouette (for roof top additions);
- g. relationship to existing building, spaces between buildings and gardens;
- h. good neighbourliness in particular the amenities of the neighbouring properties, and other properties most directly affected by the proposal; and
- i. the principles of accessible and inclusive design.

Justification

6.200 The design of extensions or alterations to buildings is of considerable importance, because they can change the character of individual buildings and that of an area as a whole. This is of particular concern in terraces of uniform appearance. The council recognises that there will be changing needs and requirements of occupiers, but seeks to ensure that extensions and alterations, even the most minor ones, do not affect the inherent qualities of existing properties.

6.201 To avoid an incongruous and cluttered townscape appearance, additions to buildings such as roof and rear extensions and outbuildings, should be designed in keeping with the character of the building or complement its architecture without being unduly dominant. Roof level alterations and extensions, including front mansards will need to integrate successfully with the building concerned, using matching and high quality materials and execution. Where there are existing extensions on a street these will be taken into account in determining the appropriateness of new proposals. Other proposed installations to existing buildings such as external lighting, CCTV cameras, antennae and solar panels should also be designed and positioned to minimise their impact.

6.202 Plant and other building services should also be integrated into the design of the building. Where additions cannot be incorporated into the volume of the building, building services located at roof level should be positioned and adequately screened to minimise noise and visual intrusion.

6.203 Planted front and rear gardens form part of the character of many of the borough's streets.

6.204 Article 4 Directions will continue to be made to restrict forms of development which could have an unsympathetic impact on the character and appearance of individual buildings and terraces.

Policy DC5 - Shopfronts

In order to improve the appearance of the borough's streets, the council will encourage high quality shopfronts that are designed in sympathy with the age and architectural style of the building concerned, achieving a satisfactory relationship between the ground floor and the rest of the building. The scale of the shopfront should be carefully considered with its proportions, detailing (including vertical and horizontal subdivision) and materials, which have an affinity with the building.

Where an original shopfront is converted to another use or a consistent traditional shopfront remains, the council will expect it to be retained and restored.

New developments which include retail areas should provide a framework into which a shopfront of a suitable scale can be inserted.

Fascia signs and projecting signs should not be overly large and should be designed to be appropriate to the styles of the shopfront (see section on Shopfront Guidance in the Planning Guidance Supplementary Planning Document).

New shopfronts should be designed to meet the principles of accessible and inclusive design.

Justification

6.205 Shopfronts and their associated advertisements play a vital role in determining the character of our town centres and shopping streets, primarily because they are the part of the building which has direct interface with the public realm, and have an immediate relationship with the human scale. The design of new shopfronts, therefore, needs careful attention.

6.206 Shops in Hammersmith and Fulham are primarily located in the three major town centres of Hammersmith, Shepherds Bush and Fulham and within the network of designated local shopping centres. However, there are also a large number of smaller shopping parades and individual units. The presence of retail use can help to ensure a lively environment in these areas.

6.207 The council is committed to maintaining the vitality and improving the townscape in these areas.

6.208 The cumulative effect of better shopfront designs will be the enhancement of the visual appearance of the borough's shopping streets, thereby improving first impression and quality for users, visitors and potential investors. The emphasis is on good quality design of shop fronts and advertisements which will enhance the character of the shopping street (see Planning Guidance SPD for further detail). The council will also take into account any relevant supplementary planning documents.

6 Borough-wide Policies

6.209 The key aim is to ensure that shopfronts are not designed in isolation but are considered as an important part of the building in which they are housed. The design of the shopfront should be informed by the architectural style and character of the building and the framework provided by the building within which the shopfront can be integrated.

6.210 In designing new shopfronts it is important to ensure that the entrance is accessible to wheelchairs and pushchairs.

6.211 Where a former retail unit is converted to another use, such as residential, the council will expect the retention of the shopfront, where it is historically or architecturally interesting, and the shop surround of pilasters and fascia where they exist, so that there is no adverse impact on the character of an area.

Policy DC6 - Replacement Windows

Replacement windows should respect the architectural character of the building and its surroundings. In this respect, it will be important that the design of replacement windows matches the original windows in terms of material, type and size, method of opening, profile and section, and sub-division.

Justification

6.212 In most buildings, the detailed design of the windows is a fundamental component of the elevation. The character of a façade and its contribution to the street scene can be eroded considerably by inappropriate replacement windows.

6.213 The policy encourages the retention of the uniformity and consistency of the original design of each building, block or terrace in the borough.

Policy DC7 - Views and Landmarks

The council will protect the strategic view of St Paul's Cathedral and important local views shown on the Proposals Map.

Local views afforded by the open nature of the borough's riverfront are important in determining the character of each stretch of the riverside. Many heritage assets are located along the river, and it is important that their setting and relationship with the river is preserved or enhanced. The council will refuse consent where proposed development in these views would lead to harm to the significance of a designated heritage asset and townscape generally, unless it can be demonstrated that the harm is necessary to achieve public benefits that outweigh the harm caused. Opportunities for enhancement of strategic and local views will be pursued where they arise.

1. **Development within the Thames Policy Area will not be permitted if it would cause demonstrable harm to the view from the following points:**
 - a. **from Hammersmith Bridge, the view along the river, foreshore, and riverside development and landscape between Hammersmith Terrace to the west and Fulham Football Ground to the south;**
 - b. **from Putney Bridge, the views along the river, foreshore and riverside, extending upstream from All Saints Church and its environs, along Bishops Park as far as Fulham Football Ground, and from Putney Railway Bridge the view downstream to the grounds of the Hurlingham Club; or**
 - c. **from Wandsworth Bridge, the view up and downstream of the river, its foreshore and banks, and of commercial wharves and riverside buildings.**

2. **Development will also not be permitted if it would cause demonstrable harm to the view from within the Thames Policy Area of any of the following important local landmarks identified on the Proposals Map, or their settings:**
 - a. **Upper and Lower Mall. The richness, diversity and beauty of the historical waterfront which includes Hammersmith Terrace, Kelmscott House and neighbouring group of listed buildings, and the open space of Furnivall Gardens allowing views of the skyline of Hammersmith and the spire of St. Paul's Church;**
 - b. **Bishops Park. The parallel avenues of mature London plane trees and dense shrubbery which define the character of this important open space and the riverfront;**
 - c. **grounds of the Hurlingham Club. The landscaped edge of the grounds providing glimpsed views to the listed Hurlingham House;**
 - d. **Hammersmith Bridge. This fine example of a suspension bridge is particularly dominant, and is an important landmark along this stretch of the river; or**
 - e. **Putney Bridge and the adjacent All Saints Church.**

6 Borough-wide Policies

Justification

6.214 The London Plan (2016)⁽⁵³⁾ identifies a set of strategically important views of which one, the linear view from King Henry's Mound in Richmond Park to St Paul's Cathedral crosses the borough (see Proposals Map).

6.215 The townscape character of the borough is one of generally tight knit streets of domestic scale architecture with irregular street blocks. This urban form, together with effect of the borough's topography, places limitations on the appreciation of mid and long distance views across the area. However, the riverside and open spaces afford some important local key views.

6.216 The council has identified key views and landmarks on the Proposals Map and in the character profiles for the conservation areas. The views identified make a strong contribution to the character of the townscape in any specific location. The preservation of the essential qualities of any view, or indeed the enhancement of those qualities will be sought. The impact of any proposal on these views will therefore form the basis of any evaluation of a proposal affecting heritage assets and other areas of townscape sensitivity.

6.217 Views within the borough are key elements in determining the character of the townscape and contribute to the interest of areas. The council will seek to ensure that proposed development does not harm these views in terms of location, scale and massing. The council will ensure that significant views in and out of conservation areas remain unharmed from new development and are preserved and enhanced. Development when viewed from open spaces and along the riverside has great prominence due to the openness of the location and should therefore be of the highest quality. The council will ensure that development which affects the River Thames pays due regard to the riverside's distinctive character, and is of a bulk, massing, scale and appearance which is appropriate to its surroundings.

6.218 The views afforded by the open nature of the riverfront are important in determining the character of each stretch of the riverside in the conservation areas, and will therefore be crucial in assessing the acceptability or otherwise of development proposals along the river's edge. In line with the London Plan (2016), the council has identified a number of views across and along the river which are important to the local scene and which are to be protected. The council has included in this list of important views, all river edges of historical significance, corridor views of particular importance and views towards important landmarks. The views towards specific landmarks can be enjoyed from various viewpoints along the riverside. These views will vary in nature and content, as the viewpoint changes. Locations have been marked on the Proposals Map which represent the longest viewing point towards each landmark.

6.219 The landmarks identified include: bridges, areas of open space, and groups of buildings along a historic riverfront. All have strong links with the river and it is important that their setting and relationship with the river is preserved. Bridges are particularly important landmarks. They subdivide the river, and help to define the character of each stretch. Furthermore, bridges are important vantage points and command extensive views along the riverside.

53 Mayor of London, The London Plan: spatial development strategy for Greater London, GLA March 2016

6.220 The council is aware that the landmarks identified are also enjoyed in important views from outside the borough boundary, and will ensure that these are fully considered when assessing the impact of any development which may impinge on these views.

6 Borough-wide Policies

Policy DC8 - Heritage and Conservation

The council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its heritage assets. These assets include: listed buildings, historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications for development affecting heritage assets, the council will apply the following principles:

- a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation;
- b. development affecting designated heritage assets, including alterations and extensions to buildings will only be permitted if the significance of the heritage asset is conserved or enhanced or where there is less than substantial harm and the harm is outweighed by the public benefits of the proposal. Where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly;
- c. development should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within its setting;
- d. applications for development affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset;
- e. particular regard will be given to matters of scale, height, massing, alignment, materials and use;
- f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's character and significance;
- g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposed development upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's significance;
- h. proposals which involve harm to, or loss of, any designated heritage asset will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 of the National Planning Policy Framework;
- i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design before it is lost, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance;
- j. the proposal respects the principles of accessible and inclusive design;

- k. **expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and**
- l. **securing the future of heritage assets at risk identified on English Heritage's national register, as part of a positive strategy for the historic environment.**

Justification

6.221 Hammersmith and Fulham has maintained a much-valued built heritage, much of which falls within the borough's 45 designated conservation areas (see Proposals Map and Table 5 below). In many of these areas, the street provides a sense of scale and the setting for the consistent terraces of uniform architectural design. Within the borough, there are over 500 statutory Listed Buildings and approximately 2,150 locally designated Buildings of Merit, as well as a number of archaeological priority areas and the ancient monument of the Fulham Palace moated site (see Proposals Map and Appendix 5). The heritage assets make an important contribution to the townscape character of the borough.

Table 5 Conservation Areas

1. St. Peter's Square	16. Fulham Park Gardens	31. The Billings and Brompton Cutting
2. The Mall	17. Sedlescombe Road	32. Ingersoll/Armingier
3. Brook Green	18. Dorcas Estate	33. Coningham Road/Lime Grove
4. Hurlingham	19. Fitz George & Fitz James	34. Gunter Estate
5. Bishops Park	20. Hammersmith Grove	35. Turneville/Chesson
6. Imperial Square	21. Shepherds Bush	36. Lakeside/Sinclair/Blythe Road
7. Studdridge Street	22. Hammersmith Broadway	37. King Street (East)
8. Ravenscourt Park & Starch Green	23. Avonmore & Olympia	38. Colehill Gardens
9. Walham Green	24. St. Mary's	39. Fulham Reach
10. Parson's Green	25. Bradmore	40. Putney Bridge
11. Queen's Club Gardens	26. Melrose	41. Sands End Riverside
12. Wormholt & Old Oak	27. Baron's Court	42. Wood Lane
13. Westcroft Square	28. Crabtree	43. Cleverly Estate
14. Walham Grove	29. Central Fulham	44. Hammersmith Odeon

6 Borough-wide Policies

15. Barclay Road

30. Moore Park

6.222 Heritage assets are a non-renewable resource.

6.223 New development should have a good relationship with the character of the surrounding historic context. The character of a conservation area will be derived from the individual buildings within it, their relationship to each other, and the spaces between them; from the townscape in its broadest sense, and from the interrelationship between the public realm, open spaces and the built form. The character of the conservation area may be uniform, or, in larger conservation areas, may vary within its boundaries. The character may also be defined by its land uses and by its archaeological potential.

6.224 The special character of the conservation areas makes it essential that new development accords with their special architectural and visual qualities. The character profiles produced for the borough's conservation areas will assist in interpreting the scale, massing, height and alignment of development and also the finer grain elements such as vertical and horizontal rhythms, materials and decorative or architecturally important features. Reference will also be made to street building lines and local building traditions where appropriate. New buildings will not necessarily be required to copy their older neighbours, although there will be places where a facsimile development will be appropriate. The aim should be to promote high quality design which contributes positively to the area, harmonising the new development with its neighbours in the conservation area. Valued historic assets can inform contemporary high quality design.

6.225 The council will protect its listed buildings from demolition or harmful alteration and from development which has a harmful impact on their setting.

6.226 No specific powers other than normal planning controls are available to regulate the use to which listed buildings are put, but the council considers that it is important that these buildings should not be used in a manner which is harmful to their character. Changes of use of listed buildings often require internal and external alterations that may affect the significance of the heritage asset. It will therefore take every opportunity to persuade those involved to co-operate in finding appropriate uses and may in certain circumstances be prepared to allow a use that would not normally be approved on other policy grounds, provided this will protect the character of the building. The council expects the owners and/or users of listed buildings to play their part in their upkeep, and will use its legal powers to ensure proper maintenance of buildings and their settings.

6.227 The council will work with English Heritage to maintain the Heritage at Risk Register and reduce the number of heritage assets at risk in the borough.

6.228 The council wishes to promote simple and uncomplicated access, into and around listed buildings. The goal is for disabled people or people with mobility problems to use the property in the same way as everyone else. This will call for creative and sensitive solutions. There may be cases where a compromise solution is necessary (see Easy Access to Historic Buildings - Historic England, 2015).

6.229 There are many buildings in the borough, in addition to the listed buildings, which are of merit and which contribute to the character of the locality because of their townscape value, architectural quality or historic associations. Many of these buildings and artefacts are included in a Local Register. Most buildings on the register have been selected through external inspection on the basis of their architectural character and/or their contribution to the visual quality of the street scene. However, there may be instances where the interior

of the buildings is valuable. Proposals to add to, or in exceptional cases remove, buildings from the Local Register will be considered as and when appropriate and in consultation with the relevant amenity societies. Furthermore, the council may recommend that particular buildings on the Local Register should be added to the Statutory National List of Buildings of Special Architectural or Historic Interest (see Planning Guidance SPD for further detail).

6.230 Locally important buildings are of value in terms of townscape, architectural or historic interest, and it is especially important that they should not be demolished. Any alterations should only be carried out in a way that respects the scale, character and materials of the building (see relevant supplementary planning document).

6.231 There will be a presumption against proposals which would involve significant alteration of, or cause damage to, or have a harmful impact on the setting of Archaeological Remains of National or Local Importance, whether scheduled or not.

6.232 Applicants will be required to arrange for archaeological field evaluation of any such remains within the archaeological priority areas defined on the Proposals Map before applications are determined or if found during development works in such areas or elsewhere. Proposals should include provision for the remains and their settings to be protected, enhanced or preserved. Where it is accepted that physical preservation in situ is not possible or not merited, planning permission may be subject to conditions and/or formal agreement requiring the developer to secure investigation and recording of the remains and publication of the results. It is therefore important for developers to consult Greater London Archaeological Advisory Service (GLAAS) at an early stage. New buildings will normally destroy any archaeological remains and therefore these should be excavated by a qualified archaeological unit before work commences. This is because the context of any archaeological find is an essential part of the historical value of any remains. The council considers it is reasonable for a person threatening part of the community's heritage to fund adequate excavation, the subsequent academic and popular reports, as well as publicity both for the excavation and the reports. The council will encourage developers to inform local archaeological societies of the start of any archaeological excavation and to make arrangements for public viewing of excavations in progress, wherever possible, and for subsequent analysis, interpretation and presentation to the archaeological and amenity societies and the public of any archaeological results and finds.

6 Borough-wide Policies

Policy DC9 - Advertisements

The council will require a high standard of design of advertisements, which should be in scale and in keeping with the character of their location and should not impact adversely on public safety. The council will resist excessive or obtrusive advertising and illuminated signs which adversely affect the character and appearances of the neighbourhood or the site/building, residential amenity or public safety. The design of advertisements should be appropriate to their context and should generally be restrained in quantity and form.

Advertisements should normally be located at ground floor level and relate to the commercial zone of the street frontage and the architectural design of the facade. All forms of advertisements displayed above ground floor level would in many circumstances result in visual clutter in the street scene and detract from the architectural composition and scale of the buildings to which they relate. Further detailed guidance for shopfronts and advertisements in conservation areas is included in the Planning Guidance Supplementary Planning Document.

Hoardings and other large advertisements, such as digital screens, will be acceptable where they are of an appropriate scale with their surroundings and where they do not have a detrimental impact on areas sensitive to the visual impact of hoardings such as conservation areas, listed buildings and other heritage assets, residential areas, open spaces or waterside land.

Buildings that are being renovated or undergoing major structural work and require scaffolding or netting around them, may be considered suitable for temporary advertisement shrouds. Advertisement shrouds are when commercial advertising forms part of a protective screen secured on scaffolding to screen buildings works being carried out. This will not be permitted where the advertisement would impose a detrimental impact on the building or street scene in terms of the size, illumination and/or content; or where the advertisement would be harmful to residential amenity or public safety. Where advertisement shrouds are considered to be acceptable, they should be accompanied by a 1:1 depiction of the building and only be displayed for a limited period related to the reasonable duration of the building works. Advertisement shrouds on heritage assets will only be acceptable where the revenue generated directly contributes to the restoration of the heritage asset. In order to avoid premature or prolonged periods of display, which could be harmful to amenity, the council will require evidence of a signed building contract where the display of an advertisement shroud is linked to building works. Where planning permission for building works is required, consent for an advertisement shroud will only be granted once planning permissions has been granted and all pre-commencement conditions have been discharged.

The display of estate agents boards within Regulation 7 areas will not be permitted.

Justification

6.233 The display of an advertisement can have a considerable impact on the visual amenity of the street scene if its size, design and siting are handled insensitively. The council takes the view that any advertisements requiring consent should not adversely affect the character and visual amenity of individual buildings and streets. This will be particularly important where advertisements affect the borough's heritage assets or their setting. There is one area of special advertisement control in the borough, namely the Mall Conservation Area.

6.234 The council will continue to seek the removal of inappropriate advertisements. Regulation 7 areas have been designated where the council has received the Secretary of States approval to restrict the display of estate agents boards and these will be kept under review.

Policy DC10 - Telecommunications

The council support the expansion of Telecommunications networks, but are keen to avoid any detrimental impact on the local townscape. Proposals for telecommunications development should meet the following criteria:

- a. **the proposed apparatus and associated structures should be sited and designed in order to integrate successfully with the design of the existing building, and thereby minimise its impact on the external appearance of the building;**
- b. **the siting and appearance of the proposed apparatus and associated structures should be compatible with the scale and character of existing development, their neighbours and their setting, and should minimise impact on the visual amenity, character or appearance of the surrounding area;**
- c. **the siting and appearance of the apparatus and associated structures should not have an unacceptable impact on conservation areas, listed buildings, buildings of merit or areas of open space; and**
- d. **where appropriate, proposed apparatus and associated structures should share locations where there is an existing facility.**

Justification

6.235 Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles. The council will support the expansion of telecommunications networks whilst at the same time minimising any detrimental impacts on the visual amenity of the boroughs townscape.

6 Borough-wide Policies

Policy DC11 - Basements and Lightwells

New basements and extensions to existing basements will only be permitted where they:

- a. do not extend into or underneath the garden further than 50% of the depth of the host building measured from the principal rear elevation;
- b. do not extend into or underneath the garden further than 50% of the depth of the garden;
- c. are set back from neighbouring property boundaries where it extends beyond the footprint of the host building;
- d. do not comprise more than one storey. Exceptions may be made on large sites;
- e. do not result in any adverse impact on the amenity of adjoining properties or on the local, natural and historic environment;
- f. are designed to minimise the risk of flooding to the property and nearby properties from all sources of flooding;
- g. include a minimum of one metre of soil above any part of the basement beneath a garden;
- h. ensure that the basement helps reduce the volume and flow of surface water run-off through appropriate use of SuDS and will provide active drainage devices to minimise the risk of sewer flooding;
- i. ensure that lightwells and railings at the front or side of the property are as discreet as possible and allow the scale, character and appearance of the property, street or terrace to remain largely unchanged;
- j. are designed to safeguard the structural stability of the existing building, nearby buildings and other infrastructure;
- k. provide a Construction Method Statement (CMS) (carried out by a qualified structural or civil engineer) to be submitted with planning applications for all basement projects; and
- l. ensure that traffic and construction activity does not cause unacceptable harm to pedestrian, cycle, vehicular and road safety.

New self contained basement flats will not be permitted in the Environment Agency's Flood Zone 3 areas where there is a risk of rapid inundation by flood waters in the event of a breach of the river's flood defences, unless a satisfactory means of escape can be provided.

Justification

6.236 For the purposes of this policy, a basement is considered to be a floor of a building which is partly or entirely below ground level. A ground or lower ground floor with a floor level partly below the ground level (for example on a steeply sloping site) will therefore generally be considered basement development.

Size of Basements

6.237 The council recognises the benefits of new residential basement and lightwells in meeting housing needs and residents aspirations. It will permit basements but subject to a number of criteria being met, that will safeguard the quality of life. The council will

allow extensions of houses and flats into the basement below the building, providing there is no adverse impact on the amenity of neighbouring properties (such as flooding) or negative impact on the street scene due to the need for the provision or alteration of lightwells.

6.238 The policy criteria states that basements should not exceed 50% of the garden area and not exceed 50% of the depth of the host building. Restricting the extent of basement excavations to any approved extension and limiting the depth of excavation to a single storey will help to limit the extent and duration of construction. This will help to reduce the impact of basement construction on local residents. This criterion applies to the front garden, the rear garden and gardens to the side of the property individually, rather than calculated as an aggregated garden area for the whole property. The unaffected garden must be in a single area and where relevant should form a continuous area with other neighbouring gardens. Sufficient margins should be left between the site boundaries and any basement construction to sustain growth of vegetation and trees.

6.239 On large sites, basements of more than one storey may be permitted in certain circumstances. These will generally be new developments located in a commercial setting or of the size of an entire or substantial part of an urban block. They should be large enough to accommodate all the plant, equipment and vehicles associated with the development within the site and offer more opportunity to mitigate construction impacts and carbon emissions on site. These schemes will be expected to provide appropriate evidence to demonstrate to the Council's satisfaction that the development does not harm the built and natural environment or local amenity or increase flood risk. For the purposes of this policy, large sites are considered to be:

- new major developments, for example schemes which comprise 1000m² additional non-residential floorspace or 10 or more additional dwellings;
- large schemes located in a commercial setting; or
- developments the size of an entire or substantial part of an urban block.

6.240 A 'single storey' is considered to be one that cannot be subdivided in the future to create additional floors. It is generally about 3 to 4 metres floor to ceiling height but a small extra allowance for proposals with a swimming pool may be permitted.

Flood Risk

6.241 It is important that proposals for new or extended basements provide clear evidence that demonstrates that there is no adverse effect on surface water drainage, the sewers and/or on groundwater flows. Opportunities should be taken to integrate sustainable drainage systems (SuDS) such as vegetation and permeable surfaces to help to control surface water runoff. Water butts can also be used to collect rainwater for later re-use. Where proposals cause the loss of vegetation, this can also affect the character of conservation areas and planted rear gardens, thereby impacting on privacy, shade and biodiversity. Therefore, where any part of a basement is constructed below a garden, a minimum of one metre of topsoil should be provided above it to promote infiltration and allow for planting. In areas at risk from flooding, new self contained basement dwellings will not be permitted where they are at risk of rapid inundation by flood waters in the event of failure or breach of flood defences and where no adequate means of escape can be provided because of the risk to life in the event of a flood. Any new basement that is below street level should be designed to reduce flood risk and to minimise any impact from

6 Borough-wide Policies

flooding from any source. To protect against sewer flooding, developments must include the provision of a pumped solution or 'active drainage devices' incorporating non-return valves to prevent water entering a property from drains and sewers.

Demolition and Construction

6.242 Basement excavation often raises concerns about the structural stability of adjacent properties because of works to party walls and foundations, in particular. These issues may be properly dealt with by means of a party wall agreement under the Party Wall Act 1996. However, the council wishes to encourage good neighbourliness and avoid planning applications which cannot be implemented due to the lack of agreement between the applicant and the owners of neighbouring properties or land instability. The NPPF places significant weight on ground conditions, land stability and local environmental issues (eg. Paragraphs 109, 120 and 121) as material considerations in determining planning applications. Therefore, the council requires applicants to submit a Construction Method Statement (CMS) (carried out by a qualified structural or civil engineer) with the planning application and to make the statement available at the same time to neighbouring owners to demonstrate that the development accords with the policy.

6.243 The level of information required will be appropriate with the scale, nature and location of the scheme. Basement construction can cause nuisance and disturbance for neighbours and others in the vicinity, through construction traffic, parking suspensions and the noise, dust and vibration of construction itself. The applicant must demonstrate that these impacts are kept to acceptable levels under the relevant acts and guidance, taking the cumulative impacts of other development proposals into account. Every effort must be made to locate the building compound and the skip on site or in exceptional circumstances in the highway immediately outside the application site.

6.244 A construction management statement will be required to be submitted with the application for basement projects and would be expected to cover:

- appointment of appropriately qualified civil or structural engineer;
- a report outlining the ground and hydrological conditions of the site and dealing with groundwater flow ensuring structural stability during excavation and demolition;
- temporary propping/temporary works and construction work, minimising disturbance
- drilling of boreholes;
- impact on trees;
- sequence of temporary works to minimise the effect on neighbours and management of water flow;
- consideration of related cumulative impacts;
- professional verification of works safeguarding amenity: noise vibration and dust from construction work; and
- construction traffic management plan.

Lightwells

6.245 It is very important to minimise the visual impact of light wells, roof lights, railings, steps, emergency accesses, plant and other externally visible elements. Care should be taken to avoid disturbance to neighbours from light pollution through roof lights and other forms of lighting. Introducing lightwells where they are not an established and positive feature of the streetscape can harm the character or appearance of an area. Where external visible elements are allowed they need to be sensitively designed and sited, respecting

the existing character and appearance of the building, streetscape and gardens in the vicinity. Excessively large lightwells will not be permitted in any garden space. Further detail on lightwells is included in the Planning Guidance SPD.

6 Borough-wide Policies

Environmental Sustainability

2035 Vision - Delivering an environmentally sustainable borough

Hammersmith and Fulham's vision is to be the greenest borough by 2035, with new buildings being designed to be energy and resource efficient and much more of the borough's waste to be sustainably managed with an increase in recycling. In particular, new development will be required to minimise energy use and the use of other non renewable resources, as well as facilitating an increase in the use of low and zero carbon technologies to help minimise carbon dioxide (CO₂) emissions. This will particularly be required of major developments.

All development in the borough, both buildings and infrastructure will be encouraged to be intelligently designed for durable and resilient futures, supporting the move to a low-carbon economy and taking account of climate change impacts, particularly the risk of flooding. New developments will also be expected to contribute towards improving local air quality, particularly where they include potentially major new sources of emissions or could significantly increase traffic-generated emissions.

Developments will be encouraged to contribute to the concept of a "smart city", where multiple information and communication technology (ICT) solutions are integrated in a secure fashion to enable effective performance in terms of energy, water, waste and reducing CO₂ emissions and to improve quality of life. Sustainable Drainage Systems (SuDS) will be sought in new developments, and major developments in the regeneration areas will be promoted as zero carbon exemplars.

Policy CC1 - Reducing Carbon Dioxide Emissions

The council will require all major developments to implement energy conservation measures by:

- a. implementing the London Plan (2016) sustainable energy policies and meeting the associated carbon dioxide (CO₂) reduction targets;
- b. ensuring developments are designed to make the most effective use of passive design measures, and where an assessment such as BREEAM (or equivalent) is used to determine a development's environmental performance, this must be supplemented with a more detailed Energy Assessment in order to show compliance with the London Plan's CO₂ reduction targets;
- c. requiring energy assessments for all major developments to demonstrate and quantify how the proposed energy efficiency measures and low/zero carbon technologies will reduce the expected energy demand and CO₂ emissions;
- d. requiring major developments to demonstrate that their heating and/or cooling systems have been selected to minimise CO₂ emissions. This includes the need to assess the feasibility of connecting to any existing decentralised energy systems or integrating new systems such as Combined (Cooling) Heat and Power units or communal heating systems, including heat networks; and
- e. using on-site renewable energy generation to further reduce CO₂ emissions from major developments, where feasible.

Where it is not feasible to make the required CO₂ reductions by implementing these measures on-site or off-site as part of the development, a payment in lieu contribution should be made to the council which will be used to fund CO₂ reduction measures in the borough or elsewhere in London; and

Encouraging energy efficiency and other low carbon measures in all other (i.e. non-major) developments, where feasible. The council will also encourage developers to use energy performance standards such as Passivhaus to guide development of their Energy Strategies.

Justification

6.246 Local planning authorities have a statutory duty to take action on climate change and include policies in local plans that will help reduce CO₂ emissions. To this end, this policy supports the move to a low carbon future as outlined in The National Planning Policy Framework (NPPF)⁽⁵⁴⁾ and helps apply the London Plan's established energy hierarchy. This encourages sustainable energy practices in new developments by requiring them to:

- use less energy;
- supply energy efficiently; and
- use renewable energy.

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6.247 The policy ensures that new development will be designed to be as energy efficient as possible, help improve the provision of energy efficient and low emission heating and cooling networks in the borough and also promotes the generation of on-site renewable energy, where this is feasible.

6.248 Where a development has maximised CO₂ emissions reduction on or off site but still falls short of meeting the required London Plan (2016) target, a payment in lieu should be made to the council. This will be used to implement sustainable energy measures off-site in the borough or elsewhere in London. The payment should be based on the council's accepted price of offsetting carbon emissions and be calculated for a 30 year period, in line with national guidance. Further details on the council's approach to calculating payment in lieu requirements is provided in the council's Planning Guidance SPD.

6.249 Energy Assessments will be required to be submitted as part of the supporting information accompanying every application for a major development. Further details on the requirements for Energy Assessments are provided in the council's Planning Guidance SPD.

6.250 Developers are encouraged to use energy performance standards such as PassivHaus to guide development of their Energy Strategies, particularly in relation to reducing demand for heating. The Passivhaus standard can be applied not only to new residential dwellings but also to new commercial, industrial and public buildings and may also be suitable for refurbishment projects where the external appearance of a building would not be harmed as a result of the alterations required.

Policy CC2 - Ensuring Sustainable Design and Construction

The council will require the implementation of sustainable design and construction measures in all major developments by:

a. implementing the London Plan sustainable design and construction policies to ensure developments incorporate sustainability measures, including:

- **minimising energy use;**
- **making the most effective use of resources such as water and aggregates;**
- **sourcing building materials sustainably;**
- **reducing pollution and waste;**
- **promoting recycling and conserving and promoting biodiversity and the natural environment;**
- **ensuring developments are comfortable and secure for users and avoiding impacts from natural hazards (including flooding); and**

b. Requiring Sustainability Statements (or equivalent assessments such as BREEAM) for all major developments to ensure the full range of sustainability issues has been taken into account during the design stage.

The integration of sustainable design and construction measures will be encouraged in all other (i.e. non-major) developments, where feasible.

Justification

6.251 Sustainable design and construction principles are supported by a number of policies in the London Plan (2016). New buildings need to be constructed to meet a high level of environmental performance. In particular, major developments need to ensure that as well as reducing CO₂ emissions, they also consider climate change adaptation issues in their design and construction.

6.252 Developments can have a wide range of impacts on the environment, health and well being of residents that need to be properly managed and minimised. This policy ensures that new major developments are designed and constructed to take account of these impacts whilst also helping to reduce the consumption of scarce resources, reduce pollution, enhance open spaces and contribute to the health and wellbeing of residents.

6.253 A sustainably designed and constructed development is also one that incorporates measures that allow adaptation to the potential impacts of climate change during its lifetime such as heatwaves and droughts in summer months and potentially wetter winters.

6.254 Smaller developments are also encouraged to consider sustainable design and construction principles, where this is feasible.

6.255 Any assessments carried out to determine a major development's environmental performance using BREEAM (or similar) must be supplemented with an Energy Assessment which shows compliance with the requirements of Policy CC1 on reducing CO₂ emissions.

6.256 Further details on the requirements for the Sustainability Assessment are provided in the council's Planning Guidance SPD. This policy also needs to be read in conjunction with the Mayor of London's SPG's on Sustainable Design and Construction and control of dust and emissions during construction and demolition⁽⁵⁵⁾.

55 Sustainable Design and Construction – April 2014 and the control of dust and emissions during construction and demolition – July 2014

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Policy CC3 - Minimising Flood Risk and Reducing Water Use

The council will require developments to reduce the use of water and minimise current and future flood risk by implementing the following measures:

- a site specific Flood Risk Assessment (FRA) will be required for the following development proposals:
 - all proposals for developments in the Environment Agency's Flood Zones 2 and 3;
 - All proposals for new developments over 1 hectare in size in Flood Zone 1;
 - all proposals for new development in areas identified in the council's SWMP as being susceptible to surface water flooding – i.e. those located in a flooding hotspot; and
 - all proposals for new development which includes a subterranean element in areas identified in the council's SWMP as being at risk from elevated groundwater levels
- as part of the FRA, the requirements of the National Planning Policy Framework must be addressed and, where applicable, an Exception Test must also be carried out and included in the FRA;
- the FRA must assess the risk of flooding from all relevant sources, in particular tidal, surface and ground water, as well as sewer flooding and where there is a risk of flooding, appropriate flood proofing measures must be integrated, in accordance with the guidance in the Hammersmith and Fulham SFRA;
- new self-contained basement flats will not be permitted in the Environment Agency's Flood Zone 3 areas where there is a risk of rapid inundation by flood waters in the event of a breach of the river's flood defences or in surface water flooding hotspots where the flood hazard rating is defined a significant or higher in the SWMP, unless a satisfactory means of escape can be provided;
- where development is proposed in the Environment Agency's Groundwater Source Protection Zones 1 or 2, measures must be taken to ensure the protection of groundwater supplies;
- all developments that include a subterranean element must provide details of the structural waterproofing measures to be integrated to prevent any increase in on or off-site groundwater flood risk;
- all developments that are classified as 'more' or 'highly' vulnerable to flooding that include proposals at basement or lower ground floor level must install a non-return valve or equivalent to protect against sewer flooding;
- all development proposals will be required to demonstrate that there is sufficient water and wastewater infrastructure capacity both on and off site to serve the development or that any necessary upgrades will be delivered ahead of the occupation of development;
- in line with the requirements of the Thames Estuary 2100 Plan, developments adjoining the River Thames must maintain and where necessary enhance or raise flood defences (or show how they could be raised in the future),

demonstrating that they will continue to provide adequate flood protection for the lifetime of the development; and

- **all developments must include water efficient fittings and appliances, where provided, in line with London Plan water consumption targets. In addition, major developments and high water use developments must include other measures such as rainwater harvesting and grey water re-use.**

Justification

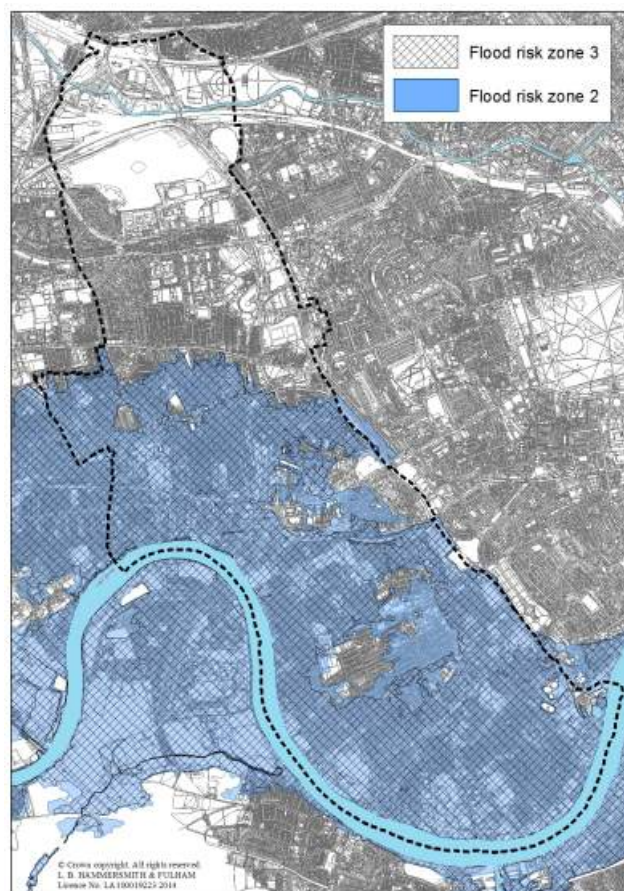
6.257 As shown in Map 8, over 60% of the borough and about 75% of the population are in the Environment Agency's Flood Zones 2 and 3 (medium-high risk of flooding from the River Thames), although the actual extent of tidal flooding from the river is mitigated by existing flood defences. Although these provide a high level of flood protection, Flood Risk Assessments are required for all developments in Flood Zones 2 and 3 to assess the risk of flooding to the site e.g. in the event of a failure or breach of the defences and to identify appropriate mitigation measures to be integrated to minimise this risk.

6.258 FRA's for proposals in Flood Zones 2 and 3 should consider flood risk from all sources, not just the River Thames. It should also be noted that developments located in Flood Zone 1 are not exempt from the need to consider flood risk, as there could be risks from surface, sewer and groundwater sources that need to be assessed and mitigated.

6.259 As most of the borough is at risk from some form of fluvial/tidal flooding from the River Thames, it would be unreasonable to restrict development only to Flood Zone 1 in the north of the borough, particularly as much of this area is also at risk from sewer and surface water flooding (covered by Policy CC4). The council considers that from a borough-wide perspective, the Sequential Test permits the consideration of all sites for development, subject to individual sites satisfying the requirements of the Exception Test (as outlined in the council's Planning Guidance SPD).

6.260 Some parts of the borough could be impacted very quickly by fast flowing flood waters if the defences failed or were overtopped. The council's SFRA includes detailed maps showing which parts of the borough are inside this Rapid Inundation Zone which could be impacted within 30 minutes of a breach or failure of defences. As a result, there is a restriction on self-contained basements being constructed in this zone as such developments are highly vulnerable to flood impacts and there is a potential risk to life. A satisfactory means of escape must therefore be provided for any basement proposal in a

Map 8 Environment Agency's Flood Zones



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rapid inundation area. This restriction also applies in those parts of the borough identified in the SWMP as a flooding hotspot where the flood hazard rating from surface water flooding is defined as significant or higher.

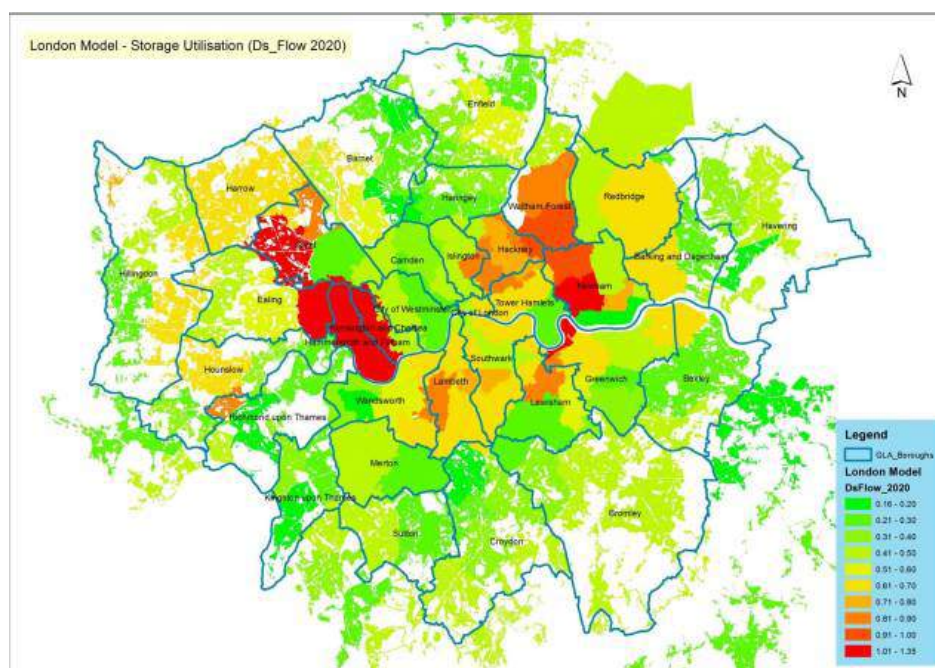
6.261 There is an increased potential for elevated groundwater in some parts of the borough, mainly to the south of Goldhawk Road.

6.262 Groundwater needs to be taken into account where new basement construction or extensions are planned to ensure that any new development does not increase flood risk either on-site or by impacting on groundwater flows to the detriment of neighbouring properties. Policy HO11 on basements and lightwells sets out further requirements in this respect.

6.263 Groundwater needs to be taken into account where new basement construction or extensions are planned to ensure that any new development does not increase flood risk either on-site or by impacting on groundwater flows to the detriment of neighbouring properties. Policy DC11 on basements and lightwells sets out further requirements in this respect.

6.264 Sewer flooding is also a potential problem for the borough, with Thames Water identifying over 2,000 locations in the borough affected by sewer flooding in the past 10 years. This distribution across the borough is shown by postcode area in the council's SWMP. The sewer network in the borough is a combined system which drains both foul water flows as well as surface water. Sewer flood risk is therefore intrinsically linked to the surface water flood risk, dealt with by Policy CC4. Sewer flooding occurs when high volumes of surface water are directed into the sewer during heavy rainfall events and the system surcharges due to lack of capacity. Flood risk from sewers is a particular problem for basement and lower ground floor properties but it can be mitigated by fitting devices such as non-return valves.

6.265 Thames Water has modelled the impact of London's projected population growth and climate change on its drains and sewers to understand their ability to cope with these future challenges. The modelling shows that for a relatively common rainfall event in 2020 (one that would be expected on average once every other year), some areas of London, including Hammersmith and Fulham, would not have sufficient drainage or sewerage capacity to manage the expected flows, leading to an increasing risk of surface water and sewer flooding. Map 9 provided by Thames Water shows the mapped output of this modelling for the 2020s.

Map 9 Thames Water Sewer Capacity 2020

6.266 Water is an increasingly scarce resource, and with an increasing population in Hammersmith and Fulham there is rising demand. Therefore, there is a need to ensure that new and refurbished buildings are designed to minimise the use of water by installing water efficient fittings and appliances where these are provided as part of the development. Required water efficient fittings include water efficient shower heads, tap fittings and toilets. Water efficient appliances include removable fixtures such as dishwashers and washing machines. As well as reducing water demand, integrating water efficiency measures can help reduce foul water flows from developments. This is particularly important in the borough as the sewer system is a combined system that takes all wastewater, including foul and surface water run-off.

6.267 Major new developments and those that use high volumes of water such as hotels, offices, schools, commercial and leisure uses will be expected to implement water efficiency measures such as those outlined above, including the collection and re-use of water (grey water recycling) and rainwater harvesting.

6.268 Further guidance on FRA requirements is included in the Hammersmith and Fulham Strategic Flood Risk Assessment (2015), and the council's Planning Guidance SPD. The SPD also provides additional details on water efficiency measures to be installed in new developments.

Managing Surface Water

6.269 The council's Surface Water Management Plan 2015 (SWMP) identifies that the risk of exceedance of the drainage system and surface water flooding in the borough is likely to increase in the future unless steps are taken to manage and mitigate this form of flooding. In line with the council's duties as a Lead Local Flood Authority, surface water therefore needs to be properly managed in new developments, particularly major developments.

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6.270 Landscaping schemes associated with major and minor schemes will be expected to minimise the use of impermeable surfaces and maximising use of permeable materials. Where feasible, the inclusion of rainwater harvesting systems should also be considered as a way of helping to reduce run-off while also reducing potable water usage within developments.

Policy CC4 - Minimising Surface Water Run-off with Sustainable Drainage Systems

All proposals for new development must manage surface water run-off as close to its source as possible and on the surface where practicable, in line with the London Plan drainage hierarchy. Other requirements include:

- all major developments must implement Sustainable Drainage Systems (SuDS) to enable a reduction in peak run-off to greenfield run off rates for storms up to the 1 in 100 year event (plus climate change allowance);
- all major developments will be required to provide a sustainable drainage strategy that demonstrates how SuDS will be integrated to reduce peak flow volumes and rates in line with the requirements of this policy;
- all other developments must maximise attenuation levels, achieving greenfield run off rates where possible, particularly where they are located in surface water flooding hotspots, or increase a site's impermeable area;
- as well as being designed to minimise flood risk, surface water drainage measures must be designed and implemented where possible to help deliver other Local Plan policies such as those on biodiversity, amenity and recreation, water efficiency and quality;
- all new outdoor car parking areas and other hard standing surfaces shall be designed to be rainwater permeable with no run-off being directed into the sewer system, unless there are practical reasons for not doing so;
- all flat roofs in new developments should be green or brown roofs to help contribute to reducing surface water run-off; and
- where installed, SuDS measures must be retained and maintained for the lifetime of the development and details of their planned maintenance must be provided to the council.

Justification

6.271 As shown in the council's Surface Water Management Plan (2015) (SWMP), surface water flood risk is spread across much of the borough, as is the risk from sewer flooding.

6.272 The SWMP identifies that over 7,000 residential properties and almost 900 non-residential properties could be at risk of surface water flooding of greater than 0.1m depth during a 1 in 100 year rainfall event.

6.273 As discussed earlier, most of the sewer infrastructure in the borough is combined rather than separate which means that sewers not only convey foul water to the sewage treatment plants further downstream, but also all surface water that enters the system – i.e. water that drains from paved areas, roads, roofs etc when it rains. Under normal circumstances, there is capacity in the sewers for all foul and surface water to be accommodated without significant flood risk, however, during storm conditions when there

can be high levels of rainfall in a short period of time, the volume of surface water and the rate at which it is entering the sewers can overwhelm the system and cause sewers to surcharge. This includes causing flood water to flow back into properties through drains, toilets, sinks etc. In some locations, particularly the central and southern parts of the borough, surface water flooding tends to be a result of localised ponding of surface water.

6.274 Thames Water plan to upgrade the existing sewer system in the borough through their Counters Creek Flood Alleviation Scheme which will help to reduce sewer and surface water flooding. However, in consultation with Thames Water, developers will still be required to demonstrate that there is adequate capacity in the sewer system both on and off site to serve their development and that it would not lead to problems for existing users. In some circumstances, including all major developments impacting on surface or foul water drainage within the catchment of the Counters Creek sewer, this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development would lead to overloading of existing infrastructure.

6.275 All development schemes, including minor proposals will be expected to show that they have managed surface water by utilising all available techniques to avoid increasing runoff and to reduce it as far as possible. This could include a combination of options including, but not limited to, the provision of water butts and rainwater harvesting systems, maximising the area of permeable surfaces and using green walls, green, blue or brown roofs, or integrating water features. Direct discharge into watercourses such as the Thames, may also be feasible for some developments. Where above ground SuDS measures are not feasible it may be necessary to use underground attenuation tanks and flow control mechanisms to manage run-off.

6.276 SuDS measures detailed in FRA's or separate Sustainable Drainage Strategies must clearly demonstrate how they will achieve the required attenuation of peak surface water run-off, in line with the drainage hierarchy outlined in London Plan (2016) in order to minimise run-off, achieving greenfield run off rates where necessary. An on-going maintenance programme must also be included for implementation to ensure the effectiveness of the system for the lifetime of the development.

6.277 The inclusion of rainwater harvesting systems must be considered as a way of helping to reduce runoff while also reducing potable water usage within developments. To help minimise run-off from new areas of hard standing, including car parks, these must be designed to be permeable and allow infiltration of surface water with no run-off being directed to the sewer system (unless there are practical reasons for this not being possible – i.e. unsuitable underlying soils). Landscaping schemes associated with major and minor schemes will be expected to minimise the use of impermeable surfaces, maximising use of permeable materials.

Policy CC5 - Water Quality

The council will require that where a private supply or distribution system is proposed as part of a development, the quality of water is assessed so that any required treatment is identified and an on-going monitoring and maintenance plan is established.

6 Borough-wide Policies

Justification

6.278 The availability and supply of water must be assessed in the development of land and the potential for sourcing a supply from water run-off harvesting or utilising groundwater sources may be considered. Potable and non-potable water must meet minimal levels of quality to ensure they do not adversely effect human and animal health, vegetation or other sensitive receptors. It is therefore necessary that when a private supply is to be included in a development that they are appropriately tested, monitored, protected and treated as required.

6.279 In conjunction with a private water supply or complementary to a water supply from the statutory provider, a private distribution system may be installed as part of a development. Standards for the materials used in these distribution systems as well as their layout and flow must be met. Regular inspections and maintenance plans shall be required to ensure distribution system safety.

Policy CC6 - Strategic Waste Management

The council will pursue sustainable waste management, including:

- a. **planning to manage 247,000 tonnes per annum of waste in LBHF by 2036;**
- b. **promoting sustainable waste behaviour and maximum use of the WRWA Smuggler's Way facility; and**
- c. **seeking, where possible, the movement of waste and recyclable materials by sustainable means of transport.**

Justification

6.280 London Plan (2016) policies are seeking to manage as much of London's waste within London as practicable, and are working towards managing the equivalent of 100% of London's waste (municipal and commercial and industrial waste) arising in London by 2026. Hammersmith and Fulham's apportioned waste total for 2036, as specified in the London Plan (2016), comprises 106,000 tonnes household waste and 141,000 tonnes commercial and industrial waste.

6.281 The borough's municipal waste, together with that of the three other boroughs in the Western Riverside Waste Authority area (WRWA), is managed through a riverside site (Smuggler's Way), close to Wandsworth Bridge in the London Borough of Wandsworth. Currently most of the non-recyclable municipal waste is transported by river to an Energy from waste facility in Bexley. The contract which does not expire until the early 2030's does not commit the Waste Authority to a specified amount of waste for incineration and therefore recycling rates can continue to rise without any penalty. Recyclable materials are dealt with by a materials reclamation facility (or MRF) with a capacity for 84,000 tonnes located at WRWA's Smuggler's Way site at Wandsworth. If recycling targets are met there will be a need for further facilities.

6.282 In order to manage increasing tonnages of recyclables and compostable waste, there is a need to ensure that major new developments, such as those within the White City Opportunity Area and Earl's Court and West Kensington Opportunity Area and Fulham Regeneration Area and the development at Imperial Road, make provision for managing their waste on site.

6.283 In addition to the Wandsworth facilities for managing the disposal of municipal waste, two large sites (Powerday at Old Oak Sidings and the EMR site), and some other smaller sites exist within the Old Oak Common Opportunity Area. Since April 2015 this Opportunity Area and the waste sites have fallen within the boundary of the Old Oak and Park Royal Development Corporation (OPDC).

6.284 The Old Oak Sidings site is approximately 3.5ha and is licenced to manage up to 1.6 million tonnes of waste per annum. The site is capable of managing both household/commercial/industrial waste and construction and demolition waste. In 2014, the site received 148,434 tonnes of household/commercial/industrial waste out of a total of 346,322 tonnes of waste received. This represented approximately 42.8% of waste received at the site. Based on this proportion, it is estimated that the site has an ultimate licenced capacity to manage a maximum of 681,600 tonnes of household and commercial and industrial waste (subject to market variation and realising the potential of rail and canal for waste transport). The EMR site is approximately 3.3ha and has a licenced capacity of 419,000 tonnes per annum. The site specialises in metal recycling and materials recovery (particularly end of life vehicles and white-goods).

6.285 The council notes that the London Plan (2016) states in paragraph 5.80 that “Where a Mayoral Development Corporation (MDC) exists or is established within a Borough, the MDC will co-operate with the borough to ensure that the Borough’s apportionment requirements are met”. The council considers that the Old Oak Sidings (Powerday) site could meet the borough’s waste apportionment target set out in the London Plan (2016). The council will encourage the OPDC to safeguard the Old Oak Sidings site for waste management activities, whilst acknowledging that its long term future is subject to the OPDC’s regeneration proposals for the Old Oak Common Opportunity Area. The council is investigating ways forward with the OPDC as well as the potential for pooling apportionment requirements with other authorities. In addition, major development sites will be expected to sort, process and recover materials on site thereby further increasing LBHF’s capacity to locally manage waste.

6 Borough-wide Policies

Policy CC7 - On-site Waste Management

All new developments must include suitable facilities for the management of waste generated by the development, including the collection and storage of separated waste and where feasible on-site energy recovery.

- a. **all developments, including where practicable, conversions and change of use, should aim to minimise waste and should provide convenient facilities with adequate capacity to enable the occupiers to separate, store and recycle their waste both within their own residence and via accessible and inclusive communal storage facilities, and where possible compost green waste on site;**
- b. **in major development proposals, on-site waste management should be provided, particularly for commercial and industrial waste streams; and**
- c. **sustainable waste behaviour, including the re-use and recycling of construction, demolition and excavation waste will be encouraged and recyclable materials should, wherever feasible, be segregated on site, providing there is no significant adverse impact on either site occupants or neighbours. On larger demolition sites, the council will expect details of the type and quantity of waste arising and details of proposed methods of disposal, including means of transport.**

Justification

6.286 As a Waste Collection Authority (WCA), Hammersmith and Fulham Council collects municipal waste which includes household refuse and recyclables, street sweepings, litter, flytipped materials and commercial/industrial waste. Waste collected by the council is delivered to Western Riverside Waste Authority (WRWA) for disposal or recycling. Mixed recycling comprising glass, metal, paper, cardboard, plastic and cartons is sorted at a Materials Recycling Facility in Wandsworth. Refuse not separated for recycling is disposed of at an Energy from Waste facility in Bexley.

6.287 In 2013/14, 20.53% of household waste collected by the council was recycled. In recent years, the amount of overall waste produced per household has reduced, but is expected to rise again in the future. The council has targets for increasing the amount of waste diverted from disposal, as this delivers an environmental, social and economic benefit to the borough and its residents.

6.288 In order to facilitate the sustainable management of waste in the future it is essential that all developments provide adequate facilities for the separation of waste and recyclables in the home and for its satisfactory storage prior to collection. Where feasible space or facilities for the composting of green waste should also be provided.

6.289 In the regeneration areas and other major redevelopment schemes, consideration should be given to the provision of on-site waste management in order to facilitate the re-use and recycling of waste generated by the development, particularly for the industrial and commercial waste streams. On-site waste management could have the added benefit of reducing transport trips.

6.290 Construction, excavation and demolition waste should, wherever feasible, be segregated on site in order to maximise reuse and recycling of the waste. On some smaller construction sites in close proximity to residential or noise dust sensitive uses this may not be possible. On larger sites the council will expect developers to produce a site waste management plan to ensure the efficient handling of waste and materials.

Policy CC8 - Hazardous Substances

The council will ensure the protection of new and existing residents, by rejecting proposals involving provision for hazardous substances that would pose an unacceptable risk to the health and safety of occupants of neighbouring land, and rejecting development proposals in the vicinity of existing establishments if there would be an unacceptable risk to future occupants.

The council will ensure that development takes account of major hazards identified by the Health and Safety Executive, namely:

- **Fulham North Holder Station, Imperial Road;**
- **Fulham South Holder Station, Imperial Road; and**
- **Swedish Wharf, Townmead Road.**

Justification

6.291 Within the borough there are a number of facilities (gas holders and pipelines) which handle and transport hazardous substances. Although the facilities are strictly controlled by health and safety regulations, it is necessary to control the type of development around these sites and to resist new development which might pose a risk to people occupying sites and buildings in the vicinity.

6.292 This policy ensures the protection of new and existing residents by resisting the expansion of, or new developments which would cause an unacceptable safety risk. The council will consult the Health and Safety Executive (HSE) on all hazardous substances consent applications. We will also consult the HSE about certain developments (essentially those that will increase the number of people) within the consultation distances around installations, for example, so that risks presented by installations can be given due weight.

6.293 In Fulham there are three installations handling notifiable substances, including pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is important to control the kinds of development permitted in the vicinity of these installations. The council will consult the Health and Safety Executive on appropriate application prior to the granting of planning permission about the risks to the proposed development from the notifiable installation and this could lead to refusal of permission, or restrictions on the proximity of development to the notifiable installation. The notifiable sites and pipelines are shown on the Proposals Map, together with the distance from the notifiable site for which consultation with the Health and Safety Executive will be required. The distance from the pipelines in which buildings will not normally be permitted is also listed.

6 Borough-wide Policies

Policy CC9 - Contaminated Land

When development is proposed on or near a site that is known to be, or there is good reason to believe may be, contaminated, or where a sensitive use is proposed, an applicant should carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the contamination.

Development will not be permitted unless practicable and effective measures are to be taken to treat, contain or control any contamination so as not to:

- a. **expose the occupiers of the development and neighbouring land uses including, in the case of housing, the users of open spaces and gardens to unacceptable risk;**
- b. **threaten the structural integrity of any building built, or to be built, on or adjoining the site;**
- c. **lead to the contamination of any watercourse, water body or aquifer; and**
- d. **cause the contamination of adjoining land or allow such contamination to continue.**

Any application will be assessed in relation to the suitability of the proposed use for the conditions on that site. Any permission for development will require that the measures to assess and abate any risks to human health or the wider environment agreed with the authority must be completed as the first step in the carrying out of the development.

Justification

6.294 In a heavily built up borough such as Hammersmith and Fulham where there has been a history of heavy industry, land contamination is known to exist. It is important therefore that any land that is known or suspected of being contaminated, or where a sensitive use is proposed, is dealt with before the development takes place.

6.295 Any potential risks associated with contaminated land should be identified and assessed at the planning pre-application stage. Some sites may be contaminated as a result of being in the vicinity of a contaminated site. The risk of this contamination depends on ground conditions and the type of contamination. Where necessary, developers will be required to carry out remediation works and satisfy the council that their development can be safely built and occupied without posing any unacceptable risks to human health or the environment.

6.296 Developers must ensure that their remediation works are sustainable and result from a robust site investigation and risk assessment and that remediation is conducted in-situ when possible to reduce the amount of waste produced which requires transport, and recycle soils and aggregates when possible to avoid the need for disposal hence minimising the pollution of the wider environment. Any investigation or treatment of the contamination must be agreed with the council before they are implemented.

Policy CC10 - Air Quality

The council will seek to reduce the potential adverse air quality impacts of new developments by:

- a. requiring all major developments to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and also considers the potential for exposure to pollution levels above the Government's air quality objective concentration targets;
- b. requiring mitigation measures to be implemented to reduce emissions, particularly of nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to the exceedances of the Government's air quality objectives; and
- c. requiring mitigation measures that reduce exposure to acceptable levels where developments are proposed that could result in the occupants being particularly affected by poor air quality.

Justification

6.297 Nearly one in seven deaths (15%) in Hammersmith and Fulham are caused by Nitrogen Dioxide via pollution - the eighth highest level in London according to Kings College London. The whole of Hammersmith and Fulham is an Air Quality Management Area for Nitrogen Dioxide (NO₂) and particulate matter (PM₁₀) and the council is implementing measures to help meet national air quality objectives for these and other pollutants. New developments are expected to contribute towards improving local air quality, particularly where they include potentially major new sources of emissions or could significantly increase traffic-generated emissions. Some developments such as schools, nurseries, hospitals and care homes for the elderly and also housing, may be particularly affected by the potential impacts of poor air quality on the occupants of the development.

6.298 Requiring air quality issues to be considered early in the planning process and to be assessed in detail if necessary (i.e. for developments that may increase local emissions significantly) is the best way of establishing a design led approach to mitigating those emissions and reducing exposure.

6 Borough-wide Policies

Policy CC11 - Noise

Noise (including vibration) impacts of development will be controlled by implementing the following measures:

- a. **noise and vibration sensitive development should be located in the most appropriate locations and protected against existing and proposed sources of noise and vibration through careful design, layout and use of materials, and by ensuring adequate insulation of the building envelope and internal walls, floors and ceilings as well as protecting external amenity areas;**
- b. **housing, schools, nurseries, hospitals and other noise-sensitive development will not normally be permitted where the occupants/users would be affected adversely by noise, both internally and externally, from existing or proposed noise generating uses. Exceptions will only be made if it can be demonstrated that adequate mitigation measures will be taken, without compromising the quality of the development; and**
- c. **noise generating development will not be permitted, if it would be liable to materially increase the noise experienced by the occupants/users of existing or proposed noise sensitive uses in the vicinity.**

Where necessary, applicants will be expected to carry out noise assessments and provide details of the noise levels on the site. Where noise mitigation measures will be required to enable development to take place, an outline application will not normally be acceptable.

Justification

6.299 The dominant sources of noise in Hammersmith and Fulham are road and rail traffic, construction (including DIY), noisy neighbours, pubs/clubs and other entertainment venues, pavement cafés/outdoor seating and noisy building services, plant and equipment. Aircraft and helicopter noise is also a concern in parts of the borough.

6.300 Noise and associated vibration can affect and have a direct impact on noise sensitive uses, particularly housing, but also other sensitive uses such as schools and hospitals and impact upon people's health and well being. Some areas of the borough are subject to significant noise disturbance. Existing and potential noise levels will be taken into account when assessing a proposal for residential development. Noise levels both inside the dwelling and in external amenity spaces will be considered. The council will therefore require a careful assessment of likely noise levels before determining planning applications.

6.301 Any proposal (including new development, conversion, extension, change of use) for a noise generating development close to dwellings or other noise sensitive uses will be assessed to determine the impact of the proposed development in relation to these existing uses. In this borough, noise generating activities that cause particular problems tend to be late-closing entertainment and food and drink establishments. Also an issue is noise disturbance in existing buildings where sound insulation is inadequate. Proposals for conversions and change of use should minimise noise disturbance from adjoining uses by improving sound insulation and the arrangement of rooms, such as stacking/locating rooms of similar uses above/adjacent to each other.

6.302 Issues of noise and nuisance are considered on a site-by-site basis having regard to the proposal, site context and surrounding uses in the context of related policies and guidelines.

Policy CC12 - Light Pollution

The potential adverse impacts from lighting arrangements will be controlled by requiring all developments that include proposals for external lighting including illuminated signs and advertisements, security and flood lights and other illuminations to submit details showing that it:

- a. **is appropriate for the intended use;**
- b. **provides the minimum amount of light necessary to achieve its purpose;**
- c. **is energy efficient; and**
- d. **provides adequate protection from glare and light spill, particularly to nearby sensitive receptors such as residential properties and Nature Conservation Areas, including the River Thames and the Grand Union Canal.**

Justification

6.303 External lighting is often required in new developments to help provide a healthy and safe environment and can also be used to enhance the appearance of some buildings and extend the use of other facilities, e.g. outdoor sports facilities. However, excessive lighting can have a negative impact on residents' quality of life, adversely affect wildlife, contribute to 'sky glow' and waste energy. Requiring the submission of details of external lighting in line with the recommendations of the Institute of Lighting Professionals for approval will allow external lighting and its impacts to be controlled and minimised.

Policy CC13 - Control of Potentially Polluting Uses

All proposed developments (including new buildings, demolition of existing buildings, conversions and changes of use) will be required to show that there will be no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties, particularly where commercial and service activities will be close to residential properties. In the case of mixed use developments, similar protection will also be afforded to the prospective residents and other users where there is potential for activities within the new development to impact on their immediate neighbours on the same site.

The council will, where appropriate, require precautionary and/or remedial action if a nuisance, for example, from smoke, fumes, gases, dust, steam, light, vibration, smell, noise, spillage of gravel and building aggregates or other polluting emissions, would otherwise be likely to occur, to ensure that it will not.

6 Borough-wide Policies

Justification

6.304 Many activities can be a source of nuisance, a hazard to health, or both. The council wishes to encourage enterprise. However, the benefits of any new enterprise or commercial activity must always be set against any adverse effects on the amenities of local residents and existing businesses. It is also necessary to take account of potential impacts within new mixed use developments where new residents and other users could be impacted by activities on the same site or building. Developments that may give rise to environmental nuisance must therefore be designed appropriately, so as not to unduly interfere with the existing and future quality of life in the borough.

Transport and Accessibility

6 Borough-wide Policies

Policy T1 - Transport

To work with strategic partners to improve transportation provision, accessibility, and air quality in the borough, by improving and increasing the opportunities for cycling and walking, and by improving connections for bus services, underground, national and regional rail by:

Major Scheme Targets

- seeking and promoting the routing of Crossrail 2 via South Fulham, with an interchange to the Overground line at Imperial Wharf;
- supporting the implementation of a HS2 Crossrail/Great Western interchange at Old Oak with interchanges with the West London Line and underground services;
- seeking a road tunnel replacing all or parts of the A4, including the Flyover through Hammersmith allowing for major new housing, community facilities and office developments within the town centre and improved links to the Thames;
- continuing to promote major improvements with new stations and enhanced local and sub-regional passenger services on the West London Line;
- seeking the increased capacity and reliability of the Piccadilly and District Lines;
- seeking increased use of the River Thames for passenger services and freight use where this is compatible with the capacity of the connecting road network and meets environmental concerns;
- increasing the opportunities for walking, for example by extending the River Thames Path National Trail, and for cycling by supporting the Mayor's Cycling Vision; and
- seeking localised improvements to the highway network to reduce congestion on north-south routes in the borough.

Borough wide Targets:

- promoting and supporting the continued development of initiatives designed to encourage modal shift away from private vehicles, in order to improve congestion and air quality within the borough;
- developing and promoting safe environments for cyclist and pedestrians to encourage residents and businesses to consider these modes;
- extending the Mayor's Bike Hire scheme throughout the borough;
- working with Transport for London and bus operators to develop zero exhaust emission bus services and routes across the borough;
- securing access improvements for all, particularly people with disabilities, as part of planning permissions for new developments in the borough;
- ensuring that there are adequate levels of provision of electric charging infrastructure to support local residents and visitors;
- working towards changing the behaviour patterns and vehicle types of private hire vehicles and taxis;
- ensuring that traffic generated by new development is minimised so that it does not add to parking pressures on local streets or congestion, or worsen air quality; and

- relating the intensity of development to public transport accessibility and highway capacity.

Justification

Public transport

6.305 A key objective is to improve public transport and accessibility in the borough, whilst reducing the adverse impact of road traffic and traffic congestion. The level of population and employment growth proposed over the next 20 years will necessitate increased investment in public transport to improve transport accessibility for all users, and the council will work with partners, transport operators and developers to ensure that this takes place. The council will also seek to ensure that major new development is located in areas with high levels of public transport accessibility, thereby reducing the need to travel by private car, to minimise energy use and to increase opportunities for walking and cycling. If there is not adequate capacity in the transport system, the council's strategy for growth may be constrained or delayed.

6.306 The health and wellbeing of residents and visitors using the public highway and transport network is an essential consideration for the council. Growing the awareness of air quality and vehicle emissions is key to improving the health of the public highway for all users. The council will seek to develop initiatives that increase public awareness regarding air quality and work with stakeholders to drive modal shift towards lower emission modes of transport.

6.307 The borough has historically had poor opportunities for north-south travel on public transport and on the highway network. The council has put considerable effort into promoting the increased use of the West London Line for passenger transport and have secured new stations at West Brompton, Shepherds Bush and Imperial Wharf. However, although services have improved, higher frequency and more action is needed by rail operators to ensure that there is sufficient capacity for the future, particularly in the four proposed regeneration areas. In particular, direct sub-regional services to Gatwick airport must be restored and maintained to provide quick links with the regeneration areas at White City, Earl's Court and North Fulham. The possibilities for additional stations should be explored, for example at North Pole Road, as advocated by RBKC.

6.308 The Government's decision to support a High Speed Rail Line (High Speed 2) from London to the West Midlands and beyond is welcomed, and this potentially gives a great boost to the council's aspirations for regeneration of large tracts of railway land in the north of the borough. The council believes Old Oak Common could become one of the capital's busiest interchanges, with train links to Heathrow and Bristol to the west, Birmingham to the north, Stratford and Canary Wharf to the east, and Richmond, Clapham Junction and Gatwick to the south.

6.309 In addition to improvements to the overground network, the regeneration of the borough also needs to be supported by the underground and bus network. The council is promoting the routing of Crossrail 2 through South Fulham Riverside, rather than as currently planned, as this would greatly assist the regeneration objectives for this area. Elsewhere improvements to increase the capacity on underground routes and the quality of the bus network will also need to accompany the growth in the borough's population and jobs.

6 Borough-wide Policies

6.310 The policy needs to be read in conjunction with the Mayor London's SPG on Land Industry and Transport.⁽⁵⁶⁾

The River Thames

6.311 The Thames is part of London's Blue Ribbon network which the Mayor of London wishes to see provide increased passenger and freight transport. In respect of the Thames, there is now a riverboat service between Putney and Blackfriars which calls at Chelsea Harbour and the main central London piers. However, it only runs at Monday-Friday peak times. The council supports increased passenger service, including services towards Hammersmith and Chiswick, and provision of improved and new piers and other infrastructure that are appropriate and viable.

6.312 The council also supports greater use of the River Thames for freight movement, particularly for the short to medium term transport of aggregates and construction waste to and from the large redevelopment sites adjacent to the river. However, the council recognises that the transfer of freight between barges and lorries can cause problems of congestion in the local road network and will therefore seek river freight activity on a consolidated site which has the best connections to the Strategic Road Network (i.e to the east of Wandsworth Bridge).

Local Implementation Plan

6.313 The council is in the process of developing proposals to improve transport in the borough through its third Transport Local Implementation Plan (LIP3), a statutory document in which councils are required to show how they will implement the Mayor of London's Transport strategy in their area. The Draft LIP2 was drawn up in close collaboration with the LDF and was adopted in 2011 and updated in September 2013.

Policy T2 - Transport Assessments and Travel Plans

All development proposals will be assessed for their contribution to traffic generation and their impact on congestion, particularly on bus routes and on the primary route network. The existing and potential availability of public transport, and its capacity to meet increased demand will also be assessed for any development.

The council will require a Transport Assessment (TA), together with a Travel Plan where a development is anticipated to generate a level of trips that impacts on the local network or have an impact on any strategic routes. Delivery and Servicing Plans should be secured in line with TfL's London Freight Plan and should be co-ordinated with Travel Plans.

Justification

6.314 The council expects Transport Assessments (TA) and Travel Plans to be produced in accordance with Transport for London's "Transport Assessment Guidance", published in 2014. This document gives details on the production and content of Delivery and Servicing Plans. The TA will contain information on a range of transportation matters and

will assist the council in determining what quantum of development is acceptable in transportation terms and how access can be achieved, as far as possible by means other than the private car.

6.315 A travel plan is a long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through an action plan that is regularly reviewed. The travel plan should set targets, objectives and monitoring requirements. The travel plan should include a series of measures, management and funding details that aim to deliver the stated objectives and targets. The travel plan should be secured by a planning obligation and have regular ongoing management.

6.316 A TA will be required for any development where the council anticipated that the development will generate a level of trips that impact on the existing highways arrangement. In line with planning practise guidance published by central government, the need for a TA will be assessed on a case-by-case basis and will be at the discretion of the council. A TA is required for all planning applications which are referred to the Mayor of London. The criteria for referral are given in the Mayor's Transport Assessments Guidance document.

6.317 The council will require developer support for upgrades and improvements to capacity on public transport services and the associated infrastructure and facilities, through financial contributions, where these improvements are necessary to enable the development to take place. The council will also expect that appropriate mitigation is provided by the developer for any impacts expected on the public highway or local network.

Policy T3 - Increasing and promoting Opportunities for Cycling and Walking

The council will encourage and support the increasing use of bicycles by requiring:

- **new developments to include the provision of convenient accessible and safe secure cycle parking within the boundary of the site (see appendix 8);**
- **the provision of suitable changing and showering facilities, following the guidance outlined in the Hammersmith and Fulham Cycling Strategy 2015; and**
- **developer contributions for improvements to cycling infrastructure, including contributions to the extension of TfL's Cycle Hire Scheme.**

The council will facilitate walking by requiring larger developments to provide:

- **accessible, inclusive and safe pedestrian routes within and through the larger developments;**
- **accessible and inclusive pedestrian access to the river and canal, where appropriate; and**
- **contributing to improvements in the local highway infrastructure and walking environment.**

6 Borough-wide Policies

Justification

6.318 Increasing the opportunities for accessible and safe walking and cycling in the borough will have a number of benefits, ranging from improving people's health, improving air quality and reducing traffic congestion. As well as strategic walking and cycling routes, the council will seek local improvements, including convenient and safe walking routes, cycling changing and parking facilities and signage.

6.319 The Mayor of London has a target of quadrupling cycling in London by 2031 (Mayor's Transport Strategy May 2010) and the Mayor of London's Cycling Vision intends to double cycling over the next 10 years (March 2013). Hammersmith and Fulham's Cycling Strategy 2015 also identifies a desire to have one of the highest levels of cycling of any London borough, whilst ensuring a safe and easy to use cycle environment.

6.320 The increases in infrastructure provision for both cycling and walking should be designed to target all residents and businesses. Developers will be encouraged to engage with future site users to promote the use of alternative modes of travel. It will be required that both physical interventions and educational material is designed to target both those who use the modes at present and new users.

6.321 The cycle parking standards of the London Plan (2016) are considered to represent a minimum standard for any development within the borough, further guidance on parking standards can be found in appendix 8, the West Trans Cycle Parking Guidance and the Hammersmith and Fulham Cycling strategy. The council will work with developers to ensure not only on site standards are met, but that where feasible infrastructure to support cycling is also provided on the public highway through contribution from developers.

Policy T4 - Vehicle Parking Standards

The council will require any proposed development (new build, conversion or change of use) to conform to its car parking standards (appendix 7). The council will also require car parking permit free measures on all new development unless evidence is provided to show that there is a significant lack of public transport available.

Justification

6.322 Sufficient car parking will need to be provided to meet the essential needs of developments in accordance with London Plan (2016) parking standards set out at appendix 7, particularly ensuring that there are suitable places for disabled people, car clubs and electric cars. Parking space is often an inefficient and unattractive use of land and its impact on local environmental quality should be minimised where car parking is provided in new developments. Additional commuting by car must not be encouraged as it would add to the existing congestion.

6.323 Residential design guidance will promote housing designs that reduce the impact of parking on local environmental quality, including where appropriate restricting properties to be car permit free. The council will only consider the issuing of permits for on street parking in locations where the PTAL level is considered 2 or lower (TfL's public transport accessibility level). The PTAL calculator represents the best available tool for calculating public transport accessibility, as such this is the primary method for determining car permit

free developments. However, the PTAL level calculations change over time as road networks/provision and other factors change. The levels of local parking stress must also be considered when assessing the impact of additional on street parking.

6.324 Where appropriate, and in accordance with the London Plan (2016), the council will encourage car club bays in new developments, especially those with restricted parking. The council will also require all development to provide a minimum of 25% of parking spaces in new developments to be equipped with electric car charging points, and a further 25% passive provision. All electric car and car club spaces should be of an accessible width and length.

Policy T5 - Parking for Blue Badge Holders

New developments that include vehicular access must provide accessible, off street car parking bay for Blue Badge holders even if no other general parking is provided as part of the development.

Justification

6.325 The minimum standards for blue badge parking provision are set out in the Mayor of London's blue badge parking standards for off-street car parking (2006). When considering the provision and location of blue badge parking bays, consideration should be given to the uses of the development and the desire lines/access points for users.

6.326 The provision of bays should be regularly monitored and reviewed to ensure the level is adequate and that enforcement is effective. Spaces designated for blue badge holders should be located on firm level ground and as close as feasible to the accessible entrance to the building.

6 Borough-wide Policies

Policy T6 - Borough Road Network - Hierarchy of Roads

Developments, construction and other operations that affect the borough's road network will be regulated according to the council's hierarchy of roads, shown on the Proposals Map, as follows:

Tier 1: Strategic routes (Transport for London Road Network)

Development will not be permitted if it would prejudice the effectiveness of the strategic route network to provide safe and unobstructed road connections to national and international transport networks, to provide for long distance and commercial traffic to traverse the region, or to reduce traffic demand on lower tier roads. Direct frontage access from development sites to such routes will be resisted unless there is no prospect of alternative access to a lower tier road, and the particular section of frontage concerned already performs lower tier functions, and the safe flow of traffic will be maintained. Proposals likely to increase car commuting into central London along such routes will be resisted.

Tier 2: London distributor roads

Development will not be permitted if it would prejudice the effectiveness of these roads to provide links to the strategic route network, provide access to and between town centres, and distribute traffic to and around, but not within, local areas.

Tier 3: Borough distributor roads

Development will not be permitted if it would prejudice the effectiveness of these roads to distribute traffic to land and property within any local area bounded by the strategic route network and London distributor roads, or introduce additional through-traffic on them.

Tier 4: Local access roads

Development will not be permitted if it would prejudice the effectiveness of these roads to provide safe and convenient access to individual properties, or result in their use by through-traffic.

Justification

6.327 There are limited opportunities for tackling urban congestion and increasing road capacity in the borough. North-south movements can be particularly difficult, and development schemes, particularly in the regeneration areas, will need to consider how they contribute to improvements to the highways network.

6.328 To achieve the objectives of this policy, the borough's roads are grouped into a hierarchical network - with different roads fulfilling different functions, as follows:

- i. Strategic Routes (TLRN: Transport for London Road Network):
 - to provide for the longer journeys and, in particular, for those by buses and goods vehicles;

- to link London effectively to the national road system; and
- to reduce traffic demand on secondary roads so that, in association with traffic restraint policies, they can provide an adequate level of service and, in turn, relieve local roads of through traffic.

These roads form the Transport for London Road Network (TLRN) – Priority Red Routes – in the borough and are controlled by Transport for London (TLRN).

ii. London distributor roads, whose function is:

- to provide links to the strategic route network;
- to give access to strategic centres for short and medium distance traffic;
- to provide the main bus routes with the provision of bus priority measures where appropriate; and
- to distribute traffic to and around, but not within, local areas.

Most of the London distributor roads in the borough form part of TfL’s “Strategic Road Network” but should not be confused with the TLRN.

iii. Local distributor roads, whose function is:

- to distribute traffic within a local area bounded by strategic and London roads, but not to carry through traffic (i.e. traffic which has neither its origin nor its destination within that area).
- to cater primarily for traffic movements within the borough.

Local distributor roads may be subject to measures to restrict the speed of general traffic flow. Restrictions on the types of vehicle which can pass along the road may be introduced as part of an agreed traffic restraint or reduction strategy. Some categories of frontage development are not suited to this category of road, particularly at critical junctions.

iv. Local access roads, whose function is:

- to provide final access to destination only; primarily for use by residents and pedestrians.

Local roads will frequently provide opportunities to provide safer routes for cyclists and pedestrians.

6.329 The strategic, London distributor, borough distributor and certain local access roads are shown on the Proposals Map. A schedule of individual roads is included in the table below.

Table 6 Hierarchy of Borough Roads

Hierarchy	Roads
A. Strategic Routes	A4: Great West Road (including the slip roads to Hammersmith Bridge Road)/

6 Borough-wide Policies

Hierarchy	Roads
(Transport for London Road Network)	<p><i>Hammersmith Flyover/Talgarth Road (east of Butterwick)/ West Cromwell Road</i></p> <p>A40/A40(M): Westway, including slip roads to Wood Lane and A3320 Roundabout</p> <p>A3320: West Cross Route / Holland Park Roundabout.</p>
B. London Distributor Roads	<p>A217: Wandsworth Bridge Road/Wandsworth Bridge</p> <p>A219: Scrubs Lane/Wood Lane (north of Westway)</p> <p>A219: Shepherds Bush Road</p> <p>A219: Butterwick/Queen Caroline Street (north of Talgarth Road)/Talgarth Road (west of Butterwick)/Fulham Palace Road/Fulham High Street/Putney Bridge Approach/Putney Bridge</p> <p>A304: Fulham Road/Fulham Broadway/Fulham Road</p> <p>A306: Hammersmith Bridge/Hammersmith Bridge Road</p> <p>A308: New King's Road/King's Road</p> <p>A315: Hammersmith Broadway/Hammersmith Road (west of Butterwick)</p> <p>A40: Wood Lane (south of Westway)/Uxbridge Road (east of Wood Lane)/Shepherd's Bush Green</p> <p>A402: Goldhawk Road</p> <p>A4020: Uxbridge Road /Shepherds Bush Green</p>
C. Local Distributor Roads	<p>A315: King Street/Studland Street (south of Glenthorne Road) / Glenthorne Road (east of Studland Street and west of Beadon Road)/Beadon Road</p> <p>A315: Hammersmith Road (east of Butterwick)</p> <p>A3218: Lillie Road</p> <p>A3219: Munster Road (north of Dawes Road)/Dawes Road (west of North End Road)</p> <p>B317: North End Road (south of Dawes Road)</p> <p>B408: Askew Road: Old Oak Common Lane/Old Oak Road: Hopgood Street/Macfarlane Road (east of Hopgood Street).</p>

Hierarchy	Roads
	<p>B317: North End Road (north of Dawes Road)</p> <p>B318: Harwood Road</p> <p>B408: Paddenswick Road/Dalling Road (south of Paddenswick Road and north of Glenthorne Road)/Glenthorne Road (west of Studland Street)</p> <p>B409: Stamford Brook Road</p> <p>B412: North Pole Road: Bloemfontein Road:Du Cane Road: Glenthorne Road (east of Beadon Road): Hammersmith Grove (south of Glenthorne Road)</p>
D. Local Access Roads	<p>i. Retaining an essential through traffic function in the short to medium term:</p> <p>B408: Dalling Road (south of Glenthorne Road) : Coningham Road : Emlyn Road/Larden Road: Hammersmith Grove (north of Glenthorne Road): Munster Road (south of Dawes Road): Parson's Green Lane/Parson's Green (west side): Townmead Road (south of Imperial Road)/ Imperial Road/Harwood Terrace/Bagleys Lane (north of Harwood Terrace) and Waterford Road (north of Harwood Terrace and south of King's Road). Brook Green</p> <p>ii. Other: All roads not included in classifications above.</p>

6.330 The classification of roads to fulfil different functions has implications for areas adjacent to them, and for their uses. It also allows proper account to be taken of the functions intended for different roads when development proposals are under consideration. In the short term, local access roads and, to a lesser extent, borough distributor roads, and development related to them, will benefit from measures which will improve environmental conditions for essential traffic and allow them to fulfil better their local access function. It is the council's intention that proposed developments fronting onto the strategic and London distributor road network should have regard to environmental conditions in terms of land-use, internal room arrangements and sound insulation measures.

Policy T7 - Construction and Demolition Logistics

All construction, demolition, utilities and major logistic activities within the borough will be required to work with the council in developing the scope and impact of their operations. In order to mitigate the impact of any additional traffic or potential disruption to the network, careful planning and co-ordination with the council is required to ensure the smooth operation of the highway network.

6 Borough-wide Policies

Justification

6.331 Any development that requires significant numbers of deliveries or that is going to add to the traffic on the local highway network over an extended period of time, will need to work with the council to establish how this capacity will be accommodated. This is usually done with the conditioning of a Construction Management Plan at the planning stage, however any works that are anticipated to impact significantly on the highway network will be expected to co-ordinate these actions with the council.

6.332 The use of alternative modes of delivery such as rail and river transport are considerations in TfL's Transport Assessment guidance document and the council will encourage the use of these modes of transport by new developments wherever possible, subject to any local environmental concerns.

6.333 The council has a duty to ensure that the local highway network is not adversely impacted by development. The council will look to ensure that works and developments are not adversely impacting users and local neighbours, for example: where a development includes any excavation works a construction logistics plan will be required, this will help mitigate the impact on local parking and footways.

6.334 The council, as the local highway authority, has a duty to maintain the public highway under section 41 of the Highway Act 1980. Included within this is the responsibility to mitigate the impact of utilities and associated works on the highway. The council will seek to work with utilities and statutory undertakers to minimise the impact that their users have on the public highway. This will include works both on the highway and at new development sites where additional service requirements may impact on public managed lands.

7 Planning Contributions and Infrastructure

Policy INFRA1 - Planning Contributions and Infrastructure Planning

The council will seek planning contributions to ensure the necessary infrastructure to support the Local Plan is delivered using two main mechanisms:

Community Infrastructure Levy (CIL)

The council will charge CIL on developments in accordance with the CIL Regulations (as amended) and the LBHF CIL Charging Schedule.

The council will spend CIL on:

- infrastructure in accordance with the H&F Regulation 123 (R123) List;
- projects identified for 'Neighbourhood CIL'; and
- CIL administration expenses (no more than the statutory cap).

Section 106 Agreements ('S106s')

The council will seek to negotiate S106s, where the S106 'tests' are met, for:

- the provision of infrastructure projects or types *not* specified on the R123 List (through either financial contributions or 'in kind' delivery); and
- non-'infrastructure' provisions, such as for affordable housing (see policy H03) and S106 monitoring expenses.

Community Infrastructure Levy (CIL)

7.1 The CIL is a charge levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area.

7.2 The council's CIL came into effect on 1 September 2015. The council will spend CIL on:

- Infrastructure in accordance with the H&F Regulation 123 (R123) List;
- Projects identified for 'Neighbourhood' CIL' (up to 15-25%) following appropriate consultation; and
- CIL administration costs (no more than the statutory cap, which is currently set at 5%).

7.3 Further details of the council's CIL can be found at www.lbhf.gov.uk/cil

Mayoral CIL

7.4 The Mayor of London's CIL Charging Schedule has been in effect since April 2012 and the council collects this CIL on behalf of the Mayor as part of the funding package for Crossrail. The Mayor of London's Use of Planning Obligations in the Funding of Crossrail, and the Mayoral CIL SPG (April 2013) provides further guidance on the operation of the

7 Planning Contributions and Infrastructure

Mayoral CIL. London Plan (2016) Policy 8.3 Community Infrastructure Levy provides strategic planning policy on CIL and states that the “Mayor will work with Government and other stakeholders to ensure the effective development and implementation of the CIL”.

Neighbourhood CIL

7.5 The council has produced the R123 list which identifies the borough’s strategic priorities in terms of infrastructure spending. The CIL Regulations 2010 also identify that where there is a neighbourhood forum in place, through the production of a neighbourhood plan policies may be developed to identify the ‘neighbourhood’ infrastructure priorities.

Section 106 Agreements (S106s)

7.6 S106s are planning obligations or undertakings which can be agreed between a landowner and local planning authority relating to a planning permission and are normally used where planning conditions cannot adequately control the development and/or to secure the provision of necessary infrastructure.

7.7 S106 of the Town and Country Planning Act 1990 (inserted by S12 of the Planning and Compensation Act 1991) states that any person interested in land in the area of a local planning authority may, by agreement or otherwise, enter into an obligation:

- a. restricting the development or use of the land in any specified way;
- b. requiring specified operations or activities to be carried out in, on, under or over the land;
- c. requiring the land to be used in any specified way; or
- d. requiring a sum or sums to be paid to the authority on a specified date or dates or periodically.

7.8 Alongside CIL, the council will negotiate for planning obligations that are considered to meet the necessary tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

7.9 Planning obligations provide the opportunity to mitigate against local and site specific impacts of a development proposal. The measures sought via a planning obligation will be based on the nature, scale, the location and impact of a development proposal.

7.10 To ensure there is no overlap between the contributions sought through the CIL and planning obligations, the council has produced ‘The relationship between CIL and section 106 and section 278 planning contributions’. This note outlines the infrastructure items on the Regulation 123 list and the nature of additional planning obligations.

7.11 London Plan (2016) Policy 8.2 Planning Obligations provides strategic planning policy on S106s and states that “Boroughs should set out a clear framework for negotiations on planning obligations in DPDs having regard to relevant legislation, central Government policy and guidance and local and strategic considerations”.

Pooling contributions

7.12 The CIL Regulations 2010 as amended restrict the number of planning obligations that can be funded through a s106 agreement. No more than five obligations may be sought for a specific infrastructure item that is not contained on the Regulation 123 list.

Infrastructure Planning

7.13 The NPPF sets out a core planning principle that planning should “take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs” (paragraph 17). It also states that “Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure” (paragraph 21) and goes on to state that LPAs should “work closely with the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability” (paragraph 160).

7.14 The Local Plan sets out the council’s approach to regeneration and development in the borough over the next 20 years. It will be essential that a range of social infrastructure, such as health and recreational facilities, as well as physical infrastructure, such as transport facilities and green infrastructure is provided to ensure successful development and to support the local communities, particularly in those areas experiencing the most growth. The council will work with social and physical infrastructure providers, to ensure that adequate facilities are provided to support new development.

7.15 An Infrastructure Delivery Plan (IDP) has been prepared alongside the Local Plan that includes the schedule listing the likely requirements of social and physical infrastructure in the borough, where these are known. It draws upon detailed area-based planning guidance provided for the White City, Earls Court and West Kensington and South Fulham Riverside areas, as well as ‘Development Infrastructure Funding Studies’ (DIFS) for both White City and South Fulham Riverside. The IDP lists any other likely additional requirements in the borough, the mechanisms for funding, the costs of provision and indicative timescales for delivery.

7.16 The council will work with its partners and stakeholders separately on strategic sites and detailed delivery programmes. It is envisaged that the Local Plan and IDP Schedule will be used in conjunction with the Hammersmith & Fulham CIL. The council will seek to support the provision of infrastructure from CIL and s106 contributions, and applying for funding streams where possible.

7.17 It should be noted that the council works on a ‘Bi-Borough’ basis with the neighbouring Royal Borough of Kensington and Chelsea and on a ‘Tri-Borough’ basis with the City of Westminster Council for a number of services within these infrastructure categories.

7.18 The following sections set out the overarching strategy for delivering infrastructure required as part of the Local Plan.

Housing

7.19 The council's Housing Strategy sets out an innovative and creative approach to delivery of affordable housing. The council will work with the public and private sector to seek the best solution to the housing challenges facing the borough and will be as flexible as possible in its housing and planning policies to deliver the outcomes it wants to achieve.

7 Planning Contributions and Infrastructure

The council will work with the Government, Greater London Authority (GLA), Homes and Communities Agency (HCA), Registered Providers and private house builders to tackle affordability issues with low cost home ownership housing.

Regeneration

7.20 The four regeneration areas- White City, Hammersmith, Fulham and South Fulham Riverside- set out an ambitious strategy for the borough. In each of the regeneration areas there are a range of physical and social infrastructure requirements specific to the location and needs of the site.

7.21 The following policies in the Local Plan identify the key requirements in each of the regeneration areas: WCRA, WCRA1, WCRA2, WCRA3, HRA, HRA1, HRA3, FRA, FRA1, SFRRRA, SFRRRA1. The schedule contained in the IDP outlines in more detail the associated works and infrastructure requirements for each of the regeneration areas.

7.22 Across the regeneration areas, the council seeks to add to the existing offer to existing and future communities by:

- Supporting strategic public transport provision through road, rail and cycleway improvements;
- Adding to and enhancing the retail offer in suitable locations;
- Supporting education needs for all members of the community;
- Encouraging job creation and investment in opportunity areas without detriment to existing employment opportunities;
- Expecting high quality, well integrated Sustainable Urban Drainage Systems;
- Improving the public realm, protecting and identifying further open spaces, and access to the riverfront; and
- Supporting the health and community infrastructure requirements, including leisure and recreation, of partner health and community organisations.

7.23 To support the delivery of the anticipated associated infrastructure, the council will continue to work with the Government, the GLA, neighbouring local authorities, private house builders, Transport for London (TfL) and other relevant stakeholders to ensure the council's infrastructure priorities are met. The council will also work with the Old Oak and Park Royal Development Corporation (OPDC) to ensure that physical and social infrastructure is sufficient to support development of this northern part of the borough, and ensure its long term success.

Education

7.24 Meeting the needs of education provision is an essential part of delivering sustainable development. The Local Plan seeks to support the educational priorities outlined at paragraph 5.127. A list of expansion and development proposals have been identified to support the need for school places in the borough in the short term. These have been identified in partnership with the Children's Services Capital Programme. To support the delivery of future education proposals, policy CF1 supports expansion and enhancement proposals for school provision in the borough. Throughout the duration of the plan period, the council will continue to monitor school need and requirements. This will involve working closely with the relevant partners such as Children's Services, school providers, and neighbouring local authorities to support the council's education priorities.

Planning Contributions and Infrastructure 7

7.25 As well as meeting the primary and secondary school provision, the council has identified development for Imperial College London in the White City East regeneration area student accommodation and related higher education facilities. The council will continue to work with the relevant organisations.

Health

7.26 The council is seeking to respond to the changing and evolving health care provision by supporting and enhancing the provision of existing secondary and primary health services in the borough. The increase in population as a result of the Local Plan proposals will have an impact upon the existing health provision and the council will work with its partners to develop integrated health and social care and to improve access to community healthcare and out-of-hospital services for existing and new residents.

7.27 The council will support:

- The existing secondary health care services in the borough (Queen Charlotte's Hospital and Charing Cross Hospital) by working in partnership with the Imperial College Healthcare NHS Trust;
- The rise in demand of secondary healthcare provision by identifying provision in the regeneration areas; and,
- Continued partnership working with Hammersmith & Fulham Clinical Commissioning Group (CCG), the NHS Property Services and other successor groups to respond to future health and social care requirements.

7.28 The council will work with the relevant health providers and any successor groups, monitor population growth and promote innovative ways of providing health services in the community. The Local Plan proposals have been developed with the health providers and therefore relevant health facilities have been identified in the regeneration area proposals. Further details of the specific requirements and anticipated phasing are included in the schedule of the IDP.

7.29 The council also recognises the impact of the health and wellbeing of its communities with the physical environment. Improving air quality, increasing the provision of and access to open spaces, 'greening' of the borough, promoting accessible and inclusive facilities are examples of how the Local Plan takes a holistic approach to tackling these issues. The Local Plan policies have been developed to ensure these principles are implemented into the development process.

Economic development

7.30 Alongside residential development, the council is promoting an ambitious economic growth agenda to tackle social deprivation and social exclusion. The council has identified an indicative figure of 29,500 jobs to be produced over the plan period as a result of the regeneration areas. In each of the regeneration areas, the council is promoting sustainable economic growth that seeks to enhance the employment, business, retail and higher education offer in the borough, relative to the scale of each regeneration area proposal. The Hammersmith and Fulham Economic Growth Strategy has been produced to inform the needs of the strategic regeneration areas and to identify a strategy to secure skills, qualifications and job creation across the borough.

7 Planning Contributions and Infrastructure

7.31 As well as identifying the key growth areas across the borough, the council seeks to support and protect existing employment areas. The council also seeks to protect and enhance local retail and town centres by the policies contained in the Local Plan by identifying local centres and neighbourhood parades.

Open space and green infrastructure

7.32 The Parks and Open Spaces Strategy 2008-2018 seeks clean, green and award winning parks where residents and visitors can relax and enjoy themselves. The Strategy sets out the framework for the delivery of services and future improvement actions in the borough. Any successor strategy will be used to inform the Local Plan policies.

7.33 There are still areas of the borough that are deficient in open space, play spaces and nature conservation. A number of these areas overlap with the council's regeneration areas. The council will secure through planning obligations high quality open spaces in all the regeneration areas, particularly Earl's Court and West Kensington Opportunity Area and the White City Opportunity Area which are particularly deficient in access to open space.

7.34 The borough recognises the risk of fluvial flooding from the Thames River and surface water flooding. There are varying degrees of vulnerability across the borough. The council has therefore set out the expectations of any development proposals to minimise flood risk and reducing water usage. The council will continue to work with relevant stakeholders to maintain up-to-date information to help inform the development management process. The council has produced the Surface Water Management Plan which identifies the present and anticipated future risks of surface water and sewer flooding in the borough and ways of mitigating these. To ensure future development does not exacerbate any existing issues, the Local Plan policies CC3 and CC4 set out the requirements for Flood Risk Assessments and Sustainable Drainage Systems (SuDS) of any development proposals across the borough. Further to this, the council is seeking to produce further guidance for development proposals.

7.35 In addition to this, the council will look towards greening the borough's streets and ensuring that regeneration proposals contribute to the protection, promotion and management of biodiversity in the borough.

Transport

7.36 Much of Hammersmith and Fulham has a high level of transport accessibility and the main regeneration areas all have very good access by public transport. Nevertheless, all development will need to be considered carefully in terms of the capacity of the public transport and highway network and the need for further improvements.

7.37 The four regeneration areas contained in the plan identify a number of major transport schemes as part of the proposals. The council will continue to work with TfL to support the frequency and reliability of the tube network across the borough.

7.38 In addition the council will:

- work with TfL and other stakeholders to bring forward a new Crossrail 2 station at Imperial Wharf;
- support the regeneration proposals of the OPDC and the provision of HS2, Crossrail and a Great Western Main Line station at Old Oak Common;
- explore options of developing the Hammersmith Flyunder;

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- identify, promote and complete cycle networks as part of the Hammersmith and Fulham Cycling strategy; and
- seek highway, pedestrian and bus service improvements where these are required as a result of regeneration initiatives.

Utilities

7.39 Regeneration will lead to demands on the services of companies that deliver energy, water, sewerage and other utility infrastructure. The council will work with the relevant partners to ensure that utilities upgrades and relevant infrastructure are delivered as part of any development proposal.

7.40 A particular issue in this borough is the provision of drainage infrastructure. The council will work with Thames Water to support the planning and development of a solution to reduce the risk of sewer flooding in the Counters Creek catchment and other stakeholders to ensure that there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve all new developments.

7.41 Thames Water is also going to provide a Thames Tunnel which will reduce foul water from flowing into the river. The council will work with Thames Water and other stakeholders to ensure that the pollution of the Thames from sewage is reduced in accordance with the EU Urban Waste Water Directive.

7.42 The council seeks to keep up- to- date with current technology and finding sustainable solutions to managing the borough's resources and assets. The council is therefore seeking to contribute to the development of the 'smart city' approach. This is recognised as a vision of integrating information communication technology with a cities physical assets. The council will therefore promote integrated systems through the re-development of the regeneration areas as well as upgrading, where possible, council owned assets to improve the quality of life for its residents. The council will develop this by working with relevant development partners and stakeholders as well as working cross-departmentally across the council.

7 Planning Contributions and Infrastructure

8 Glossary

ACE is an abbreviation for Arts, Culture and Entertainment activities.

Accessible and Inclusive Design is the design of development that is accessible to, and usable by, as many people as reasonably possible without the need for special adaptation or specialised design.

Accident and Emergency (A&E) Services

Type 1 A&E department – Major A&E, providing a consultant-led 24 hour service with full resuscitation facilities (applies to Charing Cross Hospital).

Type 2 A&E department – Single Specialty A&E service (e.g. ophthalmology, dentistry)

Type 3 A&E department – Other A&E / Minor Injury Unit / Walk In Centre, treating minor injuries and illnesses

Active frontage refers to the interaction between buildings and the public domain should be positive. Frontages should be 'active', adding interest, life and vitality to the public realm, as well as the sense of informal security. Dependent upon use and intensity, active frontages mean frequent doors and windows and few blank walls; main building entrances and foyers; ground floor shop fronts and transparent frontages that allow activities within the buildings to be visible from the street; and occasionally the opportunity for activities to spill out onto pavements through street cafés and shop displays.

Advertisement shrouds when commercial advertising forms part of a protective screen secured on scaffolding to screen buildings works being carried out.

Affordable Housing Includes social rented, affordable rented and intermediate housing (see definitions below), provided to specific eligible households whose needs are not met by the market. Affordable housing should:

- meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices; and
- include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

The affordable housing definitions are from the NPPF Annex 2: Glossary. Eligible households can earn up to £60,000 per annum (as at 2009). The definitions do not exclude homes provided by private sector bodies or provided without grant funding.

Where such homes meet the definition above, they may be considered, for planning purposes, as affordable housing. Whereas, those homes that do not meet the definition, for example 'low cost market' housing, may not be considered, for planning purposes, as affordable housing.

Affordable Rented housing is rented housing provided by registered providers of social housing, that has the same characteristics as social rented housing except that it is outside the National rent regime, but is subject to other rent controls that require it to be offered to eligible households at a rent of up to 80 per cent of local market rents.

Air Quality Management Area (AQMA) An area which a Local Authority had designated for action, based upon a prediction that Air Quality Objectives will be exceeded.

Amenity Space (Private and Communal)

Private amenity space - Private amenity space is land within the curtilage of a dwelling that is used exclusively for the day-to-day activities of a household, such as clothes drying, relaxation and gardening. Examples of private amenity space include private gardens and courtyards, terraces and balconies.

Communal amenity space - Communal amenity space is land that is shared among a number of households of a development for recreational purposes. This space should be well-designed in terms of its location, safety and functionality. Children's play space does not constitute communal amenity space and should be provided separately.

Archaeological Priority Areas are areas of particular archaeological importance or vulnerability in the Borough which have been identified by the council with the advice of English Heritage. In these areas the council's policies and proposals for archaeological sites will particularly apply. Planning applications affecting such areas will generate appropriate consultation, which could in turn lead to further processes of site assessment.

Back addition generally means that part of a Victorian or Edwardian dwelling (which predominate in this Borough) that projects beyond the rear wall of the main part of the building and is usually of a lesser height and width. This part of the building was designed to be subordinate to the main building and normally contained subsidiary accommodation i.e. kitchens, sanitary facilities and secondary bedrooms. It enabled the developer to achieve a greater density with a narrower frontage whilst still providing some light and air to rooms at the rear.

Biodiversity refers to the variety of plants and animals and other living things in a particular area or region. It encompasses habitat diversity, species diversity and genetic diversity. Biodiversity has a value in its own right and has social and economic value for human society.

Blue Badge Blue parking badges allow cars carrying disabled people to be parked near shops, stations and other facilities, and in LBF Controlled Parking Zones and meter parking bays. Blue Badges can only be issued to people who meet the eligibility criteria. They can be used in any car the badge holder is driving or is a passenger in.

Brownfield land Both land and premises are included in this term. This refers to a site that has previously been used or developed and is not currently fully in use, although it may be partially occupied or utilised. It may also be vacant, derelict or contaminated. This excludes open spaces and land where the remains of previous use have blended into the landscape, or have been overtaken by nature conservation value or amenity use and cannot be regarded as requiring development.

Brown Roofs are roofs which have a layer of soil or other material which provides a habitat or growing medium for plants or wildlife.

Building Research Establishment's Environmental Assessment Methodology (BREEAM) is the methodology for measuring the environmental performance of nearly every land use, including schools, health care or bespoke uses. BREEAM for new residential development (in the form of EcoHomes) has been replaced by the Code for Sustainable Homes.

Code for Sustainable Homes is the Government's National standard for measuring the environmental performance of new residential development. Credits are awarded for energy, water, drainage, materials, waste, pollution, health and well being and site ecology.

Combined Heat and Power (CHP) is the combined production of electricity and usable heat is known as Combined Heat and Power (CHP). Steam or hot water, which would otherwise be rejected when electricity alone is produced, is used for space or process heating. The provision of cooling can be added to create Combined Cooling, Heat and Power (CCHP).

Car Clubs, also known as Community Car Pooling schemes, are aimed at sharing the ownership and use of cars. The principle is different from conventional car hire in that the cars are kept locally and can be used at short notice and for short periods of time. Community Car Pooling Schemes ensure that cars are available when people really need them, but reduce unnecessary use and pressure for parking spaces.

Community facilities Community Facilities include the following uses:

- Community Uses:
 - Education
 - Schools, Colleges, Universities, Adult Learning, Training, Children’s Centres, Nurseries, Creches.
 - Healthcare
 - Hospitals, Community Health Services, General Practitioners.
 - Emergency Services
 - Police, Fire, Ambulance, Criminal Justice.
 - Community Services and Third Sector
 - Community Halls / Meeting Rooms / Public Houses / Hubs, Religious Meeting Places, Libraries, Young People’s Facilities.
- Arts, Cultural and Entertainment Uses:
 - Tourism, Cinemas, Theatres, Museums, Galleries, Concert Halls, Music Venues, Public Houses.
- Leisure, Recreation and Sports Uses:
 - Sports Halls Pitches, Courts, Professional Sports Clubs, Gymnasiums, Swimming Pools, Athletics Facilities, Bowling Greens, Dance Halls, Ice Rinks.

Community Infrastructure Levy (CIL) refers to the discretionary charge on development which Local Planning Authorities will be empowered to make in order to fund local infrastructure requirements.

Conservation Area is a geographical area designated by the Council under the Planning (Listed Buildings and Conservation Areas) Act 1990 as having special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.

Contaminated land defined in section 78A(2) as any land which appears to the Local Authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that -

- (a) significant harm is being caused or there is a significant possibility of such harm being caused; or,
- (b) pollution of controlled waters is being, or is likely to be, caused.

Decentralised Energy is generating power on a smaller scale and closer to the end user (i.e. decentralised), is much more energy efficient and can generate potential cost savings for users. Decentralised energy generation using CHP or renewable energy technologies can help significantly reduce carbon dioxide emissions.

Density relates to the amount of residential accommodation in any given area. It is measured by calculating the number of habitable rooms and dwellings per hectare or acre. For individual sites the gross site area is the appropriate unit of measurement.

Design and access statement a statement that accompanies a planning application to explain the design principles and concepts that have informed the development and how access issues have been dealt with.

Dormer window or extension means a projecting vertical window in the sloping roof of a house (OED definition). The council considers that any roof extension which takes less than 50% of each roof slope to the original dwelling house can be classed as a dormer window or dormer window extension provided that such an extension does not involve raising either party wall.

Employment uses are defined as all Class B Uses and similar uses that are classified as sui generis (Town and Country (Use Classes) Order 1987 (as amended)).

Energy Assessment A report evaluating the energy use of a proposed development which shows how it has been designed to reduce carbon emissions in line with the council's Development Plan policies on tackling climate change. The assessment should show how energy efficiency measures, including passive design and low and zero carbon technologies such as decentralised communal energy systems and renewable energy generation will be implemented to reduce energy use and minimise CO2 emissions.

Energy Efficiency measures are taken to ensure that the best or most efficient use of energy is used in order to achieve a given output of goods or services, and of comfort and convenience. This does not necessitate the use of less energy, in which respect it differs from the concept of energy conservation.

Environmental Impact Assessments provide, information about the environmental effects of a project is collected, assessed and taken into account in reaching a decision on whether the project should go ahead or not (DETR Nov 2000).

Estate Renewal Improvement to housing estates enable improved housing opportunities for local residents and to support economic regeneration in this area.

Family dwelling generally means a dwelling containing three or more bedrooms.

Flood Risk Assessments (FRA) are required when a planning application is submitted in a location where there is a risk of flooding from any source. This requirement is set out in the Government's policy on development and flood risk as stated in the NPPF.

Green corridors can be defined as extensive contiguous areas of trees and open space which straddle or run along the major road, rail and river/canal routes into London. They may be narrow, often only the "unused" margins of development, but are of value as habitats for wildlife and plants and local landscape features and because they may link nature conservation areas. Certain transport routes, such as the Thames and the Canal, also act as corridors for animals and plants in the same way as green corridors. However these have been designated as nature conservation areas because of their greater nature conservation importance, and are not shown as green corridors.

Green roof refers to the roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

Green infrastructure The multifunctional, interdependent network of open and green spaces and green features (e.g. green roofs). It includes the Blue Ribbon Network but excludes the hard-surfaced public realm. This network lies within the urban environment and the urban fringe, connecting to the surrounding countryside. It provides multiple benefits for people and wildlife including: flood management; urban cooling; improving physical and mental health; green transport links (walking and cycling routes); ecological connectivity; and food growing. Green and open spaces of all sizes can be part of green infrastructure provided they contribute to the functioning of the network as a whole.

Gross floor area means the overall area of the building on each floor below or above ground.

It includes at each floor level:

- (i) the thickness of internal and external walls;
- (ii) stairs, service ducts, lift shafts, corridors and halls;
- (iii) any covered passage (other than a public right of way);
- (iv) cloakrooms, lavatories, kitchens and restaurants; and

(v) basement areas (other than those used for car parking or for bank vault, strong room, safe deposit or plant room purposes).

Any space allocated for car parking, for loading and unloading commercial vehicles and for public transport operational purposes shall be excluded from gross floor area, as shall any roof-top plant.

Rooms and other spaces which continue through two or more normal floors of the building (e.g. theatres, lecture halls, and atria) will be assessed as occupying that number of floors, except where it is assured (preferably by legal agreement) that those spaces shall not be used for the subsequent provision of additional floorspace by the insertion of extra floors.

Ground water Water within soils and rock layers.

Gypsy and travellers' sites These are sites either for settled occupation, temporary stopping places, or transit sites for people of nomadic habit of life, such as travellers and gypsies.

A habitable room is any room used or intended to be used for dwelling purposes above 6.5 sq.m. (70 sq.ft.) in floor area except for kitchens of less than 13 sq.m. (140 sq.ft.), bathrooms and WCs. Utility rooms will not be included as habitable rooms if they have direct access to kitchens and provided they do not exceed 6.5 sq.m. (70 sq.ft.) or the kitchen and inter-connecting utility room together do not exceed 13 sq.m. (140 sq.ft.). If a habitable room has a net floor area exceeding 20.5 sq.m. (220 sq.ft.), that area shall be assessed at the rate of one habitable room per 20.5 sq.m. (220 sq.ft.) or part thereof, but an exception may be made in the case of accommodation designed to be used exclusively as one-room sheltered and other special-needs housing units.

Gross site area applies to density calculations for residential purposes and means the area of the site plus an area calculated by multiplying the length of the site's frontage onto adjoining street(s) by half the width of the street(s) (up to a maximum of 6m (20ft.) subject to the area thus added being no more than 10% of the net site area. No part of any river or canal or railway (or its embankments) or of any public open space shall be used in density calculations. Private open space to be used exclusively in association with a proposed development (including that provided for communal use) shall be included with the gross site area.

Hazardous substances are substances which are dangerous because they are very toxic, toxic, harmful, corrosive or irritant. Major hazards comprise a wide range of chemical process sites, fuel and chemical storage sites, pipelines, explosive sites and nuclear sites.

Heat Network A heat network distributes heat to several users, just as an electricity grid distributes power. The heat energy produced and recycled by CHP Plants during electricity generation can be distributed to local homes and businesses via a heat network. Recycling heat in this way has an important role to play in the reduction of carbon dioxide emissions.

Heritage Asset is a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment. They include assets identified by the local planning authority during the process of decision-making or through the plan-making process (including Local Listing).

Highly Vulnerable Uses in relation to flood risk are considered to be as follows:

- police stations, ambulance stations and fire stations and command centres and telecommunications installations required to be operational during flooding;
 - emergency dispersal points;
 - basement dwellings;
 - caravans, mobile homes and park homes intended for permanent residential use; and
 - installations requiring hazardous substances consent.
-

Hostel There are many kinds of hostel uses. The policies of the Plan distinguish between two main types:

1. Residential: accommodation usually occupied by people of a specific group with a common interest. There will usually be an element of management supervision or support and some communal facilities. It will normally be occupied on a medium to long-term basis by people who do not have permanent accommodation elsewhere. It may cater for a wide range of socio-economic groups, including homeless families. It excludes residential institutions in the C2 Use Class which provide a significant element of care.
 2. Tourist: normally short-stay accommodation for those whose normal residence is elsewhere. They are for holidays or short stays and are sometimes open to the general public. They resemble hotels except that the accommodation is usually of a lower standard.
-

House in Multiple Occupation (HMO) Under the changes in the Housing Act 2004, if a landlord lets a property which is one of the following types, it is a House in Multiple Occupation:

- an entire house or flat which is let to three or more tenants who form two or more households and who share a kitchen, bathroom or toilet;
- a house which has been converted entirely into bedsits or other non-self contained accommodation and which is let to three or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities;

- a converted house which contains one or more flats which are not wholly self contained (ie the flat does not contain within it a kitchen, bathroom and toilet) and which is occupied by three or more tenants who form two or more households;
- a building which is converted entirely into self contained flats if the conversion did not meet the standards of the 1991 Building Regulations and more than one-third of the flats are on short-term tenancies; or
- in order to be an HMO the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants. Properties let to students and migrants will be treated as their only or main residence and the same will apply to properties which are used as domestic refuges.

Intermediate Housing is housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above (see the definition of affordable housing). These can include shared equity products (e.g. HomeBuy), other low cost homes for sale and intermediate rent.

Inclusive design creates an environment where everyone can access and benefit from the full range of opportunities available to members of society. It aims to remove barriers that create undue effort, separation or special treatments, and enables everyone to participate equally in mainstream activities independently, with choice and dignity.

Key Local Centre are those diversified larger centres with a range of local shops and services which sit below the three town centres of Hammersmith, Shepherds Bush and Fulham. They often include a choice of small supermarkets and food/drink units, possibly with an ethnic goods and evening economy element.

Key criteria are:

- location: outside of the town centre catchment (400 metres);
- uses: predominantly retail use (A1) providing local shopping, but presence of other non A1 uses including food and drink establishments and service uses; and
- size: greater than 200 metres frontage.

Legibility the degree to which a place can be easily understood and traversed.

Less Vulnerable Uses in relation to flood risk are considered to be as follows:

- police, ambulance and fire stations which are not required to be operational during flooding;
- buildings used for: shops; financial, professional and other services; restaurants and cafes; hot food takeaways; offices; general industry; storage and distribution; non-residential institutions not included in 'more vulnerable'; and assembly and leisure;

- land and buildings used for agriculture and forestry;
- waste treatment (except landfill and hazardous waste facilities);
- minerals working and processing (except for sand and gravel working);
- water treatment works which do not need to remain operational during times of flood; and
- sewage treatment works (if adequate measures to control pollution and manage sewage during flooding events are in place).

Lifetime Homes Ordinary homes designed to provide accessible and convenient homes for a large segment of the population from young children to frail elderly people and those with physical or sensory impairments. Lifetime Homes have 16 design features that ensure the home will be flexible enough to meet the existing and changing needs of most households, as set out in the 1999 Joseph Rowntree Foundation report 'Meeting Part M and Designing Lifetime Homes'. Government legislation in 2015 has produced Building Regulations in approved document known as M4 (2), and is broadly equivalent to satisfying Lifetime Homes criteria. Approved document part M4 also includes category 3 for "wheelchair user dwellings" known as M4 (3).

Listed Building is a building or structure which is considered to be of 'special architectural or historic interest'. The definition of 'Listed Building' is fairly wide and the term 'building' may include a wide range of structures including bridges, milestones and follies.

Local Buildings of Merit means buildings which are of local interest because of their townscape, architectural or historic interest but not meriting Listed Building status.

London Housing Design Guide The London Housing Design Guide sets out the Mayor of London's aspirations for the design of new housing in the capital.

Major Development has the same definition as contained in the London Plan.

'Major developments (applications decided by the London Boroughs) Major Developments are defined as these:

- for dwellings: where 10 or more are to be constructed (or if number not given, area is more than 0.5 hectares); and
- for all other uses: where the floor area will be 1000 sq metres or more (or the site area is 1 hectare or more). The site area is that directly involved in some aspect of the development. Floor space is defined as the sum of floor area within the building measured externally to the external wall faces at each level. Basement car parks, rooftop plant rooms, caretakers' flats etc should be included in the floor space figure.

A mansard roof is traditionally a double-pitched roof slope having the lower part steeper than the upper. It has recently come to include a steep single-pitched roof slope used to retain the appearance of a roof while allowing the introduction, within the roof space, of extra accommodation.

Market Housing refers to private housing for rent or for sale, where the price is set in the open market.

Metropolitan Open Land (MOL) is strategic open land within the urban area that contributes to the structure of London.

More Vulnerable Uses in relation to flood risk are considered to be as follows:

- hospitals;
 - residential institutions such as residential care homes, children's homes, social services homes, prisons and hostels;
 - buildings used for: dwelling houses; student halls of residence; drinking establishments; nightclubs; and hotels;
 - non-residential uses for health services, nurseries and educational establishments;
 - landfill and sites used for waste management facilities for hazardous waste; and
 - sites used for holiday or short-let caravans and camping.
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Municipal solid waste (MSW) This includes all waste under the control of Local Authorities or agents acting on their behalf. It includes all household waste, street litter, waste delivered to council recycling points, municipal parks and garden wastes, council office waste, Civic Amenity waste, and some commercial waste from shops and smaller trading estates where Local Authorities have waste collection agreements in place. It can also include industrial waste collected by a Waste Collection Authority (WCA) with authorisation of the Waste Disposal Authority (WDA).

National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so.

Neighbourhood Parade - are those clusters of frontages serving the immediate vicinity with day-to-day essentials. Generally, but not in all cases, they are smaller than Key Local Centres, and include a greater representation of small shops. Some neighbourhood centres also include a range of specialist shops serving a much wider area, such as the furniture shops in Wandsworth Bridge (North). On average they contain a greater proportion of convenience goods frontage than key local centres, but a narrower range of services. This categorisation covers a range of types of centre and includes successful parades of high environmental quality, as well as less prosperous parades and housing estate facilities.

Key criteria are:

- location: outside of the town centre catchment (400 metres);
- uses: predominantly Retail use (A1); and
- size: between 100 and 300 metres frontage.

Net floor area (of a dwelling) means the aggregate internal area of each floor as enclosed by the external walls of a dwelling. It includes the area occupied by internal partitions or walls, the area taken up on each floor by any staircase, the area of any chimney breast or fireplace. It excludes the floor area of any addition to the dwelling as originally built, dustbin store, fuel store, garage or balcony, any area in rooms with sloping ceilings to the extent that the height of the ceiling does not exceed 1.5m (5ft.) and any porch.

Net floor area (of a room) means the area of floor enclosed by the walls of the room measured to the opposing faces. It includes the area taken up by any bay window. It does not include the area taken up by any chimney breasts or flues, the circulation space required for access through the room to another room measured as 675mm (2.25ft.) wide and any area in rooms with sloping ceilings to the extent that the height of the ceiling does not exceed 1.5m (5ft).

Net site area means the area of the site as measured to its boundaries and does not include parts of the adjoining public highway.

Non-family dwelling means a dwelling containing two bedrooms or less.

Open Space refers to land laid out as a public garden, or used for the purposes of public recreation, or land which is used as a burial ground. It excludes individual private gardens, which do not serve a wider open space function, yards, roads and car parks.

Opportunity Areas identifying London's principal opportunities for accommodating large scale development to provide substantial numbers of new employment and housing, each typically more than 5,000 jobs and/or 2,500 homes, with a mixed and intensive use of land and assisted by good public transport accessibility.

Permeability is the degree to which an area has a variety of pleasant, convenient and safe routes through it.

Permission in principle has been introduced as part of the Housing and Planning Act 2016. It is aimed to introduce a new consent route for obtaining planning permission. Permission in principle is the first stage where issues such as land use, location, and amount of development are agreed 'in principle'. If this is agreed, applicants may progress their application to the next technical details stage, which requires further detailed technical work to take place and be discussed between the applicant and the Local Planning Authority. Planning permission is only granted where technical matters consent has been granted. Any proposed sites must be developed in accordance with National, Regional and Local planning policies. Sites may be identified in Local and/or Neighbourhood Plans or they can be identified on brownfield registers.

Planning Obligations Section 12(1) of the Planning and Compensation Act 1991 substitutes new sections 106, 106A and 106B for section 106 of the Town and Country Planning Act 1990. The new section 106 introduces the concept of planning obligations, which comprises both planning agreements and unilateral undertakings. It enables a planning obligation to be entered into by means of a unilateral undertaking by a developer as well as by agreement between a developer and a Local Planning Authority. Such obligations may restrict development or use of the land; require operations or activities to be carried out in, under or over the land; require the land to be used in any specified way; or require payments to be made to the Authority either in a single sum or periodically (see Circular 1/97 Planning Obligations for further details).

Prime retail frontages are where retail development is concentrated and generally comprise the main component of Primary Shopping Areas in Town Centres.

Public realm is the space between and within buildings that are publicly accessible, including streets, squares, forecourts, parks and open spaces.

Public Transport Accessibility Level (PTAL) provides a methodology for assessing the relative ease of access to a location to the public transport network. PTAL 1 is 'very poor' with PTAL 6 is 'excellent'

Register of Assets of Community Value The purpose of this is to give community groups the opportunity to identify land or property that they believe furthers the social wellbeing or social interests of the local community, and gives them time to bid for that asset if an owner decides to sell.

A Registered Housing Association is a Housing Association registered with the Housing Corporation.

Registered Provider replaces the previous definition of Registered Social Landlord (“RSL”). All providers of social housing will now be listed on a register and will become a “Registered Provider”.

Renewable energy is energy derived from a source that is continually replenished, such as wind, wave, solar, plant materials (bio fuels), but not fossil fuels or nuclear energy.

A roof extension means any extension to the original roof and can apply to a dormer window or full-width extension to the roof of a pitched roofed property. The context in which the term is used should in most cases describe the exact form of the roof extension. A full-width roof extension means any extension to a pitched roof property which extends the existing roof from party wall to party wall, associated with the raising of those party walls irrespective of whether it is over the whole of the roof area or only a part of it.

Satellite Parade are those parades and centres with a range of shops and services which adjoin or are within walking distance of one of the borough’s three Town Centres. They often include small supermarkets and food/drink units and services which support and complement the Town Centre as well as supporting local residents. Similar to Key Local Centres, they offer frontages which contain ethnic goods and an evening economy element. The Satellite Parades provide an opportunity for uses and services which support the retail function of the town centre and also allow an element of flexibility in the types of uses permitted.

Key criteria are:

- location: within the town centre catchment (400 metres) but not included within the town centre designation;
 - uses: mix of uses, including presence of non A1 uses including food and drink establishments and service uses. There may also be some B1 uses; and
 - size: between 100 and 400 metre frontage.
-

Section 106 Agreements (also often denoted as s106) These agreements confer planning obligations on persons with an interest in land in order to achieve the implementation of relevant planning policies as authorised by Section 106 of the Town and Country Planning Act 1990. These may be used to help mitigate the specific impact of a development where it would generate additional needs e.g. on community infrastructure. Standard charges are calculations and measurements of the level of contribution likely to be sought by a local planning authority towards infrastructure necessitated by new development. The Government has encouraged the use of formulae and standard charges, and pooling of contributions, where appropriate.

Self-contained dwelling is a residential unit of one or more habitable rooms, whose occupier has exclusive use of all his/her amenities, including kitchen, shower/bath and W.C., and which is a single and discrete unit.

Sensitive use in relation to flood risk is regarded as residential land with gardens or soft landscaping.

Sequential approach applies to all town centre-related activities and states that, if possible, facilities should be accommodated in the centre, failing that on the edge of the centre.

Sequential Test in relation to flooding, is a test to provide a decision-making tool designed to ensure that sites at little or no risk of flooding are developed in preference to areas at higher risk. Within each Flood Zone, new development should be directed first to sites at the lowest probability of flooding.

Social infrastructure Covers facilities such as health provision, early years provision, schools, colleges and universities, community, cultural, recreation and sports facilities, places of worship, policing and other criminal justice or community safety facilities, children and young people's play and informal recreation facilities. This list is not intended to be exhaustive and other facilities can be included as social infrastructure.

Social rented housing is rented housing owned and managed by Local Authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. The proposals set out in the Three Year Review of Rent Restructuring (July 2004) were implemented as policy in April 2006. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.

Starter Homes defined in the Housing and Planning Bill as new dwellings for first time buyers under 40, sold at a discount of at least 20% of market value and at less than the price cap of £250,000 or £450,000 in London.

Strategic Flood Risk Assessment is a study to assess the risk to an area or site from flooding, now and in the future, and to assess the impact that any changes or developments on the site or area will have on flood risk to the site and elsewhere. It may also identify, particularly at more local levels, how to manage those changes to ensure that flood risk is not increased.

Strategic Housing Land Availability Assessment (SHLAA) is an assessment of land availability for housing which informs the London Plan and borough local development document.

Strategic Housing Market Assessment (SHMA) Established by Government guidance: Planning Policy Statement 3: Housing (2006), and detailed Strategic Housing Market Assessment Practice Guidance (2007). The aims of a Strategic Housing Market Assessment are to provide clear evidence as to what is going on in the housing market and what future prospects for the market may be.

Supplementary Planning Document (SPD) is an SPD which can take the form of design guides or area development briefs, or supplement other specific policies in the plan. Such documents do not form a part of the Statutory Plan, however it is a material planning consideration. It must be consistent with national and regional planning guidance, as well as policies set out in the adopted plan. It should be clearly cross-referenced to the relevant plan policy or proposal that it supplements. Public consultation should be undertaken and SPD's should be regularly reviewed.

Supported Housing Homes in which vulnerable residents are offered a range of housing related support services to enable them to live independently.

Sustainability Statement is a document outlining the elements of a development scheme that address sustainable development issues.

Sustainable development is that which meets the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable Drainage System (SUDS) An alternative approach to the traditional ways of managing rainwater runoff from buildings and other surfaces. SUDS can reduce the total amount, flow and rate at which surface water runs directly to stormwater systems or to rivers and other water courses.

Tall Buildings are those that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor.

Thames Policy Area A special policy area to be defined by boroughs in which detailed appraisals of the riverside will be required.

3rd Sector is a term which describes community and voluntary groups, registered charities both large and small, foundations, trusts, social enterprises and co-operatives.

Transport Assessment are prepared and submitted alongside planning applications for developments likely to have significant transport implications.

Travel Plans are aimed at helping employees to use alternatives to driving to work - for example public transport, walking and cycling. Green Travel Plans also address business' transport use and cover travel in the course of business. Travel plans can make a major contribution to easing congestion, especially during the peak periods.

Vulnerable use is referenced within the document in relation to the vulnerability to flooding.

Wheelchair accessible housing refers to homes built to meet the standards set out in the second edition of the Wheelchair Housing Design Guide by Stephen Thorpe, Habinteg Housing Association 2006.

Wheelchair adaptable housing is where the initial occupants are not known and the intention is that where layouts and components are easy to change at a future date, it is not necessary to comply with all of the features needed for wheelchair access at the outset.

Windfall sites are those sites which come forward for development that could not be identified previously as they were previously in active use.

9 Appendices

Appendix 1 - Summary of the Local Plan Sustainability Appraisal

1. Set out below is a summary of the non-technical summary of the proposed submission Local Plan Sustainability Appraisal, 2016.

Summary of the Sustainability Appraisal of the Local Plan

Strategic Objectives

2. The strategic objectives of the Local Plan set out the many and varied aims of the council in relation to land use and future development. Overall, the Sustainability Appraisal (SA) revealed that they exhibit a broad commitment to the principles of sustainable development and are largely compatible with the assessment objectives of the SA process.

3. It is the Local Plan objectives to regenerate the most deprived parts of the borough and increase housing where there is most tension with the SA objectives. Nonetheless, the SA considered that through appropriate mitigation measures any incompatibilities can be reduced, and in some cases eliminated, provided that the plan policies are implemented in a sustainable fashion, for example by incorporating energy and resource efficiency measures, making space for biodiversity, ensuring public transport accessibility and avoiding inappropriate development in areas of flood risk.

Regeneration Area Policies and Strategic Sites

4. The Local Plan includes preferred policies for the broad spatial approach to planning and regeneration across the borough over the next 20 years.

5. The Local Plan's proposed preferred approach is to focus major growth in four key regeneration areas; to promote new housing and employment activities throughout these areas; and to deliver supporting infrastructure. In addition, the Local Plan sets out a designated town and local centre hierarchy which overlaps with the regeneration areas.

6. The SA found that the council's proposed approach to regeneration and strategic sites was sustainable.

7. For each of the four regeneration areas identified, the Local Plan sets out policies for the overall strategy and vision for the area and the proposals for sites of strategic importance.

8. In relation to the policies for the key regeneration areas and strategic sites, the SA found that no wholly unsustainable policies have been put forward. In general, the policies meet social and economic sustainability criteria, but there is less certainty as to whether they will meet the environmental objectives as this will depend on implementation through development management. Throughout the SA process, recommendations were made in order to ensure a high level of sustainability in those development management policies concerned with environmental criteria. The SA also recommended that more in-depth sustainability appraisals are carried out for the key regeneration areas, for example as individual area planning frameworks are prepared or updated, and that appropriate appraisals accompany major planning applications.

Boroughwide development management policies

9. In addition to the overarching spatial strategy and regeneration area policies, the Local Plan includes a number of boroughwide development management policies to help deliver the spatial strategy and to ensure that development both inside and outside the proposed regeneration areas contributes to meeting the council's objectives.

9.1 10. The proposed boroughwide development management policies are generally sustainable and in addition are accompanied by viability assessment criteria where appropriate.

Conclusions and Recommendations

11. Overall, therefore the strategic objectives, spatial policies, regeneration area and strategic site policies and boroughwide development management policies are generally sustainable. This is only to be expected given the iterative nature of the Local Plan process and the fact that sustainability appraisal has run side by side with the development of policy options. In addition, this document is the latest of a series of SAs to be published on council planning documents, with previous reports being made available for planning documents in June 2007 (Core Strategy Preferred Options), June 2009 (Core Strategy Options), October 2011 (Core Strategy) July 2013 (Development Management Local Plan) and January 2015 (draft Local Plan).

12. It should also be borne in mind that, in general, growth in London is supported by national and London wide policy and can be more sustainable in highly accessible areas like Hammersmith and Fulham than in many other areas of the country. Achieving the council's vision, including regenerating deprived areas of the borough and delivering affordable homes for local people and improving local health and social care provision will, however, have an impact on the environment and will need to be managed carefully (for example, to minimise carbon emissions and resource use) through development management and environmental standards.

The sustainability effects of the Local Plan will largely depend upon the implementation of its policies through the development management process and so it will be important to ensure that the policies in the Local Plan are monitored closely and at an early stage in order to identify any unforeseen negative effects, which may occur.

Some policies may require further SA assessment as part of the preparation of more detailed regeneration area SPD's for the borough or when planning applications are submitted. Therefore, despite this SA appraisal, the difficult target of achieving sustainable development will remain and it will be necessary for future development, particularly major schemes to be assessed on an individual basis in terms of impact on sustainability

Appendix 2 - Town and Local Centre Hierarchy

Town Centres	Designation
Hammersmith	Major Centre
Fulham	Major Centre
Shepherds Bush	Metropolitan Centre

Key Local Centres	Address
East Acton	Old Oak Common Lane, 74 to 100, Erconwald Street, 1 to 5, 2 to 4 Westway 1-11,13.
Askew Road	East side, 105 to 119, 63-105, 121-155. West side, 66 to 118, 124 to 128, 157 to 165.
North End Road (West Kensington)	East side, 137 to 153, 155-169, 175 to 203c, plus 4-12 North End Crescent. West side, 62-70, 78 to 84, 86 to 114 North End Road, plus 1 Baron's Court Road, 2 Castletown Road, 2 -6 Charleville Road, 1 Charleville Road, the three Kings Pub.
Fulham Road	North side, 656 to 702c, South side, 799 to 859, 604-620 Fulham Road, 753-763 Fulham Road, 765-781 Fulham Road, 783-797 Fulham Road.
Wandsworth Bridge Road	East side, 99 to 133, 269-283, West side 112 to 132, and 134 to 198, 1 Hazlebury Road and 308-314 including Post Office fronting Hugon Road.

Neighbourhood Parades	Address
Bloemfontein Road	Shop units in Charnock House, Sainsbury's on site of former Janet Adegoke Centre.
Uxbridge Road West	South side, 171 to 197a, North side, 412 to 420, 424 to 448.
Edward Woods Estate	2-18 Swanscombe Road, Shop Units in Swanscombe House, Shop Units in Mortimer House.

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Neighbourhood Parades	Address
Brackenbury Village	127a-139 Brackenbury Road, 22, 53-55 Aldensley Road.
Blythe Road	North side, 108-118, and Coleridge Court shop units, South side, 59 to 73.
Baron's Court	Palliser Road, West side, 45-55, Margravine Gardens, South side, 1, 3, 3a Shops in Baron's Court station.
Fulham Palace Road North (previously known as Greyhound Road)	Fulham Palace Road, West side, 168 to 190, 192 to 206, 208 to 220; East side 169 to 177, 179-191, 193 to 207 and 209-211 Lillie Road, North side, 392 to 402.
Fulham Cross	287-297 Munster Road, 299-305 Munster Road, 325 Lillie Road, 302-320 Munster Road.
Munster Road	East side, 236 to 244, West side, 199 to 259.
Fulham Palace Road South	East side, 323- 327, 329 to 367.
King's Road	559-575 Kings Road, 577-581 Kings Road, 587-599 Kings Road, 554-562 Kings Road, 564-598 Kings Road, 600-612 Kings Road.
Fulham High Street	6-66 Fulham High Street, 963-969 Fulham Road, 1-9a, 15-35, 41-47 and 49-67a Fulham High Street, 947-961 and 764-792 Fulham Road.
Parson's Green	New Kings Road, North side, 26 to 40, South side, 173 to 207, 48-60 New Kings Road, 62-80 New Kings Road, 82-96 New Kings Road, 251-269 New Kings Road, 271-285 New Kings Road, 287-305 New Kings Road.
King Street (Hamlet Gardens)	338-340a King Street, 344-348 King Street, 352-366 King Street, 370-372 King Street, Standish House and 345-357 King Street, 369-399 King Street.
Parsons Green Lane	West side, 50 Parsons Green Lane, Dexter Court & Brigade House East side, 51, 61 to 77 Parsons Green Lane; 1-3 Parsons Green.

Satellite Parades	Address
Uxbridge Road East	North side, 216 to 250, and 262 to 294, South side, 15 to 41, and 57 to 95.
Goldhawk Road	South side, 57 to 75, 77 to 85; North side, 56 to 104, 106-120.
Shepherd's Bush Road	West side 48 to 104.
King Street (Ravenscourt Park)	182-230 King Street, 232 -246a King Street, 248-260 King Street.
Latymer Court	102-172 Hammersmith Road.
Fulham Palace Road	54-66, 68 to 80, 82-114, 91-99, 101-111, 113-127 Fulham Palace Road.

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Appendix 3 - Open Space Hierarchy

Name of Open Space	Area (Hectares)
Metropolitan Parks	
OS1 Wormwood Scrubs* (MOL) ⁽⁵⁷⁾	68.36
District Parks	
OS2 Bishops Park and Fulham Palace^ (MOL)	19.58
OS3 Ravenscourt Park	13.60
Local Parks	
OS4 Eel Brook Common*	7.44
OS5 Edward Woods Town Park	1.25
OS6 Hammersmith Park	3.23
OS7 Hurlingham Park (MOL)	7.90
OS8 Lillie Road Recreation Ground	3.60
OS9 Little Wormwood Scrubs*	8.81
OS10 Normand Park	2.61
OS11 Shepherds Bush Common*	3.33
OS12 South Park	8.58
OS13 Wormholt Park	3.66
Small Local Parks and Open Spaces	
OS14 Bayonne Park	1.11
OS15 Brompton Park	0.84
OS16 Brook Green*	1.80

57 Now located within the boundaries of the Old Oak and Park Royal Development Corporation.

Name of Open Space	Area (Hectares)
OS17 Cathnor Park	1.06
OS18 Frank Banfield Park	1.44
OS19 Furnival Gardens	1.78
OS20 Gwendwr Gardens	0.47
OS21 Imperial Wharf Park	2.4
OS22 Marcus Garvey Park	0.63
OS23 Parsons Green*	1.37
OS24 Queens Club Gardens	0.79
OS25 Rowberry Mead	0.48
OS26 St Paul's Green	0.71
OS27 St Paul's Open Space, Hammersmith Road	0.77
OS28 St Peter's Square^	0.79
OS29 Wendell Park	1.75
OS30 White City Community Garden	0.56
OS31 William Parnell Park	1.03
Cemeteries and Open Spaces adjoining places of Worship	
OS32 Fulham Cemetery	5.20
OS33 Hammersmith Cemetery	6.53
OS34 Kensal Green Cemetery (MOL)	9.45
OS35 St Mary's Cemetery (MOL)	10.07
Allotments	
OS36 The Warren (MOL)	5.87
School Playing Fields	

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Name of Open Space	Area (Hectares)
OS37 Burlington Danes School Playing Fields and Courts	4.20
OS38 Latymer Upper School Playing Fields	3.98
OS39 St Paul's Girls School Playing Fields, Brook Green	0.46
Outdoor Sporting Facilities	
OS40 Chelsea Football Club, Stamford Bridge	0.78
OS41 Fulham Football Club, Stevenage Road	0.28
OS42 Hurlingham Club Grounds (MOL)	15.88
OS43 Parsons Green Club, Broomhouse Lane	1.16
OS44 Queens Club	2.49
OS45 Queens Park Rangers Football Club, Loftus Road	0.73
<p>Note:</p> <p>MOL. Metropolitan Open Land</p> <p>* Common Land</p> <p>^ Historic Park or Garden</p>	

Appendix 4 - Nature Conservation Areas and Green Corridors

Areas of Metropolitan Importance	Area (Hectares)
M31: The River Thames, with its foreshore, drawdocks and inlets – including Chelsea Creek	70
M125: Kensal Green Cemetery	8.2 plus 18.0 in RBK&C
Areas of Grade I Borough-wide Importance	Area (Hectares)
Bl.1: Scrubs Wood and Wormwood Scrubs	42
Bl.4: Fulham Palace and Bishops Park -including All Saints' Churchyard	13.5
Bl.5: Former British Gas Pond at end of Chelsea Creek to west of Railway	0.1
Bl.6: Hurlingham Club Grounds	9.2
Bl.7: Rail side habitats -various locations	20
Areas of Grade II Borough-wide importance	Area (Hectares)
BII.1: St Mary's Cemetery	8.0
BII.2: Hammersmith Park	1.4
BII.3: Ravenscourt Park	8.55
BII.4 Hammersmith Cemetery	6.2
Areas of Local Importance	Area (Hectares)
L1: White City Community Gardens	0.096
L2: Wormholt Park	2.0
L4: Wendell Park	1.5
L5: Cathnor Park	0.4
L6: Shepherd's Bush Common	2.7
L7: Furnival Gardens	1.5
L8: St Paul's Open Space	0.3

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Areas of Metropolitan Importance	Area (Hectares)
L10: Fulham Palace Road Cemetery	5.3
L11: Normand Park	1.26
L12: South Park	6.0
L13: Eel Brook Common	5.0
L14: Little Wormwood Scrubs Park	7.2
L15: Loris Road Community Garden	0.07
L16: Godolphin Road Community Garden	0.08

Green corridors

West London Line – Fulham Road to ChelseaCreek

West London Line – Westway to Lillie Road

Note:

More information about nature conservation areas is contained in the former London Ecology Unit's Handbook 25: Nature Conservation in Hammersmith and Fulham.

Also, note that former Area of Metropolitan Importance M6: Grand Union Canal, the area of Grade 1 borough wide importance B1.2 Old Oak Common and Green Corridor Euston to Watford DC Line, are now included in the Old Oak and Park Royal Development Corporation.

Appendix 5 - Archaeological Priority Areas

Archaeological Priority Areas

1. Fulham Village
2. Ravenscourt Leper Hospital
3. Ravenscourt Manor House (Palingswick)
4. Hammersmith Creek, Queen Caroline Street and Broadway
5. Winslow Road area
6. Parson's Green
7. Walham Green
8. Sandford Manor House
9. William De Morgan Pottery Works (Townmead Road Estate)
10. Hurlingham Park
11. Broomhouse
12. Martin Brothers Pottery Works
13. Lygon Almshouses and corner of Finlay Street/Fulham Palace Road
14. Rowberry Close
15. King Street

Note:

More information about Archaeological Priority Areas will be provided in the Planning Guidance Supplementary Planning Document.

Appendix 6 - Local Plan Monitoring Indicators

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Meeting Housing Needs and Aspirations			
Housing policy HO1: Strategic housing supply	- Housing trajectory - Number of net additional dwellings granted permission and completed (total, regeneration areas and rest of borough) for current year and since the policy was first published, adopted or approved.	London Plan target: 1,031 per annum Indicative borough target: 1,410 per annum.	LBHF
Housing policy HO2: Housing conversion and retention	- Proposed units from conversions with 2 or more bedrooms.	At least 50% of the proposed units consist of two or more bedrooms.	LBHF
Housing policy HO3: Affordable housing	Net additional affordable homes permitted and completed by tenure for current year and since the policy was first published, adopted or approved.	At least 50% of all additional dwellings built between 2015-25.	LBHF
Housing policy HO4: Housing quality and density	Average density of residential permissions.	London Plan target.	LBHF/ London Development Database (LDD)
	Percentage of homes permitted meeting COSH Level 3,4,5 and 6.	Increase	LBHF/ London Development Database (LDD)
Housing policy HO5: Housing mix	Type and size of all new dwellings.	- For social and affordable rented approximately: 1 bedroom: 10% of units; 2 bedrooms: 40% of units; 3 bedrooms: 35% of	LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
		units; 4+ bedrooms 15% of units; - For intermediate housing approximately: 1 bedroom: 50%; 2 bedroom: 35%; 3 or more bedrooms: 15% of units and; - For market housing, a mix of unit sizes including larger family accommodation.	
Housing policy HO6: Accessible housing	- Percentage of homes granted permission achieving the Lifetime Homes standards; - Number and % of homes granted permission that are wheelchair accessible in developments providing ten or more residential units.	All new dwellings to be built to 'life homes' standards with 10% to be wheelchair accessible.	LBHF
Housing policy HO7: Meeting needs of people who need care and support	Net change in the number of special units permitted and completed.	No net loss where need exists.	LBHF
Housing policy HO8: Hostels and houses in multiple occupation	Net change in the number of HMOs and hostels.	No net loss where need exist.	LBHF

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Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Housing policy HO9: Student Accommodation	Net additional student bedrooms granted permission/completions.	Increase	LBHF
Housing policy HO10: Gypsy and traveller Accommodation	Net additional pitches granted permission/completed.		LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Local Economy and Employment			
Employment policy E2: Land and premises for employment use	Overall employment rate.	Increase	Office for National Statistics
	Working age people out of work benefits.	Decrease	Office for National Statistics
	The business stock.	Increase in new businesses.	Office for National Statistics
	Employment land available.	No target	LBHF
	Amount of permitted and completed employment floorspace (by type and regeneration areas and rest of the borough).	Increase	LBHF
Employment policy E3: Provision for visitor accommodation and facilities	Number of hotel bedrooms granted permission and completed (including wheelchair accessible bedrooms).	- London Plan: 40,000 additional hotel bedrooms by 2031;	LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
		- At least 10% of hotel bedrooms designed as wheelchair accessible.	

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Town and Local Centres			
Town and Local Centre policy TLC2: Town Centres	Percentage of frontage in A1, and other use classes in the non-prime frontage areas.	Maximum of 40% of non A1 use in the centre.	LBHF
Town and Local Centre policy TLC3: Local Centres	Percentage of frontages in non-A1 use; percentage in A3, A4 and A5 uses in frontages identified in policy TLC3.	As set out in policy LBHF according to type of centre.	LBHF
Town and Local Centre policy TLC4: Small non-designated parades and clusters and corner shops	Percentage of frontage in A1 use; percentage in A3, A4 and A5 uses.	As set out in policy TLC3.	LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Community Facilities, Leisure, Recreation			
Community facility policy CF1: Supporting Community Facilities and Services	Net change of use of communities facilities and services.	No target.	LBHF
	Number of total offences in the borough.	Decrease	Metropolitan police

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Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Community facility policy CF3: Enhancement of arts, culture, entertainment, leisure, recreation and sport uses	Net change in D2 use class floorspace.	No net loss unless in accordance with policy.	LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
E. Green and Public Open Space			
Open Space policy OS1: Protecting parks and open spaces	Net change in total area of public open space.	N/A	LBHF
Open Space Policy OS4: Nature conservation	Net change to areas of nature conservation interest.	No net loss unless in accordance with policy.	LBHF
Open Space Policy OS5: Greening the borough	Number of permissions involving garden land granted for development.	No net loss of back, front and side gardens.	LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
River Thames			
River Thames-policy RTC1: River Thames	The length of riverside walk.	Increase in permanent path.	LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Design and Conservation			
Design and Conservation policy DC2: Design of new build	Total of new build housing completions reaching very good, good, average and poor rating against the Building for Life criteria.	Increase	LBHF
Design and Conservation policy DC8: Heritage and conservation	The proportion of listed buildings at risk.	Reduce the proportion of buildings at risk as a percentage of the total number of listed buildings in the borough.	LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Environmental Sustainability			
Environmental Sustainability policy CC1: Reducing carbon dioxide emissions	Average % reduction in CO ₂ emissions for major developments from the Building Regulations baseline requirements.	Reduction in CO ₂ emissions of 40%.	LBHF (Energy Assessment Report)
	Number of properties connected to decentralised energy networks.	No specific target.	LBHF (Energy Assessment Report)
	Number of developments where on-site renewable energy generation is integrated.	No specific target.	LBHF (Energy Assessment Report)
	Types and numbers of renewable energy technologies installed.	No specific target.	LBHF (Energy Assessment Report)
Environmental Sustainability policy CC3: Minimising flood risk and reducing water use	Average % reduction in surface water flows for major developments.	Minimum reduction of 50% in peak flows compared to pre-development.	LBHF (Flood Risk Assessment Report)

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Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
	Types and number of SuDS measures installed.	No specific target.	LBHF (Flood Risk Assessment Report)
Environmental Sustainability policy CC6: Strategic waste management	Amount of municipal waste arising and managed by management type.	Decrease	DEFRA
	-% of household waste sent to recycling.	Increase	

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Transport and Accessibility			
Transport and Accessibility policy T1: Transport	Methods of children travelling to school (5-16 year olds).	London Plan targets.	LBHF
	Private car usage.	London Plan targets.	Department for Transport
Transport and Accessibility policy T2: Transport assessments and travel plans	Number of planning permissions involving a Transport Impact Assessment.	No target.	LBHF
Transport and Accessibility policy T3: Increasing the opportunities for cycling and walking	Cycle parking provision in permitted development schemes.	Increase	LBHF
Transport and Accessibility policy T4: Vehicle parking standards	Parking provision in permitted development schemes.	London Plan targets.	LBHF

Local Plan Policy	Monitoring Indicator	Target And Direction	Data Source
Transport and Accessibility policy T5: Parking for blue badge holders	Parking provision for disabled people in permitted development schemes.	Increase	LBHF

Appendix 7 - Car Parking Standards

London Plan Car Parking Standards

Parking for residential development

Table 7

Maximum residential parking standards			
number of beds	4 or more	3	1-2
parking spaces	up to 2 per unit	up to 1.5 per unit	less than 1 per unit

Parking for retail

Table 8

Maximum standards for retail uses: space per sq m of gross floorspace (GIA)			
Use	PTAL 6 and 5	PTAL 4 to 2	PTAL 1
food: up to 500 m ²	75	50-35	30
food: up to 2500 m ²	45-30	30-20	18
food: over 2500 m ²	38-25	25-18	15
non food	60-40	50-30	30
garden centre	65-45	45-30	25
town centre/ shopping mall/ department store	75-50	50-35	30

Notes:

Unless for disabled people, no non-operational parking should be provided for locations in PTAL 6 central.

Unless for disabled people, no additional parking should be provided for use classes A2-A5 in town centre locations.

10 per cent of all spaces must be for electric vehicles with an additional 10 per cent passive provision for electric vehicles in the future.

Parking for employment uses

Table 9

Non-operational maximum standards for employment B1: spaces per sq m of gross floorspace (GIA)	
Location	
Central London (CAZ)	1000 – 1500
Inner London	600 – 1000
Outer London	100 – 600
Outer London locations identified through a DPD where more generous standards should apply (see Policy 6.13)	50 - 100
Note 20 per cent of all spaces must be for electric vehicles with an additional 10 per cent passive provision for electric vehicles in the future.	

Designated Blue Badge parking bays recommended in BS 8300:2009

Table 10

Building Type	Provision from the outset		Future provision
	number of spaces* for each employee who is a disabled motorist	number of spaces* for visiting disabled motorists	number of enlarged standard spaces**
workplaces	one space	5% of the total capacity	a further 5% of the total capacity
shopping, recreation and leisure facilities	one space	6% of the total capacity	a further 4% of the total capacity
railway buildings	one space	5% of the total capacity	a further 5% of the total capacity
religious buildings and crematoria	two spaces or 6% whichever is the greater.		a further 4% of the total capacity
sports facilities	determined according to the usage of the sports facility***		

* Parking spaces designated for use by disabled people should be 2.4m wide by 4.8m long with a zone 1.2m wide provided between designated spaces and at the rear outside the traffic zone, to enable a disabled driver or passenger to get in or out of a vehicle and access the boot safely.

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Building Type	Provision from the outset		Future provision
	number of spaces* for each employee who is a disabled motorist	number of spaces* for visiting disabled motorists	number of enlarged standard spaces**

** Enlarged standard spaces 3.6m wide by 6m long that can be adapted to be parking spaces designated for use by disabled people to reflect changes in local population needs and allow for flexibility of provision in the future.

*** Further detailed guidance on parking provision for sports facilities can be found in the Sport England publication Accessible Sports Facilities 2010.

Appendix 8 - Cycle Parking Standards

London Plan Cycle Parking Minimum Standards

Table 11

Land Use		Long-stay	Short-stay
A1	food retail	from a threshold of 100 sqm: 1 space per 175 sqm	from a threshold of 100 sqm: first 750 sqm: 1 space per 40 sqm thereafter: 1 space per 300 sqm
	non-food retail	from a threshold of 100 sqm: first 1000 sqm: 1 space per 250 sqm thereafter: 1 space per 1000 sqm	from a threshold of 100 sqm: first 1000 sqm: 1 space per 125 sqm thereafter: 1 space per 1000 sqm
A2-A5	financial / professional services	from a threshold of 100 sqm: 1 space per 175 sqm	from a threshold of 100 sqm: 1 space per 40 sqm
	cafes & restaurants		
	drinking establishment		
	stake-aways		
	business offices	inner/ central London: 1 space per 90 sqm outer London: 1 space per 150 sqm	first 5,000 sqm: 1 space per 500 sqm thereafter: 1 space per 5,000 sqm
B1	light industry and research and development	1 space per 250 sqm	1 space per 1000 sqm
B2-B8	general industrial, storage or distribution	1 space per 500 sqm	1 space per 1000 sqm

Land Use		Long-stay	Short-stay
C1	hotels (bars, restaurants, gyms etc open to the public should be considered individually under relevant standards)	1 space per 20 bedrooms	1 space per 50 bedrooms
C2	hospitals	1 space per 5 staff	1 space per 30 staff
C2	care homes / secure accommodation	1 space per 5 staff	1 space per 20 bedrooms
C2	student accommodation	1 space per 2 beds	1 space per 40 beds
C3-C4	dwellings (all)	1 space per studio and 1 bedroom unit 2 spaces per all other dwellings	1 space per 40 units
D1	nurseries/schools (primary and secondary)	1 space per 8 staff + 1 space per 8 students	1 space per 100 students
	universities and colleges	1 space per 4 staff + 1 space per 20 FTE students	1 space per 7 FTE students
	health centre, including dentists	1 space per 5 staff	1 space per 3 staff
	other (e.g. library, church, etc.)	1 space per 8 staff	1 space per 100 sqm
D2	other (e.g. cinema, bingo, etc.)	1 space per 8 staff	1 per 30 seats
	sports (e.g. sports hall, swimming, gymnasium, etc.)	1 space per 8 staff	1 space per 100 sqm
Sui generis		as per most relevant other standard e.g. casino and theatre = d2	
Stations		to be considered on a case-by-case basis through liaison with tfl	
Notes:			
in outer London town centres that are designated as 'mini-Hollands' or which have high PTALs, cycle parking standards are expected to match those of inner/central London.			
where the size threshold has been met, for all land uses in all locations a minimum of 2 short-stay and 2 long-stay spaces must be provided.			
Cycle parking areas should allow easy access and cater for cyclists who use adapted cycles			

Appendix 9 - Viability Protocol

The council's Delivery and Implementation policy identifies that the council will implement the policies and proposals of the Local Plan by, amongst other things, having regard to the financial viability of development in negotiating Section 106 Agreements, including for affordable housing. This is also reflected in Policy HO3 Affordable Housing, which references financial viability as one of the criteria to be considered. This approach is consistent with the National Planning Policy Framework (NPPF) and the national Planning Practice Guidance (PPG). An important element of this process must be openness and transparency to enable full public scrutiny.

Where consideration of the financial viability of a development is relevant the council will require the applicant to submit an 'open book' financial viability assessment (FVA).

The FVA will be made publically available along with all the other planning application supporting documents. In exceptional circumstances at the request of the applicant specific elements of the FVA may be treated as confidential and not be made public, but only where the applicant has demonstrated that disclosure would cause harm to public interest to such an extent that the harm outweighs the benefits of disclosure. The Council's finalised independent report on the FVA will also be made public subject to the same exceptional circumstances.

The FVA should ⁽⁵⁸⁾:

1. Be submitted at the time the planning application is made and will therefore form part of the applicant's supporting documents to enable validation of the application and commencement of the consultation process. (The council is currently updating its Local Validation Checklist to include this requirement).
2. Include a signed declaration from the applicant that confirms:
 - i. All viability information submitted in support of the application has been submitted in good faith and accurately represents a true and fair reflection on the scheme's viability and that the applicant has not (and will not) submit any viability information which it knows or considers to represent an inaccurate position on viability.
 - ii. Whether any of the viability information has been prepared on the basis of performance related or contingent fees or similar arrangements.
3. Contain only information which is robustly justified and appraisal assumptions which are benchmarked against publically accessible data sources. For example, development values should be justified with reference to up to date transactions and market evidence relating to comparable new properties within a reasonable distance from the site. Build costs should be based on a realistic specification of the development proposed and accompanied by evidence of associated professional costs.
4. Include a Developer's Profit proportional to the risk associated with the proposed development and not only represent the return desired by the developer. The council will require supporting evidence to justify the proposed rates of profit, which should

58 The council may build upon and develop the Viability Protocol policy principles and requirements in subsequent policy guidance

typically be expressed as a percentage of gross development costs or gross development value.

5. Use the residual land value (RLV) methodology which the council considers is the most appropriate methodology to use when undertaking a FVA for a planning application. The benchmark land value (against which the RLV will be compared) should be calculated with the existing use value plus a premium. This approach is supported by PPG; the Mayor of London's Housing SPG; and the GLA Affordable Housing Toolkit Guidance Note. The existing use value should exclude any hope value associated with the development on site or alternative uses and instead be established through evidence including reasonable comparative uses in similar condition and circumstances. Once the existing use value is established the reasonable premium above this value can then be considered.

An alternative use value approach to the benchmark value will only be accepted where there is a valid consent for the alternative use or if the alternative use would clearly fully comply with the development plan. In such cases a full viability appraisal must be submitted together with a provisional design indicating how the alternative use could be accommodated on the site.

PPG requires that in all cases land value should first and foremost reflect policy requirements, planning obligations and CIL charges. It is vital that land value is not overstated based on purchase price, land transactions or land owner aspirations which do not sufficiently reflect the role and requirements of the council's development plan. The application of a 'market value' approach has raised concerns of inadequate reflection of policy requirements and inflated land values which inappropriately reduce planning obligations.

The Council will assess the viability of a scheme as follows:

- a. In line with PPG, the council will normally consider development viability based on costs and values at the time the application is being determined. The PPG also advises where a scheme requires phased delivery over the medium and longer term, it may be appropriate to consider projected changes in values and costs at the application stage. This approach is sometimes referred to as a 'growth model' approach and the council will seek to apply the 'growth model' approach on phased delivery or schemes to be built out over two or more years.
- b. To protect against growth model assumptions that do not adequately capture future growth and to ensure the maximum reasonable level of affordable housing is provided in line with Policy HO3, and that other plan requirements are met, the council will require viability review mechanisms through Section 106 agreements. This will apply to all major residential applications, phased and non-phased, which do not meet the borough-wide affordable housing target and for all major applications, phased and non-phased, where policy requirements are not met in full at the time permission is granted.
- c. The frequency, trigger point and nature of the viability review mechanisms to be agreed will be considered on the individual circumstances of each major application and may include prior to substantial implementation review; mid-point stage in development review(s); and advanced stage of development review.

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Hammersmith & Fulham Local Plan Examination Main Modifications Consultation

Main Modifications Schedule

28th July 2017

Hammersmith and Fulham Local Plan –Main Modifications Schedule - July 2017

Ref	Page	Policy/ Paragraph	Main Modification	Summary Reason
MM1	20	Amend Spatial Vision 3 rd paragraph Amend Strategic Objective 10	<p>...New development will have created a high quality, <u>accessible</u>, safe <u>and inclusive</u> environment that respects local context and the borough's natural, built <u>and historic</u> environment...</p> <p>To preserve and enhance the quality, character and identity of the borough's natural and built environment (including its heritage assets) by respecting the local context, seeking high quality, intelligent developments and design , and ensuring compliance with the principles of inclusive, <u>accessible</u> and sustainable design...</p>	To ensure consistency with national policy, alignment with the London Plan and due regard to the Public Sector Equality Duty
MM2	25	DEL1	<p>Amend bullets:</p> <p>...</p> <p>The Council will implement the policies and proposals of the Local Plan by: ...</p> <ul style="list-style-type: none"> • having regard to the financial viability of development in the following ways: <ul style="list-style-type: none"> o Plan-making; o CIL charge-setting; and o Negotiating Section 106 agreements ('106s'), including for affordable housing, 	To ensure a flexible approach towards development proposals.

Hammersmith and Fulham Local Plan –Main Modifications Schedule - July 2017

			<ul style="list-style-type: none"> o applying the principles set out in the Viability Protocol in Appendix 9; o <u>Site specific circumstances including site specific infrastructure;</u> o <u>Site size, constraints and characteristics.</u> <p>...</p>	
MM3	2	After para 1.9	<p>Add new wording after para 1.9 as follows</p> <p><u>Neighbourhood Planning</u></p> <p><u>Neighbourhood Planning was introduced as part of the Localism Act 2011. Neighbourhood plans are development and land use documents led by members of the community. Neighbourhood plans must be developed in general conformity with the strategic policies in the relevant local, regional and national planning policy documents and guidance.</u></p> <p><u>The Neighbourhood Planning Regulations sets out the procedure and key milestones in developing a neighbourhood plan. In order for a neighbourhood plan to be adopted and form part of the Development Plan Framework, they must be voted on and agreed by a majority vote, in a local Referendum.</u></p>	For consistency with National Policy and to explain clearly the role of Neighbourhood Planning
MM4	29	Strategic Policy – Regeneration Areas	<p>Amend Strategic Policy – regeneration Areas (Bullet 1) as follows:</p> <p>...delivered to the highest standards of urban design, <u>respect for the historic environment</u>, environmental sustainability, and social inclusion and respecting local context...”</p>	To ensure consistency with national policy and accuracy within the Plan.
	29	Table 1	Amend text at bottom of Table 1 as follows:	

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			<p>...In the London plan (2016, the Earls Court and West Kensington Opportunity Area has a minimum target of 6,500 dwellings 7,500 homes and 9,500 jobs across both LBHF and RBKC. It is anticipated that 6,500 homes and 8,500 jobs could be accommodated in LBHF. In addition to this capacity in the Earls Court and West Kensington opportunity Area, the FRA is considered to have the capacity to deliver an additional 500 homes and 500 jobs making an overall total of 7,000 homes and 9,000 jobs. In the figures above, 7,000 dwellings have been allocated to that part of ECWK Opportunity Area that is within LBHF and 1000 to the area that is within RBKC.</p>	
	45	HRA	<p>Add new bullet point (as bullet 10) to the policy follows: <u>...be based on a thorough assessment of the heritage significance of the area and respond positively to local character and history, conserving and taking opportunities to enhance the significance of heritage assets...</u></p>	
	51	HRA2	<p>Amend bullet point 5 as follows: <u>...Ensure that the tunnel entrances and exits avoid, or where this is not possible, have minimal impact on the amenity of residents and the local environment, including the significance and setting of heritage assets..</u></p> <p>Amend bullet point 10 as follows: <u>...be of a coherent urban design that has regard to the setting and context of the regeneration area, including its scale and character, heritage assets and archaeology and should take opportunities to re-unify areas of severed townscape sensitively...</u></p>	

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MM5	43	WCRA3	Amend 4 th bullet point as follows: "Provide affordable housing <u>and affordable workspace</u> in accordance with Policy H03 <u>and Policy E1</u> "	To ensure consistency with national policy and within the Plan.
MM6	56, 59	FRA FRA1	Amend fifth bullet point of Policy FRA as follows: <ul style="list-style-type: none"> provide for the improvement of the West Kensington, Gibbs Green and Registered Provider estates, <u>including the potential for renewal of and additions to all or parts of the estates</u> Amend third bullet point of Policy FRA1 as follows: <ul style="list-style-type: none"> provide for improvement to the West Kensington, Gibbs Green and Registered Provider estates, <u>including the potential for renewal of and additions to all or parts of the estates</u>, as part of the comprehensive approach to the regeneration of the Opportunity Area;... 	To ensure flexibility and policy effectiveness.
MM7	69	HO1	Amend HO1 policy as follows: "The council will work with partner organisations and landowners to exceed the London Plan (2016) <u>minimum</u> target of 1,031 additional dwellings a year up to 2025..." e) Ensuring that new dwellings meet local needs and are available for occupation by people living in London.... ...	To ensure consistency with national policy.

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			<p>g) working to return vacant homes to use and ensure that <u>all</u> new homes are occupied and vacant homes are returned to use to meet local and London needs;</p> <p>...</p> <p>Insert additional sentence to follow 'g' at Policy H01 – Housing Supply:</p> <p>h) <u>where possible, support applications for self and custom builds that are in accordance with the relevant Local Plan policies.</u></p> <p>Amend Table 2 'Indicative Housing Targets' as follows:</p>	
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Area	2015/20 2016/20	2020/25 2021/25	Total 10 years	2025/30 2026/31	2030/35 2031/35	Total 20 years [0] Plan Period [up to 2035]
White City Regeneration Area/Opportunity Area **	1,000 2,200	2,500 3,500	3,500 5,700	1,500 100	1,000 200	6,000
Hammersmith Town Centre	200 700	600 0	800 700	1,000 1,050	1,000 1,050	2,800
Fulham Regeneration Area **	1,500 1,100	2,500 600	4,000 1,700	1,500 5,300	1,500 0	7,000
South Fulham Riverside	1,500 2,700	1,500 800	3,000 3,500	500 200	500 300	4,000
Rest of the borough	1,000 2,000	700 200	1,700 2,200	700 0*	0*	2,400 2,200
Total	5,200 8,700	7,800 5,100	13,000 13,800	5,200 6,650	4,000 1,550	22,200 22,000
Average/year	1,040 1,740	1,560 1,020	2,600 1,380	1,040 1,330	800 310	1,110 820

Add the following new text after paragraph 6.9:

The Build to Rent or Private Rent sector has the potential to boost the supply of private rental accommodation across the borough. The SHMA identifies that private renting is high and is increasing in the borough; between 2001 and 2011 the private rented sector increased from 23% to 33%. Bearing this in mind, Build to Rent may offer a greater range and choice to private renters.

The council recognises that the financial model of Build to Rent is different to traditional, private market housing and there will be

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		<p><u>separate viability concerns when considering Build to Rent schemes. Nevertheless, a range of tenures will be expected to provide accessible housing for all, subject to viability. On such schemes, affordable housing may be delivered by discount market rent using the London Living Rent (or lower) as the Council's preferred benchmark. The Council's Housing Strategy may also be used in setting appropriate rent levels to ensure schemes are affordable locally. The quantum of affordable housing units will be subject to the specifics on a scheme. Long-term covenants will be required on any scheme to ensure developments are rental for at least 15 years with a 'clawback' mechanism in place where units are sold out of the Build to Rent sector during the covenant period. Importantly, affordable housing should be maintained in perpetuity and managed by the Build to Rent provider.</u></p> <p><u>An integral part that makes Build to Rent development different is the management of the site. The council will expect that any developers will identify a suitable, long term, experienced management team in place when coming forward with any applications that will deliver high-quality housing for its residents.</u></p> <p><u>When considering Build to Rent schemes, it will be important to consider the nature of build to rent development. Higher turnover is anticipated in Build to Rent schemes which may have a wider impact in terms of the sense of community in the area and other high-street parking issues and impacts. Evidence of mitigating these issues and/or ways of managing these issues may be required by the council.</u></p> <p>Insert new text on Self Build and Custom Housebuilding as follows: <u>The Self-build and Custom Housebuilding Act 2015 requires local authorities to keep a register of individuals and associations of individuals seeking to acquire serviced plots of land to build houses for those individuals to occupy as homes. Self-build typically refers to individuals seeking to build their own home and to occupy them. The</u></p>	
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			<p><u>council has produced a self-build register, where individuals may register their interest.</u></p> <p><u>Self build and custom housebuilding refers to individuals or groups of individuals interested in buying land and building a home to occupy. The London SHMA found that self-build provides 4% of all new homes in England. In London, the figures indicate that self-build accounts for 1.9% and 3.5% of annual housing output in London.</u></p> <p><u>The London SHMA has found from a survey conducted in 2013 that 13% of adults in London were actively researching self-build, in line with the national average. Results from the same survey found that 2% of adults in London were doing something about this in terms of acquiring land, submitting a planning application, or starting construction. Those likely to complete a self-build project within a year was 1%.</u></p> <p><u>There are a number of broad barriers to delivering or undertaking such a project which indicates why there are such low output levels in London and nationally: the high cost of land, access to finance – self-build is considered as relatively risky, which in turn favour high-density development and builders able to capitalise on economies of scale. Self-build typically takes place in small infill sites, end of terrace spaces, backland sites, gardens, garages, and small industrial sites. In parts of London where land values are lower, sites which would not have interest from developers, such as on the fringe of industrial sites, there are greater opportunities to take place.</u></p> <p><u>In Hammersmith and Fulham, where land prices are high and the supply of available land for development is so competitive, these factors do not provide the best conditions for self-build or custom housebuilding to take place. Whilst the council is supportive in principle, this will continue to be monitored and assessed through the AMR and self-build register.</u></p>	
MM8	73	HO3 and supporting text	Amended wording to the proposed policy, as follows:	To ensure consistency with national policy

			<p>Housing development should increase the supply and improve the mix of affordable housing to help achieve more sustainable communities in the borough.</p> <p><u>For developments of 11 or more self-contained dwellings, and on sites with the capacity for 1011 or more such self-contained dwellings, affordable housing should be provided having regard to in line with the following:</u></p> <ol style="list-style-type: none"> a. a borough wide target that at least 50% of all dwellings built between 2015-25 should be affordable; b. 60% of additional affordable housing should be for social or affordable renting, especially for families and 40% should be a range of intermediate housing; c. affordable dwellings should be located throughout a new development and not concentrated on one part of the site; d. the provision of affordable rented and social rented housing in ways that enable tenants to move into home ownership. <p>In negotiating for affordable housing in a proposed development, the council will seek the maximum reasonable amount of affordable housing and take into account:</p> <ul style="list-style-type: none"> • site size and site constraints; and • financial viability, applying the principles set out in the Viability Protocol (Appendix 9) and having regard to the the individual circumstances of the site and the availability of public subsidy; • <u>individual circumstances and characteristics of the site;</u> • <u>site specific infrastructure;</u> • <u>availability of public subsidy; and</u> • <u>CIL charge.</u> 	
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			<p><u>Planning applications for developments of 11 or more self-contained dwellings, and on sites with the capacity for 110 or more such dwellings, will not be required to provide viability information, where they:</u></p> <ul style="list-style-type: none"> • <u>deliver 50% or more affordable housing on site;</u> • <u>are consistent with the relevant tenure split within this policy (see also paragraph 6.29); and</u> • <u>meet all of the other relevant Local Plan policy requirements and obligations.</u> <p><u>For the avoidance of doubt, in circumstances where the three requirements set out immediately above are satisfied, the council will regard that affordable housing provision as "the maximum reasonable amount of affordable housing.</u></p> <p>In exceptional circumstances, a financial contribution may be required to provide affordable housing off-site where other sites may be more appropriate or beneficial in meeting the borough's identified affordable housing needs.</p> <p>In addition, there should be no net loss of social/affordable rented housing on any development sites <u>as part of any development proposals.</u></p>	
	74	Para 6.18	<p>Amend para 6.18 as follows:</p> <p><u>In order to maximise affordable housing supply, the council will seek affordable housing contributions on schemes of 11 or more dwellings. In addition, on schemes of 10 or less dwellings that have a maximum combined gross floorspace of more than 1,000 square metres (gia), the council will also seek negotiate affordable housing where there is</u></p>	To be in accordance with national policy.

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			<p>considered to be capacity for more units. In determining capacity, the council will take into account the guidance included in London Plan (2016) policy 3.13 and supporting supplementary planning guidance. for example in schemes where dwellings are large in floorspace terms but below 11 units and could yield a larger number of average sized homes the application of affordable housing policy will apply. In order to meet the target for affordable housing, the council will negotiate for affordable housing to be provided on all larger sites in accordance with the London Plan (2016) threshold for sites with the capacity for 10 or more self contained dwellings. The affordable housing proportion should be calculated in relation to gross rather than net provision i.e, it should be based on the total number of units proposed in the final development.</p>	
	75	Para 6.28	<p>Add further paragraph following 6.28:</p> <p><u>'The council will seek the maximum reasonable amount of affordable housing on any development. Vacant Building Credit (VBC) was introduced by Central Government in 2014 to incentivise the redevelopment of disused and vacant buildings on brownfield sites by offering developers a financial credit equivalent to the existing gross floor space when calculating the affordable housing contribution. Any increase in floorspace, affordable housing contributions will be required. When assessing applications, it is important to apply the Government's intended purpose for VBC.</u></p> <p><u>In an area of high affordable housing need, VBC has the potential to decrease the affordable housing supply across the borough. In order to mitigate against this potential loss, VBC will not be applicable where there is evidence of the following:</u></p> <p><u>-The building is not covered by an extant planning permission or recently expired planning permission for the same or substantially the same development;</u></p>	To update in line with national policy

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			<u>-The building has been left vacant for the sole purpose of redevelopment; and, The building, at the time of application, is not in any legal use</u>	
	75	Para 6.29	Amend paragraph 6.29 as follows: In considering the mix of tenure that is appropriate for additional dwellings to be built in the borough, the council has had regard to the London Plan (2016) affordable housing policies and to <u>our own its</u> assessment of the housing market, including housing need and how this can be met. <u>In considering appropriate rent levels for the various tenures, the council will be led by our Housing Strategy to ensure that all new affordable homes are affordable to people who live or work in the Borough.</u>	The additional wording seeks to clarify the key considerations when negotiating affordable housing.
	75	Para 6.30	Amend para 6.30 as follows: It is recognised that in negotiating for affordable housing, specific site constraints and financial viability may affect the amount of affordable housing that can be achieved on that site. The council encourages <u>pre-application early</u> discussions with applicants <u>which should include information on during the pre-application stage when</u> financial viability appraisals <u>are required with planning applications</u> . The council will apply the principles and requirements set out in the Viability Protocol (Appendix 9) when receiving and assessing financial viability appraisals submitted with planning applications and in negotiating Section 106 Agreements, to ensure the maximum reasonable level of affordable housing is provided and that other plan requirements are met. <u>Financial viability appraisals will not be required where a proposal will deliver 50% or more affordable housing on site, has a tenure split in line with our policy and meets all other relevant Local Plan policy requirements and obligations.</u>	The additional wording seeks to clarify the key considerations when negotiating affordable housing.
	76	Para 6.31	Amend final two sentences in para 6.31 as follows:	The additional wording seeks to clarify the key considerations when

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			<p><u>The council favours traditional intermediate housing products such as shared ownership which can provide properties that remain affordable over a longer period of time.</u> The council will, therefore, need to weigh the needs of different groups when considering development proposals. Where Starter Homes are substituted for affordable housing in development proposals, the council will expect them to replace affordable home ownership products (primarily shared ownership) rather than affordable rented housing.</p>	negotiating affordable housing.
	77	Para 6.33	<p>Add additional text to paragraph 6.33 as follows:</p> <p>“Mixed tenure housing developments should be tenure blind, meaning that it should be difficult to spot the difference in the architectural quality of market and affordable properties. <u>It is important for the council to ensure that housing developments are inclusive for all residents. The council recognises that spreading of affordable housing units may not be practical in all schemes. For example, separate service cores may be necessary between private and all affordable housing units to maintain affordable service charges and to aid good housing management when locating affordable tenures.</u>”</p>	For clarity in response to consultation comment
MM9	84	HO10	<p>Amend HO10 as follows:</p> <p><u>The council will seek to address the joint Gypsy and Traveller accommodation needs over the Plan period, as identified in the Gypsy and Traveller Accommodation Needs Assessment (2016).</u></p> <p>The council will work closely with the Royal Borough of Kensington and Chelsea, and any other relevant partners to protect, improve and, if necessary, increase the capacity of the existing gypsy and traveller site at Westway Stable Way.</p> <p><u>Applications for additional sites should meet the requirements set out in the Planning Policy for Traveller Sites (2015).</u></p>	To demonstrate a commitment to securing consistency with national policy.

		Para 6.63	<p>6.63 ... Following engagement with the local traveller community an assessment of the need for traveller pitches was carried out in accordance with the Gypsy and Traveller Accommodation Needs Assessments (DCLG 2007). This study suggested a need for extra pitches for an additional five families by 2020(38). <u>The assessment identified that 3 additional pitches are required in the first five years, 9 in total over the plan period. The council is currently working with RBKC and the local traveller community to determine how best to meet the identified needs. Both authorities are working together to determine how best to meet this identified need where possible, in accordance with further Site Appraisal work. The Council will seek to address the findings from the GTANA its assessment and to meet its needs by undertaking a Site Appraisal Study in 2017 and producing an Options Paper thereafter. The Council and RBKC will explore all available options in meeting the objectives of national policy in order to identify a National Planning Policy Framework compliant supply of sites during the course of 2018, if not earlier. This will be reported upon in the Council’s annual monitoring report. Sites identified will be assessed against the agreed methodology with RBKC, in accordance with the NPPF and the PPTS. Any subsequent planning applications should be considered against the criteria set out in the PPTS along with relevant planning policies and guidance.</u></p>	
MM10	120	OS2	<p>Amend Policy OS2 as follows:</p> <p>The council will seek to reduce open space deficiency and to improve <u>will protect and enhance</u> the quality of, and access to, existing open space by:</p>	<p>To clarify the Policy for reasons of effectiveness and consistency with national policy.</p>

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			<p>a. refusing development on public open space and other green open space <u>of strategic and borough-wide importance as identified in the council's Open Space Hierarchy (see Appendix 3 and Proposals-Policies Map)</u> unless it can be demonstrated that such development <u>will not harm</u> would preserve or enhance its open character, <u>and its function as a sport, leisure or recreational resource, and its contribution to biodiversity and visual amenity; ...</u></p>	
MM11	125	RTC1	<p>Add bullet point (e) and (f) to Policy RTC1 as follows:</p> <p>e. <u>promoting use of the River Thames for transport uses, including passengers and freight</u></p> <p>f. <u>seeking improvements to the tidal foreshore in line with the requirements of the Thames River Basin Management Plan and the Thames Estuary 2100 Plan.</u></p>	For reasons of policy effectiveness.
MM12	91	6.80	<p>Amend para 6.80 as follows:</p> <p><u>The borough currently faces real socio-economic difficulties, including acute affordable housing need and high levels of deprivation.</u> Continued economic growth in the borough will require a growing work force. These jobs will not go to workless-unemployed residents in the borough unless they have the necessary qualifications and skills. If local workless people are not moving into the local labour market, the growth in jobs will have to be met by workers from outside the local area. This will increase pressure on the already overstretched supply of housing and local transport infrastructure. This is also important in addressing social inequalities across the borough. Where major developments come forward that do not employ and/or train local people in their construction/operation, they will aggravate this situation. This is because local unemployed people will not be moving into the local labour market, and the growth in jobs related to those developments will have to be met by workers from outside the local</p>	To ensure policy effectiveness and legal robustness.

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			<p>area. This will aggravate existing circumstances by increasing pressure on the already overstretched supply of housing, and on local transport infrastructure. It will also fail to address the social inequalities across the borough. Accordingly, in order for major developments to be sustainable, particularly having regard to the social and economic strands of sustainability, they must comply with the policy.</p>	
MM13	102	TLC4	<p>Amend point c) as follows: ... The number of <u>existing non-A1</u> uses that may adversely impact on the quality of the parade or cluster, such as betting shops and amusement centres...</p>	To ensure a justified and effective policy.
MM14	105	TLC6	<p>Amend Policy and text as follows:</p> <p>Policy TL6 To ensure that shopping areas remain diverse and balanced, the council will seek to limit the amount <u>manage</u> the and concentration of betting shops, pawnbrokers <u>and</u> payday loan shops in areas of high concentration.</p> <p>Planning permission for <u>Any proposal for a new betting shops, pawnbrokers or payday loan shops will be considered against the provisions of Policyies TLC2 and TLC3 not be permitted in the prime retail frontage of town centres or within 400 metres of the boundary of an existing or permitted betting shop, pawnbrokers or payday loan shop.</u></p> <p>Outside of these areas, planning permission and will only be granted for a betting shop, pawnbrokers or payday loan shop may be granted permission, in accordance with the quotas that apply, and where it can be demonstrated that the proposal:</p>	To ensure a justified and effective policy.

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	106	6.118	<ul style="list-style-type: none"> • <u>will not impact adversely on residential the amenity, character and function of an area;</u> • <u>and will add to the vitality of the existing shopping parade or cluster; and</u> • <u>will not result in negative cumulative impacts due to an unacceptable concentration of such uses in one area.</u> <p>When considering proposals for hot food takeaways (class A5) and in addition to the quota policies that will apply, the council will take into account <u>proximity to areas where children and young people are likely to congregate, such as schools, parks and youth facilities the location and nature of the proposal with regard to the proximity of existing hot food takeaways, its compatibility with surrounding uses and, as applicable, available evidence relating to potential health impacts.</u></p> <p>6.118 Although hot food takeaways provide a service for the community, the council is concerned about the potential health impacts of hot food takeaways, <u>particularly on children and young people. Therefore, In the case of proposals for class A5 uses (hot food takeaways), consideration will be given to the proximity of schools and similar facilities, as well as the prevalence and clustering of takeaways and relevant evidence relating to potential health impacts arising from the type of use proposed. when assessing the acceptability of these uses.</u></p>	
MM15	134	DC3	<p>Amend DC3 as follows:</p> <p>In these areas identified as <u>potentially</u> appropriate for tall buildings, any proposal will need to demonstrate that it:</p>	To ensure consistency with national policy.

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			<p>...</p> <p>d) has no harmful impact in terms of <u>had full regard to the significance of heritage assets including the setting of, and views to and from, such heritage assets, has no unacceptable harmful impacts, and should have due regard to Historic England's guidance on tall buildings...</u></p>	
MM16	137	DC5	<p>Amend DC5 as follows:</p> <p>...</p> <p>Fascia signs and projecting signs should not be overly large and should be designed to be appropriate to the <u>styles scale and design</u> of the shopfront (see section on shopfront guidance in the Planning Guidance Supplementary Planning document)...</p>	To ensure an effective and justified policy.
MM17	138	DC6	<p>Amend policy wording in DC6 as follows:</p> <p>...</p> <p>Replacement windows should respect the architectural character of the building and its surroundings. In this respect, <u>It</u> will be important that the design <u>and material</u> of the replacement windows matches the original windows <u>as closely as possible</u>, in terms of material, type and size, method of opening, profile and section and sub-division. ...</p>	To ensure an effective and justified policy.
MM18	142	DC8	<p>Amend Policy DC8 as follows:</p> <p>The council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing it's <u>its</u> heritage assets. These assets include: listed buildings, <u>conservation areas</u>, historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications for</p>	To ensure a justified and effective policy consistent with national policy.

		<p>development affecting heritage assets, the council will apply the following principles:</p> <p>a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation;</p> <p>b. development applications affecting designated heritage assets, including alterations and extensions to buildings will <u>normally</u> only be permitted if the significance of the heritage asset is conserved or enhanced or where there is less than substantial harm and the harm is outweighed by the public benefits of the proposal.</p> <p>c. development applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within its <u>their</u> setting;</p> <p>d. applications for development affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset <u>in accordance with paragraph 135 of the National Planning Policy Framework;</u></p> <p>e. particular regard will be given to matters of scale, height, massing, alignment, materials and use;</p> <p>f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's character and significance, <u>including securing its optimum viable use;</u></p> <p>g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposed development proposal upon it or its setting which should be carried</p>	
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			<p>out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's significance.</p> <p><u>Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation;</u></p> <p>h. proposals which involve harm to, or loss of, substantial harm, or less than substantial harm any designated <u>to the significance of a</u> heritage asset will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 <u>and 134</u> of the National Planning Policy Framework;</p> <p>i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design <u>and significance</u> before it is lost, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance;</p> <p>j. the proposal respects the principles of accessible and inclusive design;</p> <p>k. <u>where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly;</u></p> <p>l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and</p> <p>m. securing the future of heritage assets at risk identified on English Heritage's national register, as part of a positive strategy for the historic environment.</p>	
MM19	146	DC9	Amend DC9 as follows:	To ensure a clear, flexible and justified policy.

		<p>The council will require a high standard of design of advertisements, which should be in scale and in keeping with the character of their location and should not have an unacceptable impact on public, including road, impact adversely on public safety. The council will resist excessive or obtrusive advertising and illuminated signs which adversely affect the character and appearances of the neighbourhood or the site/building, residential amenity or public safety. The design of advertisements should be appropriate to their context and should generally be restrained in quantity and form. Advertisements should normally be located at ground floor level and relate to the commercial zone of the street frontage and the architectural design of the facade.</p> <p>All forms of advertisements displayed above ground floor level would in many circumstances result in visual clutter in the street scene and detract from the architectural composition and scale of the buildings to which they relate. Further detailed guidance for shopfronts and advertisements in conservation areas is included in the Planning Guidance Supplementary Planning Document.</p> <p><u>Hoardings</u></p> <p>Hoardings and other large advertisements, such as digital screens, will be acceptable where they are of an appropriate scale with their surroundings and where they do not have a detrimental impact on areas sensitive to the visual impact of hoardings such as conservation areas, listed buildings and other heritage assets, residential areas, open spaces or waterside land.</p> <p><u>Advertisement Shrouds</u></p> <p>Buildings that are being renovated or undergoing major structural work and require scaffolding or netting around them, may be considered suitable for temporary advertisement shrouds. Advertisement shrouds are when commercial advertising forms part of a protective screen secured on scaffolding to screen buildings works</p>	
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	147	Para 6.233	<p>being carried out. This will not be permitted where the advertisement would <u>not</u> impose a detrimental impact on the building or street scene in terms of the size, illumination and/or content; and where the advertisement would <u>not</u> be harmful to residential amenity or public safety. Where advertisement shrouds are considered to be acceptable, they should be accompanied by a 1:1 depiction of the building and only be displayed for a limited period related to the reasonable duration of the building works.</p> <p>Advertisement shrouds on heritage assets will only be acceptable where the revenue generated directly contributes to the restoration of the heritage asset. In order to avoid premature or prolonged periods of display, which could be harmful to amenity, the council will require evidence of a signed building contract where the display of an advertisement shroud is linked to building works. Where planning permission for building works is required, consent for an advertisement shroud will only be granted once planning permissions has been granted and all pre-commencement conditions have been discharged.</p> <p>The display of estate agents boards within Regulation 7 areas will not be permitted.</p> <p>Amend the supporting text to include the following information deleted from the policy.</p> <p><u>All forms of advertisements displayed above ground floor level would in many circumstances result in visual clutter in the street scene and detract from the architectural composition and scale of the buildings to which they relate. Further detailed guidance for shopfronts and advertisements in conservation areas is included in the Planning Guidance Supplementary Planning Document.</u></p>	
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			<p><u>Advertisement shrouds are when commercial advertising forms part of a protective screen secured on scaffolding to screen buildings works being carried out. Buildings that are being renovated or undergoing major structural work and require scaffolding or netting around them, may be considered suitable for temporary advertisement shrouds.</u></p> <p><u>Advertisement shrouds on heritage assets will only be acceptable where the revenue generated directly contributes to the restoration of the heritage asset. Advertisement shrouds on heritage assets will only be acceptable where the revenue generated directly contributes to the restoration of the heritage asset. In order to avoid premature or prolonged periods of display, which could be harmful to amenity, the council will require evidence of a signed building contract where the display of an advertisement shroud is linked to building works. Where planning permission for building works is required, consent for an advertisement shroud will only be granted once planning permissions has been granted and all pre-commencement conditions have been discharged.</u></p> <p><u>The display of estate agents boards within Regulation 7 areas will not be permitted.</u></p>	
MM20	148	DC11	<p>Amend Policy DC11 as follows:</p> <p>Amend bullet e) as follows:</p> <p>...</p> <p>e) do not result in <u>an unacceptable any adverse</u> impact on the amenity of adjoining properties or on the local, natural and historic environment <u>during and post construction...</u></p>	To ensure a justified and effective policy.

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			Amend last bullet as follows: ... l. <u>provide a construction traffic management plan as part of the CMS to ensure that traffic and construction activity does not cause unacceptable harm to pedestrian, cycle, vehicular and road safety....</u>	
MM21	153	CC1	Amend Policy CC1 as follows: Amend bullet point (d) to add text as follows: <u>...including heat networks if this can be done without having an unacceptable impact on air quality; and ...</u>	To ensure a justified and effective policy consistent with national policy.
MM22	162/ 163 165	Para 6.280 – 6.285 Policy CC8	Amend the justification for Policy CC6 in paragraphs 6.280 to 6.285 inclusive in line with the changes shown in KD4 and EX15. Amend Policy CC8 as follows: ...The council will ensure that development takes account of major hazards identified by the Health and Safety Executive, namely: <ul style="list-style-type: none"> ● Fulham North Holder Station, Imperial Road; ● Fulham South Holder Station, Imperial Road; and ● Swedish Wharf, Townmead Road. 	To ensure justified and effective policies consistent with national policy.
MM23	167	CC10	Amend Policy CC10 as follows: The council will seek to reduce the potential adverse air quality impacts of new developments by: <ol style="list-style-type: none"> a. requiring all major <u>developments which may be impacted by local sources of poor air quality or may adversely contribute to local air quality to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on</u> 	To ensure a justified and effective policy consistent with national policy.

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			<p>neighbouring areas and also considers the potential for exposure to pollution levels above the Government’s air quality objective concentration targets. <u>The assessment should include separate consideration of the impacts of (i) the construction/demolition phase of development and (ii) the operational phase of development with appropriate mitigation measures highlighted for each phase;</u></p> <p>b. requiring mitigation measures to be implemented to reduce emissions, particularly of nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to the exceedances of the Government’s air quality objectives;</p> <p>c. requiring mitigation measures that reduce exposure to acceptable levels where developments are proposed that could result in the occupants being particularly affected by poor air quality;</p> <p>d. <u>requiring developments to be 'air quality neutral' and resist development proposals which would materially increase exceedances of local air pollutants and have an unacceptable impact on amenity or health unless the development mitigates this impact through physical measures and/or financial contributions to implement proposals in the Council's Local Air Quality Management Plan; and</u></p> <p>e. <u>requiring all decentralised energy schemes to demonstrate that they can be used without having an unacceptable impact on air quality. Where this is not possible, CHP systems will not be prioritised over other air quality neutral technologies.</u></p>	
MM24	184	Para 7.11	<p>Add additional text as follows:</p> <p><u>...In limited circumstances, such as in the case of particularly large developments, where the Council concludes that the costs of administering and monitoring the development would satisfy the relevant tests in regulation 122 CIL Regulations (as amended), it will</u></p>	To ensure a justified policy.

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			secure the payment of those costs by the developer via the <u>Section 106 agreement.</u>	
MM25	220	Appendix 6 Indicator HO1	Delete indicative borough target with: Indicative borough target: 1,410 per year average.	Not considered necessary as a target.
	220	Appendix 6 Indicator HO3	<ol style="list-style-type: none"> 1. Add text under Monitoring Indicator to read, "<u>Total sum of commuted payments approved for affordable housing</u>". 2. Change text under the target and direction to read the following: "<u>At least 50% of all additional dwellings built between 2015–25</u>". 	To improve indicator.
	220	Appendix 6: Monitoring Indicators Policy HO4	Housing Policy HO4: Housing quality & density- delete indicator " percentage of homes permitted meeting COSH Level 3,4, 5 & 6 "	To delete reference to COSH
	221	Appendix 6: Monitoring Indicators Housing Policy HO6	<p>The monitoring indicator for Policy H06 to be updated to delete reference to lifetime homes and include reference to building regulations part M4(2) and M4(3). Amend Appendix 6 as follows:</p> <p>Housing policy HO6: Accessible housing</p> <p><u>Monitoring Indicator</u></p> <p>-Number and percentage of homes granted permission that meet achieving the Lifetime Homes standards <u>Building Regulation requirement M4(2) 'accessible and adaptable dwellings'</u>.</p> <p>- Number and % of homes granted permission that meet Building Regulation requirement M4(3) 'wheelchair user dwellings' Building that</p>	To update monitoring indicator to be in line with national policy

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			<p>are wheelchair accessible in developments providing ten or more residential units</p> <p><u>Target and Direction</u></p> <p>All new dwellings to be built to 'life homes' standards with 10% to be wheelchair accessible.</p> <p><u>90% of new housing should meet Building regulation requirement M4(2) 'accessible and adaptable dwellings'.</u></p> <p><u>10% of new housing should meet Building Regulation requirement M4(3) 'wheelchair user dwellings' designed to be wheelchair accessible.</u></p>	
	222	Appendix 6 Indicator E2	<p>Change to the text under monitoring indicator to read:</p> <p><u>"Employment Land Supply"</u> as opposed to Employment Land Available.</p>	To improve indicator.
	222	Appendix 6: Monitoring Indicators Policy E3	<p>Employment Policy E3: provision for visitor accommodation and facilities- in "Target and Direction" column amend as follows:</p> <p><u>"London Plan: 40,000 additional hotel bedrooms by 2021 2036"</u></p>	To update year
	225	Appendix 6 Indicator DC8	<p>Change the text under monitoring indicator for DC8 to read:</p> <p><u>"The number of listed buildings at risk."</u></p> <p>Change the Target and Direction text to the following:</p>	To improve indicator.

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			<u>"Reduce the number of buildings at risk as a percentage of the total number of listed buildings in the borough."</u>	
	224	Appendix 6: Monitoring Indicators Policy OS1	Open Space Policy OS1: protecting parks and open spaces- amend monitoring indicator as follows: "Net change in total area of public open space"	For clarity
	225	Appendix 6 Indicator CC3	Amend as follows: "Policy: CC3 CC4: Minimising flood risk and reducing water use surface water run off with Sustainable Drainage Systems; Monitoring indicator: Average % reduction in surface water flows for major developments; Target: Minimum reduction of 50% in peak flows compared to pre-development. Maximise reductions in peak surface water discharges compared to pre-development; Data Source: LBHF (Flood Risk Assessment or SuDS Strategy) Report".	To correct erroneous reference to Policy CC3 when the indicator relates to CC4.
	226	Appendix 6 Indicator CC10	Add Indicators for Policy CC10 as follows: - " <u>Monitoring Indicator: How many permitted developments integrated emissions reduction measures</u> "; Target: No Target; Data Source: LBHF". " <u>Monitoring Indicator: How many permitted developments integrated exposure reduction measures</u> "; Target: No Target; Data Source: LBHF".	Indicator added for CC10 as air quality is considered to be an important issue that should have an associated indicator.

Examination into the Hammersmith and Fulham Proposed Submission Local Plan

SCHEDULE OF PROPOSED MINOR MODIFICATIONS

28th July 2017

Alongside the main modifications, the council are also proposing some minor modifications to the Local Plan. These minor modifications do not affect the soundness of the Local Plan and include factual updates, clarification, and corrections to wording.

The minor modifications below are a compilation of all the minor modifications from Submission in February 2017 to after the public hearings in July 2017. These minor modifications have been taken from Submission document KD4 and Examination document EX15. Where minor modifications have been elevated to main modifications by the Inspector, a reference to the Main modifications schedule is provided.

The minor modifications are expressed by ~~striketrough~~ for deletions and underlining for additions of text and coloured as follows:

Red for Submission mods (February 2017)

Blue for further changes (July 2017)

Each change has its own reference number (eg FMC1 or MC1). For consistency the reference numbers for the minor modifications remain the same as they were in KD4 and EX15. The policy and paragraph numbering refer to the text included in the proposed submission Local Plan and a reason for the modification is also provided.

Ref No	Policy/ Para	Suggested Change	Reason for change
Introduction			
FMC1	Intro Paragraph 1.4	Amend para 1.4 as follows: "When adopted, the Local Plan will be used, together with the London Plan (2016) <u>and any made (adopted) neighbourhood Plans</u> , to help shape the future of the borough and to determine individual planning applications and deliver development"	To add clarification regarding neighbourhood plans.
MC1	Para 1.5	Amend paragraph 1.5 as follows: 'The Local Plan will set out the council's vision for the borough for the next 20 years <u>until 2035..</u>	To update
MC2	Para 1.8	Amend para 1.8 as follows: "Since April 2015, <u>OPDC took over planning powers for the Old Oak Regeneration Area. As the Local Planning Authority for the area,</u> the establishment of the OPDC, is the responsible <u>entity</u> for development plan making <u>and the determination of planning applications for the area within the boundary of OPDC.</u> for the Old Oak Regeneration Area have been taken over by the Mayor of London's Old Oak and Park Royal Development Corporation."	For clarity
MC3	Para 1.8	Amend para 1.8 as follows: <u>Once adopted, the</u> The Local Plan will <u>replace the existing Core Strategy (2011) and Development Management Local Plan (2013)</u> The Local Plan <u>has built</u> upon the Core Strategy and Development Management Local Plan <u>policies</u> . Although a number of existing policies <u>have been</u> amended, or replaced <u>by those in the Local Plan, some policies in the Core Strategy and Development Management Local Plan are still relevant and needed, so these have been replicated in the Local Plan.</u> remain substantially the same as those included in the existing Core Strategy and Development Management Local Plan.	For clarity
FMC2	Intro Neighbour hood Planning	See Main Modification MM3 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
Hammersmith & Fulham			
MC5	Para 2.1	Add the following sentence to the end of para 2.1: <u>"Please note that some of the statistics in this section are from the census and other data sources which cover the whole borough, including the part of the borough now within the OPDC's planning remit."</u>	For clarity
MC6	Para 2.7 Deprivation	Amend para 2.7 as follows: "According to the 2015 Indices of Deprivation, it is ranked 76 th most deprived local authority area in the country (31 st in 2010 and 38 th in 2007) <u>however</u> , there are <u>still</u> significant pockets of deprivation, particularly in the north of the borough.	For clarity
MC7	Para 2.10 Deprivation	Amend figure in para 2.10 as follows: "About 20% of people are in poverty in Hammersmith and Fulham compared to 32 <u>30%</u> of children in Poverty (Children and Young People's Plan 2008-11) (Child Poverty JSNA Report 2014)	To update text with new figure.
MC8	Para 2.10 Deprivation	Amend and add section into paragraph 2.10 as follows: "Childhood poverty in Hammersmith and Fulham does not follow the general north-south divide, but is much more scattered geographically across the borough. There is a clear concentration of childhood poverty in the north of the borough, with the greatest density (35-53%) in the two northernmost wards (among the 20% wards in London with the highest density), College Park and Old Oak, Womholt and White City. The only ward that features among the 20% wards in London with the lowest density of child poverty (0-14%) is the southernmost ward, Palace Riverside. Similarly the wards with the second lowest density of child poverty (14-22%) are both in the south of the borough." <u>"Childhood poverty in Hammersmith and Fulham does not follow the general north-south divide, but is much more scattered geographically across the borough. There is a clear concentration of childhood poverty in the north of the borough, with the greatest density (35-53%) in the two northernmost wards (among the 20% wards in London with the highest density), College Park and Old Oak, Womholt and White City. The only ward that features among the 20% wards in London with the lowest density of child poverty (0-14%) is the southernmost ward, Palace Riverside. Similarly the wards with the second lowest density of child poverty (14-22%) are both in the south of the borough."</u>	To update text with new information
MC9	Para 2.11 Health	Amend paragraph 2.11 as follows: "The borough's hospitals are a key part of the Local Community and the recent closure of Hammersmith	For clarity

Ref No	Policy/ Para	Suggested Change	Reason for change
		Hospital A&E and the proposed <u>any potential</u> closure of Charing Cross Hospital A&E, together with the loss of 336 acute in-patient beds are <u>would be</u> a great concern”	
MC10	Para 2.17 Local Economy & Employment	Amend para 2.17 as follows: “With the development of the Westfield London shopping centre there has been an increase in importance of the retail sector to the local economy, with Westfield London providing approximately 8,000 jobs. <u>Planning permission has also been granted for an extension to Westfield which is estimated to deliver approximately 3,000 additional jobs</u> ”.	To update text
MC11	Para 2.20 Housing	Make reference to the lack of housing options for older people in paragraph 2.20: “This lack of affordable homes to rent or buy for low and middle income households is a key challenge for the Local Plan. <u>There are also limited desirable housing options appropriate for older people in the borough.</u> ”	To update text
MC12	Para 2.27 Housing	Make reference to the council’s Home Energy and Conservation Act Report in para 2.27 as follows: “ <u>The Council’s Home Energy Conservation Act Report provides further details on the council’s strategy to improve energy efficiency in existing social and private housing stock.</u> ”	For clarity
MC13	Children & Young People	Add section on play space under the heading Children & Young People: “ <u>There are 114 children’s play spaces in the borough across 84 sites. Most of these are unsupervised equipped playgrounds, located in the boroughs housing estates. There is general deficiency of playgrounds in the north and south of the borough. There is only a small amount of the borough within a catchment of a play space for children over 8 years old, with even fewer facilities that cater specifically for older children and teenagers. Increasing access and provision of play space for children in the borough, is likely to improve the health of reduce child obesity levels. Where appropriate, large housing</u> ”	To add text on play space for children and young people

Ref No	Policy/ Para	Suggested Change	Reason for change
		<u>developments will need to provide new playgrounds as part of the open space contribution."</u>	
MC14	Para 2.39 Transport	Include sentence in para 2.39 to make reference to increasing opportunities for cycling and walking as follows: "Although the borough has one of the highest rates of cycling in London, there are barriers to cycling and walking at particular locations, notably the Hammersmith gyratory. <u>The council will seek to increase opportunities for walking and cycling in the borough."</u>	For clarity
MC15	Map 2: Open Space	Map 2 to be amended to grey out the OPDC area.	For clarity
MC16	Para 2.48	Amend para 2.48 as follows: "The River Thames was the major influence on early settlement patterns in the borough and it remains a major asset in the environmental quality and <u>historic character</u> of Hammersmith and Fulham.....The Thames Strategy Kew to Chelsea document provides details of the <u>qualities and character of the river</u> and riverside environment."	To add reference to historic character of River Thames
MC17	Map 3: Conservat ion Areas	Map 3 to be amended to grey out the OPDC area.	For clarity
MC18	Built Heritage	Amend paragraph title (above para 2.51) from "Built Heritage" to " <u>Historic Environment</u> "	Amend title so it includes archaeology and Historic Parks & Gardens
MC19	Para 2.52 Built Heritage	Amend para 2.52 as follows: "and the ancient monument of the Fulham Palace moated site, <u>which is a registered historic park and garden and scheduled monument."</u>	To reflect its status
Spatial vision and objectives			

Ref No	Policy/ Para	Suggested Change	Reason for change
FMC3	Key diagram Map 4	Show OPDC area more clearly on map 4 and show where other Local authority boundaries are e.g. Kensington and Chelsea.	For clarity
MC21	Map 4: Key Diagram	Major roads to be added to the Key diagram.	For clarity
MC22	Map 4: Key Diagram	Add Kensal Gasworks Opportunity Area to Key diagram.	For clarity
MC20	Map 4: Key Diagram	Add the two proposed London Overground stations at Old Oak Common and Hythe Road to the Key Diagram (Map 4).	For clarity
MC23	Spatial Vision- delivering an environm entally sustainabl e borough	Amend second para of Spatial Vision under the heading 'delivering an environmentally sustainable borough' as follows: Delivering an environmentally sustainable borough "They will be valued for <u>their historic significance</u> , leisure, sport and recreation as well as for their contribution to the biodiversity, <u>clean air</u> and health..."	To reflect historic significance of boroughs open spaces
MC24	Spatial Vision- delivering an environm entally sustainabl e borough	Amend third para of Spatial Vision under the heading 'delivering an environmentally sustainable borough' as follows: Delivering an environmentally sustainable borough "....including <u>the designated</u> heritage assets, conservation areas, listed buildings, historic parks and gardens and <u>scheduled monuments, as well as undesignated heritage assets and important archaeological remains. The settings of heritage assets will have been considered to secure the heritage values and enjoyment of London's historic environment.</u> Developments along the Thames ...' See also Main modification MM1 (EX26).	To encompass a range of heritage assets
MC25	Spatial Vision- delivering social &	Amend Spatial Vision as follows: delivering social and digital inclusion	For clarity

Ref No	Policy/ Para	Suggested Change	Reason for change
	digital inclusion	"Social exclusion will have been reduced as a result of the council and its partners including the local third sector, faith groups and businesses working together and through better use of resources. <u>There will be high quality infrastructure, services and community facilities accessible to all.</u> Digital inclusion...."	
MC26	Spatial Vision- providing the best start for younger people	Amend section on Spatial Vision under "providing the best start for young people" as follows: Providing the best start for younger people "The standard of education in the boroughs schools and <u>child care facilities</u> will have been further improved to ensure that local schools provide the best possible education for local children, including those with special educational needs and disabilities. Schools will have strong links with their local communities and will enable community use of their facilities outside of school hours. <u>Access to quality open space, parks and play space for children and young people will be improved.</u> "	For clarity
MC29	Strategic Objective 12	Amend Strategic Objective 12 as follows: "To reduce and mitigate the local causes of climate change, mitigate flood risk and other impacts, support the move to a low carbon future and <u>manage LBHF's waste sustainably, increasing recycling in the borough</u> "	
MC27	Strategic Objective 10	See Main modification MM1 (EX26)	
MC28	Strategic Objective 10	See Main modification MM1 (EX26)	
FMC4	Spatial Vision	Amend first sentence of para 3 as follows: "At least 22,200 <u>22,000</u> additional homes..."	To take account of changes to the housing trajectory.
Delivery and Implementation			
FMC5	Policy DEL1	Amend second bullet as follows:	For clarification

Ref No	Policy/ Para	Suggested Change	Reason for change
		preparing other Local Plan documents, supplementary planning documents, joint Opportunity Area Planning Frameworks (OAPFs) development briefs, master plans and best practice guidance where necessary;	and to accord with the Local Development Scheme.
FMC6	Policy DEL1	See Main modification MM2 (EX26)	
Regeneration Area Strategies			
FMC7	Strategic Policy Regeneration Areas	See main modification MM4 (EX26)	
MC30	Strategic Policy-Regeneration Areas	See Main modification MM4 (EX26)	
MC31	Strategic Policy-Regeneration Areas	See Main Modification MMx4 (EX26)	
MC32	Strategic Policy-Regeneration Areas	Agreed. Amend Paragraph 5.5 as follows: 'A fifth regeneration area, namely Old Oak, now lies within the Old Oak and Park Royal Development Corporation (OPDC). <u>The OPDC act as the planning authority for this area, and are preparing a Local Plan and will make decisions on planning applications in the OPDC area. LBHF remains heavily involved; as a partner in the development of the Local Plan and on the decision of planning applications.</u> The policies for this part of the borough are now being prepared for by the OPDC, although the council is heavily involved in their formulation. The OPDC's policies could result in... '	For clarity
MC33	White City Regeneration Area Para 5.7	Amend paragraph 5.7 as follows: "...Imperial college London is developing a new campus to the north of the A40, bringing <u>research and academic uses, related to science, technology, enterprise and medicine, together with housing and other uses</u> bio-medical and technological research to this area"	To update text

Ref No	Policy/ Para	Suggested Change	Reason for change
MC34	Strategic Policy WCRA	Amend first sentence of Policy WCRA as follows: “...creation of a new major educational <u>research/academic</u> facility.”	To update text
MC35	Strategic Policy WCRA	Amend third bullet point of Policy WCRA as follows: “include educational use research and academic uses, together with a limited amount of student accommodation for students, <u>researchers and staff.</u> ”	For clarity
MC37	Strategic Policy WCRA	Amend 4 th bullet of Policy WCRA as follows: “...contribute to the provision of 6,000 new homes across a variety of tenures and 10,000 jobs mainly within White City East, but also in smaller scale developments elsewhere in White City West and in <u>Shepherds Bush</u> Town Centre”.	For clarity
MC36	Strategic Policy WCRA Para 5.14	Amend first sentence of para 5.14 as follows: “..., the business start up companies within the ugly building and soon... ”	To update text
MC38	Strategic Policy WCRA Para 5.14	Amend penultimate sentence of para 5.14 as follows: Further educational and research <u>and academic</u> uses are likely to be brought forward on the former dairycrest site as part of a wider mix of uses to encourage start ups and incubator space.”	To update text
MC39	Strategic Policy WCRA Policy 5.15	Amend para 5.15 as follows: “The Council supports the opportunity to create a world-class higher educational campus in the area <u>research/academic/business hub</u> , as it will bring much needed investment to the area. Some student accommodation <u>for students, researchers and staff</u> may be appropriate as part of the overall mix of residential types, sizes and tenures within the WCRA.”	To update text
MC40	Strategic Policy WCRA	Amend line 6 of para 5.23 as follows:	To improve text

Ref No	Policy/ Para	Suggested Change	Reason for change
	Policy 5.23	"...may also be acceptable for tall buildings, as long as it can be demonstrated that they <u>are of the highest quality of architectural design</u> , and they enhance and do not have a negative...."	
MC41	Strategic Policy WCRA Policy 5.23	Add reference to the draft St Quintin and Woodlands Neighbourhood Plan at the end of para 5.23 as follows: <u>"Where appropriate, the draft St Quintin and Woodlands Neighbourhood Plan will also be considered"</u>	To make reference to draft St Quintin and Woodlands Neighbourhood Plan
MC42	Strategic Policy WCRA Policy 5.23	Second sentence in para 5.23 to be amended as follows: "However, parts of the area such as the A40 and A3220 are <u>may be</u> less sensitive to the impact of building height due to large pieces of road and rail infrastructure that act to separate potential taller elements from nearby lower rise residential areas."	For clarity
MC43	Strategic Site Policy WCRA1 - White City East	The first bullet point of Policy WCRA1 will be amended as follows: "..community uses, a major educational <u>research and academic</u> hub.."	To update
MC44	Strategic Site Policy WCRA1 - White City East	The third bullet point of Policy WCRA1 will be amended as follows: "ensure that on sites primarily developed for higher educational <u>research/academic</u> purposes, that a mix of uses is provided, including non- student accommodation; and other non educational <u>academic</u> uses"	To update text
MC45	Strategic Site Policy WCRA1 - White City East Para 5.26	The second sentence of Para 5.26 will be amended as follows: "The Council supports the development of these sites for large scale higher educational uses <u>to create a research/academic hub</u> , together with residential <u>(non student)</u> , employment and local retail..."	To update text

Ref No	Policy/ Para	Suggested Change	Reason for change
FMC8	Policy WCRA1	Amend bullet point 4 as follows: "demonstrate how the proposal fits within the context of a detailed masterplan, and how it integrates and connects with the surrounding context including land adjacent to the boundary with RBKC ".	To improve cross boundary referencing.
FMC9	Strategic Site Policy WCRA2- White City West	Amend last para of Policy WCRA2- White City West as follows:- "If either Loftus Road Stadium or Territorial Army (TA) Centre come forward for redevelopment, the council will seek residential led development. On the In relation to the Loftus Road site, in particular, there should be re-provision of community facilities and open space in the borough, in accordance with the other policies in the Local Plan .	To clarify position on re-provision
FMC10	Strategic Site Policy WCRA2- White City West	Amend para 5.37 of Policy WCRA2 White City West as follows:- Therefore any redevelopment of this site would need to include reprovide a sport/community/leisure facility that could achieve substantial benefits for the community as well as open space, onsite or within the borough, in accordance with the other policies within the Local Plan .	To clarify position on re-provision
MC46	Policy WCRA2 Map (p.41)	Amend legend on map of HRA2 as follows: WCRA2 White City West East	To label map correctly
MC47	Strategic Site Policy WCRA3 - Shepherd's Bush Market and adjacent land	See Main modification MM5 (EX26)	
MC48	Strategic Site Policy WCRA3 - Shepherd's Bush Market and	Insert an additional bullet point after the second bullet as follows: "assist market traders so they can continue to trade and remain part of the market" .	To improve wording

Ref No	Policy/ Para	Suggested Change	Reason for change
	adjacent land		
MC49	Strategic Site Policy WCRA3 - Shepherd' s Bush Market and adjacent land	Insert new sentence at the end of paragraph 5.39 as follows: <u>"The market traders play an important role in maintaining the historical character of the market and any proposals should provide viable and reasonable opportunities for them to stay part of the market"</u>	To explain additional bullet point in policy.
FMC11	Policy HRA Para 5.42	Amend last sentence as follows: "The council has also set up a Hammersmith Residents Working Party to assist the council in producing a Supplementary Planning Document (SPD) which will provide a development strategy for how Hammersmith could change over the next 20 years."	To reference emerging SPD.
FMC12	Policy HRA	See Main modification MM4 (EX26)	
FMC13	Para 5.55	Amend para 5.55 as follows: <u>"The heritage assets of Hammersmith are a key attribute to consider in bringing development forward, to positively promote a sense of place and provide a basis for place-making.</u> It is important that any new schemes in the town centre are of high quality architecture and design which improve the appearance and quality of buildings <u>and respect the local townscape, heritage assets and their settings"</u>	To emphasise heritage conservation.
FMC14	Policy HRA2	See Main modification MM4 (EX26)	
MC50	Policy HRA2 Map (p.51)	Amend legend on map of HRA2 as follows: Strategic Site HRA2 3	To label map correctly
MC51	Strategic Site Policy HRA2	See Main modification MM4 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
MC52	Strategic Site Policy HRA2	Amend bullet point 10 as follows: "be of a coherent urban design that has regard to the setting and context of the regeneration area, <u>including in its approach to scale and character, heritage assets and archaeology...</u> "	For clarity
FMC16	Policy FRA	Amend final bullet of Policy FRA as follows: "preserve or enhance the character <u>or</u> appearance, and <u>the</u> setting of heritage assets including the Grade II* listed Fulham Town Hall <u>and the Grade I Historic Park and Garden at Brompton Cemetery.</u>	To align with the NPPF. This adds to minor change MC53 in KD4.
MC55	Strategic Policy FRA- Fulham Regeneration Area	See Main modification MM6 (EX26)	
MC54	Strategic Policy FRA	The final sentence of paragraph 5.77 to be removed as follows: There is scope for providing modern shop facilities as part of possible development in North End Road.	To update
FMC15	Policy FRA, Para 5.82	Amend part of para 5.82 as follows: "There will be opportunities for higher density development <u>in the opportunity area</u> , including the potential for tall buildings, subject to <u>detailed design and analysis.</u> "	To emphasise heritage conservation.
MC56	Strategic Site Policy FRA1	See Main modification MM6 (EX26)	
MC57	Strategic Policy SFFRA- South Fulham Riverside Regeneration Area	Amend bullet point 11 as follows: "Be acceptable in terms of their transport impact and contribute to the necessary public transport accessibility and highway capacity in the SFFRA <u>and surrounding areas;</u> and"	For clarity

Ref No	Policy/ Para	Suggested Change	Reason for change
MC58	Strategic Policy SFRRRA- South Fulham Riverside Regeneration Area	Amend para 5.106 as follows: <u>"The council will protect the three safeguarded wharves in accordance with London Plan Policy 7.26. However, it is the council's view that vacant and under-used wharves should continue to be comprehensively assessed by the Mayor of London approximately every 5 years to determine their longer term use.</u> The council will continue to promote the consolidation of wharf capacity downstream of Wandsworth bridge on Swedish and Comleys Wharves, where road access to the strategic road network can be improved. Any proposals for non..."	For clarity
MC59	Strategic Policy SFRRRA- South Fulham Riverside Regeneration Area	Amend para 5.110 as follows: "The amount and type of development will depend on the capacity of public transport and the road network in this <u>and surrounding areas</u> and the potential for their improvement".	For clarity
Housing			
FMC17	Policy H01 Table 2	See Main modification MM7 (EX26)	
MC60	Policy H01 Para 6.1	Proposed text to follow 6.1 as follows: <u>'Over the plan period, a substantial number of new homes will be delivered providing a local ladder of affordable housing opportunity, supported by leisure, green space, schools and community and other facilities.'</u>	To enhance text
MC61	Policy H01	See Main modification MM7 (EX26)	
MC66	Policy H01	Amend bullet b) of Policy H01 as follows: The development of sites identified in the <u>council's London</u> Strategic Housing Land Availability Assessment (SHLAA)."	For clarity
MC62	Policy H01	See Main modification MM7 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
MC63	Policy HO1	See Main modification MM7 (EX26)	
FMC18	Policy HO1	Amend last sentence of para 6.3: "The 1,031 additional homes does not include student housing and is monitored separately." However, It should be noted that the figure of 1,031 pre-dates the establishment of the Old Oak and Park Royal Development Corporation and that a new housing target for the borough will need to be set by the Mayor in the proposed review of the London Plan due to begin in 2016.'	For clarification.
MC68	Policy HO1, Para 6.6	Amend first sentence of Para 6.6 as follows: The indicative housing targets are based on the assessment methodology set out in the London council's SHLAA "	For clarity
MC64	Policy HO1 Para 6.7	Amend paragraph: 'In addition to the significant amounts of new housing proposed in the regeneration areas, additional housing will come forward on windfall sites throughout the borough and as a result of changes of use of non-residential buildings and the conversion of larger houses to two or more smaller dwellings.'	For clarity
MC65	Policy HO1 Para 6.9	See Main modification MM7 (EX26)	
FMC19	Policy HO1 Para 6.9	See Main modification MM7 (EX26)	
FMC20	HO3 Affordable Housing	See Main modification MM8 (EX26)	
MC71	Policy HO3 Para 6.17	Amend para 6.17. as follows: "..... by setting an affordable housing target of at least 50 % of all dwellings built between 2015- 2025."	To delete time period

Ref No	Policy/ Para	Suggested Change	Reason for change
MC72	Policy H03, para 6.17	Amend third sentence of para 6.17 as follows: "60% of the net gain in affordable housing should be social or affordable rented housing and 40% should be intermediate housing available..."	For clarity of council's position
FMC21	Para 6.18	See Main modification MM7 (EX26)	
MC74	Policy H03 Para 6.27	Amend paragraph 6.27 as follows: '...The need for more affordable housing in the borough is demonstrated by the number of households on the Housing Register – (as of October 2014 <u>February 2017</u>) there were 850 applicants and the number of households, approximately 1,200 in temporary housing, including bed and breakfast. <u>1,950 applicants on the housing register and approximately 1, 374 households in temporary housing.</u>	To update
MC75	Policy H03 Para 6.28	See Main modification MM8 (EX26)	
FMC22	Policy H03 Para 6.29	Amend paragraph 6.29 as follows: In considering the mix of tenure that is appropriate for additional dwellings to be built in the borough, the council has had regard to the London Plan (2016) affordable housing policies and to <u>our own</u> its assessment of the housing market, including housing need and how this can be met. <u>In considering appropriate rent levels for the various tenures, the council will be led by our Housing Strategy to ensure that all new affordable homes are affordable to people who live or work in the Borough.</u>	The additional wording seeks to clarify the key considerations when negotiating affordable housing.
FMC23	Policy H03 Para 6.30	See Main modification MM8 (EX26)	
FMC24	Policy H03 Para 6.31	See Main modification MM8 (EX26)	
MC77	Policy H03 Para 6.33	See Main modification MM8 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
MC78	Policy H04	Amend last para of Policy H04 as follows: High density housing with limited car parking <u>can help ensure housing output is optimised</u> and may be appropriate in locations with high levels of public transport accessibility (PTAL 4-6) provided it <u>is compatible with the local context and the principles of good design and</u> is satisfactory in all other respects.”	For clarity
FMC25	HO4 Housing Quality and Density 6.39	6.39 The London Plan and the Mayor’s Housing SPG... Therefore the higher density ranges of the London Plan (2016) ‘Central’ setting will only be appropriate in those parts of the regeneration areas <u>and strategic sites</u> identified in the Local Plan as being suitable for higher density development.	Clarification of the use of policy HO4 in relation to the London Plan policy 3.4 and the Regeneration Areas.
MC79	Policy HO5 Para 6.41	Add the following text into first sentence of para 6.41 as follows: “There is a particular need in this borough for more family sized housing (three or more bedrooms), particularly affordable housing . <u>The Council's SHMA has found that 42% of the current affordable/social rented accommodation is one bedroom properties, predominantly flats, and only 24% of properties with three or more bedrooms. Furthermore, 42% of all affordable social rent sector are occupied with children, higher than owner occupied and private rented sector...’</u>	To provide further justification
MC80	Policy HO5 Para 6.43	Add additional sentence in paragraph 6.43 as follows: “Although there is a recognised need for larger house sizes in the intermediate housing market, costs of larger units can mean that that the level of subsidy required to make three or more bedroom houses affordable can make it difficult to achieve a higher proportion of the other affordable family dwellings. <u>In addition, the Council's SHMA has identified a high need for 1 bedroom properties (64%) and 2 bedroom properties (30%), based on the Council's HomeBuy Register.</u> Therefore the focus...”	To provide further justification

Ref No	Policy/ Para	Suggested Change	Reason for change
MC81	Policy HO10	See Main modification MM9 (EX26)	
FMC26	HO10 – Gypsy and Traveller Accommo dation	See Main modification MM9 (EX26)	
FMC27	Paragraph 6.63 (Gypsy and Travellers)	The Council proposes this clarification: 6.63 The council and the Royal Borough of Kensington and Chelsea (RBKC) jointly provide a site for <u>20</u> travellers' pitches on land in RBKC to the east of the White City Opportunity Area (19 authorised and 1 unauthorised pitch) <u>(1 is taken up by a community centre).</u>	The Council needed to correct a mistake in the Schedule (KD4) as identified in RBKC's Hearing Statement.
FMC28	Para. 6.63 (Gypsy and Travellers)	See Main modification MM9 (EX26)	
MC83	Policy HO11	Amend point c) of Policy H011 as follows: '... amenity and <u>green</u> garden space...'	
MC84	Policy HO11 Para 6.66	Amend last sentence of para 6.66 as follows: '... if not consistently managed <u>under sound environmental principles</u> .'	
Local Economy and Employment			
FMC29	Policy E1	The Council will also support the retention and intensification of existing employment uses. It will require flexible and affordable space suitable for small and medium enterprises in large new business developments, unless justified by the type and nature of the proposal <u>and subject to viability.</u>	The Council agrees that this should be added to the policy wording and proposes this as an additional amendment to policy E1.
MC85	Policy E1	Amend first sentence of paragraph 2 in policy E1 as follows: Policy E1	To clarify

Ref No	Policy/ Para	Suggested Change	Reason for change
		<p>"...The council will also support the retention, <u>enhancement</u>, and intensification of existing employment works..."</p>	
FMC30	Policy E1 Para 6.67	<p>Amend para 6.67 as follows:</p> <p>In addition, the council will use its economic strength to encourage local business when procuring and hiring contractors. The Council's Economic <u>Growth Development Plan and economic strategies for 2016–2019</u> provides further details of these and other economic development initiatives.</p>	To correct references.
MC86	Policy E1 Para 6.67	<p>Add sentence to paragraph 6.67 as follows:</p> <p>"...often provide services direct to residents or to other businesses in the borough. <u>This range of employment uses goes across the scope of employment land uses, including some sui generis uses (as defined in the glossary)</u>"</p>	To make reference to sui generis uses in justification text
FMC31	Policy E1 Para 6.68	<p>The Council made a Minor Amendment in Schedule (KD4), as an additional paragraph to follow 6.68. In response to written hearing statements the Council proposes further amendments, as follows:</p> <p><u>As there is a large proportion of small to medium sized enterprises in the borough, the council is keen to provide a wide range of workspace to support existing and new businesses as well as respond to the changing behaviours of doing business. The overall loss in B1 land use across the borough has resulted in increased rents. A significant loss of B1 office space has been from smaller buildings - 74% of permitted development has been from the conversion of office buildings below 100 sq m to residential use. The council is therefore keen to provide a range of workspaces in terms of size, cost and leasing arrangements.</u></p> <p><u>Applications for new business development schemes will be expected to provide affordable workspace. For example, flexible leasing arrangements, cross subsidised rent through S106 agreements, reduced rent arrangements, provide co-hubs or start up space. The council will consider the requirement for affordable workspace in regard to viability and the impact it could have upon delivery.</u></p>	A further amendment to MC87 in KD4 to be consistent with text change at policy E1 and with the NPPF.

Ref No	Policy/ Para	Suggested Change	Reason for change
		<u>Successful working of affordable workspace will require an understanding of the occupant and the type of space required. Therefore, the council will expect developers to engage with workspace providers in order to manage the space and/or to identify the future occupants of the space."</u>	
MC88	Policy E1 Additional text	Add further text to follow 6.70: <u>'Where applications include replacement employment uses on existing employment sites, the replacement employment uses should not be of a lesser quality than at present. Where possible, the proposed scheme should be of a higher quality and seek to meet the needs of the employer. The replacement employment uses should not affect the long-term functioning of the employer in terms of either the proposed scale and/or location of the employment use on the site.</u>	To strengthen policy
FMC32	Policy E2 Para 6.73	The Council made a minor amendment in Schedule (KD4). Further changes have been made: <u>When determining applications for an alternative or change of use, the council will give consideration to any extensive, on-going issues with neighbouring uses, and the existing and future impact upon neighbouring amenity. Where there is a long-standing history between the current use and established residential areas, evidence will be required to identify whether any measures have been taken by either party to manage the particular concern and how well they have performed.</u>	To provide further clarification of the use of the policy, following EiP hearings. (replaces MC89)
MC90	Policy E2 Para 6.73	Amend paragraph 6.73 as follows: <u>"In general, where there is a planning application for a site or building for change of use out of employment, the council will require supporting evidence that indicates that despite best efforts to find a user for premises, it remains vacant. Applications for an alternative or change of use, consideration will be given to any extensive, on-going issues with neighbouring uses and/or will be expected to demonstrate the benefits. Where there is a long-standing history between the current use and established residential areas, evidence will be required to identify how any measures have been taken by either party to manage the particular concern.</u>	To add greater clarification to the justification text

Ref No	Policy/ Para	Suggested Change	Reason for change
		<p><u>The council adopts the GLA's Agent of Change principle, where the applicant is expected to mitigate their development in order to accommodate the existing, surrounding development. This therefore puts the onus on new development and should contribute to the protection of employment uses in the borough."</u></p> <p>-As proposed at MC89, insert additional text.</p> <p>- Retain current wording from paragraph 6.73 from "In respect of demonstrating that a property is no longer required for employment use..." to follow proposed additional text at MC89.</p>	
MC91	Policy E2 Para 6.75	<p>Amend third sentence of paragraph 6.75 as follows:</p> <p>"The borough is currently identified in the London Plan (2016) <u>The London Plan (2016) identifies White City</u> as an area where transfer of industrial and warehousing land to other uses should be "restricted (with exceptional planned release)".</p>	To update
FMC33	Policy E3	<p>Permission will be granted for new visitor accommodation and facilities or the extension of existing facilities within the three town centres, the Earl's Court and West Kensington and White City Opportunity Areas subject to:</p> <ul style="list-style-type: none"> • the development being well located in relation to public transport; • the development and any associated uses not having a detrimental impact on the local area; • no loss of priority uses such as permanent housing; • provision of adequate off street servicing and <u>pick up points for the type of facility proposed</u>; • at least 10% of hotel bedrooms designed as wheelchair accessible; • the facility being of a high standard of design; <u>and</u> • the scheme adding to the variety and quality of visitor accommodation available locally; <u>and</u> • all new hotel applications should demonstrate that the site can provide appropriate servicing and pick up points for the type of facility proposed. 	Delete repetitions of policy criteria

Ref No	Policy/ Para	Suggested Change	Reason for change
MC92	Policy E3 Para 6.77	Amend paragraph 6.77 as follows: The London Plan (2016) seeks 40,000 additional hotel bedrooms by 2031 6 located primarily in London's town centres and opportunity areas.	To update year to be in line with the London Plan (2016)
MC93	Policy E4 Para 6.80	Add the following sentence to the end of paragraph 6.80: "This will increase pressure on the already overstretched supply of housing and local transport infrastructure. <u>This is also important in addressing social inequalities across the borough.</u> "	To strengthen justification text
FMC34	Policy E4 Para 6.80	See Main modification MM12 (EX26)	
Town and Local Centres			
MC94	Policy TLC1	Amend bullet point d of Policy TLC1 as follows: d) support the conversion <u>or redevelopment</u> of unused or underused space above ground floor for new residential accommodation (subject to the requirements of other relevant policies).	For clarity
MC95	Policy TLC1 Para 6.90	Delete the following sentence of paragraph 6.90 as follows: .One opportunity for improvement is in the northern part of the centre, along North End Road and Lillie Road.	
MC96	Map 5: Shopping Hierarchy	Amend Map 5 by showing OPDC area.	For clarity
FMC35	Policy TLC2 Para 6.96	Add the following text to the end of para 6.96 as follows: <u>The council will use retail survey data, the lawful use and unimplemented extant permissions to help calculate the length of frontage and the proportion of frontage in A1 use. The council's retail survey data is available on the council website.</u>	For clarity.

Ref No	Policy/ Para	Suggested Change	Reason for change
FMC36	Policy TLC3 Para 6.103	Add the following text to the end of para 6.103as follows: The council will use retail survey data, the lawful use and unimplemented extant permissions to help calculate the length of frontage and the proportion of frontage in A1 use. The council's retail survey data is available on the council website.	For clarity.
FMC37	Policy TLC4	See Main modification MM13 (EX26)	
FMC38	Policy TLC6	See Main modification MM7 (EX26)	
FMC39	Policy TLC6 Para 6.177	Amend para 6.177 as follows: The council will resist applications for such uses where they would cause unacceptable harm to the character, function and amenity of an area or negatively impact on the health and well being of the borough's residents. The betting shop exclusion zone of 400 metres enables the council to manage the amount of new betting shops within walking distance of existing premises, thereby reducing the clustering and concentration of such uses. Applying a criteria to be met with regard to residential amenity will enable the council to only allow such uses in locations where they will not impact upon the local community. In assessing the likely impacts of a proposal, regard will be had to the type of use, proposed opening hours, size of premises and operation and servicing. The council will also consider whether the proposal is likely to increase or create a negative cumulative impact in the surrounding area (generally within a radius of 400 metres of the site). 400 metres is considered to be a standard benchmark for walking distance equating to approximately 5 minutes walk. Proposals will be resisted that would result in unreasonable negative cumulative impacts that cannot be adequately mitigated. The council's licensing policy will be a key consideration in assessing potential impacts of proposals.	To improve policy (replaces MC97)
FMC40	Policy TLC6 Para 6.118	Delete last line of para as follows: .The council's Planning Guidance SPD provides further supplementary policy related to hot food takeaways.	To remove reference to SPD.

Ref No	Policy/ Para	Suggested Change	Reason for change
MC98	Policy TLC7	<p>Add the following text to the end of the 4th paragraph of the justification text:</p> <p><u>"Marketing evidence will be expected to show that the rent or property value of the pub is a fair reflection of the going rate and not artificially inflated. It could for example, compare the property with other examples of properties that are occupied as pubs or have been recently let as pubs to ensure the marketing exercise has been fairly undertaken".</u></p>	To enhance justification text
Community Facilities			
MC99	Policy CF1	<p>Amend point 3 c) as follows:</p> <p>"Seeking new <u>or enhanced</u> facilities where appropriate and viable, including as part of major development proposals, in particular: - major new leisure..."</p>	For clarity
MC100	Policy CF1	<p>Amend point 4 as follows:</p> <p>Supporting the continued presence of the major public sports venues for football, <u>athletics</u> and tennis..."</p>	For clarity
MC101	Policy CF1 Para 6.128	<p>Amend paragraph 6.128 as follows:</p> <p><i>"In respect of sport the limited amount of open space in the borough, including in most of our secondary schools, means that the council has to maximise the use of its resources. The council have prepared a Sports and Physical Activity Strategy to increase participation in sports <u>and leisure, this covers a wide range of facilities in the borough, including indoor sports and leisure facilities such as sports halls, swimming pools and health and fitness centres, as well as outdoor facilities such as sports pitches, playing fields, tennis courts and basketball/netball courts. The council undertook a comprehensive needs assessment of sports and leisure facilities across the borough which focused on swimming pools, sports halls, health and fitness centres, Synthetic Turf Pitches, athletics, indoor tennis and climbing facilities. This identified several areas of the borough where there are deficiencies in</u></i></p>	To update & add further text relating to sports & leisure facilities evidence

Ref No	Policy/ Para	Suggested Change	Reason for change
		<p><u>certain types of facilities, as well as the types of facilities where improvements and/or new provision is needed to support future growth. In particular, a significant need for sport halls was identified. The council have also prepared Community Sports and Physical Activity Strategy, which sets out the main priorities for increasing participation in sports and leisure activities.”</u></p>	
MC102	Policy CF1	<p>Insert two new paragraphs after para 6.128 (above) as follows:</p> <p><u>The council’s Infrastructure Delivery Plan provides further details of the future requirements for sports and leisure provision in the borough. A number of schemes have been identified to improve and enhance existing sports facilities. In the council’s regeneration areas there will be opportunities for new sports and leisure facilities such as sports halls to be provided as part of major developments, which includes proposals for new provision within the White City Opportunity Area and the Earls Court and West Kensington Opportunity Area.</u></p> <p><u>The council’s Open Space Audit and subsequent update papers provide a detailed assessment of outdoor sports provision in the borough which found general deficiencies in the level of outdoor sporting facilities across the borough. Given the limited amount of open space in the borough, it is important that the use of existing open space is maximised including better use of the River Thames is made for water sports, with new facilities negotiated as part of redevelopment schemes where appropriate.</u></p>	To make reference to the Infrastructure Delivery Plan & Open Space evidence
MC103	Policy CF1	<p>Delete paragraph 6.129 as follows:</p> <p>6.129 Given the limited amount of open space, the council also wants to make better use of the Thames River for water sports and the council will negotiate for new facilities, as part of redevelopment schemes, where appropriate.</p>	Updated text added above
MC104	Policy CF1 Para 6.133	Amend Para 6.133 as follows:	To update

Ref No	Policy/ Para	Suggested Change	Reason for change
		Para 6.133: line 3: delete "National Commissioning Board (NCB)" and replace with " NHS England ". Line 3: delete "The NCB" and replace with: " NHS England "	
MC105	Policy CF1 Para 6.136	Amend second bullet point of paragraph 6.136 as follows: <ul style="list-style-type: none"> delivering White City Collaborative Care Centre Park View Centre for Health and Well Being to improve care for residents and every child has the best start in life 	To update
MC106	Policy CF2	Amend para 6.139 as follows: "Buildings and land used for community uses constitute a major community resource, promoting social inclusion and community cohesion "	To strengthen justification text
FMC41	Policy CF2	Add reference to "enhancement" in para 3 of Policy CF2: "In any redevelopment proposal, existing community uses should be retained, enhanced or replaced, unless..."	To clarify position on enhancement of facilities
MC107	Policy CF3	Amend para 6.142 first sentence as follows: "...of all members of the community as well as visitors to the borough by enhancing social inclusion and community cohesion. "	To strengthen justification text
FMC42	Policy CF3	Amend point (c) of policy CF3 as follows: - (c) "seeking retention, or replacement or enhancement of existing arts, culture, entertainment, leisure, recreation and sport uses....."	To clarify position on enhancement of facilities
FMC43	Policy CF3	Amend point c) as follows: (c) In these circumstances, A a viability report will be required that demonstrates to the council's satisfaction that the facility.....of at least 12 months, will be required.	For clarity.
FMC44	Policy CF3	Amend point d) as follows: - (d) Supporting Encouraging the temporary use of vacant buildings for community uses, including for performance and creative work.	To improve wording.

Ref No	Policy/ Para	Suggested Change	Reason for change
FMC45	Policy CF4	Amend policy CF4 as follows: - "In considering any redevelopment proposal for all or part of an existing football ground, the council will require the <u>re</u> -provision of suitable facilities to enable the continuation of professional football or other field- based spectator sports <u>in the borough</u> ".	To clarify position on re-provision of facilities in the borough.
MC108	Policy CF4	Amend first sentence of para 6.146 as follows: "..provides a major source of entertainment and contributes to the life of the community by <u>enhancing social inclusion and community cohesion</u> "	To strengthen justification text
Open Spaces and river			
MC109	Policy OS1	Para 6.148 to be amended as follows: "The council's 2008 Parks Survey and other background information shows that open space is important for peoples' quality of life, <u>clean air, reduction of urban heat</u> and enhancing biodiversity in the borough."	To make reference to further benefits of open space.
MC110	Map 6: Open Space	Amend map 6 to show OPDC area greyed out	For clarity
FMC46	Policy OS1 Para 6.147	Amend para 6.147 as follows; "In a densely built up area like Hammersmith and Fulham, the local environment and public spaces are very important. <u>In Hammersmith and Fulham there are a variety of types and sizes of open spaces including parks, playing fields, sports pitches, outdoor sporting facilities, cemeteries and church yards, amenity space, allotments, nature conservation areas and play areas.</u> "	To improve wording.
FMC47	Policy OS1 Para 6.148	Insert para after 6.148 (Policy OS1) to include Local Green Space <u>"The NPPF allows for local communities to identify green areas of particular local significance and value for designation as Local Green Space, The council will support local communities seeking the designation of Local Green Space that meets the relevant criteria"</u>	To be consistent with the NPPF.

Ref No	Policy/ Para	Suggested Change	Reason for change
MC111	Policy OS2	Amend policy OS2 as follows: b. Requiring <u>provision of</u> accessible and inclusive new open space in new major new developments, <u>particularly within the council's Regeneration Areas.</u> See also Main modification MM10 (EX26)	To clarify and align better with Sport England's objectives
FMC48	Policy OS2	See Main modification MM10 (EX26)	To improve wording.
FMC49	Policy OS2 Para 6.153	Delete the following sentence: In order to improve access to the boroughs parks and open spaces for local residents, the council will restrict their use for private events and use by out of borough schools.	This has been removed as it is considered un-enforceable.
MC114	Policy OS3	Add specific reference to play facilities for teenagers in Policy OS3 as follows: "in new residential developments that provides family accommodation; accessible and inclusive, safe and secure communal playspace will be required on site that is well designed and located and caters for the different needs of all children, including children in younger age groups, older children, <u>teenagers</u> and disabled children".	For clarity
MC115	Policy OS4	Amend para 6.160 as follows: "The closely built up nature of the borough, and the overall deficiency in accessible nature conservation areas, makes it important that all new development contributes to addressing these deficiencies by respecting <u>and enhancing</u> existing nature conservation interest and provides future opportunities to improve the biodiversity of the area, as well as <u>opening up currently inaccessible sites where appropriate</u> .. The regeneration areas <u>can</u> plays an important part in this".	To improve & enhance text relating to nature conservation areas.
MC116	Policy OS4	Section to be added into para 6.158 to explain areas of deficiency in the borough as follows: <u>"The Council's Parks and Open Spaces Strategy 2008-2018 and the 2006 Open Spaces Audit identify that there is an overall deficiency in access to nature conservation areas in the borough, with an area of deficiency running north/south through the borough from the River Thames to Brook Green. The London Plan Implementation Report: Improving Londoners'</u>	To add text to explain deficiencies in access to nature conservation areas.

Ref No	Policy/ Para	Suggested Change	Reason for change
		<u>Access to Nature provides information on addressing these deficiencies in access to nature, with a number of priority sites for improving biodiversity identified within Hammersmith and Fulham.</u>	
MC117	Map 7: Nature Conservat ion Areas	Amend Map 7 to show a greyed out area for OPDC land.	For clarity
MC118	Map 7: Nature Conservat ion Areas	Amend Map 7 to show Margravine Cemetery (Hammersmith Cemetery) as Grade II borough-wide importance.	To update
FMC50	Policy OS5	(f) " <u>making Tree Preservation Orders where justified in the interests of amenity</u> "	For clarity. This supersedes minor change MC113 in KD4
MC119	Policy OS5	Amend para 6.161 as follows: "for example through improved local air quality. <u>Walking in green areas has also been shown to improve the physical and mental health of participants</u> There will also be visual benefits from a greener borough...."	To strengthen policy by adding reference to health benefits
FMC51	Policy OS5 Para 6.161	"Green and brown roofs and walls are also an essential sustainable design consideration and provide many of the benefits of more conventional urban greening. <u>Community gardens and allotments can play an important role in enabling small scale local food production, community engagement as well as enhancing biodiversity. Where opportunities arise, space for local food growing should also be encouraged, for example through creative use of green roofs, walls and balconies. This could be for individual gardeners or organisations including schools that want to grow food for themselves and/or for the local community.</u> "	To improve wording. This amends minor change MC120 in KD4.
River Thames			
MC121	Policy RTC1	See Main modification MM11 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
MC122	Policy RTC1	See Main modification MM11 (EX26)	
MC123	Policy RTC3	Third bullet point of RTC3 to be amended as follows: <ul style="list-style-type: none"> • “Maintains or enhances the quality of the built, natural and <u>historic</u> environment”. 	For clarity
MC125	Policy RTC4	Amend point a. of policy RTC4 as follows: “Developments that include provision in the river for water based and river related activities and uses, including new permanent moorings, passenger services, and for facilities associated therewith, particularly where these would be publicly accessible, will be welcomed, provided: a. they are <u>suitably located and</u> compatible with the character of the River...”	For clarity
FMC52	Policy RTC4 Para 6.177	The River Thames can and should be used in ways that reflect its special character, for example as a base for many water-related recreational, <u>leisure</u> and commercial activities, a transport route that can relieve congestion on road and rail, a feature of the landscape and a habitat for many varieties of flora and fauna. <u>The river also provides a home for a number of boat dwellers. A range of temporary and permanently moored vessels can add diversity and vibrancy to the river. However, these need to be carefully located and appropriate management plans secured through planning conditions or Section 106 agreements to ensure the character and amenity value of the river is protected. Where developments include provision for new permanent moorings, the Thames Strategy Kew-Chelsea (2000) should be considered.</u>	For clarity. This amends minor change MC126 & MC124
MC127	Policy RTC4	Amend first sentence of para 6.178 as follows: “ It is important to retain and improve river infrastructure identified in paragraph 6.176 above, such as..”	To update and improve text.
Design and Conservation			
MC128	Policy DC1 Para 6.182, p.129	Amend last sentence of paragraph 6.182 as follows: “...and the associated English Heritage <u>Historic England</u> Historic Environment Planning Practice Guide.”	To update name

Ref No	Policy/ Para	Suggested Change	Reason for change
MC129	Policy DC1	Amend second sentence of para 6.183 as follows: " <u>Where this is appropriate</u> the council will seek this form of design in development proposals."	For clarity
MC130	Policy DC1	Amend first sentence of Policy DC1 as follows: "All development in the borough, including in the regeneration areas, should...."	To clarify
MC131	Policy DC2	Amend point e) of Policy DC2 as follows: " <u>good neighbourliness and</u> the principles of residential amenity"	To improve text.
FMC53	Policy DC2 Para 6.191	In its consideration of proposed new development, the council will seek to ensure that developments are sustainable, durable and adaptable. Designs should deliver safe and inclusive environments. All development should be sited, designed and laid out to offer ease of entry, <u>egress</u> and use by disabled people, and for <u>by</u> parents of small children and others with needs for an environment which is accessible and inclusive. <u>Approval may be required under the Building Regulations to make sure that buildings are constructed or adapted in the right way, and with suitable materials. In this context, compliance with Fire Regulations must be checked both from a structural aspect and also with a view to ensuring fast and easy escape from a building. Building regulations are completely separate from planning control and approval under them does not mean that planning permission has been given, nor does a planning permission imply approval under the Building Regulations. Applicants are advised to contact Building Control for guidance and advice early in the design stages of a scheme.</u>	To provide reference to fire safety.
FMC54	Policy DC3	See Main modification MM15 (EX26)	
FMC55	Policy DC3	See Main modification MM15 (EX26)	
MC133	Policy DC3	Amend first sentence of para 6.194 as follows:	For clarity

Ref No	Policy/ Para	Suggested Change	Reason for change
		"Hammersmith Town centre has a number of existing tall buildings and further tall buildings of a similar height could be appropriate in some parts of the centre"	
MC135	Policy DC4	Amend para 6.203 as follows: "Planted front and rear gardens form an important part of the townscape character of many of the borough's streets."	To improve text.
FMC56	Policy DC4	Amend 2 nd and 3 rd bullets as follows: <ul style="list-style-type: none"> • "subservient and successfully integrated into the..." • subservient and should never dominate..." 	To remove duplication with 3 rd bullet.
FMC57	Policy DC5	Amend first sentence of Policy DC5 as follows: "....high quality shopfronts that are designed to respect in sympathy with the age and architectural style..."	To be consistent with other wording in Local Plan.
FMC58	Policy DC5	Amend second para as follows: "Where a commercial premises with an original shopfront is converted to another use.."	To improve sentence. (replaces MC137)
MC138	Policy DC5	Amend third paragraph of Policy DC5 as follows: New developments which include retail areas should provide a framework into which a shopfront and signage of a suitable scale can be inserted.	For clarity
FMC59	Policy DC5	See Main Modification MM16 (EX26)	
MC136	Policy DC5	Amend para 6.211 as follows: ".....retention of the shopfront including original windows and glazing bars , where it is historically"	To improve text.
FMC60	Policy DC6	See Main modification MM17 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
FMC61	Policy DC6 Para 6.212	<p>Amend para 6.212 as follows:</p> <p>In most buildings, the detailed design of the windows is a fundamental component of the elevation <u>and can contribute greatly to the visual character of the building. Windows are particularly vulnerable elements in that they are relatively easily replaced or altered. Where this work is not carried out sensitively, it can have a profound effect on the building, diluting its character, and detrimentally impacting upon the appearance of the general street scene. The character of the façade and its contribution to the street scene can be eroded considerably by inappropriate replacement windows.</u></p>	For clarity on the council approach to replacement windows.
FMC62	Policy DC6 Para 6.213	<p>Amend para 6.213 and new para after as follows:</p> <p>The policy encourages the retention of the uniformity and consistency of the original design of each building, block or terrace in the borough <u>the selection of a design appropriate to the architectural character and age of the building and includes the design attributes that would be important to consider in order to achieve a successful design of replacement window. In most cases, this would mean a design which replicates the design and material of the windows that formed part of the original composition. It may be possible to base the design of the replacement windows on those that may survive elsewhere in the building or it may be necessary to look for examples in other buildings of the same period and style close by.</u></p> <p><u>The aim of the policy is to retain the uniformity and consistency of the original design of each building, block or terrace in the borough thereby protecting the quality and architectural integrity of the building and character of the street scene from harmful incremental alterations.</u></p>	For clarity on the council approach to replacement windows.
FMC63	Policy DC7	<p>Amend 4th sentence of Policy DC7 as follows:</p> <p>"The council will refuse consent <u>permission</u> where proposed development in these views would lead to harm to the significance of a designated heritage asset and townscape generally, unless it can be demonstrated that the harm is necessary to achieve public benefits that <u>outweigh the harm caused.</u>"</p>	For clarity.
FMC64	Policy DC7	Amend points 1 and 2 as follows:	To improve wording.

Ref No	Policy/ Para	Suggested Change	Reason for change
		<p>1. Development Applications within the Thames Policy Area will not be permitted if it would cause demonstrable unacceptable harm to the view from the following points:</p> <p>2. Development Applications will also not be permitted if it would cause demonstrable unacceptable</p>	(replaces MC140)
MC141	Policy DC7	Amend second paragraph of Policy DC7 as follows: ".... where proposed development applications in these views..."	For clarity- to cover advertisement consents & tree works
MC142	Policy DC7	Amend para 6.217 as follows: "..The council will seek to ensure that proposed development, due to its location, scale, and massing , does not harm these views in terms of location, scale and massing . The council will seek to ensure that significant views in and out of conservation areas remain unharmed are not unacceptably harmed by new development such that the conservation area is preserved and or enhanced...."	To be consistent with NPPF.
MC143	Policy DC7	Amend para 6.220 as follows: "The council is aware that the landmarks identified are also enjoyed in important views from outside the borough boundary, and will ensure that these are fully considered when assessing the impact of any development which may impinge impact on these views."	To improve text
FMC65	Policy DC8	See Main modification MM18 (EX26)	
FMC66	Policy DC8	See Main modification MM18 (EX26)	
MC145	Policy DC8	See Main modification MM18 (EX26)	
MC144	Policy DC8	See Main modification MM18 (EX26)	
MC146	Policy DC8	See Main modification MM18 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
MC155	Policy DC8	See Main modification MM18 (EX26)	
MC147	Policy DC8	See Main modification MM18 (EX26)	
MC148	Policy DC8	See Main modification MM18 (EX26)	
FMC67	Policy DC8	See Main modification MM18 (EX26)	
FMC68	Policy DC8	See Main modification MM18 (EX26)	
MC151	Policy DC8	See Main modification MM18 (EX26)	
MC158	Policy DC8	See Main modification MM18 (EX26)	
MC157	Policy DC8	See Main modification MM18 (EX26)	
FMC69	Policy DC8	See Main modification MM18 (EX26)	
MC156	Policy DC8	See Main modification MM18 (EX26)	
MC152	Policy DC8, para 6.221	Amend paragraph 6.221 as follows: Hammersmith and Fulham has maintained much-valued built heritage, much of which falls within the borough's 45 44 designated conservation areas (see Proposals Map and Table 5 below).	Grand Union now lies within boundary of OPDC.
MC153	Policy DC8	Add new para before 6.221 as follows: <u>Planning [listed buildings and conservation areas] act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas. The Act requires local planning authorities to :-</u> <u>• Have special regard to the desirability of preserving the [listed] building or its setting or any features of special, architectural, or historic interest which it possesses</u>	To improve text and to reference relevant legislation.

Ref No	Policy/ Para	Suggested Change	Reason for change
		<ul style="list-style-type: none"> <u>Pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area</u> 	
MC154	Policy DC8, Table 5 Conservation Areas	Amend Table 5, change number 41. 'Sands End Riverside' to 41. <u>'Sands End'</u>	To update
FMC70	Policy DC8, Para 6.222	Amend para 6.222 as follows: <p>"Heritage assets are a non renewable resource. <u>Proposals should therefore actively avoid harm and promote developments that reconcile heritage significance with economic and social aspirations to achieve sustainable development</u>"</p>	To emphasise heritage conservation.
MC160	Policy DC8	Substitute Historic England in para 6.227 as follows: <p>"...work with English Heritage <u>Historic England</u> to maintain..."</p>	To update name
MC161	Policy DC8, para 6.230	reword para 6.230 as follows: <p>Locally important buildings are of value in terms of townscape, architectural or historic interest and is especially important that they should not be demolished. <u>The council will seek to preserve in a manner appropriate to their significance.</u> Any alterations should be carried out in a way that respects the scale, character, and materials of the building (see relevant <u>Planning Guidance Supplementary Planning Document.</u></p>	To improve text.
MC159	Policy DC8	Include Historic England website reference in para. 6.232 as follows: <p>".....Greater London Archaeological Advisory Service [GLAAS] at an early stage. <u>Further guidance on archaeological priority areas can be found on the Historic England website.</u>"</p>	
MC162	Policy DC9	Amend para 2 of Policy DC9 as follows: <p>".....be located at ground floor level and <u>in the case of shopfronts and commercial buildings,</u> relate to the commercial zone of"</p>	To improve text.

Ref No	Policy/ Para	Suggested Change	Reason for change
MC163	Policy DC9	See Main modification MM19 (EX26)	
MC164	Policy DC9	See Main modification MM19 (EX26)	
FMC71	Policy DC9	See Main modification MM19 (EX26)	
FMC72	Policy DC10	Amend second sentence of Policy DC10 as follows: "...telecommunications development should meet the following criteria where applicable :"	For clarity.
FMC73	Policy DC11	See Main modification MM20 (EX26)	
MC166	Policy DC11	Amend part i) as follows: i. ensure that lightwells and railings at the front or side of the property are as discreet as possible and allow the scale, character and appearance of the property, street or terrace to remain largely unchanged;	For clarity
FMC74	Policy DC11	See Main modification MM20 (EX26).	
Environmental Sustainability			
MC167	2035 Vision: delivering an environmentally sustainable borough	Amend last but one sentence in the first paragraph of the Vision 2035 statement as follows: "...carbon dioxide (CO2) emissions and air pollutants harmful to health ".	
MC168	Policy CC1	See Main modification MM21 (EX26)	
FMC75	Policy CC2	Addition of the following bullet point to the existing list in the policy: <ul style="list-style-type: none">• "using prefabrication construction methods where appropriate".	To promote the use of prefabricated materials to

Ref No	Policy/ Para	Suggested Change	Reason for change
			reduce environmental impacts.
FMC76	Policy CC3	Delete the last sentence of Para 6.259 and replace with the following text as follows: - "The council considers that from a borough wide perspective, the Sequential Test permits the consideration of all sites for development, subject to individual sites satisfying the requirements of the Exception Test (as outlined in the council's Planning Guidance SPD)." <u>Given the large range and extent of flood risks in the borough, the council has applied the Sequential Test and concluded that, subject to proposals satisfying the requirements of the Exception Test and the provision of an adequate Flood Risk Assessment, all parts of the borough are considered as potentially suitable for development".</u>	To clarify the application of the Sequential Test by the council with regards to flood risk.
MC169	Policy CC3	Add the following text to the end of paragraph 6.261 as follows: <u>"...although there are currently no Groundwater Source Protection Zones in the borough that require specific protection"</u>	To improve text.
MC170	Policy CC3	Amend the text in paragraph 6.266 to insert the following sentence after the opening line: <u>"The borough is in an area of Serious Water Stress which is defined by the Environment Agency as a region where the current or future demand for household water is, or is likely to be, a high proportion of the effective rainfall which is available to meet that demand"</u> .	To improve text.
FMC77	Policy CC4	Add the following text to the end of Paragraph 6.274 as follows: - <u>"For smaller developments, Thames Water (Developer Services) should be contacted to ensure that any potable water supply and waste water connection requirements are adequate to meet the needs of the proposal"</u> .	To clarify how bullet point 8 of the policy can be complied with by smaller developments .
MC173	Policy CC4	Amend penultimate sentence of para 6.275 as follows: <u>"may also be feasible for some developments, where this can be implemented without causing adverse impacts on the river, including its habitat and associated biodiversity"</u> .	To improve text.

Ref No	Policy/ Para	Suggested Change	Reason for change
MC172	Policy CC4	Amend second to last bullet point of Policy CC4 as follows: <ul style="list-style-type: none"> All flat roofs in new developments should be green or brown living roofs to help contribute to reducing surface water run-off; 	To update
MC171	Policy CC4	Amend bullet point 4 of Policy CC4 as follows: <p>“....biodiversity, amenity and recreation, water efficiency and quality and safe environments for pedestrians and cyclists”.</p>	To improve text.
MC174	Policy CC5	Insert the following text at the start of the second sentence in paragraph 6.278 as follows: <p><u>“In order to comply with the Drinking Water Directive and the Water Framework Directive</u> Potable and...”</p>	To improve text.
MC175	Policy CC6	Amend point (c) of Policy CC6 as follows: <p>“C. seeking, where possible, the movement of waste and recyclable materials by sustainable means of transport, <u>maximising the use of the River Thames where possible.</u>”</p>	To include reference to the River Thames
MC178	Policy CC6 6.280	See Main modification MM22 (EX26)	
MC179	Policy CC6 6.280	See Main modification MM22 (EX26)	
MC180	Policy CC6 6.281	See Main modification MM22 (EX26)	
MC181	Policy CC6 6.283	See Main modification MM22 (EX26)	
MC182	Policy CC6 6.283	See Main modification MM22 (EX26)	
MC183	Policy CC6 2.284	See Main modification MM22 (EX26)	
MC176	Policy CC6	See Main modification MM22 (EX26)	
MC177	Policy CC6	See Main modification MM22 (EX26)	
MC184	Policy CC6	See Main modification MM22 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
	6.284		
MC185	Policy CC6 6.285	See Main modification MM22 (EX26)	
FMC78	Policy CC6	See Main modification MM22 (EX26)	
FMC79	Policy CC6	See Main modification MM22 (EX26)	
FMC80	Policy CC6	Amend point (b) of Policy CC6 as follows:- (b) promoting sustainable waste behaviour and maximum <u>continued</u> use of the WRWA Smugglers Way facility.	To improve clarity on reference to Smugglers Way facility.
MC186	Policy CC7	Update figure in first line of para 6.287 as follows: "In 2013/14, 20.53% <u>2015/16 22%</u> of household waste collected by the council was recycled."	To update figure
MC187	Policy CC7	Add new text after para 6.290 as follows: "Further details on the requirements for on-site waste management is provided within the council's Planning Guidance SPD".	To make reference to Planning Guidance SPD
FMC81	Policy CC8	See Main modification MM22 (EX26)	
FMC82	Policy CC8 Para 6.291	Amend para 6.291 as follows: Within the borough there are a number of <u>is one</u> facility ies (gas-fuel holders and pipelines) which handles and transports hazardous substances. Although the facility ies are <u>is</u> strictly controlled by health and safety regulations, it is necessary to control the type of development around this <u>ese</u> sites and to resist new development which might pose a risk to people occupying sites and buildings in the vicinity.	To update notifiable installations.
FMC83	Policy CC8 Para 6.293	Amend Para 6.293 as follows: In Fulham there is <u>one</u> are three installations handling notifiable substances, including pipelines. Whilst it is <u>they are</u> subject to stringent controls under existing health and safety legislation, it is important to control the kinds of development permitted in the vicinity of this <u>is</u> ese installations. The council will consult the Health and Safety Executive on appropriate applications <u>s</u> prior to the granting of	To update notifiable installations.

Ref No	Policy/ Para	Suggested Change	Reason for change
		<p>planning permission about the risks to the proposed development from the notifiable installation and this could lead to refusal of permission, or restrictions on the proximity of development to the notifiable installation. The notifiable sites are <u>is</u> shown on the <u>Proposals Policies</u> Map, together with the distance from the notifiable site for which consultation with the Health and Safety Executive will be required. The distance from the sites in which buildings will not normally be permitted is also listed.</p>	
MC188	Policy CC10	See Main modification MM23 (EX26)	To improve text.
MC189	Policy CC10	See Main modification MM23 (EX26)	To improve text.
MC190	Policy CC10	See Main modification MM23 (EX26)	To improve text.
MC191	Policy CC10	See Main modification MM23 (EX26)	To improve text.
FMC84	Policy CC10	<p>Add text to the justification section as follows: - Air quality assessments should include 'air quality neutral' assessments carried out with reference to the GLA's emission benchmarks for buildings, transport and combustion based energy plant. Developments that do not exceed these benchmarks will be considered to be 'air quality neutral'.</p>	To provide further details on how the 'air quality neutral' requirement of the Policy should be complied with.
MC192	Policy CC10	<p>New paragraph to be inserted after 6.298 as follows:</p> <p>"Some carbon reduction measures for energy generation and spatial heating can adversely impact local air quality if not properly mitigated. The use of individual Combined Cooling, Heating, and Power (CCHP), Combined Heat and Power (CHP) and Biomass, to produce heat and power can deliver significant reductions of CO2, However, the use of these technologies could also lead to increases in NO2 and particle emissions. Therefore, their air quality impacts need to be assessed as part of an Air Quality Assessment. CHP or other combustion based technologies that cannot demonstrate that they will have acceptable impacts will not be accepted and instead the use of other sustainable energy generation air quality neutral technologies"</p>	To improve text.

Ref No	Policy/ Para	Suggested Change	Reason for change
		<u>should be used which reduce both CO2 and NO2 emissions".</u>	
FMC85	CC13	Amend the 1 st sentence of the 2 nd paragraph as follows: - "The council will, where appropriate, require precautionary and/or remedial action <u>mitigation measures</u> if a nuisance for example from smoke, fumes, gases, dust, steam, light, vibration, smell, noise, spillage of gravel and building aggregates or other polluting emissions would otherwise be likely to occur".	To align wording with other Policies which include requirements for mitigation measures to be integrated to manage environmental impacts.
Transport			
FMC86	Policy T1	Correct spelling in minor change MC193 (second bullet) as follows: "supporting the implementation of a HS2 Crossrail/Great Western interchange at Old Oak with Interchanges with the West London Line and underground services, <u>a new and enhanced station at Willesden Junction and connect development in the north of the borough with the stations at Old Oak</u> "	To correct spelling of 'Willsden'. This amends minor change MC193 in KD4.
MC194	Policy T1	Amend last sentence of paragraph 6.307 as follows: "The possibilities for additional stations should be explored, for example at North Pole Road <u>or adjacent to the Imperial College Campus</u> , as advocated by RBKC"	To update
MC195	Policy T2	Add new sentence to paragraph 6.314 as follows: <u>"The TA should consider accessibility from the perspective of disabled people or people with mobility impairments. Further guidance on this is contained within the Mayor of London's Accessible London SPG"</u>	For clarity
MC196	Policy T2	Add the following at the end of paragraph 6.316: <u>"Large developments will be required to produce Servicing and Delivery Plans which will encourage the use of freight consolidation centres where appropriate.".</u> Westtrans, the west London transport	For clarity.

Ref No	Policy/ Para	Suggested Change	Reason for change
		<u>partnership, are pursuing the establishment of a freight consolidation centre and the council supports this."</u>	
MC197	Policy T3 Para 6.319	Add new second sentence to paragraph as follows: <u>"The council support the Mayor's Cycle Super Highway through the borough and around Hammersmith Broadway."</u>	For clarity
MC198	Policy T3	Amend bullet point 3 of Policy T3 as follows: "Developer contributions for improvements to cycling infrastructure, including contributions to TfL's Cycle hire scheme <u>TfL or other Cycle Hire schemes to mitigate their impact on the existing network"</u>	For clarity
FMC87	Policy T4	"The council will also require car parking permit free measures on all new development unless evidence is provided to show that there is a significant lack of public transport available and where on-street blue badge parking may be required as set out in Policy T5.	Minor change MC199 in KD4 is not required. Blue badge holders can park anywhere on-street.
MC200	Policy T7	Add the following text to the end of para 6.331: <u>The council will encourage, operators of construction and logistics vehicles to become FORS (Freight Operator Recognition System) recognised and members of CLOCS (Construction Logistics and Community Safety), in order to minimise road danger emanating from these vehicles "</u>	To improve text and make clearer.
Infrastructure			
MC201	Policy INFRA1	Add reference to Hammersmith Hospital at Para. 7.27 as follows:. • The existing secondary health care services in the borough (<u>Hammersmith</u> /Queen Charlotte's Hospital and Charing Cross Hospital) by working in partnership with the Imperial College Healthcare NHS Trust".	For clarity
MC202	Policy INFRA1	Amend first sentence of Para 7.16 as follows:	For clarity

Ref No	Policy/ Para	Suggested Change	Reason for change
		"The Council will work with partners and stakeholders separately to deliver strategic sites and detailed delivery programmes."	
MC203	Policy INFRA1	Amend second sentence of para 7.19 as follows: "The council will work with the Government, Greater London Authority (GLA), Homes and Communities Agency (HCA), Registered Providers and private Homes and Communities Agency (HCA), Registered Providers and private house builders to tackle affordability issues with low cost home ownership housing <u>and rented accommodation.</u> "	For clarity
MC204	Policy INFRA1	Additional text to be added at 7.5 and a new para 7.6 added as follows: The council has produced the R123 list which identified the borough's strategic priorities in terms of infrastructure spending. "The CIL Regulations 2010 also identify that where there is a neighbourhood plan or neighbourhood forum in place, through the production of a neighbourhood plan policies may be developed to identify <u>development order in place (ie., passed Referendum and adopted), the local charging authority may choose to pass on 25% of the levy in accordance with</u> the neighbourhood plan's infrastructure priorities. <u>7.6 Where there is no neighbourhood plan or neighbourhood development order in place, a 15% portion can still benefit the community. The council/charging authority will retain the levy receipts but where appropriate, the council will consult with the local community."</u>	To include reference to neighbourhood CIL.
Glossary			
MC205	Glossary	Delete the Code for Sustainable Homes definition	To reflect changes in national policy
MC206	Glossary	Amend definition of 'Estate renewal' in the glossary as follows: Estate renewal — Improvement to housing estates <u>area-based programmes that physically renew housing stock through, refurbishment or other change</u> to enable improved housing opportunities for local residents.	For clarity

Ref No	Policy/ Para	Suggested Change	Reason for change
MC207	Glossary	Amend MOL definition as follows: Metropolitan Open Land is strategic open land within the urban area that contributes towards the Structure of London. <u>Land designated MOL is afforded the same level of protection as the Metropolitan Green belt. Designation is intended to protect areas of landscape, recreation, nature conservation and scientific interest which are strategically important. Any alterations to the boundary of MOL should be undertaken by Boroughs through the Local Plan process, in consultation with the Mayor and adjoining authorities.</u>	To enhance definition
MC208	Glossary	Amend definition of Affordable Housing in glossary as follows: "The affordable housing definitions are from the NPPF Annex 2: Glossary. <u>Households eligible for intermediate housing</u> households can earn up to <u>£90,000</u> £60,000 per annum (<u>as at 1st April 2016</u>) (as at 2009)".	To update definition
MC209	Glossary	Change 'Public Transport Accessibility Level' to 'Public Transport Access Level'	To update name of definition
MC210	Glossary	Add definition: 'Self-build and custom housebuild: a building or completion by individuals, associations of individuals, or persons working with or for individuals or associations of individuals of houses to be occupied as homes by those individuals. But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.'	Update to national policy
MC211	Glossary	Add definition: 'Neighbourhood Planning was introduced as part of the Localism Act 2011. Neighbourhood planning enables communities to develop spatial plans at a neighbourhood level. Neighbourhood plans must be developed in conformity with the relevant regulations, which includes a referendum to determine whether the plan will be adopted and become part of the Local Development Framework.'	To update definition

Ref No	Policy/ Para	Suggested Change	Reason for change
FMC88	Glossary	Amend Glossary entry as follows: Community facilities/uses Community Facilities include the following uses: Community Uses	For clarification.
FMC89	Glossary	Proposed addition to the glossary to provide a definition for build to rent: <u>"Build to rent: Build to rent involves the construction of dwellings specifically for the rental market, rather than the more traditional route in which developers build dwellings which they then sell, either to householders or to landlords. Build to rent schemes require long-term professional management to deal with the maintenance of the building and day-to-day issues."</u>	For clarity.
FMC90	Glossary	Amend glossary definition of Green corridors as follows: "....However these have been designated as nature conservation areas because of their greater nature conservation importance and are not shown as green corridors <u>open space</u> ."	For clarity.
FMC91	Glossary	Amend glossary entry for Open Space as follows: "Open space refers to land laid out as a public garden or used for the purposes of public recreation or land which is used as a burial ground. It excludes individual private gardens which do not serve a wider open space function, yards roads and carparks <u>all land that is predominantly undeveloped other than by buildings or structures that are ancillary to open space. The definition covers a broad range of types of open spaces whether in public or private ownership and whether public access is unrestricted, limited or restricted. "</u>	Amended to reflect London Plan definition.
Mapping			
FMC92	Map 5 Page 94	Amend Shopping hierarchy map in Local Plan to reflect proposed revised boundary to Shepherd's Bush Town centre.	For consistency with proposals map changes.
FMC93	Policy OS4	Add map to Local Plan under Policy OS4 to show areas of nature conservation area deficiency	For clarity.
FMC94	Proposals Map	Fulham Gasholder (north and south holder stations) – remove designation on proposals map as a Notifiable installation.	To update current status.
FMC95	Local Plan	Change references to "Proposals Map" to <u>"Policies Map"</u> throughout the Plan	To update in accordance

Ref No	Policy/ Para	Suggested Change	Reason for change
			with regulations.
MC222	Proposals Map	Add heliport safeguarding boundary to the Proposals Map	To update
Appendices			
MC212	Appendix 3: Open Space Hierarchy	Under the heading 'Cemeteries and Open Spaces adjoining places of Worship', amend the name of OS33 Hammersmith Cemetery as follows: OS33 <u>Margravine Cemetery</u> (Hammersmith Cemetery)	To update name
MC213	Appendix 3: Open Space Hierarchy	Amend size of Hammersmith cemetery in appendix 3 from 6.53 to 6.2 ha.	To update size
MC214	Appendix 4: Nature Conservation Areas	Delete heading in Appendix 4 on p.218 as follows: Areas of Metropolitan Importance	Technical error (incorrect heading carried over the page)
MC215	Appendix 5: Archaeological Priority Areas	Further wording to be included within the notes section of Appendix 5 as follows: Note: <u>These Archaeological Priority Areas may be subject to a review by Historic England in 2020.</u> More information about Archaeological Areas will be provided in the Planning Guidance Supplementary Planning Document.	For clarity
FMC96	Strategic Policies table	Add a table to show which policies are strategic and which are not within the Local Plan.	For clarity and in response to Neighbourhood planning comments.
FM97	Appendix 6 Indicator HO1	See Main modification MM25 (EX26)	
FM98	Appendix 6 Indicator	See Main modification MM25 (EX26)	

Appendix 3

Ref No	Policy/ Para	Suggested Change	Reason for change
	H03		
MC217	Appendix 6: Monitorin g Indicators Policy H04	See Main modification MM25 (EX26)	
MC219	Appendix 6: Monitorin g Indicators Housing Policy H06	See Main modification MM25 (EX26)	
FM99	Appendix 6 Indicator E2	See Main modification MM25 (EX26)	
MC218	Appendix 6: Monitorin g Indicators Policy E3	See Main modification MM25 (EX26)	
MC220	Appendix 6: Monitorin g Indicators Policy OS1	See Main modification MM25 (EX26)	
FM100	Appendix 6 Indicator DC8	See Main modification MM25 (EX26)	
FMC101	Appendix 6 Indicator CC3	See Main modification MM25 (EX26)	
FMC102	Appendix 6 Indicator CC10	See Main modification MM25 (EX26)	

Ref No	Policy/ Para	Suggested Change	Reason for change
MC221	Appendix 9: Viability Protocol	Point 4 – Profit: insert at the end of point 4 as follows; <u>“Supporting evidence of target profit should take account of the individual characteristics of the scheme, the risks related to the scheme and comparable schemes and be appropriate to current market conditions”.</u>	To improve text.

Report to Hammersmith and Fulham Borough Council

by Andrew Seaman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 19 December 2017

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Hammersmith and Fulham Local Plan

The Plan was submitted for examination on 28th February 2017

The examination hearings were held between 13th and 21st June 2017

File Ref: PINS/H5390/429/7

Abbreviations used in this report

AMR	Annual Monitoring Report
DtC	Duty to Co-operate
Framework	National Planning Policy Framework
GLA	Greater London Authority
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
MM	Main Modification
Mayor	Mayor of London
OAN	Objectively assessed need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
the Plan	Local Plan
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the Hammersmith and Fulham Local Plan [the Plan] provides an appropriate basis for the planning of the Borough provided that a number of main modifications [MMs] are made to it. Hammersmith and Fulham Borough Council has specifically requested me to recommend any MMs, contained in Appendix 1, that are necessary to enable the Plan to be adopted. Most of the MMs have been suggested by the Council.

Following the Hearings, the Council prepared a further schedule of proposed changes. Only those affecting Policies HO3 and TLC6 were initially considered by the Council to be MMs.

The majority of Appendix 1 has been proposed by the Council. All the MMs have been subject to sustainability appraisal (SA) review¹ and were subject to public consultation over a 7 week period. I have amended their detailed wording and/or added consequential modifications to the MMs where necessary.

I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- To increase the emphasis on inclusivity and reference adequately Neighbourhood Planning;
- To clarify that housing targets are minimums; to ensure that the approach to affordable housing provision and gypsy and traveller accommodation is consistent with national policy;
- To ensure the approach to heritage assets and development management issues are consistent with national policy and will be effective;
- To ensure a justified and effective approach towards the economy, retail and town centres that is consistent with national policy;
- To ensure adequate reference to air quality issues; and
- To ensure adequate monitoring of the Plan is proposed to ensure its effectiveness.

¹ EX28

Introduction

1. This report contains my assessment of the Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (the Framework, paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Hammersmith and Fulham Local Plan² submitted in February 2017 is the basis for my examination. It is the same document as was published for consultation in September 2016.

Main Modifications (MMs)

3. In accordance with section 20(7C) of the 2004 Act, the Council requested that I should recommend any MMs necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1, MM2, MM3** etc, and are set out in the Appendix.
4. Following the examination hearings, the Council finalised its schedule of post submission proposed modifications (Key Document (KD) 4 and EX15). The Council considered these not to be main modifications with the exception of proposed changes to Policies HO3 and TLC6. Additional modifications (not MMs) are a matter for the Council and are generally not referred to within this report. Following review, the Council considered that any changes did not create any sustainability appraisal implications.
5. The MM schedule is necessary to secure soundness and is based upon a number of the Council's suggested changes and was subject to public consultation for seven weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made two amendments to the detailed wording of the main modifications (MMs 7 and 25). The amendments do not significantly alter the content of the modifications as published for consultation or undermine the participatory processes and sustainability appraisal that has been undertaken.

Policies Map

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

² Key Document 1 (KD1)

Supporting Document (SD) 5 as amended by the details contained in KDs 2, 4 and EX15. These further changes affecting the policies map were published for consultation alongside the MMs.

7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed by the modifications.

Assessment of Duty to Co-operate (DtC)

8. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
9. As indicated within the DtC Statement, the Annual Monitoring Reports (AMR), the statements of common ground and correspondence with the GLA, the Council has worked with the appropriate prescribed bodies on strategic matters affecting the Borough. Procedures appear to be in place to ensure that this will continue during the Plan period. Cooperation on the key issue of housing is referenced further below.
10. Overall I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the DtC has therefore been met.

Assessment of Soundness

Main Issues

11. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified 7 main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.
12. A number of the Plan's policies are not referred to in this report. This is because the report focuses on those parts of the Plan where there may be soundness issues.

Issue 1 – Is the Plan legally compliant? Does the Plan contain a robust spatial vision and justified strategic objectives consistent with national policy and in general conformity with the London Plan?

13. As evidenced by documents which include the Council's Legal Compliance checklist, its Soundness Self Assessment, the Local Plan and Consultation Statements and through Examination correspondence with myself, I am satisfied that the Plan has been prepared in accordance with the statutory procedures and associated regulations.
14. The Plan expresses a lengthy Spatial Vision for the Borough which duly sets the context for nine Strategic Objectives. There are clear links between these and the Council's corporate strategies, including that for housing. The SA

indicates how the chosen content of the Plan has been developed with regard to alternatives. Overall, both the Vision and the Strategic Objectives are consistent with national policy and are in general conformity with the London Plan provided the Plan is modified to reference adequately accessibility and inclusivity (**MM1**).

15. With regard to the delivery of the Vision and Objectives, the Plan acknowledges considerations of development viability in a flexible manner through Policy DEL1 and a Viability Protocol. This approach has been informed by evidence such as the Housing Viability Assessment, the CIL Viability Study and supporting Development Infrastructure Studies. Whilst there is no overarching single viability study of the plan as a whole, the Housing Viability Assessment does include consideration of the potential effects of all the Plan policies upon development viability. I am satisfied that this is a proportionate and appropriate approach. Policy DEL1 would be adequately flexible and effective only if modified in line with the Council's suggestions which I recommend accordingly (**MM2**). When combined with the Protocol provisions, which I am satisfied sets out a reasonable and justified approach towards considerations of development viability, I am satisfied that the Council's approach is adequate and that the Plan is consistent with national policy and in general conformity with the London Plan.
16. To ensure consistency with national policy, I recommend that the Plan must be modified to specifically recognise the potential role of Neighbourhood Planning (**MM3**) as suggested by the Council.

Issue 2 - Does the Plan contain robust and deliverable regeneration strategies that are consistent with the objectives and policies of the Plan and which are in general conformity with the London Plan?

17. The Plan identifies four regeneration areas and contains an overarching Strategic Policy which sets out the Council's ambitions for the Plan period. During the course of the Examination, the Council has worked with private and public interests to further clarify the content of the Plan with suggested modifications that affect heritage considerations and the way in which housing and job targets are expressed (indicative/minimums). I agree with the amended approach for reasons of clarity and consistency with national policy and recommend the Plan be modified accordingly to ensure soundness (**MM4**).

White City Regeneration Area (WCRA)

18. The London Plan identifies the WCRA as an Opportunity Area. The Plan reflects this clearly and identifies the potential for regeneration across the three distinct sub areas which comprise the whole.
19. Policies WRCA1, 2 and 3 are informed by robust evidence sources which include the existing White City Opportunity Area Supplementary Planning Document (SPD) and the Development Infrastructure Funding Study. The Council proposes modifications to the policies and I recommend that which applies to Shepherd's Bush Market is a necessary main modification that will ensure clarity and the provision of affordable workspace, thus being consistent with the Plan's employment policies and national policy (**MM5**). WRCA3 is sufficiently clear in its approach to support and work with traders in the retention and improvement of the market, including that affordable housing

would be logically considered in relation to Policy HO3. In turn, Policy HO3 recognises the role of market housing in potential development proposals.

20. When considered in their totality I am satisfied that the Council's policies and approach towards the WCRA is justified and will be effective.

Hammersmith Regeneration Area (HRA)

21. Hammersmith is identified as a major centre in the London Plan and the evidence base that informs Strategic Policy HRA supports the continued focus upon town centre regeneration and the intention to deliver significant volumes of new homes and jobs in this part of the Borough.
22. Site specific Policy HRA1 is justified by the evidence base and is clear on how the identified area will deliver a range of benefits for this part of Hammersmith. It has been considered against reasonable alternatives and I have no reason to consider it will not be effective in delivery.
23. Policy HRA2 is ambitious in its intentions, seeking fundamental alterations to the existing Hammersmith Flyover, the Hammersmith gyratory and other works. The Flyunder Feasibility Study and the A4 Masterplan and Development Value Study in conjunction with ongoing work being investigated with Transport for London into the financial delivery of such infrastructure works indicates that the aims of HRA2 are potentially feasible during the life of the Plan. I recognise the concerns of some local residents with regards to the details and practicalities of any flyunder replacement and its effects on matters such as noise and air quality. However, mitigation of such effects is potentially feasible and there is no substantive evidence to suggest that the chosen strategy of the Council is not justified and, notwithstanding the scale of the scheme, potentially capable of effective realisation. It is sufficiently robust such that the Plan remains sound with its inclusion.

Fulham Regeneration Area (FRA)

24. Both Strategic Policy FRA and Policy FRA1 are informed by the London Plan and the potential for significant development in the locality, particularly the Earl's Court and West Kensington Opportunity Area (ECWKO). It is clear that the Council has worked with interested parties, such as developer interests, the community, the Greater London Authority (GLA) and the Royal Borough of Kensington and Chelsea in formulating a policy basis for a mixed use residential led development at the ECWKO. The Policy allows for improvement to the West Kensington, Gibbs Green and Registered Provider Estates. The extent to which such improvements may incorporate renewal will be dependent upon the details that emerge as part of the comprehensive approach to the regeneration of the area and I note the clear interest in this subject expressed by local residents. I am satisfied that Policy FRA1 should be flexible in such regards and note the Council's proposed modifications in this context which I recommend for reasons of policy effectiveness as a consequence (**MM6**).
25. The policies affecting this regeneration are informed adequately by a robust evidence base, including matters affecting retail, design, tall buildings and heritage. I have no reason to consider the approach will not be effective in delivery.

South Fulham Regeneration Area (SFRA)

26. South Fulham is identified as having the potential for a high quality residential area indicatively delivering 4,000 homes and 500 jobs. Strategic Policy SFRA and Policy SFRA1 are informed by a clear evidence base, including the South Fulham Riverside SPD and the Development Infrastructure Funding Study, which is aligned with the London Plan.
27. This riverside area is sensitive in many regards and in particular to design and the height of new buildings. The Plan has been informed by both the extant SPD, the Council's Background Paper on Tall Buildings, an awareness of the heritage assets within the area and an understanding of key views. I am satisfied that the two regeneration area policies, when implemented alongside other relevant Plan policies, will be capable of effective implementation.
28. The Strategic Policy acknowledges adequately the safeguarded wharves in accordance with the aims of the London Plan.
29. Overall, the Plan's approach to the South Fulham Regeneration Area is robust.

Issue 3 - Is the Local Plan's approach to housing provision sufficiently justified and consistent with national planning policy and in general conformity with the London Plan? With particular regard to deliverability, has the Plan been positively prepared and will it be effective in meeting the varied housing needs applicable to the Borough over the plan period?

Housing Need and Supply

30. The London Plan sets a minimum annual housing supply target until 2025. For Hammersmith and Fulham the target is 1,031 homes per year consistent with the aim of 10,312 homes by 2025. Thereafter and amongst other matters, the London Plan indicates that Boroughs should roll forward the target until a revised London Plan target is produced. The London Plan encourages the supply of extra housing capacity to close the gap between identified housing need in line with the Framework. Section 6 of the Framework seeks to boost significantly the supply of housing based on a needs assessment and an understanding of potential site supply. The London Plan has been produced within this context and I am ever mindful, as a point of legal compliance, that the submitted Plan needs to be in general conformity with the London Plan.
31. I am aware of the available evidence base informing the London Plan, such as the 2013 Strategic Housing Market Assessment (SHMA) in addition to the Mayor's Housing SPG. Against this background, the Council completed its own SHMA (2016). I have no reason to consider the latter SHMA is flawed in terms of its assessment of the sub-housing market area operating within the Borough and its decision to use the GLA trend based demographic data with appropriate regard to that from DCLG. Whilst the 2016 SHMA itself has some limitations in the way in which it seeks to respond, for example, to market signals, it nevertheless provides useful context and a finer level of detail for the level of housing need affecting the Borough and understanding the target of the London Plan.

32. The 2016 SHMA states, at the simplest level, a need for 844 homes per annum to meet the needs across the sub-housing market area albeit, and notwithstanding, I am mindful that general conformity with the London Plan is required. The submitted Plan makes provision for 1,031 new dwellings per annum over the plan period to meet the London Plan target; the Council has confirmed this is a minimum figure which clearly exceeds that identified in the 2016 SHMA. Mindful of this data yet being particularly conscious of the targets set by the London Plan, I am satisfied that the Council's approach towards housing provision is in general conformity with the spatial development strategy albeit it will likely bear review as and when any new London Plan targets are established. I am satisfied that this is consistent with national policy.
33. The Council's Housing Trajectory has been updated and I am satisfied it is adequately informed by a combination of data including the Strategic Housing Land Availability Assessment (SHLAA) and extant planning permissions. As a consequence, the Council can demonstrate a Framework compliant supply of housing sites including, based on its consistent past housing delivery performance, a justified 5% additional buffer. In light of the housing land supply position, there is no current justification for a non-implementation allowance.
34. I am mindful that at present the housing market area of London informs the overall London housing need which is disaggregated across the Boroughs to ensure an the delivery of the identified requirement; the Council has sought to engage with neighbouring councils and the GLA, who do not raise any conformity concern, with regard to this strategic issue. I have noted concerns that the London-wide housing needs, in addition to the wider south east of England, and the overall requirement contained in the London Plan may not be met. However, a shortfall of the latter is not certain and the Plan satisfies the London Plan target (whilst exceeding the forecast needs of the Borough). Whilst the provision of necessary housing across and beyond London remains an area upon which multi agency cooperation is required, this is a matter to be addressed as part of any new London Plan. I am satisfied that for the purposes of the submitted Plan the Council has, through its collation of evidence and liaison with key partners, adequately discharged its duty to cooperate at this time.
35. The Council has suggested changes to Policy HO1 to recognise self and custom build proposals which, in conjunction with the reference to a minimum housing target and alterations to the Indicative Housing Targets table, I recommend to ensure consistency with national policy and general conformity with the London Plan. Changes to the supporting text to Policy HO1 which reference appropriately the Build to Rent sector are necessary and I recommend these for clarity in implementation (**MM7**).

Affordable Housing

36. Policy HO3 seeks to increase the supply and mix of affordable housing within the Borough. This is a rational response to the available evidence which indicates the high level and varied type of affordable housing need. The Policy aims for 50% affordable housing on developments across the Borough which is adequately supported by the available viability evidence and does not run

counter to the aspirations of the London Plan. Whilst the evidence does indicate variability in values across parts of the Borough, it does not lead me to find that the Local Plan should seek to create different thresholds in different areas. The Policy contains suitable criteria for the consideration of site specific circumstances that may result in a justified reduction of affordable housing below the Policy figure. I am satisfied this will aid the effective implementation of the Policy and, overall, will enable the strategic objective of the Plan, to secure the provision of affordable housing, to be effectively realised.

37. As recognised by the Council, the policy requires modification to be consistent with the Written Ministerial Statement³ on site thresholds for when affordable housing may be required and to provide clarity on the circumstances when the principles of its Viability Protocol are to be taken into account. I agree with the need for such changes to ensure consistency with national policy, flexibility and effectiveness in operation and I recommend accordingly (**MM 8**).
38. The Council has suggested introducing text to the Plan to reflect Vacant Building Credits which I consider is a necessary modification to be consistent with national policy and to assist in the effective delivery of the Policy objectives (MM8).

Housing mix and meeting needs

39. The Council's SHMA and associated housing background papers provide adequate evidence of the varied housing requirements within the Borough which are reflected in the suite of housing Policies contained within the Plan. I have no reason to consider these unfounded as a consequence.

Gypsy and Traveller Accommodation

40. The Council has addressed the accommodation needs of gypsy, travellers and travelling showpeople in partnership with the Royal Borough of Kensington and Chelsea. The Councils have produced a Joint Gypsy and Traveller Accommodation Needs Assessment (GTANA) which has been supplemented by evidence clarifying the approach towards travelling showpeople. This approach appears robust. The Councils rely primarily on one existing site (Stable Way) to meet the identified needs of the gypsy and traveller communities. The GTANA indicates that 3 additional pitches are required over the first 5 years of the Plan and 9 in total. At present Hammersmith and Fulham Borough Council has not been able to identify how this need will be met, so as far as it affects its interests, which is not in accordance with national policy. However, the Council has identified a clear strategy⁴ to address the issue which will involve a site appraisal study and the production of an options paper with the intention of having a suitable land supply identified during 2018 to meet the needs. I consider this pragmatic approach is acceptable.
41. The Council recognises the need to amend Policy HO10 to reflect the findings of its GTANA and subsequent work. I recommend this modification, including

³ WMS 28.11.2014

⁴ EX24

the revisions to the supporting text to the policy which I consider must include a time frame for delivery, to ensure its effectiveness and to secure alignment with the objectives of national policy (**MM9**). On this basis I consider the Plan to be justified adequately.

Issue 4 - Is the approach of the Plan to community facilities, leisure and recreation activities, the provision of green and public open space, the River Thames, transport and accessibility justified by the evidence base, consistent with national policy and will it be effective in operation?

Community Facilities and Services

42. Policy CF1 is an overarching policy which sets out the Council's partnership approach to the provision of community facilities and services within the Borough. As set out in its Hearing Statement, the Council considers that its approach towards community facilities and services is supported by a range of evidence with which I have no reason to disagree. I am conscious that the Infrastructure Delivery Plan (IDP) usefully identifies some of the future needs of the Borough arising from the proposed levels of development which includes its regeneration areas.
43. The Council works in partnership on key issues such as the provision of education and health care as indicated by the Joint Strategic Needs Assessments and the content of the IDP. The overall approach is robust. The Council proposes to alter its references to the Charing Cross Hospital which, whilst useful for clarity, do not affect soundness.
44. The Plan addresses issues of sport and recreation activities, including the arts and cultural facilities. I am mindful of the comments of Sports England who has raised concerns at the robustness of the evidence base upon which the Council relies. Nevertheless, I have noted that the Council has submitted a range of evidence sources⁵ which has supported its policy approach, including the Sport and Physical Activity Strategies and IDP. It is also pursuing a Playing Pitch Strategy (in conjunction with Sport England) and updates to its Parks and Open Space Strategy. Whilst I note that the Leisure Needs Assessment is some 8 years old, the supplementary evidence sources have since been produced which have collectively informed the approach of the Plan. When taken as a whole, including the IDP, I am satisfied that these represent a proportionate and sufficiently robust evidence base which will enable the Council to take effective action, for example within its regeneration areas, to ensure the current and future needs of its residents are met.
45. The Plan also takes a positive and inclusive approach towards the enhancement and retention of community uses (Policy CF2) and towards arts, culture, entertainment, leisure, recreation and sport (Policy CF3). As such both policies flow from Policy CF1 and are justifiably based on the proportionate evidence. I have no reason to consider they will not be effective in practice. I am satisfied that Policy CF2 does cover the capacity and requirements of emergency services adequately without requiring a specific reference to each respective service (notwithstanding the content of CF1). With regards to Policy CF4, the Council's position towards professional football grounds has

⁵ SD24-37 et al

been clarified through a suggested additional change and the Statement of Common Ground which will ensure consistency with Policy WRCA2; this clarification is helpful although it requires no main modification to ensure soundness of the Plan.

46. The Council's comprehensive Open Space Audit dates from 2006. Notwithstanding its age, the Council considers that it still provides a sufficiently robust picture of the supply of open space within the Borough. The Council has sought to capture subsequent changes to open space provision within a series of open space background papers, most recently in 2016, whilst also operating its Parks and Open Spaces Strategy which runs until 2018. Whilst I am of the view that this area of interest will benefit from ensuring a continuous and comprehensive monitoring and planning approach for the Plan period, I am satisfied that when considered as a whole, the evidence ensures that Policies OS1 and OS2 are sufficiently robust and consistent with the Framework. The Council has suggested modifying Policy OS2 to reference clearly the need to protect and enhance the quality of, and access to, open space which I recommend to ensure consistency with national policy (**MM10**).
47. Natural England has confirmed that it is content with the approach of the Plan towards nature conservation, particularly as expressed by Policy OS4 which is supported by a range of evidence sources including the London Plan and the Mayor's SPG on Green Infrastructure and Open Environments. There is a deficiency in access to nature conservation areas within the Borough and Policy OS4 takes a clear approach towards identified areas/green corridors designed to maintain and enhance their value.
48. Policy OS5 seeks to enhance biodiversity and green infrastructure throughout the Borough and is justified by the evidence base, consistent with national policy and in line with the London Plan. The Council's suggested alterations to the supporting text will helpfully reference the role of food growing albeit they are not necessary to ensure soundness.
49. I am satisfied that the Council's submitted approach towards community facilities, leisure and recreation activities plus the provision of green and public open space is justified, consistent with national policy and in general conformity with the London Plan.

River Thames

50. Policies RTC1 – 4 address the River Thames and its immediate environs. I am satisfied, with due regard to the evidence base, that the approach is consistent and in general conformity with the London Plan. The Council proposes to add two criteria to Policy RTC1 to promote the transport use of the Thames and to reference the Thames River Basin Management Plan and the Thames Estuary 2100 Plan both of which I recommend for reasons of policy clarity and effectiveness and which are therefore necessary to secure soundness (**MM 11**).
51. Policy RTC1 will apply in conjunction with other policies where appropriate. Thus RTC2, which I find to be sufficiently clear, justified and flexible in its content and not requiring of further detail, does not need to be referenced within RTC1.

52. The Plan as a whole provides adequate further reference and influence upon matters of the built and historic environment without the need for main modifications to the RTC policies. It is clear to me that the Council recognises the historic character of the river context and I note the dialogue between the Council and Historic England in this regard. Similarly other parts of the Plan cover issues affecting flood risk and biodiversity such that main modifications to the RTC policies are not necessary.
53. I am satisfied that the Council's submitted approach towards the River Thames is justified, consistent with national policy and in general conformity with the London Plan.

Transport

54. Hammersmith and Fulham is an inner London Borough. The issues that the Borough faces in terms of accessibility and transportation are referenced within the evidence base and collated within Policy T1. This identifies a number of major schemes and Borough-wide targets.
55. As discussed above, the aspiration to replace the Hammersmith Flyover is challenging but there is sufficient evidence to warrant its inclusion in the Plan at this moment in time. Of greater uncertainty are the Council's objectives in relation to Crossrail 2 and associated interchanges in South Fulham. However, whilst I note the comments provided by the Royal Borough of Kensington and Chelsea and the GLA/TfL that their preferences lie elsewhere, I recognise that the Council is committed to working with partners to deliver a new Crossrail station and that the final route for Crossrail 2 is not yet determined. This is a project to be developed over a lengthy timeframe extending over the Plan period. This will be an area for the Council to monitor carefully, particularly with regard to the future iterations of the IDP, but the inclusion within Policy T1 of its major scheme target for a new station in the Borough is a considered aspiration and is not currently unjustified as a consequence.
56. Policy T2 relates to Transport Assessments and Travel Plans and is proportionate and flexible so as to be effective in operation. Policy T3 promotes cycling/walking and is similarly justified. The vehicle parking standards of Policy T4 along with Blue Badge Holders' parking in Policy T5 are justified in the context of the Borough. There is no evidence to dispute the inclusion of Policies T6 and T7 which will aid the clarity of the Council's approach to development within the Borough.
57. I am satisfied that the Council's submitted approach towards transport issues in the Borough is justified, consistent with national policy and in general conformity with the London Plan.

Issue 5 - Does the local plan provide the most appropriate and robust strategy towards the economy with due regard to cross border issues? Is the approach evidenced adequately and consistent with national policy and in general conformity with the London Plan? Will the approach be effective?

Economy and Employment

58. As indicated by evidence such as the Employment Land Study of 2016, the Council is suitably aware of the Borough's economic and employment characteristics within its wider London context, particularly in noting the pressure that has diminished its available B1 floor space over recent years. The Plan is robustly informed by the evidence base which includes liaison with neighbouring Boroughs as well as the GLA. I am satisfied that the chosen strategy does recognise cross border issues adequately. As a consequence, Policies E1 and E2 establish a positive approach towards proposals for new employment uses, supports the retention and intensification of existing uses and provides a criteria based approach towards land and premises for employment uses overall.
59. The Council has clarified that the approach to the economy does plan clearly for sui generis uses and recognises the value of supporting the provision of affordable workspace by suggesting further clarification on the point in the supporting text. The net effect of Policies E1 and E2 is to provide a positive yet flexible policy basis for facilitating the provision of land and premises for employment uses over the Plan period. This is consistent with the objectives of the Framework.
60. Policy E4 seeks to provide appropriate employment and training initiatives for local people in the construction of certain developments. I heard from the Council the way in which partnerships have historically been formed to deliver such aspirations and, subsequent to the Examination Hearings, the Council has clarified further the justification for the preferred approach. Such subsequent details are useful and establish a clear link between the policy, the potential developments affected and the economic objectives for the Borough such that I am satisfied that, with their necessary inclusion which I recommend, the approach of the Plan is justified and is capable of being effective in operation (**MM12**).

Town Centres

61. The Framework aims to ensure the vitality of town centres and requires Local Plans to pursue policies which should meet a variety of requirements. In this regard, Policy TLC1 establishes a clear hierarchy of three town centres, five local centres and associated retail provision.
62. This approach is informed adequately by the Council's Retail Needs Study and Retail background paper which assess robustly the qualitative and quantitative retail needs of the Borough. The former study recommends a local threshold for retail impact assessments where out-of-centre retail proposals are in excess of 300m² (gross). I have no clear evidence or reason to take a contrary view and conclude that this is an approach consistent with the Framework. The policy requires an appropriate mix of town centre uses, recognises the night time economy and provides for a reasonably flexible approach towards proposals in such locations.
63. The Plan clearly identifies robust prime and non-prime retail frontages which reasonably equate to the primary and secondary frontages envisaged by the Framework. The Council has based the Plan on a proportionate range of evidence sources that includes sufficiently up-to-date survey analysis combined with a practical working knowledge of the Borough and its retail

areas. The Council proposes to illustrate the frontages on its Policies Map which is appropriate. Furthermore, the Council recognises the role of markets in the Borough. Overall, this is consistent with the London Plan and is aligned adequately with the content of the Framework.

64. Policies TLC2-4 set out the Council's approach to managing uses within town centres, local centres and other parades etc. In so doing, the Council has been mindful of the Framework and drawn on its experience of operating its Core Strategy and Development Management Local Plan in conjunction with the retail evidence cited above. As a consequence, the Policies identify proportions of non-A1 uses deemed to be acceptable in the respective areas, including prime retail frontages. Whilst this is calculated in terms of frontage length, rather than retail units, this is an approach that I heard has worked adequately in recent years and I have no reason to recommend a different stance. The proportions are based on the Council's experience, the health of the existing centres, the retail evidence and an intention to ensure a balanced retail provision throughout the Borough. I fully accept that the Council can legitimately seek to manage the uses within its town centres as advised by the Framework and the policy requirements are a reasonable and proportionate approach to this issue which have been informed by the evidence.
65. There is some flexibility in how Policies TLC2-4 could be applied; for example in the proportion and types of use allowed in non-prime town centre frontages which would include uses such as betting shops thus ensuring scope for some new provision and it is clear that the Council wishes to maintain the vitality and viability of its centres in line with the Framework. Whilst I recommend that criterion 'c' of Policy TLC4 should be modified to remove a reference to betting shops and amusement centres (**MM13**) which is unjustified by any comparison with other uses, I am otherwise satisfied that the Plan's approach is suitably justified and appropriate. I note that the Policies require calculations of the proportions of uses to have regard to extant but unimplemented permissions but there is little to suggest that this would be an unduly onerous and unacceptable policy requirement.
66. Policy TLC5 is prescriptive in its requirements to limit the general opening hours of premises but I am satisfied that there is sufficient flexibility in how it may be applied where specific circumstances justify an alternative approach.
67. Amongst other things, the Framework requires competitive town centres which provide customer choice and a diverse retail offer. Whilst Policies TLC1-5 provide a justified approach to retail and town centre activities that is consistent with the Framework, Policy TLC6 effectively restricts the location of betting shops, pawnbrokers, payday loan shops and potentially limits the siting of hot food takeaways. The Council's Background Paper describes the growth of particular non A1 uses, albeit not just those cited in the policy, within both London and the Borough and states that the aim of the Council is to prevent clusters of betting shops, payday loan stores and pawnbrokers from forming to protect the vitality and viability of the Borough's centres. Such an objective is consistent with the Framework, particularly para 23.
68. However, whilst the Background Paper provides some data on the number of such uses within the Borough, of itself it does not indicate a clear causal link between concentrations of uses and any evidenced detrimental effect upon the

vitality/viability of the centres affected such as to warrant the 400m threshold between an existing and a proposed use. The Background Paper also introduces a commentary on a link between shop usage and social deprivation but once again the causal link between such uses and consequent adverse effects on health and well-being is very limited.

69. Policy TLC2 would provide the means to manage the composition of prime and secondary retail frontages of town centres to ensure the vitality and viability of such centres was optimised in accordance with the Framework. Elsewhere, Policies TLC3 and 4 would enable the Council to similarly manage shops and local service availability. The consequent need for Policy TLC6 in the format submitted is therefore unclear. The first part of the policy seeks to limit certain uses in areas of high concentration but where such areas are poorly defined. The Background Paper refers to volumes of uses but does not identify what may constitute an overconcentration where a harmful effect on vitality and viability of the relevant centre would potentially occur.
70. The second part of the policy states that planning permission for new betting shops, pawnbrokers and payday loan shops will not be permitted in the prime retail frontages of town centres but this is already secured by Policy TLC2 and is therefore unnecessary. The policy continues to limit such uses within 400m of any existing shop in the same use and, as illustrated within the Background paper, would have the effect of fundamentally limiting the further provision of such uses within the commercial parts of the Borough. Whilst I note the rationale of the 400m distance as representing a 5 minute walk which the Council sees as a means to avoid clustering of similar uses, such an approach is particularly inflexible when the specific effect of a proposal for such a use upon the vitality and viability of a centre or parade falls to be considered. It seems a blunt tool. As a consequence, the extensive and rather 'blanket' approach of limitation currently proposed in the operation of Policy TLC6 in relation to betting shops, payday loan shops and pawnbrokers would not constitute a positive form of policy planning that is consistent with paragraph 23 of the Framework. As a consequence, I recommend that the Policy be altered to be more positive and less prescriptive in its approach to such uses (**MM14**).
71. The final part of Policy TLC6 states that when considering proposals for hot food takeaways, the Council will take into account proximity to areas where children and young people are likely to congregate such as schools, parks and youth facilities. The purpose of such a policy statement reflects the Council's concern about the potential health impacts of hot food takeaways (A5 use) which has previously been reflected in its development plan. However, as demonstrated in the evidence presented to the Examination, the direct links between the location of A5 uses and individual health is less than clear. As recent guidance from Public Health England⁶ notes, "Obesity is a complex problem with many drivers..." and that whilst planning policies can be used to assist in tackling obesity, this needs to be secured in line with an Authority's strategy on obesity and needs to be supported by sound evidence. Whilst noting the Council's stance, alternative evidence has been submitted which

⁶ Health matters: obesity and the food environment (2017)

indicates only limited causal links between health/obesity and the presence of hot food takeaways.

72. When taken as a whole, I am satisfied that there is sufficient evidence, as indicated by Public Health England, to support health considerations as being potentially material to planning decisions in addition to considerations of town centre vitality and viability. However, as submitted, Policy TLC6 does not address the potential implications of such uses on the health of the community as a whole nor the need to take a flexible approach to proposals that are based on evidence of the time. As a consequence, I consider a modification to the policy to be necessary which will enable the Council to take into account the relevance of health impacts relating to hot food takeaways as part of any further developed Council strategy that seeks to tackle obesity and health issues as necessary. The site specific circumstances of any proposal will be particularly relevant, for example in relation to other nearby uses, which may include schools, and the proximity to areas where young people may congregate. This will ensure consistency with the Framework and an overall positive and flexible approach to activities affecting hot food takeaways and is contained within MM 14.
73. Overall, the Plan does provide the most appropriate and robust strategy towards the economy which is evidenced adequately, will be effective, is consistent with national policy and in general conformity with the London Plan.

Issue 6 - Does the Plan take a justified and suitably evidenced based approach towards design, conservation and environmental sustainability? Is the Plan consistent with national policy in such regards and will it be effective in implementation?

Design and Heritage Matters

74. Policy DC1 sets out the Council's position upon design related matters: "*all development within the Borough should create a high quality urban environment ...*". This is consistent with the Framework and the London Plan and is supported by a range of evidence papers including the Tall Buildings background paper, townscape analysis for the regeneration areas and Streetsmart.
75. The Plan subsequently contains a number of detailed criteria based policies to assist in the delivery of the stated objective. I understand that the Council has successfully operated its previous development plan with a requirement for development to 'respect' a number of matters, as reiterated in Policy DC2, and whilst I perceive some potential ambiguity in the interpretation of this requirement, I have no direct evidence to suggest it is not ultimately capable of effective implementation.
76. The Council's approach towards tall buildings is provided by Policy DC3 and is supported by a proportionate and robust range of background evidence. A number of modifications have been proposed by the Council to ensure consistency with national policy which I recommend accordingly, for example in relation to heritage matters (**MM15**). Overall I am satisfied that the policy provides sufficient flexible clarity on the circumstances where tall buildings may be permitted. The supporting text to the policy makes adequate reference to the London View Framework and I am further mindful that Policy

DC7 expressly protects the strategic view of St Paul's Cathedral. The Council's approach towards applications affecting local views within the Thames Policy Area and affecting important local landmarks is set by Policy DC7 and I am satisfied that the Plan is positive and flexible in how potential proposals will be resolved.

77. The Plan contains a prescriptive level of detail in Policies DC4, 5 and 6. That pertaining to alterations and extensions is justified whilst that relating to shopfronts requires modification to ensure it will be effective in operation. I recommend deletion of the reference to the Planning Guidance SPD in Policy DC5 accordingly (**MM16**) to ensure the effective and justified implementation of the policy. The Council has clarified its approach towards replacement windows which I consider represents a necessary main modification to ensure effective implementation (**MM17**).
78. Policy DC8 relates to Heritage and Conservation. The submitted policy is not wholly consistent with national policy but the Council has proposed modifications to make it so, taking into account the input of Historic England, with which I agree (**MM 18**). The necessity for all of the detail within the policy is a reflection of the importance that the Council place on this issue and I have no reason to consider the approach is not justified as a consequence.
79. The Council's approach to Advertisements is set within Policy DC9 which is both long and detailed. I am satisfied that the policy could be successfully shortened with a variation on the remaining text being included, as the Council sees necessary, into the supporting justification for the policy. Such a change would avoid an overly prescriptive and inflexible policy and I therefore recommend accordingly to ensure its effectiveness (**MM19**).
80. The issue of basements and lightwells is addressed by Policy DC11 which when taken as a whole is warranted by the Council's experience of dealing with such proposals and the advice provided by the GLA within its SPG on Sustainable Design and Construction. Clarity is required on criteria 'e' and 'l' to ensure the policy is capable of effective implementation and I recommend accordingly (**MM20**).

Environmental Sustainability

81. The Plan contains a 2035 Vision to deliver an environmentally sustainable Borough. Both this and the accompanying suite of policies are informed adequately by the wider London context and national policy. Policy CC1 requires major development to implement energy conservation measures by, for example, implementing the London Plan sustainable energy policies. The policy contains sufficient flexibility to cater for circumstances where meeting the required CO² reductions on or near to site cannot be made and I am satisfied that its requirements are justified by the evidence available to me provided that the Council's modifications addressing air quality are included. I recommend accordingly to ensure an effective policy (**MM21**). This approach is followed within Policy CC2 which requires the implementation of sustainable design and construction measures in certain circumstances.
82. Policy CC3 sets out a detailed approach towards minimising flood risk and water use. The Environment Agency is satisfied with the approach in this specific London context where large parts of the Borough fall outside Flood

Zone 1 and, with due regard to the available Strategic Flood Risk Assessment (SFRA) and Surface Water Management Plan (SWMP), I have no reason to take a different view.

83. Policies CC4 and CC5 aim to address surface water run-off, sustainable drainage systems and water quality. The SWMP provides a convincing basis for the necessity of CC4 and I am satisfied that the approach is robust. Policy CC5 provides useful completeness for where private supply systems may be operational.
84. The submitted Plan contains a number of waste related policies. I have noted the submitted evidence and the work of the Western Riverside Waste Authority, of which the Council is part, in addition to correspondence from Thurrock Borough Council⁷. The Plan, via Policies CC6-8 provides a robust approach towards issues of waste that reflect the London Plan Waste Apportionment targets adequately. The Council has suggested clarifications to the text of the relevant policies which I recommend to ensure clarity and effectiveness (**MM22**).
85. Policy CC10 sets out the Council's approach towards air quality which is justified by the available evidence and is consistent with national policy provided the suggested changes of the Council are embodied in any adopted Plan. These provide more effective details as to how air quality assessments should operate and introduce further criteria designed to mitigate potential adverse impacts arising from development and I recommend their inclusion as main modifications accordingly (**MM23**).
86. The Plan contains a number of policies that will help ensure that the development and use of land will contribute to the mitigation of, and adaptation to, climate change. These include the policies cited above and the strategic objectives. Accordingly, the Plan taken as a whole, achieves the statutory objective set out within Section 19(1A) of the Planning and Compulsory Purchase Act 2004.

Issue 7 - Does the Plan address adequately the provision of necessary infrastructure to support the delivery of the strategic objectives and the vision? Are the Plan's monitoring targets justified adequately and of a level of detail that is appropriate to a Local Plan? How will the effectiveness of the Plan be managed?

87. The Council's IDP is an iterative document which contains a schedule of key infrastructure requirements linked to the content of the Plan. I note the variables which exist within the IDP and I heard how the Council intends to continue to monitor the schedule, with due regard to the Annual Monitoring Report (AMR), and its delivery to ensure the appropriate infrastructure is in the right place at the right time. I have no reason to consider that this will not be effective.
88. Policy INFRA1 relates to planning contributions and infrastructure and will operate alongside the established Community Infrastructure Levy. The Council has proposed modifications in relation to how monitoring expenses

⁷ EX21

may be charged which I recommend to ensure clarity in the successful delivery of the Plan as a whole (**MM24**) and to be legally robust.

89. The Council is alert to the risks posed to the success of the Plan and has sought to embed flexibility within the Plan as a whole to enable appropriate reaction to change as required. The AMR and monitoring of items such as the Housing trajectory, will enable the Council to implement the 'plan, monitor, manage' approach which will maximise the likelihood of the successful delivery of the Plan objectives.
90. The Council has updated its monitoring indicators to be contained in Appendix 6 of the Plan. I recommend these as main modifications to ensure the effective delivery of the Plan as a whole (**MM 25**).

Public Sector Equality Duty

91. I am mindful of the Council's Equalities Impact Assessment and, in particular, the way in which the Council intends to proceed in relation to the provision of Gypsy and Traveller pitches to meet the identified needs. I have had due regard to the provisions of Equality Act 2010 in reaching my conclusions.

Assessment of Legal Compliance

92. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan has been prepared in accordance with the Council's LDS which was updated in June 2017.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in November 2015. Consultation on the Local Plan and the MMs has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The SA contains confirmation that, following the earlier assessments undertaken for the Core Strategy and the Development Management Local Plan, AA is not necessary. Natural England supports this.
National Policy	The Local Plan complies with national policy except where indicated and MMs are recommended.
London Plan	The Local Plan is in general conformity with the spatial development strategy, The London Plan.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

93. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. Without the MMs the Plan has a number of deficiencies in respect of soundness which means I would recommend non-adoption of the submitted document in accordance with Section 20(7A) of the 2004 Act.

94. However, these deficiencies have been explored in my main issues identified above. I conclude that with the recommended main modifications set out in the Appendix, the Hammersmith and Fulham Local Plan satisfies the requirements of Section 20(5) of the 2004 Act, is in general conformity with the London Plan and meets the criteria for soundness in the National Planning Policy Framework.

Andrew Seaman

Inspector

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

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	20	Amend Spatial Vision 3 rd paragraph	...New development will have created a high quality, <u>accessible</u> , safe <u>and inclusive</u> environment that respects local context and the borough's natural, built <u>and historic</u> environment...
		Amend Strategic Objective 10	To preserve and enhance the quality, character and identity of the borough's natural and built environment (including its heritage assets) by respecting the local context, seeking high quality, intelligent developments and design , and ensuring compliance with the principles of inclusive, <u>accessible</u> and sustainable design
		Para 6.33	Amend para 6.33 as follows: Mixed tenure housing developments should be tenure blind, meaning that it should be difficult to spot the difference in the architectural quality of market and affordable properties. <u>It is important for the council to ensure that housing developments are inclusive for all residents....</u>
MM2	25	DEL1	Amend bullets: ... The Council will implement the policies and proposals of the Local Plan by: ... <ul style="list-style-type: none"> • having regard to the financial viability of development in the following ways: <ul style="list-style-type: none"> ○ Plan-making; ○ CIL charge-setting; and ○ Negotiating Section 106 agreements ('106s'), including for affordable housing, ○ applying the principles set out in the Viability Protocol in Appendix 9;

Ref	Page	Policy/ Paragraph	Main Modification
			<ul style="list-style-type: none"> ○ <u>Site specific circumstances including site specific infrastructure;</u> ○ <u>Site size, constraints and characteristics.</u> <p>...</p>
MM3	2	After para 1.9	<p>Add new wording after para 1.9 as follows</p> <p>Neighbourhood Planning <u>Neighbourhood Planning was introduced as part of the Localism Act 2011. Neighbourhood plans are development and land use documents led by members of the community. Neighbourhood plans must be developed in general conformity with the strategic policies in the relevant local, regional and national planning policy documents and guidance. The Neighbourhood Planning Regulations sets out the procedure and key milestones in developing a neighbourhood plan. In order for a neighbourhood plan to be adopted and form part of the Development Plan Framework, they must be voted on and agreed by a majority vote, in a local Referendum.</u></p>
MM4	29	Strategic Policy – Regeneration Areas	<p>Amend Strategic Policy – regeneration Areas (Bullet 1) as follows:</p> <p><u>..delivered to the highest standards of urban design, respect for the historic environment, environmental sustainability, and social inclusion and respecting local context...”</u></p>
	29	Table 1	<p>Amend text at bottom of Table 1 as follows:</p> <p><u>...In the London plan (2016, the Earls Court and West Kensington Opportunity Area has a minimum target of 6,500 dwellings-7,500 homes and 9,500 jobs across both LBHF and RBKC. It is anticipated that 6,500 homes and 8,500 jobs could be accommodated in LBHF. In addition to this capacity in the Earls Court and West Kenington opportunity Area, the FRA is considered to have the capacity to deliver an additional 500 homes and 500 jobs making an overal total of 7,000 homes and 9,000 jobs. In the figures above, 7,000 dwellings have been allocated to that part of ECWK Opportunity Area that is within LBHF and 1000 to the area that is within RBKC.</u></p>
	45	HRA	<p>Add new bullet point (as bullet 10) to the policy follows:</p> <p><u>...be based on a thorough assessment of the heritage significance of the area and respond positively to local character and history, conserving and taking opportunities to enhance the significance of heritage assets...</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
	51	HRA2	<p>Amend bullet point 5 as follows: <u>...Ensure that the tunnel entrances and exits avoid, or where this is not possible, have minimal impact on the amenity of residents and the local environment, including the significance and setting of heritage assets...</u></p> <p>Amend bullet point 10 as follows: <u>...be of a coherent urban design that has regard to the setting and context of the regeneration area, including its scale and character, heritage assets and archaeology and should take opportunities to re-unify areas of severed townscape sensitively...</u></p>
MM5	43	WCRA3	<p>Amend 4th bullet point as follows: <u>"Provide affordable housing and affordable workspace in accordance with Policy H03 and Policy E1"</u></p>
MM6	56, 59	FRA FRA1	<p>Amend fifth bullet point of Policy FRA as follows:</p> <ul style="list-style-type: none"> provide for the improvement of the West Kensington, Gibbs Green and Registered Provider estates, <u>including the potential for renewal of and additions to all or parts of the estates</u> <p>Amend third bullet point of Policy FRA1 as follows:</p> <ul style="list-style-type: none"> provide for improvement to the West Kensington, Gibbs Green and Registered Provider estates, <u>including the potential for renewal of and additions to all or parts of the estates, as part of the comprehensive approach to the regeneration of the Opportunity Area;</u>...
MM7	69	HO1	<p>Amend HO1 policy as follows: "The council will work with partner organisations and landowners to exceed the London Plan (2016) <u>minimum</u> target of 1,031 additional dwellings a year up to 2025..."</p> <p>....</p> <p>e) Ensuring that new dwellings meet local needs and are available for occupation by people living in London....</p> <p>...</p> <p>g) working to return vacant homes to use and ensure that <u>all new homes are occupied and vacant homes are returned to use to meet local and London needs;</u></p>

Ref	Page	Policy/ Paragraph	Main Modification																																																								
			<p>...</p> <p>Insert additional sentence to follow 'g' at Policy H01 – Housing Supply:</p> <p><u>h) where possible, support applications for self and custom builds that are in accordance with the relevant Local and London Plan policies.</u></p> <p>Amend Table 2 'Indicative Housing Targets' as follows (column 2 date range to refer to 2016-2021):</p> <table border="1"> <thead> <tr> <th>Area</th> <th>2015/20 2016/20</th> <th>2020/25 2021/26</th> <th>Total 10 years</th> <th>2025/30 2026/31</th> <th>2030/35 2031/35</th> <th>Total 20 years of Plan Period (up to 2035)</th> </tr> </thead> <tbody> <tr> <td>White City Regeneration Area/Opportunity Area **</td> <td>1,000 2,200</td> <td>2,500 3,500</td> <td>3,500 5,700</td> <td>1,500 100</td> <td>1,000 200</td> <td>6,000</td> </tr> <tr> <td>Hammersmith Town Centre</td> <td>200 700</td> <td>600 0</td> <td>800 700</td> <td>1,000 1,050</td> <td>1,000 1,050</td> <td>2,800</td> </tr> <tr> <td>Fulham Regeneration Area **</td> <td>1,500 1,100</td> <td>2,500 600</td> <td>4,000 1,700</td> <td>1,500 5,300</td> <td>1,500 0</td> <td>7,000</td> </tr> <tr> <td>South Fulham Riverside</td> <td>1,500 2,700</td> <td>1,500 800</td> <td>3,000 3,500</td> <td>500 200</td> <td>500 300</td> <td>4,000</td> </tr> <tr> <td>Rest of the borough</td> <td>1,000 2,000</td> <td>700 200</td> <td>1,700 2,200</td> <td>700 0*</td> <td>0*</td> <td>2,400 2,200</td> </tr> <tr> <td>Total</td> <td>5,200 8,700</td> <td>7,800 5,100</td> <td>13,000 13,800</td> <td>5,200 6,650</td> <td>4,000 1,550</td> <td>22,200 22,000</td> </tr> <tr> <td>Average/year</td> <td>1,040 1,740</td> <td>1,560 1,020</td> <td>2,600 1,380</td> <td>1,040 1,330</td> <td>800 310</td> <td>1,110 820</td> </tr> </tbody> </table> <p>Add the following new text after paragraph 6.9:</p> <p><u>The Build to Rent or Private Rent sector has the potential to boost the supply of private rental accommodation across the borough. The SHMA identifies that private renting is high and is increasing in the borough; between 2001 and 2011 the private rented sector increased from 23% to 33%. Bearing this in mind, Build to Rent may offer a greater range and choice to private renters.</u></p> <p><u>The council recognises that the financial model of Build to Rent is different to traditional, private market housing and there will be separate viability concerns when considering Build to Rent schemes. Nevertheless, a range of tenures will be expected to provide accessible housing for all, subject to viability. On such schemes, affordable housing may be delivered by discount market rent using the London Living Rent (or lower) as the</u></p>	Area	2015/20 2016/20	2020/25 2021/26	Total 10 years	2025/30 2026/31	2030/35 2031/35	Total 20 years of Plan Period (up to 2035)	White City Regeneration Area/Opportunity Area **	1,000 2,200	2,500 3,500	3,500 5,700	1,500 100	1,000 200	6,000	Hammersmith Town Centre	200 700	600 0	800 700	1,000 1,050	1,000 1,050	2,800	Fulham Regeneration Area **	1,500 1,100	2,500 600	4,000 1,700	1,500 5,300	1,500 0	7,000	South Fulham Riverside	1,500 2,700	1,500 800	3,000 3,500	500 200	500 300	4,000	Rest of the borough	1,000 2,000	700 200	1,700 2,200	700 0*	0*	2,400 2,200	Total	5,200 8,700	7,800 5,100	13,000 13,800	5,200 6,650	4,000 1,550	22,200 22,000	Average/year	1,040 1,740	1,560 1,020	2,600 1,380	1,040 1,330	800 310	1,110 820
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Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>Council's preferred benchmark. The Council's Housing Strategy may also be used in setting appropriate rent levels to ensure schemes are affordable locally. The quantum of affordable housing units will be subject to the specifics on a scheme. Long-term covenants will be required on any scheme to ensure developments are rental for at least 15 years with a 'clawback' mechanism in place where units are sold out of the Build to Rent sector during the covenant period. Importantly, affordable housing should be maintained in perpetuity and managed by the Build to Rent provider.</u></p> <p><u>An integral part that makes Build to Rent development different is the management of the site. The council will expect that any developers will identify a suitable, long term, experienced management team in place when coming forward with any applications that will deliver high-quality housing for its residents.</u></p> <p><u>When considering Build to Rent schemes, it will be important to consider the nature of build to rent development. Higher turnover is anticipated in Build to Rent schemes which may have a wider impact in terms of the sense of community in the area and other high-street parking issues and impacts. Evidence of mitigating these issues and/or ways of managing these issues may be required by the council.</u></p> <p>Insert new text on Self Build and Custom Housebuilding as follows:</p> <p><u>The Self-build and Custom Housebuilding Act 2015 requires local authorities to keep a register of individuals and associations of individuals seeking to acquire serviced plots of land to build houses for those individuals to occupy as homes. Self-build typically refers to individuals seeking to build their own home and to occupy them. The council has produced a self-build register, where individuals may register their interest.</u></p> <p><u>Self build and custom housebuilding refers to individuals or groups of individuals interested in buying land and building a home to occupy. The London SHMA found that self-build provides 4% of all new homes in England. In London, the figures indicate that self-build accounts for 1.9% and 3.5% of annual housing output in London.</u></p> <p><u>The London SHMA has found from a survey conducted in 2013 that 13% of adults in London were actively researching self-build, in line with the national average. Results from the same survey found that 2% of adults in London were doing something about this in terms of acquiring land, submitting a planning application, or starting construction. Those likely to complete a self-build project within a year was 1%.</u></p> <p><u>There are a number of broad barriers to delivering or undertaking such a project which indicates why there are such low output levels in London and nationally: the high cost of land, access to finance – self-build is considered as relatively risky, which in turn favour high-density development and</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>builders able to capitalise on economies of scale. Self-build typically takes place in small infill sites, end of terrace spaces, backland sites, gardens, garages, and small industrial sites. In parts of London where land values are lower, sites which would not have interest from developers, such as on the fringe of industrial sites, there are greater opportunities to take place.</u></p> <p><u>In Hammersmith and Fulham, where land prices are high and the supply of available land for development is so competitive, these factors do not provide the best conditions for self-build or custom housebuilding to take place. Whilst the council is supportive in principle, this will continue to be monitored and assessed through the AMR and self-build register.</u></p>
MM8	73	HO3 and supporting text	<p>Amended wording to the proposed policy, as follows:</p> <p>Housing development should increase the supply and improve the mix of affordable housing to help achieve more sustainable communities in the borough.</p> <p><u>For developments of 11 or more self-contained dwellings, on sites with the capacity for 1011 or more such self-contained dwellings, affordable housing should be provided having regard to in line with the following:</u></p> <ol style="list-style-type: none"> a borough wide target that at least 50% of all dwellings built between 2015-25 should be affordable; 60% of additional affordable housing should be for social or affordable renting, especially for families and 40% should be a range of intermediate housing; affordable dwellings should be located throughout a new development and not concentrated on one part of the site; the provision of affordable rented and social rented housing in ways that enable tenants to move into home ownership. <p>In negotiating for affordable housing in a proposed development, the council will seek the maximum reasonable amount of affordable housing and take into account:</p> <ul style="list-style-type: none"> • site size and site constraints; and • financial viability, applying the principles set out in the Viability Protocol (Appendix 9) and having regard to the the individual circumstances of the site and the availability of public subsidy; • <u>individual circumstances and characteristics of the site;</u> • <u>site specific infrastructure;</u> • <u>availability of public subsidy; and</u> • <u>CIL charge.</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>Planning applications for developments of 11 or more self-contained dwellings, and on sites with the capacity for 110 or more such dwellings, will not be required to provide viability information, where they:</u></p> <ul style="list-style-type: none"> <u>deliver 50% or more affordable housing on site;</u> <u>are consistent with the relevant tenure split within this policy (see also paragraph 6.29); and</u> <u>meet all of the other relevant Local Plan policy requirements and obligations.</u> <p><u>For the avoidance of doubt, in circumstances where the three requirements set out immediately above are satisfied, the council will regard that affordable housing provision as “the maximum reasonable amount of affordable housing.</u></p> <p>In exceptional circumstances, a financial contribution may be required to provide affordable housing off-site where other sites may be more appropriate or beneficial in meeting the borough's identified affordable housing needs.</p> <p>In addition, there should be no net loss of social/affordable rented housing on any development sites <u>as part of any development proposals.</u></p> <p>Text changes in line with FMC21, FMC22, FMC23, FMC24, MC75, MC77</p>
MM9	84	HO10 6.63	<p>Amend HO10 as follows:</p> <p><u>The council will seek to address the joint Gypsy and Traveller accommodation needs over the Plan period, as identified in the Gypsy and Traveller Accommodation Needs Assessment (2016).</u></p> <p>The council will work closely with the Royal Borough of Kensington and Chelsea, and any other relevant partners to protect, improve and, if necessary, increase the capacity of the existing gypsy and traveller site at Westway Stable Way.</p> <p><u>Applications for additional sites should meet the requirements set out in the Planning Policy for Traveller Sites (2015).</u></p> <p>6.63 ... Following engagement with the local traveller community an assessment of the need for traveller pitches was carried out in accordance with the Gypsy and Traveller Accommodation Needs Assessments (DCLG 2007). <u>This study suggested a need for extra pitches for an additional five families by 2020(38). The assessment identified that 3 additional pitches are required in the first five years, 9 in total</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>over the plan period. The council is currently working with RBKC and the local traveller community to determine how best to meet the identified needs. Both authorities are working together to determine how best to meet this identified need where possible, in accordance with further Site Appraisal work. The Council will seek to address the findings from the GTANA its assessment and to meet its needs by undertaking a Site Appraisal Study in 2017 and producing an Options Paper thereafter. The Council and RBKC will explore all available options in meeting the objectives of national policy in order to identify a National Planning Policy Framework compliant supply of sites during the course of 2018, if not earlier. This will be reported upon in the Council's annual monitoring report. Sites identified will be assessed against the agreed methodology with RBKC, in accordance with the NPPF and the PPTS. Any subsequent planning applications should be considered against the criteria set out in the PPTS along with relevant planning policies and guidance.</p>
MM10	120	OS2	<p>Amend Policy OS2 as follows:</p> <p>The council will seek to reduce open space deficiency and to improve <u>will protect and enhance</u> the quality of, and access to, existing open space by:</p> <ol style="list-style-type: none"> a. refusing development on public open space and other green open space of strategic and borough-wide importance as identified in the council's Open Space Hierarchy (see Appendix 3 and Proposals-Policies Map) unless it can be demonstrated that such development will not harm would preserve or enhance its open character, and its function as a sport, leisure or recreational resource, and its contribution to biodiversity and visual amenity; ...
MM11	125	RTC1	<p>Add bullet point (e) and (f) to Policy RTC1 as follows:</p> <ol style="list-style-type: none"> e. <u>promoting use of the River Thames for transport uses, including passengers and freight</u> f. <u>seeking improvements to the tidal foreshore in line with the requirements of the Thames River Basin Management Plan and the Thames Estuary 2100 Plan.</u>
MM12	91	6.80	<p>Amend para 6.80 as follows:</p> <p><u>The borough currently faces real socio-economic difficulties, including acute affordable housing need and high levels of deprivation.</u> Continued economic growth in the borough will require a growing work force. These jobs will not go to workless unemployed residents in the borough unless they have the necessary qualifications and skills. If local workless people are not moving into the local labour market, the growth in jobs will have to be met by workers from outside the local</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>area. This will increase pressure on the already overstretched supply of housing and local transport infrastructure. This is also important in addressing social inequalities across the borough. Where major developments come forward that do not employ and/or train local people in their construction/operation, they will aggravate this situation. This is because local unemployed people will not be moving into the local labour market, and the growth in jobs related to those developments will have to be met by workers from outside the local area. This will aggravate existing circumstances by increasing pressure on the already overstretched supply of housing, and on local transport infrastructure. It will also fail to address the social inequalities across the borough. Accordingly, in order for major developments to be sustainable, particularly having regard to the social and economic strands of sustainability, they must comply with the policy.</p>
MM13	102	TLC4	<p>Amend point c) as follows: ... The number of <u>existing non-A1</u> uses that may adversely impact on the quality of the parade or cluster, such as betting shops and amusement centres...</p>
MM14	105	TLC6	<p>Amend Policy and text as follows:</p> <p>Policy TL6 To ensure that shopping areas remain diverse and balanced, the council will seek to limit the amount <u>manage</u> the and concentration of betting shops, pawnbrokers <u>and</u> payday loan shops in areas of high concentration.</p> <p>Planning permission for Any proposal for a new betting shops, pawnbrokers or payday loan shops will <u>be considered against the provisions of Policy TLC2 and TLC3</u> not be permitted in the prime retail frontage of town centres or within 400 metres of the boundary of an existing or permitted betting shop, pawnbrokers or payday loan shop.</p> <p>Outside of these areas, planning permission and will only be granted for a betting shop, pawnbrokers or payday loan shop <u>may be granted permission, in accordance with the quotas that apply, and where it can be demonstrated that the proposal:</u></p> <ul style="list-style-type: none"> • <u>will not impact adversely on residential the amenity, character and function of an area;</u> • and <u>will add to the vitality of the existing shopping parade or cluster; and</u> • <u>will not result in negative cumulative impacts due to an</u>

Ref	Page	Policy/ Paragraph	Main Modification
	106	6.118	<p><u>unacceptable concentration of such uses in one area.</u></p> <p>When considering proposals for hot food takeaways (class A5) and in addition to the quota policies that will apply, the council will take into account proximity to areas where children and young people are likely to congregate, such as schools, parks and youth facilities <u>the location and nature of the proposal with regard to the proximity of existing hot food takeaways, its compatibility with surrounding uses and, as applicable, available evidence relating to potential health impacts.</u></p> <p>6.118 Although hot food takeaways provide a service for the community, the council is concerned about the potential health impacts of hot food takeaways, <u>particularly</u> on children and young people. Therefore, I <u>in the case of proposals for class A5 uses (hot food takeaways), consideration will be given to the proximity of schools and similar facilities, as well as the prevalence and clustering of takeaways and relevant evidence relating to potential health impacts arising from the type of use proposed. when assessing the acceptability of these uses.</u></p>
MM15	134	DC3	<p>Amend DC3 as follows:</p> <p>In these <u>these</u> areas identified as <u>potentially</u> appropriate for tall buildings, any proposal will need to demonstrate that it:</p> <p>...</p> <p>d) has no harmful impact in terms of <u>had full regard to the significance of heritage assets including the setting of, and views to and from, such heritage assets, has no unacceptable harmful impacts, and should have due regard to Historic England's guidance on tall buildings...</u></p>
MM16	137	DC5	<p>Amend DC5 as follows:</p> <p>...</p> <p>Fascia signs and projecting signs should not be overly large and should be designed to be appropriate to the <u>styles scale and design</u> of the shopfront (see section on shopfront guidance in the Planning Guidance Supplementary Planning document)...</p>
MM17	138	DC6	<p>Amend policy wording in DC6 as follows:</p> <p>...</p> <p>Replacement windows should respect the architectural character of the building and its surroundings. In this respect, <u>It will be important that the design and material of the replacement windows matches the original windows as closely</u></p>


Ref	Page	Policy/ Paragraph	Main Modification
			<u>as possible</u> , in terms of material , type and size, method of opening, profile and section and sub-division. ...
MM18	142	DC8	<p>Amend Policy DC8 as follows:</p> <p>The council will conserve the significance of the borough's historic environment by protecting, restoring and enhancing its <u>its</u> heritage assets. These assets include: listed buildings, <u>conservation areas</u>, historic parks and gardens, the scheduled monument of Fulham Palace Moated site, unscheduled archaeological remains and buildings and features of local interest. When determining applications for development affecting heritage assets, the council will apply the following principles:</p> <ol style="list-style-type: none"> a. the presumption will be in favour of the conservation, restoration and enhancement of heritage assets, and proposals should secure the long term future of heritage assets. The more significant the designated heritage asset, the greater the presumption should be in favour of its conservation; b. development applications affecting designated heritage assets, including alterations and extensions to buildings will <u>normally</u> only be permitted if the significance of the heritage asset is conserved or enhanced or where there is less than substantial harm and the harm is outweighed by the public benefits of the proposal. c. development applications should conserve the setting of, make a positive contribution to, or reveal the significance of the heritage asset. The presence of heritage assets should inform high quality design within its <u>their</u> setting; d. applications for development affecting non-designated heritage assets (buildings and artefacts of local importance and interest) will be determined having regard to the scale and impact of any harm or loss and the significance of the heritage asset <u>in accordance with paragraph 135 of the National Planning Policy Framework</u>; e. particular regard will be given to matters of scale, height, massing, alignment, materials and use; f. where changes of use are proposed for heritage assets, the proposed use, and any alterations that are required resulting from the proposed use should be consistent with the aims of conservation of the asset's character and significance, <u>including securing its optimum viable use</u>; g. applications should include a description of the significance of the asset concerned and an assessment of the impact of the proposed development <u>proposal</u> upon it or its setting which should be carried out with the assistance of a suitably qualified person. The extent of the requirement should be proportionate to the nature and level of the asset's

Ref	Page	Policy/ Paragraph	Main Modification
			<p>significance.</p> <p><u>Where archaeological remains of national significance may be affected applications should also be supported by an archaeological field evaluation;</u></p> <p>h. proposals which involve harm to, or loss of, substantial harm, or less than substantial harm any designated to the <u>significance of a heritage asset</u> will be refused unless it can be demonstrated that they meet the criteria specified in paragraph 133 <u>and 134</u> of the National Planning Policy Framework;</p> <p>i. where a heritage asset cannot be retained in its entirety or when a change of use is proposed, the developer should ensure that a suitably qualified person carries out an analysis (including photographic surveys) of its design <u>and significance</u> before it is lost, in order to record and advance the understanding of heritage in the borough. The extent of the requirement should be proportionate to the nature and level of the asset's significance;</p> <p>j. the proposal respects the principles of accessible and inclusive design;</p> <p>k. <u>where measures to mitigate the effects of climate change are proposed, the applicants will be required to demonstrate how they have considered the significance of the heritage asset and tailored their proposals accordingly;</u></p> <p>l. expert advice will be required to address the need to evaluate and conserve archaeological remains, and to advise on the appropriate mitigation measures in cases where excavation is justified; and</p> <p>m. securing the future of heritage assets at risk identified on English Heritage's national register, as part of a positive strategy for the historic environment.</p>
MM19	146	DC9	<p>Amend DC9 as follows:</p> <p>The council will require a high standard of design of advertisements, which should be in scale and in keeping with the character of their location and should not <u>have an unacceptable impact on public, including road,</u> impact adversely on public safety. The council will resist excessive or obtrusive advertising and illuminated signs which adversely affect the character and appearances of the neighbourhood or the site/building, residential amenity or public safety. The design of advertisements should be appropriate to their context and should generally be restrained in quantity and form.</p> <p>Advertisements should normally be located at ground floor level and relate to the commercial zone of the street frontage and the architectural design of the facade. All forms of advertisements displayed above ground floor level would in many circumstances result in visual clutter in the street scene</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>and detract from the architectural composition and scale of the buildings to which they relate. Further detailed guidance for shopfronts and advertisements in conservation areas is included in the Planning Guidance Supplementary Planning Document.</p> <p><u>Hoardings</u></p> <p>Hoardings and other large advertisements, such as digital screens, will be acceptable where they are of an appropriate scale with their surroundings and where they do not have a detrimental impact on areas sensitive to the visual impact of hoardings such as conservation areas, listed buildings and other heritage assets, residential areas, open spaces or waterside land.</p> <p><u>Advertisement Shrouds</u></p> <p>Buildings that are being renovated or undergoing major structural work and require scaffolding or netting around them, may be considered suitable for temporary advertisement shrouds. Advertisement shrouds are when commercial advertising forms part of a protective screen secured on scaffolding to screen buildings works being carried out. This will not be permitted where the advertisement would not impose a detrimental impact on the building or street scene in terms of the size, illumination and/or content; and/or where the advertisement would not be harmful to residential amenity or public safety. Where advertisement shrouds are considered to be acceptable, they should be accompanied by a 1:1 depiction of the building and only be displayed for a limited period related to the reasonable duration of the building works.</p> <p>Advertisement shrouds on heritage assets will only be acceptable where the revenue generated directly contributes to the restoration of the heritage asset. In order to avoid premature or prolonged periods of display, which could be harmful to amenity, the council will require evidence of a signed building contract where the display of an advertisement shroud is linked to building works. Where planning permission for building works is required, consent for an advertisement shroud will only be granted once planning permissions has been granted and all pre-commencement conditions have been discharged.</p> <p>The display of estate agents boards within Regulation 7 areas will not be permitted.</p>

Ref	Page	Policy/ Paragraph	Main Modification
	147	Para 6.233	Amend the supporting text to include the information shown deleted from the policy.
MM20	148	DC11	<p>Amend Policy DC11 as follows:</p> <p>Amend bullet e) as follows:</p> <p>...</p> <p>e. do not result in <u>an unacceptable any</u> adverse impact on the amenity of adjoining properties or on the local, natural and historic environment <u>during and post construction</u>...</p> <p>Amend last bullet as follows:</p> <p>...</p> <p>l. <u>provide a construction traffic management plan as part of the CMS to ensure that traffic and construction activity does not cause unacceptable harm to pedestrian, cycle, vehicular and road safety</u>....</p>
MM21	153	CC1	<p>Amend Policy CC1 as follows:</p> <p>Amend bullet point (d) to add text as follows:</p> <p><u>... including heat networks if this can be done without having an unacceptable impact on air quality; and ...</u></p>
MM22	162/ 163	Para 6.280 – 6.285	Amend the justification for Policy CC6 in paragraphs 6.280 to 6.285 inclusive in line with the changes shown in KD4 and EX15.
	165	Policy CC8	<p>Amend Policy CC8 as follows:</p> <p>...The council will ensure that development takes account of major hazards identified by the Health and Safety Executive, namely:</p> <ul style="list-style-type: none"> • Fulham North Holder Station, Imperial Road; • Fulham South Holder Station, Imperial Road; and • Swedish Wharf, Townmead Road.
MM23	167	CC10	<p>Amend Policy CC10 as follows:</p> <p>The council will seek to reduce the potential adverse air quality impacts of new developments by:</p> <p>a. requiring all major developments <u>which may be impacted by local sources of poor air quality or may adversely contribute to local air quality to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and also considers the potential for exposure to pollution levels above the Government's air quality objective</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>concentration targets. <u>The assessment should include separate consideration of the impacts of (i) the construction/demolition phase of development and (ii) the operational phase of development with appropriate mitigation measures highlighted for each phase;</u></p> <p>b. requiring mitigation measures to be implemented to reduce emissions, particularly of nitrogen oxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to the exceedances of the Government’s air quality objectives;</p> <p>c. requiring mitigation measures that reduce exposure to acceptable levels where developments are proposed that could result in the occupants being particularly affected by poor air quality;</p> <p>d. <u>requiring developments to be 'air quality neutral' and resist development proposals which would materially increase exceedances of local air pollutants and have an unacceptable impact on amenity or health unless the development mitigates this impact through physical measures and/or financial contributions to implement proposals in the Council's Local Air Quality Management Plan; and</u></p> <p>e. <u>requiring all decentralised energy schemes to demonstrate that they can be used without having an unacceptable impact on air quality. Where this is not possible, CHP systems will not be prioritised over other air quality neutral technologies.</u></p>
MM24	184	7.11	<p>Add additional text as follows:</p> <p><u>....In limited circumstances, such as in the case of particularly large developments, where the Council concludes that the costs of administering and monitoring the development would satisfy the relevant tests in regulation 122 CIL Regulations (as amended), it will secure the payment of those costs by the developer via the Section 106 agreement.</u></p>
MM25	220 on	Appendix 6	<p>Amend the monitoring indicators in accordance with KD4 and EX15 (monitoring indicator for DC8 to refer to 'heritage assets')</p>

<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>15 JANUARY 2018</p>	
H&F AIR QUALITY ACTION PLAN	
Report of the Cabinet Member for Environment, Transport & Residents' Services – Councillor Wesley Harcourt	
Open Report	
Classification: For decision	
Key Decision: Yes	
Consultation: None	
Wards Affected: All	
Accountable Director: Nicholas Austin Director for Environmental Health	
Report Author: Elizabeth Fonseca, Environmental Quality Manager	Contact Details: Tel: 020 8753 3454 E-mail: elizabeth.fonseca@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. This is a report on the council's five-year revised Air Quality Action Plan to reduce the negative health impacts from air pollution across the borough. The Plan has been produced in accordance with statutory requirement including a public consultation. The report seeks approval to adopt this Plan.

2. RECOMMENDATIONS

- 2.1. To approve the Air Quality Action Plan 2018-2023 to then be adopted and put in place once approval is granted by the GLA.

3. REASONS FOR DECISION

- 3.1. Poor air quality has a significant negative impact on human health and a recent report by King's College London (Understanding the Health Impacts of Air Pollution in London, KCL, July 2015) has estimated that approximately 203

early deaths in the borough are attributable to NO₂ and fine particulate matter (PM_{2.5}). This accounts for nearly 25% of all early deaths in the borough.

- 3.2. Public Health England has identified the fraction of all-cause adult mortality attributable to PM_{2.5} as one of its key indicators within the Public Health Outcomes Framework (PHOF 3.01) which is currently 6.1% based on 2015 values (down from 7.9% based on 2010 PM_{2.5} modelled data in the borough).
- 3.3. A recent UK Supreme Court judgement could lead to possible national fines for breaches of the nitrogen dioxide limits which have been occurring since 2010. The former Mayor of London estimated that the fines could potentially be £300 million per annum in London alone; these fines could be passed onto Local Authorities and both Defra and the GLA have written to the council stating this and reminding us of our duties to address poor air quality in our area.
- 3.4. The Hammersmith & Fulham resident led Air Quality Commission has made recommendations to the council to improve air quality which have been reflected in the updated Action Plan. The H&F resident led Biodiversity Commission have also recommended that air quality improvements are made to support the growth of biodiversity.
- 3.5. The Administration's manifesto aims and objectives are for the council to drive forward improvements in air quality within the borough for which the updated Action Plan provides the necessary structure and accountability.
- 3.6. The borough is an Air Quality Management Area (AQMA) for nitrogen dioxide and particulate matter. As required by the national Air Quality Regulations and Part IV of the Environment Act 1995, the council must have an Action Plan to improve air quality in an AQMA. The current Air Quality Action Plan has been in place to address these pollutants since 2003.
- 3.7. The council report our progress implementing that plan annually to Defra and the GLA for their approval; our reports have been accepted every year since the Action Plan was put into place.
- 3.8. Up through 2015, our action planning and reporting was governed by Defra's Local Air Quality Management (LAQM) framework, but, from 2016, the council must adhere to a London specific framework published by the Mayor of London and known as the London LAQM (LLAQM).
- 3.9. The LLAQM includes an Air Quality Plan template which all Local Authorities must work towards as required by the Secretary of State's guidance when discharging their duties under the Air Quality Regulations and Part IV of the Environment Act 1995.
- 3.10. The LLAQM also requires annual reporting in the form of an Annual Status Report (ASR) on the progress the council is making implementing the Action Plan as well as monitoring air pollution across the borough.

- 3.11. The actions in the Action Plan will not remain static; new actions will be taken forward as they arise and the Plan will be updated in each ASR.
- 3.12. The Mayor has also put in place a recognition scheme which designates boroughs as having Cleaner Air Borough (CAB) status if they meet a number of criteria, including having an up-to-date action plan. The council currently have CAB status and will need to put in place an updated Action Plan in order to continue to comply with the CAB criteria.
- 3.13. The CAB criteria are reported on annually in the ASR, the next of which will be submitted in spring of 2018 at which point our CAB status will be re-assessed.
- 3.14. It is essential to have CAB status for the council to apply for funding to improve air quality, including the Mayor's Air Quality Fund which the council has benefited from to progress projects like the Talgarth Road greening scheme.
- 3.15. In order to comply with the LLAQM system, retain our Cleaner Air Borough status and take account of the recommendations made in late 2016 by Hammersmith & Fulham Resident Led Air Quality Commission, we have updated our Action Plan.

4. PROPOSAL AND ISSUES

Action Plan Scope

- 4.1. The main sources of pollution including car and boiler emissions are a widespread issue requiring action on a national scale. Until the use of fossil fuels is significantly reduced or eliminated; the improvements that can be made at a local scale are limited. However, there are aspects of pollution that can be controlled by local and regional authorities.
- 4.2. In this borough, the largest source of pollution comes from traffic passing through the borough as opposed to traffic originating or even terminating here. The second largest source is gas fired boilers and combined heat and power sources in homes and businesses in the borough. Therefore, in addition to needing national action on fossil fuels, improvements are needed across London to tackle air pollution locally. The revised Action Plan lists the measures the council can implement to ensure it is doing all it can to do tackle this pollution and improve health.

Updated Air Quality Action Plan Overview

- 4.3. The Environmental Quality team (EQ) have prepared a revised Air Quality Action Plan 2018-2023 (See Appendix 1) in line with the LLAQM template and amended it in accordance with the feedback from its statutory and public consultation. The key sections are commented upon in the following paragraphs.

- 4.4. Foreword: The Leader will be writing a Foreword for this document. The LLAQM template states that this section should include a statement and signature from the relevant Cabinet Member(s) and strongly recommends that it also includes the signature of the Director of Public Health and the Head of Transport along with a joint statement of intent to work together to improve air pollution.
- 4.5. Summary: This section comes from the LLAQM template and highlights the success of the previous plan as well as the outline of the proposed plan. This section also summarises the council's priorities in addressing air pollution which is further defined later in the document.
- 4.6. Responsibility and Commitment: EQ have undertaken consultation with the following departments and teams across the council in preparing this updated plan:
- Transport Planning
 - Highways Maintenance and Projects
 - Planning
 - Housing
 - Building and Property Management
 - Procurement
 - Fleet Management
 - Environmental Health
- 4.7. AQMA and Focus Areas: This section includes the background on the council being determined as an Air Quality Management Area (AQMA), as well as describing specific pollutants of concern in the borough. It also provides:
- maps showing the AQMA area and monitoring location sites;
 - maps showing air pollution focus areas in the borough where there is a combination of high pollution levels and human exposure; and
 - graphs based on the latest (2013) London Air Emissions Inventory data on the sources of pollution in the borough.
- 4.8. Hammersmith & Fulham's Air Quality Priorities: This section identifies that the plan's purpose is to protect the health and wellbeing of the people who live, work and visit the borough from the effects of air pollution and states that the council's ambition is to be the greenest local authority. In the version that went out to consultation, this section listed the following as the council's priorities for tackling air pollution:
- Tackling the sources of pollution that the council can control including our own properties and fleet as well as our planning and transport policies, highways works and maintenance.
 - Raising resident's and businesses' awareness of what they can do to minimise the pollution they produce as well as their exposure to existing pollution.
 - Lobby the government to make the national changes needed to improve air quality

- Work with the GLA and TfL to make the improvements needed to reduce pollution

However, the GLA's consultation response has identified that these are too general. There was significant support of these priorities in the public consultation (70% approval), but the GLA are the approving body so the list above is now identified as 'Overarching goals' and the following more specific priorities have been added:

- Provide the necessary infrastructure such as green spaces, the cycle superhighway and more widely available cycle hire to increase active travel like walking and cycling.
- Increase the take up of electric vehicles in the borough by providing more electric vehicle charging points and promoting the electric vehicle hiring scheme.
- Reduce building emissions by replacing older boilers with ultra-low nitrogen dioxide boilers, raising residents' and business' awareness of this air pollution source and how they may upgrade to cleaner heat and power sources, and using the planning system to regulate the installation of new energy plant.
- Tackling pollution at schools, as well as journey's to and from, by making local improvements and raising awareness of cleaner walking routes.

4.9. AQAP progress: This section includes the updated plan and identifies the dynamic nature of the plan and how it will be updated with changes recorded in Annual Status Reports. This plan includes the columns prescribed by the LLAQM template including

- A brief description is given for each action along with the identification of the council department with the responsibility to implement the action
- the cost where it is not already part of the council budget
- the expected benefit to emissions (based on GLA guidance)
- when the action will be implemented; this column also identifies whether the action is an on-going commitment.
- how the action's implementation will be monitored including key performance indicators where relevant
- any further information which may be helpful or relevant

4.10. Additional columns have been included to those in the template to identify where the air pollutants (NO₂, PM) and greenhouse (CC) gases relevant to the individual actions are identified. A key is provided to guide the reader through the plan.

4.11. The actions are separated into the following categories (as per the template):

- Emissions from developments and buildings
- Public health and awareness raising
- Delivery servicing and freight
- Borough fleet actions

- Localised solutions
- Cleaner transport.

4.12. The actions included in this list are a combination of actions prescribed in the LLAQM template as well as actions recommended by the H&F Air Quality Commission and those otherwise identified by officers as ongoing or upcoming projects taking place as part of normal council business.

4.13. *Reasons for Not Pursuing Action Plan Measures:* The LLAQM framework requires councils to identify which actions from the template are not being taken forward by the council as well as the reasons for that decision. There is one action here listed under ‘Cleaner transport.’ The following action from the GLA template: 32. Free or discounted parking charges at existing parking meters for zero emission cars’ is not included in the plan. The reasons we are giving for this is: ‘Anyone wishing to visit the borough may participate in our Blue City electric vehicle car club scheme and use the club’s reserved parking bays. The council aims to increase active travel and travel by public transport. Implementing this measure would not fit with this aim so it is not being pursued.’”

Promulgation Schedule

4.14. The following table gives the proposed schedule for promulgating the Action Plan. This will ensure it is place in time for our next annual report to the GLA and Defra and are able to continue to hold Clean Air Borough Status and ensuring funding opportunities to improve air quality are available to the council.

Action	Date/Status
Draft actions based on LLAQM template	Completed
Embed AQ Commission recommendations	Completed
Include current actions based on 2016 ASR	Completed
Send bespoke lists to responsible internal stakeholders for comment	Completed
Internal stakeholder input collated	Completed
Action Plan Draft for Public Consultation to Cabinet Member	Completed
Approval by Cabinet Member	Completed
Public Consultation including Statutory Consultees (GLA, Defra, PHE)	27 July – 31 October Completed
Revise, consult with internal stakeholders and produce final document	17 November 2017 Completed
Full Cabinet assent (KD)	15 January 2018

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. Approve the Air Quality Action Plan 2018-2023 to then be adopted and put in place once approval is granted by the GLA. This will ensure that the council are working in line with the LLAQM as soon as possible.

6. CONSULTATION

Public and Statutory Consultation

- 6.1. A public consultation took place from 27 July through 31st October 2017. The draft updated Plan and consultation details were made available and publicised on the H&F website and hardcopies were made available at all council libraries. This document may be found in Appendix 2. Responses could be made on line and response forms along with free postage envelopes accompanied the Plans at libraries.
- 6.2. The LLAQM identifies the following statutory consultees who were contacted directly: The Secretary of State, the Environment Agency, The Mayor of London and TfL (who provided a joint response), all neighbouring boroughs, other public authorities as appropriate (in this case Public Health England) and bodies representing local business interests and other local organisations which included the Hammersmith BID, Hammersmith and Fulham Friends of the Earth.
- 6.3. The consultation asked the following seven questions:
- Do you agree with the council's priorities and if not, what should we change?
 - Do you agree that the council should be taking the actions listed; and if not, what do you not agree with?
 - Do you believe the council should be undertaking other actions; if so, what should they be?
 - Do you have any other comments on the draft Plan?
- 6.4. A public consultation session was held at the H&F Town Hall on 18th September 2017 as part of a Community Safety, Environment and Resident Services Policy and Accountability Committee (CSERS PAC) meeting where interested parties were invited to and make representations in person.

Summary of overall response

- 6.5. The questions and answers from the CSERS PAC are recorded in the meeting minutes (Appendix F). There were five main questions asked: how planning can be used to address pollution concerns at tall buildings constructed close to roads, whether 20mph speed limits contribute to air pollution, what the council is doing to tackle idling engines; and how traffic movement should be optimised to reduce congestions and the consequent idling; how airplanes contribute to air pollution. All questions were answered and were considered already covered by the draft revised Action Plan.

- 6.6. A total of 54 responses were received. These have been tabulated and responded to and may be found in Appendix 3.
- 6.7. A total of 37 on-line survey responses were received; 36 of whom answered the question given above in 6.4. Of these responses, the following analysis can be made:
- 70% of respondents agree the priorities, though 10% of these respondents want them to go further
 - Over 75% of respondents agree that the council should undertake the actions in the draft revised plan;
 - 86% want the council to undertake more actions than those identified in the draft revised plan; however, the majority of these comments ask for actions outside of the council's overall control such as banning vehicles from entering the borough.
- 6.8. Three statutory consultees provided responses: the GLA/TfL, Public Health England and the Environment Agency. The letter sent by the GLA is provided in Appendix 4 and the e-mailed responses from PHE and the EA have been included in the tabulated responses found in Appendix 3 which will form part of an Annex to the final Action Plan.
- 6.9. There were also 12 individual e-mail responses and one hardcopy response. Three of the e-mail responses were generally supportive of the plan; six e-mail responses and the hardcopy response had specific comments about transport emissions; one wants the council to green one of its housing blocks and another believes other sources of pollution are worse than traffic such as indoor pollution, cannabis smoke and other trace pollutants. The final e-mail response was provided by the Cross River Partnership, an organisation progressing air quality projects on behalf of the borough, which was also broadly supportive.
- 6.10. Most of the non-statutory responses either fall outside of the council's control or have already been captured as part of proposed actions in the draft revised Plan, however 21 contained comments which have prompted changes including one new condition, number 53, identifying that the council will work with and lobby the Mayor of London, TfL and the GLA to take action to improve air quality in the borough. The other changes are to provide more detail on the actions and how they are measured.
- 6.11. One of the comments made by both statutory and non-statutory respondents was that the Plan needed to have more specific actions and targets. Where possible, this has been updated through the plan.
- 6.12. As the GLA must approve the plan before it can be put in place, their comments are of note. They have asked for clarification on several actions which have now been updated to address their concerns. They also asked for more specific targets through the plan as discussed above. Finally, they found the priorities to be too broad. As described in 4.9 above, the priorities

were broadly agreed by respondents so they have been retained as “overall objectives,” and new priorities have been added.

7. EQUALITY IMPLICATIONS

- 7.1. The recommended option would not have any negative equality implications. The action plan will offer additional protection for all residents but the more vulnerable, including elderly and young children will notably benefit. An Equalities Impact Assessment may be found in Appendix 5.

8. LEGAL IMPLICATIONS

- 8.1. A full consultation, including a public session at the Town Hall, has taken place on the draft revised Air Quality Action Plan 2018-2023. There was a good level of response. An appendix detailing the responses received and further appendices providing the decision maker with all the information needed to make a fully informed decision are all clearly provided.
- 8.2. *Implications verified/completed by: (Joyce Golder, Principal Solicitor, Telephone: 020 7361 2181).*

9. FINANCIAL IMPLICATIONS

- 9.1. The majority of the actions within the Air Quality Action Plan (page 3 of Appendix A) are expected to be funded from existing staffing resource and budgets. However, costed proposals are expected to cost approximately £125k per annum. These are to be funded from a combination of existing budgets (mostly in Highways) and secured external funding (s.106 and flood management). and some actions are not yet costed. Some actions in the plan are not yet costed. As such, before these specific actions are implemented, appropriate funding will need to be identified along with approval to proceed via the appropriate decision-making process. It's important to note that the action plan is required in order for the Council to retain Cleaner Air Borough status, which in turn enables the council to apply for external funding to improve air quality.
- 9.2. Implications completed by Kellie Gooch – Head of Finance, Environment Services. Telephone 0208 753 2203.

10. IMPLICATIONS FOR BUSINESS

- 10.1. The actions in the Action Plan will help businesses improve the health of their workforce by increasing active travel and reducing air pollution. Other actions will provide electric vehicle infrastructure to help businesses move towards using electric vehicles where vehicles are needed in their own fleet or for deliveries. There are no negative impacts to businesses foreseen.

11. RISK MANAGEMENT

- 12.1 Air quality risk is considered within the environmental risks of the council and is a risk factor for both acute and chronic respiratory disease. Environmental risks are considered by the service department management team, they are reviewed on a quarterly basis. Should action not be taken there is a potential risk to councils of substantial fines being applied for matters that lie outside their direct control on environmental issues, for example individuals' behaviour on air quality far outweigh what councils can influence directly. Fines could significantly destabilise councils' budgets. The Air Quality Action Plan presents a pragmatic and positive direction to mitigate the risks at source.
- 12.2 *Implications verified/completed by: (Michael Sloniowski, Principal Consultant (Risk Management), Telephone: 0208 753 2587)*

LIST OF APPENDICES

- Appendix A:** Air Quality Action Plan 2017-2023
Appendix B: Draft Air Quality Action Plan 2017-2023 Consultation Document
Appendix C: Consultation Responses
Appendix D: Consultation Response letter from the GLA
Appendix E: Equalities Impact Assessment
Appendix F: Draft CSERS PAC Minutes

APPENDIX A

AIR QUALITY ACTION PLAN
2018 – 2023

(Cover art and document formatting to be completed once finalised through the design team)

Foreword

To be added

SUMMARY

This Air Quality Action Plan (AQAP) has been produced as part of our duty to London Local Air Quality Management. It outlines the actions we will take to improve air quality in Hammersmith & Fulham between 2018-2023.

This action plan replaces the previous action plan which ran from 2003-2017. Highlights of successful projects delivered through the past action plan include:

- The council established a resident-led Air Quality Commission. The commission engaged with external experts and local residents in examining the causes and dangers of local air pollution and has proposed potential solutions to help reduce the concentration of air pollution in Hammersmith and Fulham. The final report was received by Cabinet on 7 November 2016 and its recommendations are being currently being reviewed for implementation by the council.
- The council worked with a residents group to form a Hammersmith Town Centre Supplementary Planning Document (SPD) – which looks to minimise town centre traffic with the potential pedestrianisation of the Hammersmith gyratory.
- The council is one of the twelve London boroughs that organised and participated in six vehicle idling days from October 2016-March 2017 as part of the funded London wide Major of London project. Four out of five motorists agreed to turn off their idling engines during a campaign of action days to tackle air pollution in Hammersmith & Fulham.
- Council transport planning and air pollution officers have regularly attended sessions with participating Primary Schools as part of the Urbanwise School Travel Project. Urbanwise. London is a voluntary organisation which was established in 1983 and was previously known as Hammersmith & Fulham Urban Studies Centre.
- Used LIP to match fund MAQF projects including integrating greening measures to improve local air quality and sustainable drainage along a busy road in Hammersmith Town Centre.
- Worked closely with the Hammersmith Business Improvement District (BID) in MAQF funded Clean Air Better Business (CABB) and Low Emission Logistic (LEL) projects. The council worked with Hammersmith BID and had discussions with Westfield and Olympia encouraging and advising how they may consolidate and reduce their freight deliveries
- A MAQF dust suppression project was undertaken at around waste transfer stations and residential roads in the north of the borough.
- The new Cycling Strategy was launched in September 2015 with an overall aim of getting 8% of all trips made by our residents, made by bike. The Strategy also

highlighted the development of new dedicated and segregated cycle lanes through Hammersmith Gyratory, a new cycle Superhighway (9) from Kensington Olympia to Chiswick, a cycle Quietway from east Acton to Kensington along the edge of Wormwood scrubs. New cycle lanes have been installed along Uxbridge Road and Goldhawk road.

- The council will have installed 150 on street electric charging points by the end of the 2017/2018 financial year with plans to more than double this.
- All approved major planning applications have been required to meet the Mayor's requirements relating to AQ neutral and combustion based Energy Plant.
- The air quality policy within our Draft Local Plan has been amended to include all developments that have the potential to impact or be impacted by local air quality (previously restricted to major developments).
- Secured S106 funding for officers to deal with Air Quality planning submissions and monitoring at major sites in the borough including the Earls Court Opportunity Area and Thames Tideway Tunnel sites.
- Minimised the impact of fugitive emissions by requiring all major developments to produce and implement Air Quality Dust Management Plans.
- Required all major developments to ensure that all non road mobile machinery (NRMM) operating on demolition and construction sites complies with London's Low Emission Zone requirements
- Increased the number of monitoring locations in our NO₂ Diffusion Tube air quality network from 15 to 35 locations across the borough focusing on monitoring near schools.
- Ensured that the Council's waste contractor fleet HGVs met the Low Emission Zone requirements and they are actively procuring vehicles that meet higher emissions standards including electric and hybrid vehicles.

Air pollution is associated with a number of adverse health impacts, it is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas^{1,2}.

Poor air quality has a significant negative impact on human health and a recent report by King's College London (Understanding the Health Impacts of Air Pollution

¹ Environmental equity, air quality, socioeconomic status and respiratory health, 2010.

² Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006.

in London, KCL, July 2015) has estimated that, based on 2010 data, approximately 203 early deaths are attributable to nitrogen dioxide (NO₂) and fine particulate matter (PM_{2.5}) in Hammersmith & Fulham annually. This is approximately 25% of early deaths in the borough.

Public Health England has identified the fraction of all-cause adult mortality attributable to PM_{2.5} as one of its key indicators within the Public Health Outcomes Framework (PHOF 3.01) which is 6.1% based on 2015 values (down from 7.9% in 2010).

The annual health costs to society of the impacts of air pollution in the UK is estimated to be roughly £15 billion³. Hammersmith & Fulham Council is committed to reducing the exposure of people in Hammersmith & Fulham to poor air quality in order to improve health.

We have developed actions that can be considered under six broad topics:

- **Emissions from developments and buildings:** emissions from buildings account for about 15% of the NO_x emissions across London so are important in affecting NO₂ concentrations;
- **Public health and awareness raising:** increasing awareness can drive behavioural change to lower emissions as well as to reduce exposure to air pollution;
- **Delivery servicing and freight:** vehicles delivering goods and services are usually light and heavy duty diesel-fuelled vehicles with high primary NO₂ emissions;
- **Borough fleet actions:** our fleet includes light and heavy duty diesel-fuelled vehicles such as mini buses and refuse collection vehicles with high primary NO₂ emissions. Tackling our own fleet means we will be leading by example;
- **Localised solutions:** these seek to improve the environment of neighbourhoods through a combination of measures; and
- **Cleaner transport:** road transport is the main source of air pollution in London. We need to incentivise a change to walking, cycling and ultra-low emission vehicles (such as electric) as far as possible.

Our priorities are to tackle the sources of emissions that the council has control over, raising public awareness of air pollution, and lobbying the government to make the necessary wide spread changes needed to improve air quality.

You will see in this report that we have worked hard to engage with stakeholders and communities which can make a difference to air quality in the borough. We would like to thank all those who have worked with us in the past and we look forward to working with you again as well with new partners as we deliver this new action plan over the coming years.

In this AQAP we outline how we plan to effectively use local levers to tackle air quality issues within our control.

³ Defra. Air Pollution: Action in a Changing Climate, March 2010

However, we recognise that there are many air quality policy areas that are outside of our influence (such as Euro standards, national vehicle taxation policy, taxis and buses), and so we will continue to work with and lobby regional and central government on policies and issues beyond Hammersmith & Fulham council influence.

RESPONSIBILITIES AND COMMITMENT

This AQAP was prepared by the Environmental Quality Team of Hammersmith & Fulham Council with the support and agreement of the following officers and departments:

- Public Health
- Transport Planning
- Highways Maintenance and Projects
- Planning
- Housing
- Building and Property Management
- Fleet Management
- Environmental Health
- Procurement

This AQAP has been approved by:

Details to be inserted of high level Council members who have approved the AQAP e.g. Head of Transport Planning, Head of Public Health, with e-signatures.

This AQAP will be subject to an annual review, appraisal of progress and reporting to the relevant Council Committee. Progress each year will be reported in the Annual Status Reports produced by Hammersmith & Fulham, as part of our statutory London Local Air Quality Management duties.

If you have any comments on this AQAP please send them to the Environmental Quality Manager at:

Environmental Quality
Hammersmith & Fulham Council
5th Floor Town Hall Extension
King Street
Hammersmith
W6 9JU

Email : airquality@lbhf.gov.uk

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Abbreviations

AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
AQO	Air Quality Objective
BEB	Buildings Emission Benchmark
CAB	Cleaner Air Borough
CAZ	Central Activity Zone
CHP	Combined Heat & Power
EST	Energy Saving Trust
EV	Electric Vehicle
GLA	Greater London Authority
GULCS	Go Ultra Low City Scheme
HGV	Heavy Goods Vehicle
LAEI	London Atmospheric Emissions Inventory
LAQM	Local Air Quality Management
LGV	Light Goods Vehicle
LLAQM	London Local Air Quality Management
NICE	The National Institute for Health and Excellence
NRMM	Non-Road Mobile Machinery
OLEV	Office for Low Emission Vehicles
PM ₁₀	Particulate matter less than 10 micron in diameter
PM _{2.5}	Particulate matter less than 2.5 micron in diameter
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
STARS	Sustainable Travel: Active, Responsible, Safe
TEB	Transport Emissions Benchmark
TfL	Transport for London

Introduction

This report outlines the actions that Hammersmith & Fulham Council will deliver between 2018 - 2023 to reduce concentrations of pollution, and exposure to pollution; thereby positively impacting on the health and quality of life of residents and visitors to the borough.

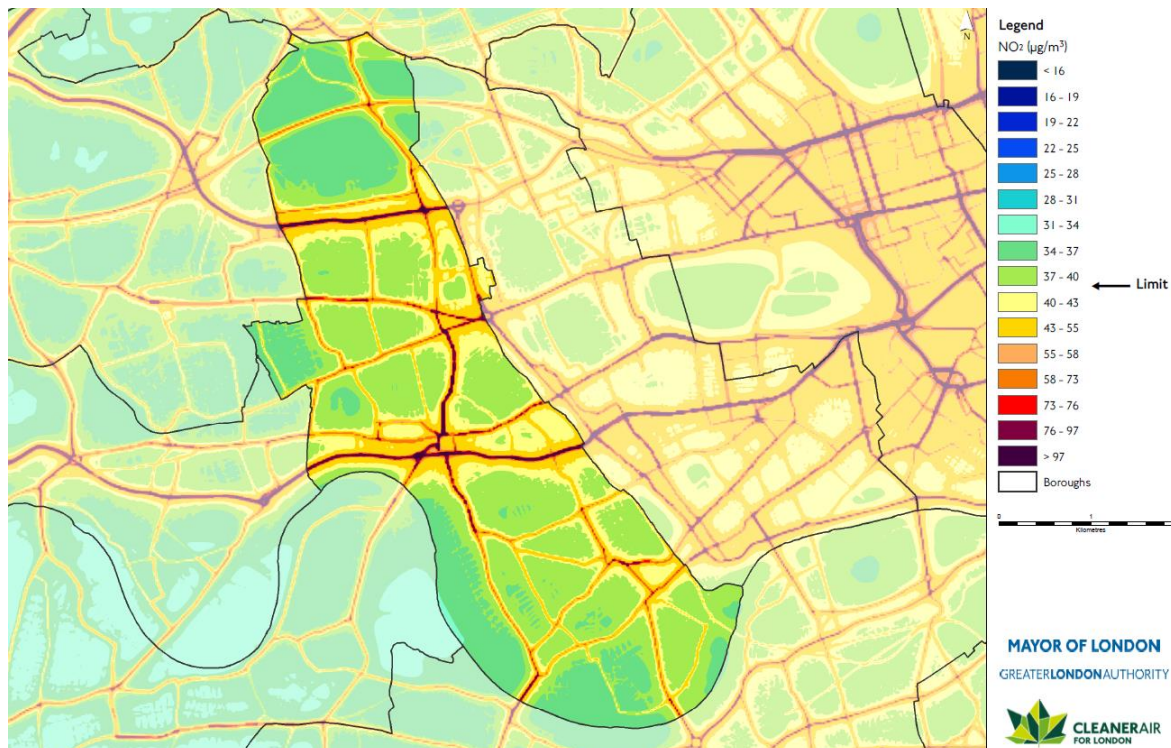
It has been developed in recognition of the legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the London Local Air Quality Management statutory process⁴.

1. Summary of current air quality in Hammersmith & Fulham

The UK Air Quality Strategy (AQS), released in July 2007, provides the overarching strategic framework for air quality management in the UK and contains national air quality standards and objectives established by the Government to protect human health. The AQS objectives take into account EU Directives that set limit values which member states are legally required to achieve by their target dates.

Hammersmith & Fulham Council is meeting all of the national AQS objectives other than for the gas Nitrogen Dioxide (NO₂). Hammersmith & Fulham Council is meeting the current objectives for Particulate Matter (PM₁₀ and PM_{2.5}) but as this pollutant is damaging to health at any level, this remains a pollutant of concern.

Figure 1 Modelled map of annual mean NO₂ concentrations (from the LAEI 2013)



⁴ LLAQM Policy and Technical Guidance. <https://www.london.gov.uk/what-we-do/environment/pollution-and-air-quality/working-boroughs>

Figure 2 Modelled map of annual mean PM₁₀ (from the LAEI 2013)

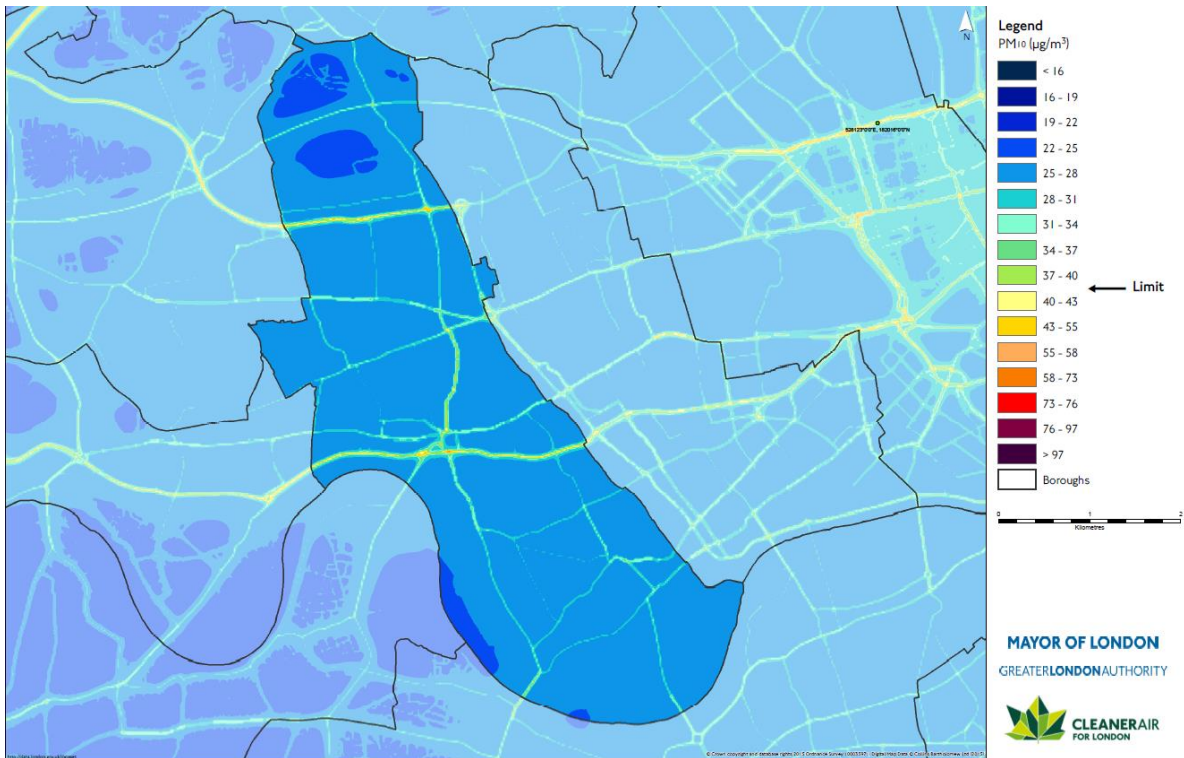
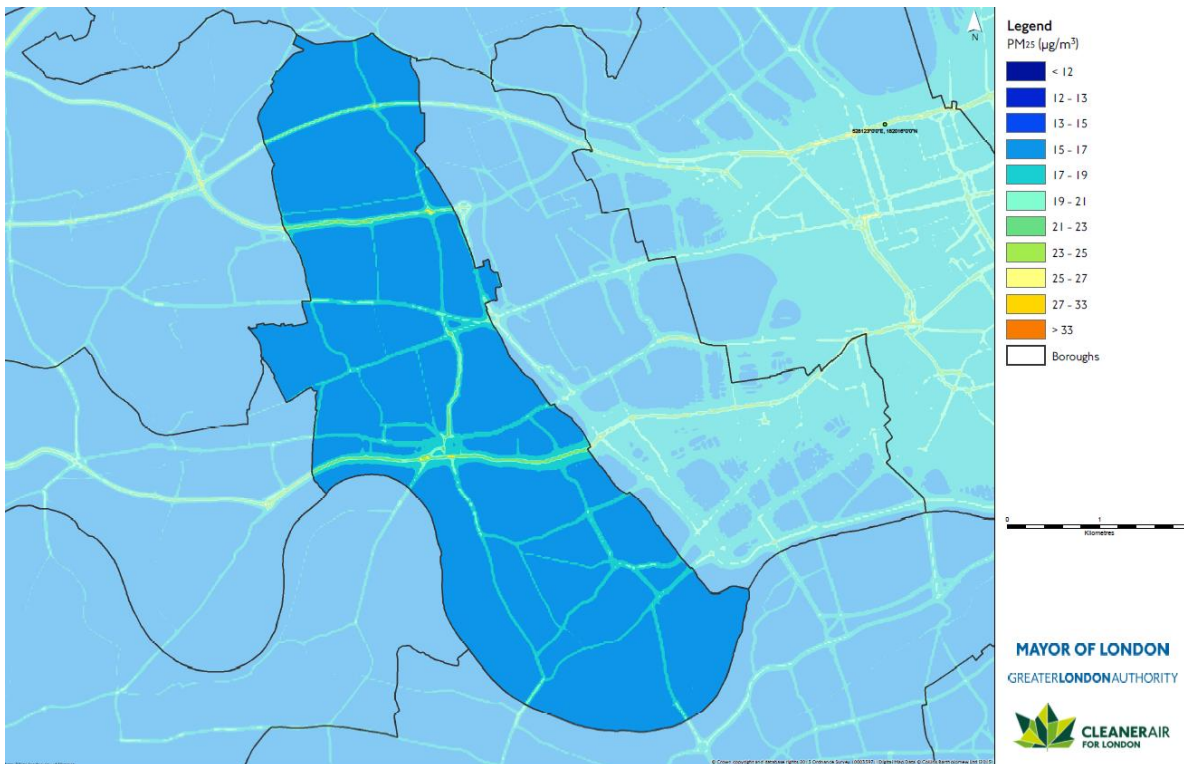


Figure 3 Modelled map of annual mean PM_{2.5} (from the LAEI 2013)



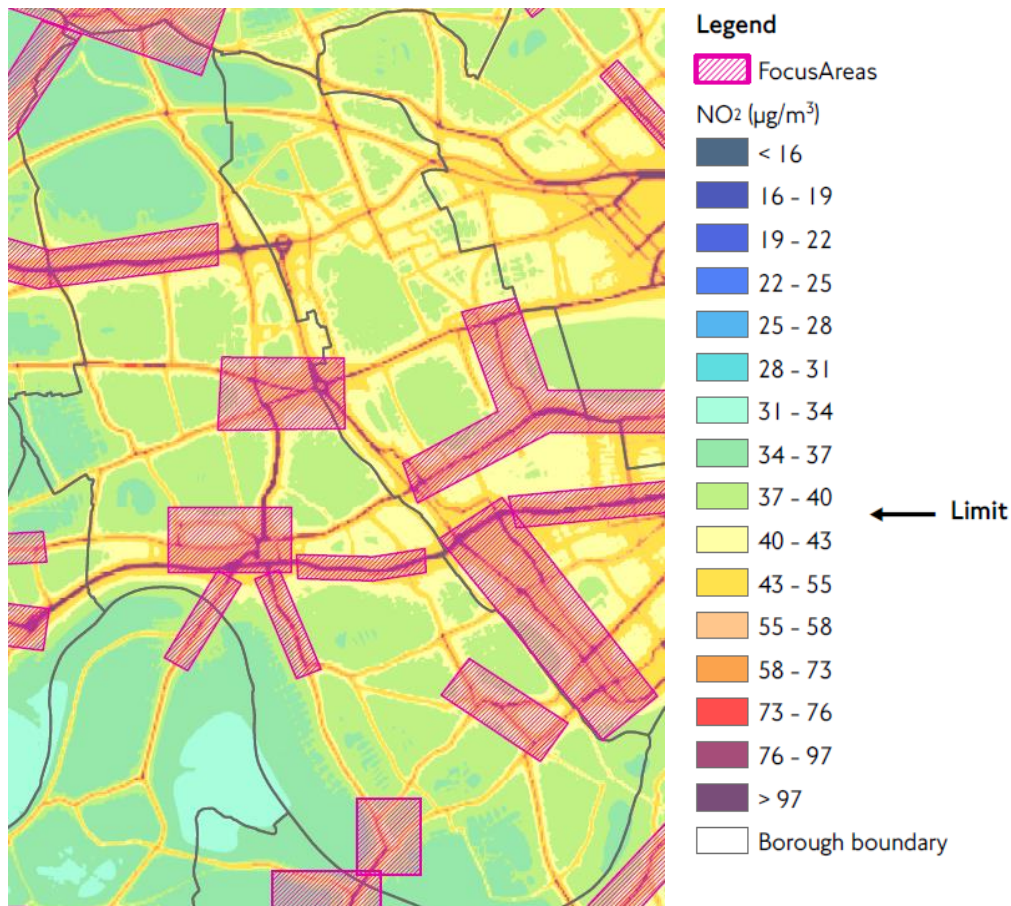
1.1 AQMAs and Focus areas

A whole-borough Air Quality Management Area (AQMA) has been declared for Hammersmith & Fulham.

The AQMA has been declared for the following pollutants: Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀). In respect to Nitrogen Dioxide, this is because we are failing to meet the EU annual average limit for this pollutant at some of our monitoring stations and modelling indicates it is being breached at a number of other locations, and in respect to Particulate Matter (PM₁₀) this is because although we are meeting EU Limits we are exceeding World Health Organisation air quality guideline for this pollutant), and we have a formal responsibility to work towards reductions of PM_{2.5}, which is a fraction of PM₁₀ and concentrations of PM_{2.5}

An air quality Focus Area is a location that has been identified by the GLA as having high levels of pollution and human exposure. There are 6 focus areas in the borough: A4 West Cromwell Road, A217 Fulham Palace Road from Hammersmith Flyover to junction of Lillie Road, Fulham Town Centre and Harwood Road area, Hammersmith Town Centre, Holland Park Uxbridge Road/Shepherd's Bush Road/Bush Green/Holland Road, Putney Bridge, and the junction with Fulham Road/New Kings Road/Fulham Palace Road.

Figure 4 Air Quality Focus Areas in Hammersmith & Fulham



1.2 Sources of Pollution in Hammersmith & Fulham

Pollution in Hammersmith & Fulham comes from a variety of sources. This includes sources outside of the borough, and in the case of Particulate Matter (PM₁₀, PM_{2.5}), a significant proportion of this comes from outside of London and even the UK.

Of the pollution that originates in the borough the main sources of Nitrogen Oxides (NO_x), including Nitrogen Dioxide (NO₂), are road transport including diesel vehicles and combustion based energy plant such as Combined Heat and Power (CHP) and gas boilers. The main sources of particulate matter are on and off-road transport such as diesel vehicles and Non-Road Mobile Machinery (NRMM).

Data is available from the London Atmospheric Emissions Inventory which provides data gathered in 2008, 2010 and 2013 and modelled for 2020, 2025 and 2030 based on current predictions and technology.

Figure 5 NO_x Emissions by source (from the LAEI 2013)

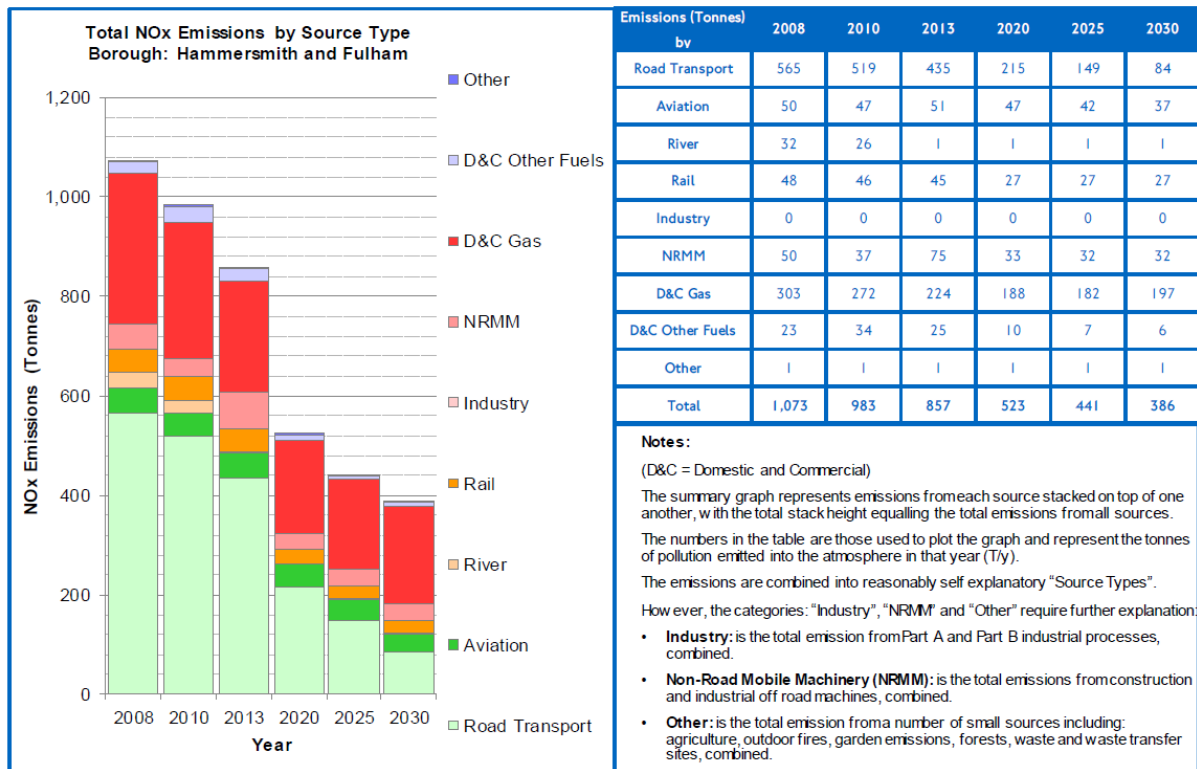


Figure 5 shows that for sources of NO_x within Hammersmith & Fulham currently (as represented by the most recent data from 2013): the largest contributor is road transport, followed by burning of domestic and commercial gas as the second largest source. However, Figure 5 shows that by 2020 emissions from road transport will reduce as vehicle emissions improve and it is projected that domestic and commercial gas sources will become the largest contributor of NO_x in the borough, with road transport falling to second largest source.

Figure 6 below details that 20.7% of NO_x emissions emanate from diesel cars, this contrasts with 10.4% from petrol cars, despite the fact there are fewer diesel cars than petrol cars in London.

Figure 6 NO_x Emissions by vehicle type (from the LAEI 2013)

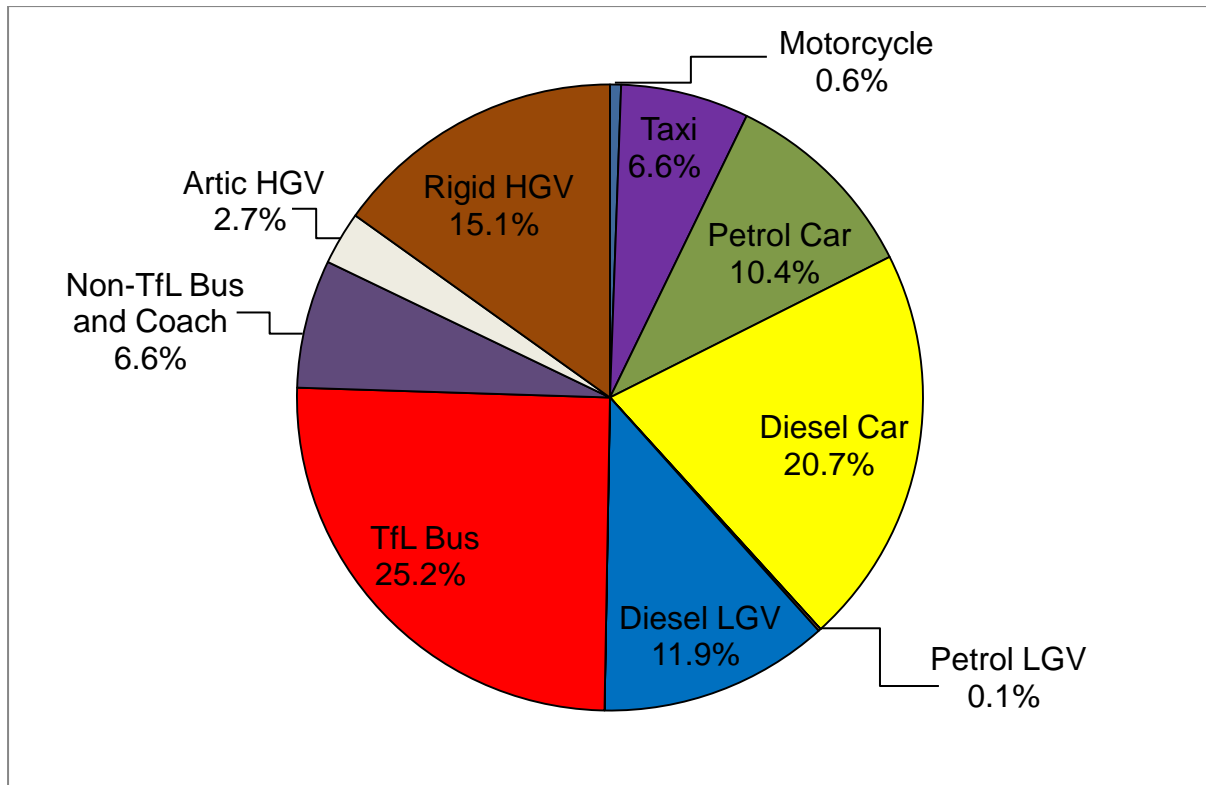
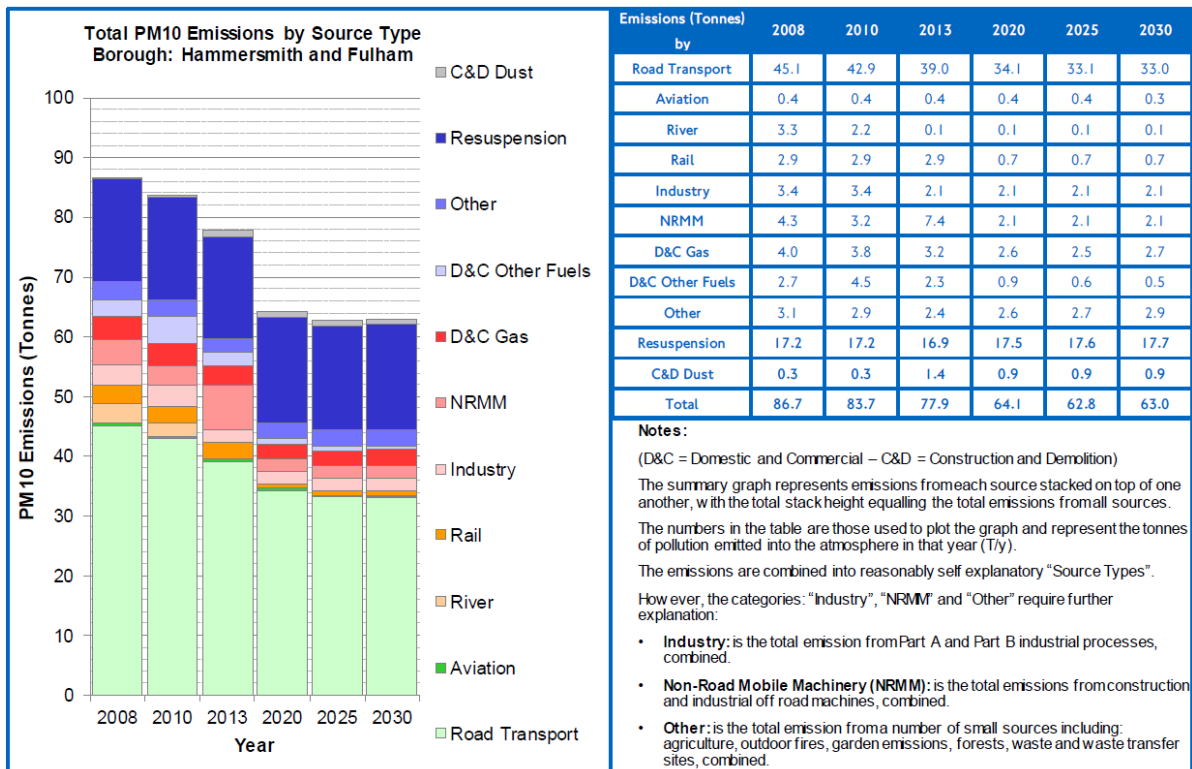
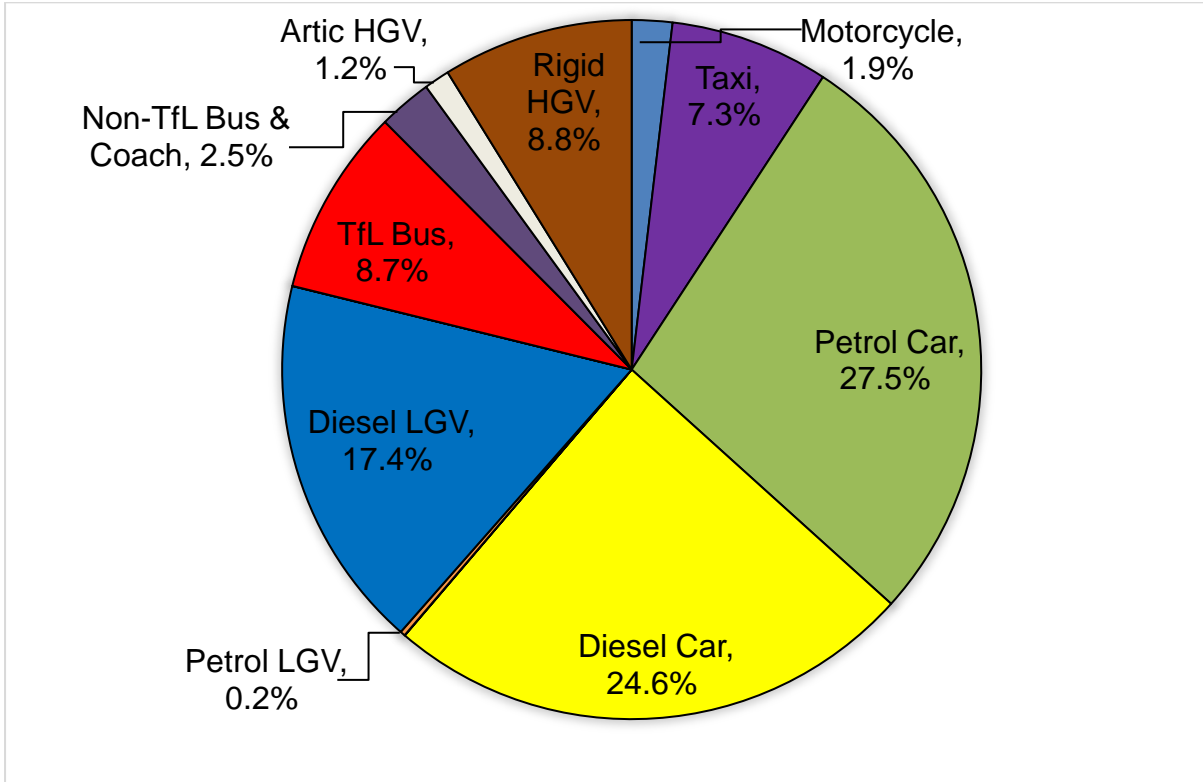


Figure 7 PM₁₀ Emissions by source (from the LAEI 2013)



The sources of PM₁₀ within Hammersmith and Fulham are shown in Figure 7 where the largest contributor is shown as road transport followed by resuspension as the second largest source.

Figure 8 PM₁₀ Emissions by vehicle type (from the LAEI 2013)



Splitting the road transport PM₁₀ emissions, the greatest contributor to road transport PM₁₀ are petrol cars (27.5 %) followed by diesel cars (24.6%) as shown in Figure 8. PM₁₀ emissions are greater because there are more petrol cars than diesel cars; in London approximately 70% of registered vehicles are petrol while only 30% are diesel.

Road transport PM₁₀ emissions are generated from exhaust gases and from tyre and brake wear. In the London Borough of Hammersmith and Fulham 24% of road transport PM₁₀ emissions originate from the exhaust whereas 76% are generated from tyre and brake wear.

Figure 9 Split of road transport PM₁₀ emission from their source (LAEI 2013)

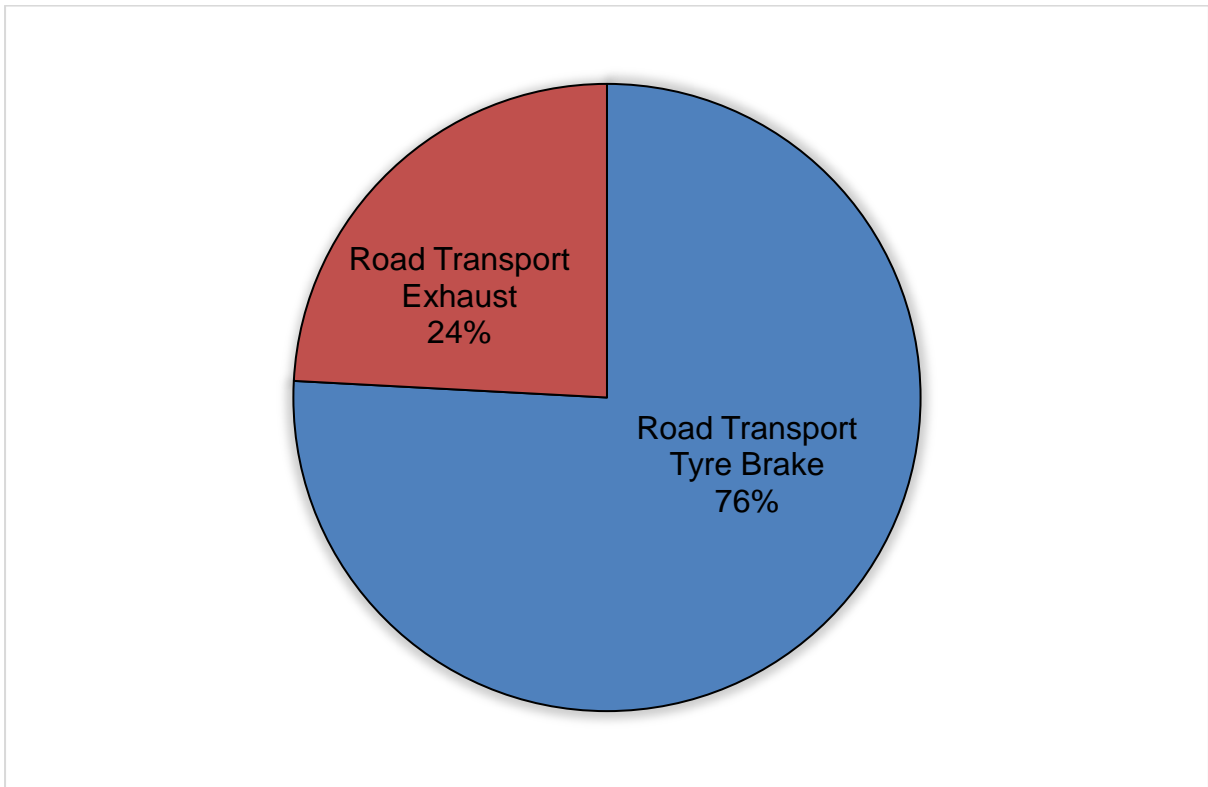
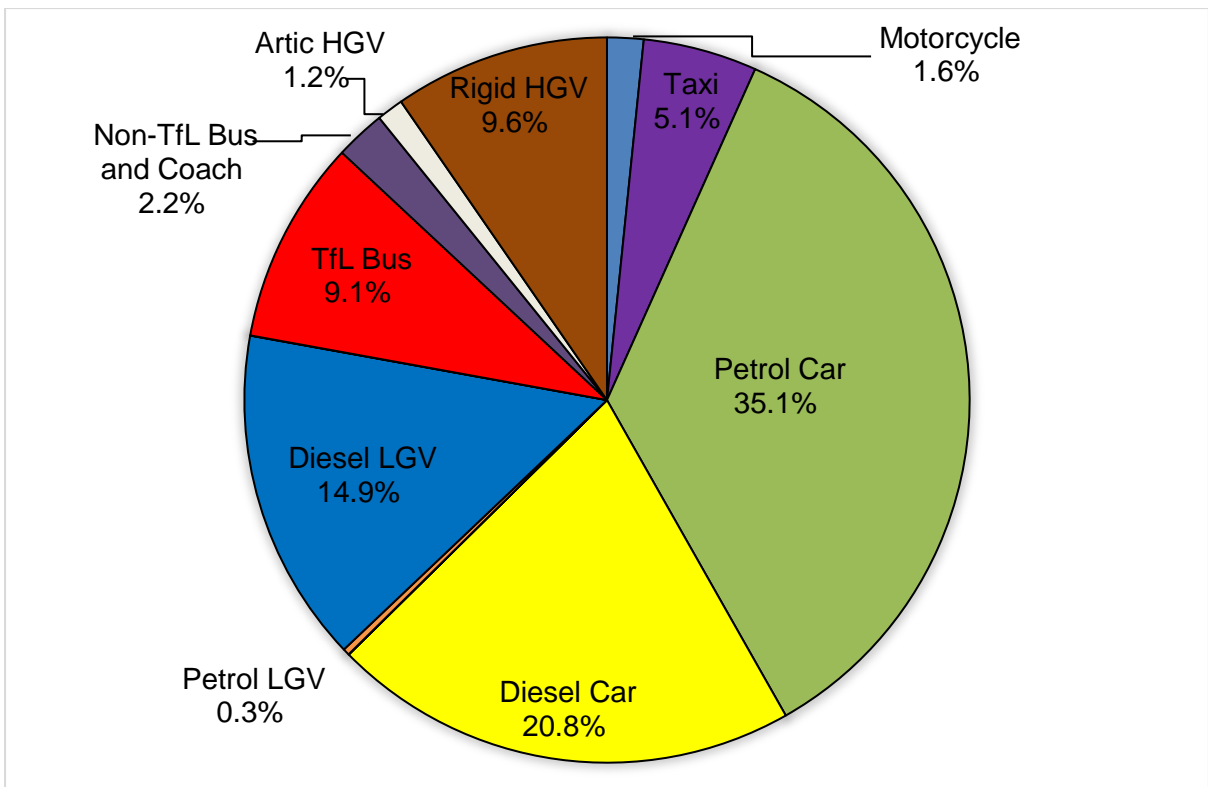
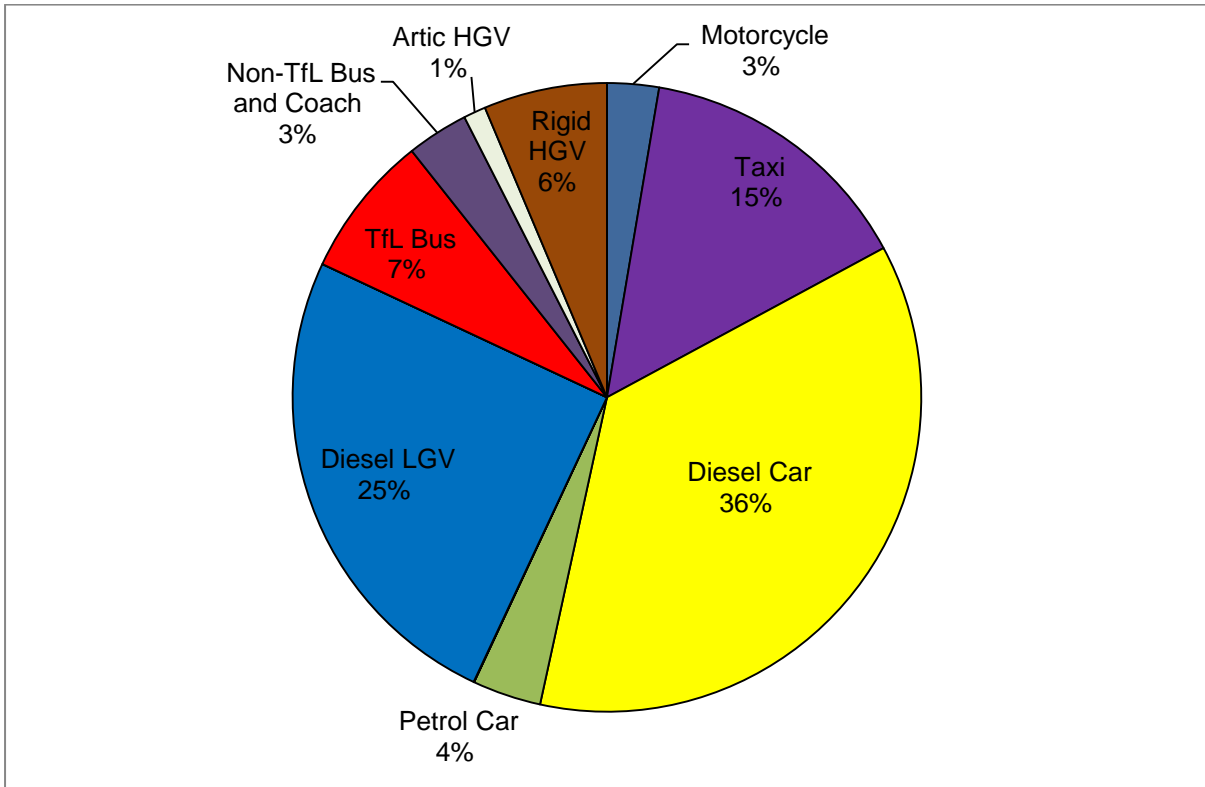


Figure 10 Sources of road transport tyre and brake wear PM₁₀ emissions



Breaking down the road transport PM₁₀ emissions, the greatest contributor to road transport PM₁₀ is from tyre and brake wear as shown in Figure 9. Petrol cars are the largest contributor of this component (35.1%) and diesel cars the second largest contributor (20.8%) because there are more petrol cars than diesel cars.

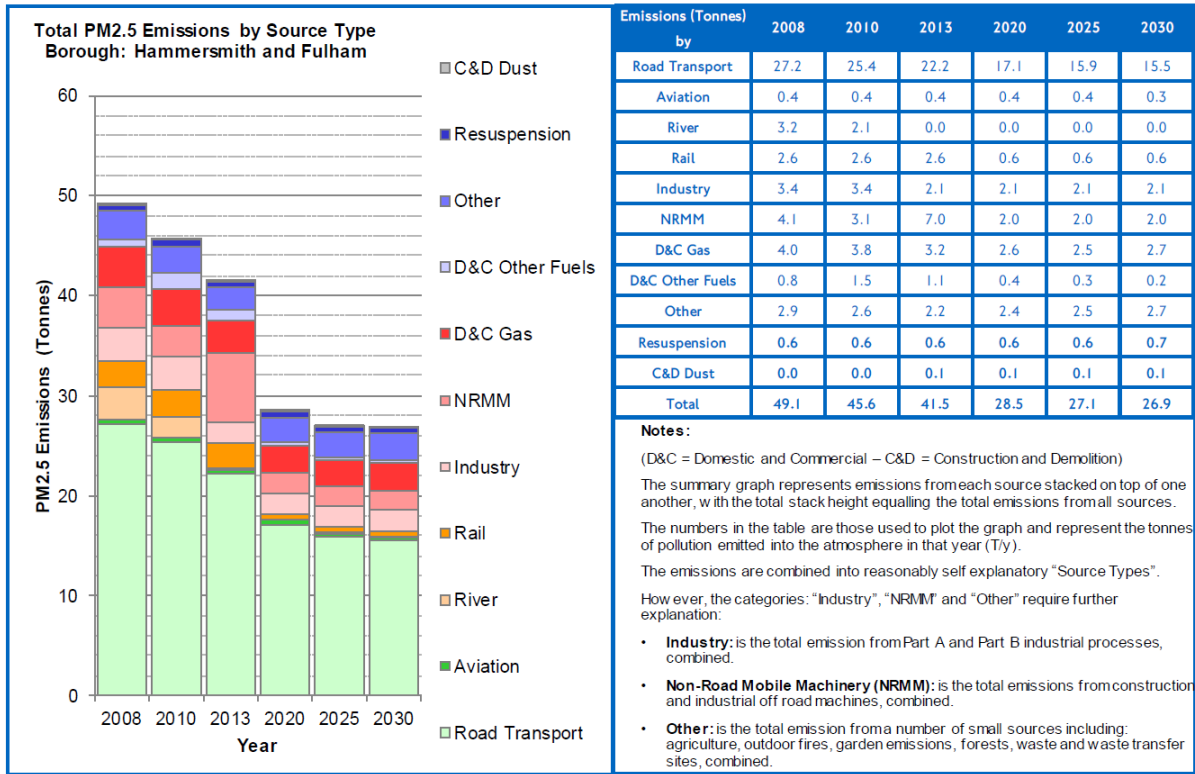
Figure 11 Sources of road transport exhaust PM₁₀ emissions



Breaking down the road transport PM₁₀ emissions, exhaust component only, diesel cars are the largest contributor (38.8%) and diesel LGV's are the second largest contributor (26.7%) as shown in Figure 11, despite there being less diesel cars than petrol cars in London.

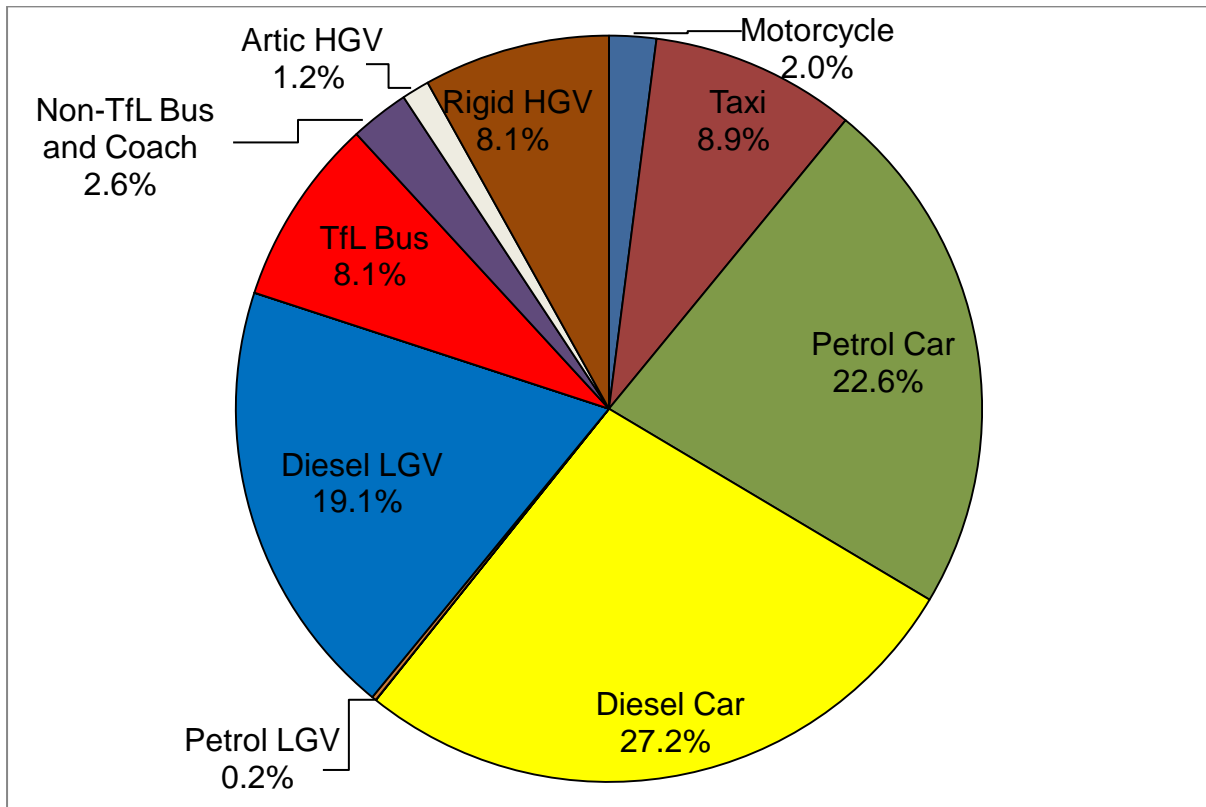
These graphs show that a high percentage of PM₁₀ road transport is from tyre and brake wear and that this is independent of vehicle type. This means that to reduce road transport PM₁₀, there would need to be a decrease in all vehicles travelling through the borough.

Figure 12 PM_{2.5} emissions by source and vehicle type (from the LAEI 2013)



The sources of PM_{2.5} within the Hammersmith & Fulham are varied as shown in Figure 12. The largest contributor is road transport followed by NRMM as the second largest source (LAEI 2013)

Figure 13 Road Transport PM_{2.5} Emissions per vehicle type (from the LAEI 2013)



Splitting the road transport PM_{2.5} emissions in Figure 13, the greatest contributor to road transport PM_{2.5} are diesel cars (27.2 %) followed by petrol cars (22.6%), despite there being less diesel cars then petrol cars in London.

Road transport PM_{2.5} emissions are generated from exhaust gases and from tyre and brake wear. In Hammersmith & Fulham 40% of road transport PM_{2.5} emissions originate from the exhaust whereas 60% are generated from tyre and brake wear.

Figure 14 Split of road transport PM_{2.5} emissions from their source (LAEI 2013)

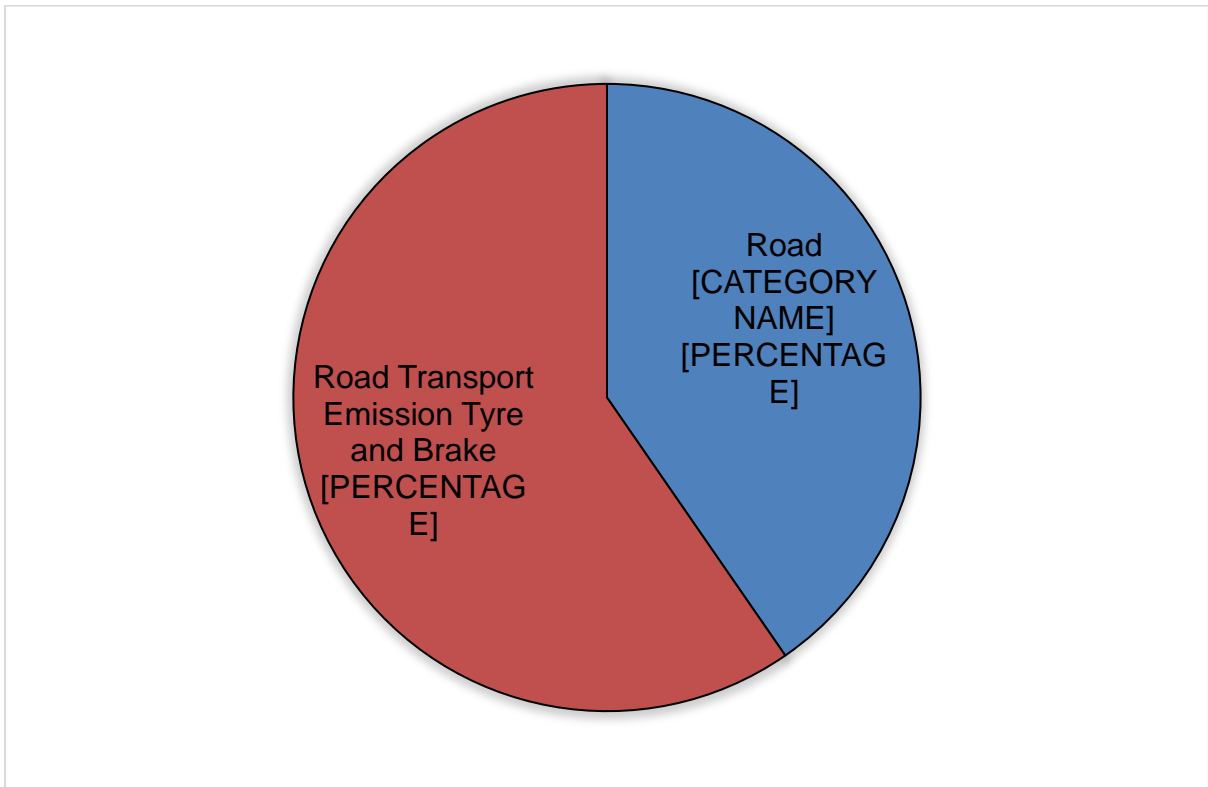
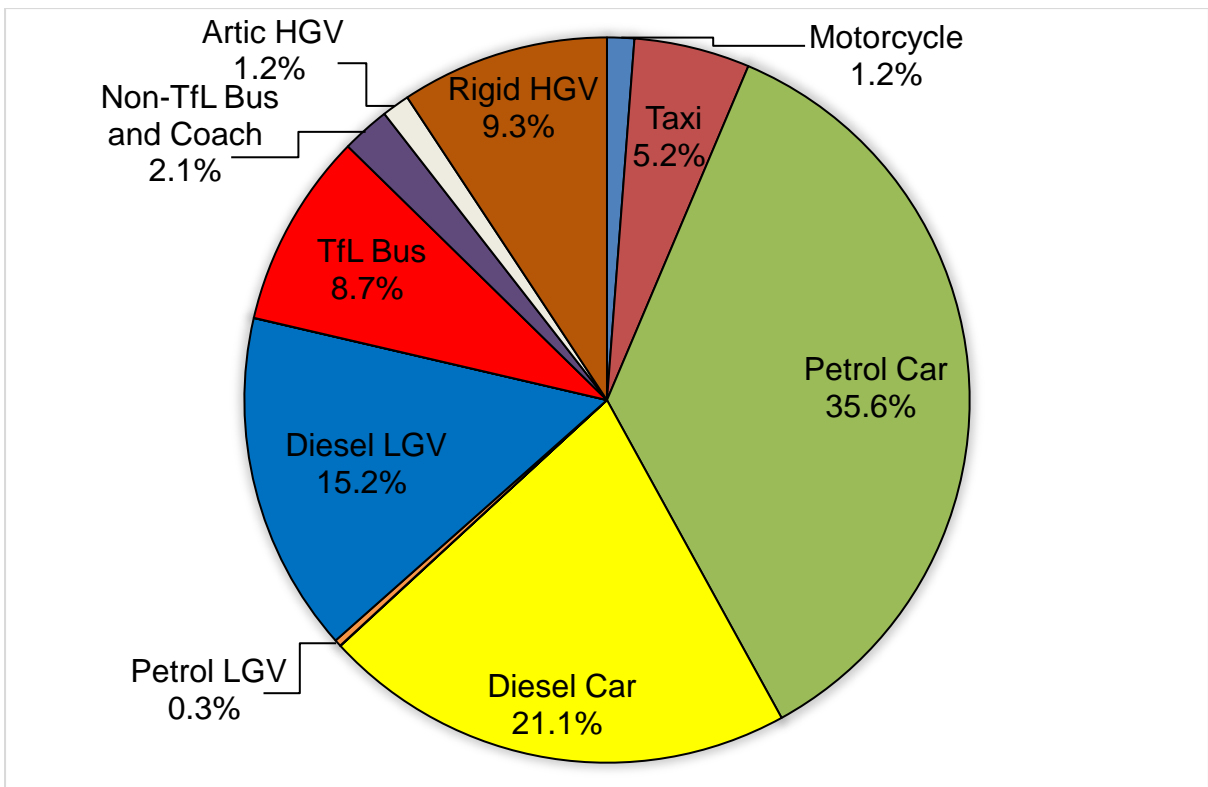
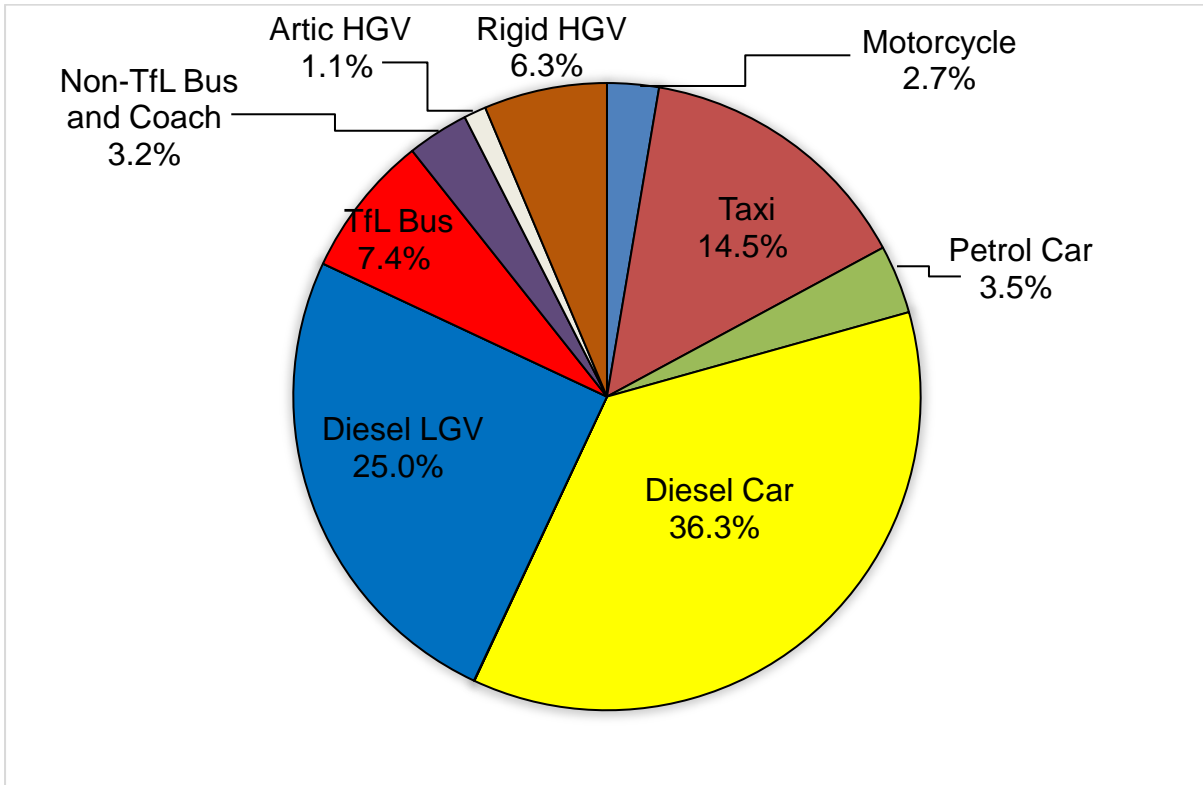


Figure 15 Sources of road transport tyre and brake wear PM_{2.5} emissions



Breaking down the road transport PM_{2.5} emissions in Figure 14, the greatest contributor to road transport PM_{2.5} is tyre and brake wear. Figure 15 shows that petrol cars are the largest contributor (35.6%) and diesel cars the second largest contributor (21.1%) to non-exhaust emissions of PM_{2.5}.

Figure 16 Sources of road transport exhaust PM_{2.5} emissions



Breaking down the road transport PM_{2.5} emissions in Figure 16, the greatest contributor to road transport PM_{2.5} from the exhaust are diesel cars (36.3%) and Diesel LGV's are the second largest contributor (25.0%), despite there being fewer diesel cars than petrol cars in London.

2. Hammersmith & Fulham's Air Quality Priorities

The purpose of this plan is to protect the health and wellbeing of the people who live, work in and visit the borough from the effects of air pollution.

We also have the aim of being the greenest local authority.

We have the following overarching goals:

- Tackling the sources of pollution that the council can control – for example from our own properties and fleet and through our planning policies, our transport polices, highways works and maintenance
- Raising residents' and businesses' awareness of what they can do to reduce their own emissions and how to avoid exposing themselves to existing pollution.
- Lobbying the government to make the changes needed to improve air quality across the Country
- Working with the GLA and TfL to make the improvements needed to reduce pollution in the borough and across London.

In order to achieve this, we have the following priorities:

1. Provide the necessary infrastructure such as green spaces, the cycle superhighway and more widely available cycle hire to increase active travel like walking and cycling.
2. Increase the take up of electric vehicles in the borough by providing more electric vehicle charging points and promoting the electric vehicle hiring scheme.
3. Reduce building emissions by replacing older boilers with ultra-low nitrogen dioxide boilers, raising residents' and business' awareness of this air pollution source and how they may upgrade to cleaner heat and power sources, and using the planning system to regulate the installation of new energy plant.
4. Tackling pollution at schools, as well as journey's to and from, by making local improvements and raising awareness of cleaner walking routes.

3. Development and Implementation of the H&F AQAP

3.1 Consultation and Stakeholder Engagement

In developing/updating the action plan we have worked with other local authorities, agencies, businesses and the local community to improve local air quality. Schedule 11 of the Environment Act 1995 requires local authorities to consult the bodies listed in Table 3.1. In addition, we have undertaken the following stakeholder engagement:

- Promotion of consultation on our website
- On-line survey to collect comments on draft AQAP
- Regular Tweets from the Council Twitter account
- Public meeting with residents

The response to our consultation stakeholder engagement is given in *AQAP Annex: Consultation Responses* document

Table 3.1 Consultation Undertaken

Yes/No	Consultee
Yes	the Secretary of State
Yes	the Environment Agency
Yes	Transport for London and the Mayor of London (who will provide a joint response)
Yes	all neighbouring local authorities
Yes	other public authorities as appropriate
Yes	bodies representing local business interests and other organisations as appropriate

3.2 Steering Group

A steering group comprised of officers from around the council including transport, highways, planning, housing, public health, fleet management, procurement and communications will meet a minimum of twice a year to go over the actions in this plan to track its progress, to identify existing projects that could be augmented to address air quality concerns, and to plan out future actions and project as well as funding opportunities to make air quality improvements.

3.3 Resident Commissions

The actions in this plan have been substantially influenced and based upon recommendations made by the resident led H&F Air Quality Commission in their October 2016 report. Working to improve air quality has likewise been identified as a key recommendation by the resident led H&F Biodiversity Commission who state that it is essential to support the growth of biodiversity.

4. AQAP Progress

Table 4.1 shows Hammersmith & Fulham's AQAP. The actions listed here will be constantly reviewed and updated at least annually as part of the council's Annual Status Reports published on our website.

Table 4.1 contains:

- a list of the actions that form part of the plan;
- the responsible individual and departments/organisations who will deliver this action;
- estimated cost to the council;
- expected benefit in terms of emissions and concentration reduction;
- the timescale for implementation; and
- how progress will be monitored.

Below is a Key to reading the Action Plan.

Key for reading the Action Plan:

<p>Who: name of the council department responsible for this action</p>	<p>BF: Borough Fleet CP: Property Services EH: Environmental Health HS: Housing Services HW: Highway Maintenance and Projects PH: Public Health PL: Planning PR: Procurement TR: Transport Planning</p>
<p>Cost</p>	<p>If the cost to implement an action is already part of the council’s budget, then ‘Normal Business’ is entered here. Otherwise the funding sources and costs are listed.</p>
<p>Score: Expected Emissions Benefit</p>	<p>Magnitude of the expected Air Quality Benefits High=1 Medium=2 Low =3</p>
<p>NO₂, PM, CC</p>	<p>Tick marks indicate whether the action will have an impact on NO₂ (nitrogen dioxide), PM₁₀ and PM_{2.5} (particulate matter) or CC (Climate Change gasses).</p>
<p>When</p>	<p>What year (or month) this action will be implemented of completed or if this is ongoing and will be reported annually</p>
<p>How implementation will be monitored</p>	<p>All actions will be monitored by the responsible department, discussed and tracked during AQAP steering group meetings and reported yearly in the Annual Status Report; further specifics are mentioned here.</p>

Table 4.1 - Air Quality Action Plan

The actions have been grouped into six categories: Emissions from developments and buildings; Public health and awareness raising; Delivery servicing and freight; Borough fleet actions; Localised solutions; and Cleaner transport.

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
1	Ensuring emissions from construction are minimised	EH/PL	Normal business	1	✓	✓		This is on-going and reported annually	Number of planning applications for which planning condition for automatic air quality monitoring recommended reported in the Annual Status Report	In line with the Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance available to view at https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and
2	Ensuring enforcement of Non Road Mobile Machinery (NRMM) air quality policies	EH/PL	£2,000 per year with additional funding from the GLA	1	✓	✓	✓	This is on-going and reported annually	Number of planning applications when a NRMM planning condition is recommended; reported in Annual	There is a website with further information on NRMM. At the website http://nrmm.london/nrmm/legislation In line with the Control of Dust and Emissions during

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
									Status Report	<p>Construction and Demolition SPG available to view at https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and</p> <p>Hammersmith & Fulham Council has been successful in a funding bid to the GLA, to pay for an officer to educate, raise awareness and ultimately enforce NRMM.</p>
3	Enforcing CHP and biomass air quality policies	EH/PL	Normal business	1	✓	✓	✓	This is on-going and reported annually	Number of sites for which planning condition for CHP or biomass is recommended; recorded in the Annual Status Report	In line with Sustainable Design and Construction SPG available to view at https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/sustainable-design-and

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
4	Enforcing Air Quality Neutral policies	EH/PL	Normal business	1	✓	✓	✓	This is on-going and reported annually	Number of air quality neutral assessments completed; reported in the Annual Status Report	Assessments must be in accordance with the Air Quality Neutral Planning Support Update commissioned by the GLA and available at http://www.aqconsultants.co.uk/getattachment/Resources/Download-Reports/GLA-AQ-Neutral-Policy-Final-Report-April-2014.pdf.aspx
5	Ensuring adequate, appropriate, and well located green space and infrastructure is included in new developments	EH/PL	Normal business	2	✓	✓	✓	This is on-going and reported annually	Appropriate planning policy in place. Conditions securing policies will be addressed through planning. Annual Authority Monitoring Report will record: OS1 –Net change in total area of	The Proposed Submission Local Plan available to view at: https://www.lbhf.gov.uk/planning/planning-policy/local-plan , has a number of Borough wide policies on Green and Public Open Space: Policy OS1 on Protecting Parks and Open Space; Policy OS2 on Access to Parks and Open Space; OS3 on Playspace for Children and Young People; OS4 on Nature Conservation and OS5 on Greening the Borough. These ensure that the

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
									public open space OS4 - Net change to area of nature conservation interest- no net loss OS5 - Number of permissions granted for garden land development- no net loss of back, front and side gardens. All reported in Annual Status Report	council will protect, enhance, and increase provision of parks, open spaces and biodiversity in the borough.
6	The whole of the borough has been designated as a Smoke Control Area. The associated	EH	Normal business	2	✓	✓		Promotional campaign to be completed in 2018 on smoke control	The number of activities to enforce/promote the smoke control zone will be reported in the	Activities may include information provided to residents and businesses on smoke control (https://www.lbhf.gov.uk/environment/pollution/air-quality-and-

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
	restrictions will be fully promoted and enforced including a review of the air pollution impacts of approved appliances and fuels and potential local restrictions.							area. Review of further local restrictions 2020. Implement any suggested restrictions by 2022. This is on-going and will be reported annually	Annual Status Report.	monitoring) or enforcement activity by the council of legislation. Particulate matter associated with wood burning has been a factor in pollution events in London which requires further review and potentially local measures to control them. Create register of new and approved appliances in the borough.
7	Promoting and delivering in the Council's own stock energy efficiency retrofitting projects in workplaces and homes (Including using the GLA RE:FIT	CP/HS	Normal business	1	✓	✓	✓	This is on-going and reported annually	Number of projects delivered reported in Annual Status Report.	The council has signed up to take part in Re-fit for the corporate estate (more information on RE:FIT is available at https://www.london.gov.uk/what-we-do/environment/energy/energy-

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
	programme) to replace old polluting heat and energy plant with new low emission plant (e.g. old boilers with new ultra low-NO _x boilers); and top-up lost insulation in combination with other energy conservation measures.									buildings/refit), Hammersmith & Fulham are currently benchmarking the properties and will come back with recommendations for energy conservation measures to the buildings. In 2014 the council changed the specification of the replacement boilers that will be installed into council housing stock to only use Ultra Low NO _x boilers.
8	The council to promote and deliver Blue/Green schemes like Sustainable Drainage Systems (SuDs) in homes and offices and private schemes via the development control planning process.	PL	Normal business	2	✓	✓	✓	This is on-going and reported annually	This information will be reported in the Annual Status Report.	Guidance available at the council website at https://www.lbhf.gov.uk/emergencies-and-safety/floods/living-rainwater

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
9	The council to encourage the use of prefabrication in construction works to reduce particulate matter.	PL	Normal business	3	✓	✓		This is on-going and reported annually	This is included in council planning policies. This information will be reported in the Annual Status Report.	Encouraging the use of prefabrication in construction works is considered to be in line with the requirements of Planning Policy CC2, ensuring sustainable design and construction. However, a minor amendment is proposed in the Local Plan to add a bullet point that promoting the use of prefabrication construction methods where appropriate.
10	The need to plan for walkability to be recognised in SPDs in local plan	PL	Normal business	3	✓	✓	✓	This is on-going and reported annually	Included in council planning policies. This will be monitored and reported in the Annual Status Report. This is reported annually to TfL via the LIP process	Strategic Objective 14 of the Proposed Submission Local Plan refers to the need to ensure the development of a safe, sustainable transport network that includes improvements to public transport, cycling and walking infrastructure which will improve transport accessibility and local air quality and reduce traffic congestion and the need

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										to travel. Planning Policy T3 specifically deals with increasing and promoting opportunities for cycling and walking. Promotion of walking is also covered in the Planning Guidance SPD.
11	The council to exercise its enforcement powers to ensure that developers fulfil commitments in delivering tree planting plans; also, to seek ways of maintaining mature tree cover when planning for new developments.	PL	Normal business	3	✓	✓	✓	Included in council planning policies and standard planning conditions. This is on-going and will be reported annually	Planting on highways is reported annually to TFL via the LIP process. Compliance with conditions will be monitored. All relevant measures will be recorded in the Annual Status Report.	<p>Planning Policy OS5 states that the council will seek to enhance biodiversity and green infrastructure in the borough, including by:</p> <ul style="list-style-type: none"> •seeking to prevent removal or mutilation of protected trees; •seeking retention of existing trees and provision of new trees on development sites; and •adding to the greening of streets and the public realm. <p>The council also sets out in the Proposed Submission Local Plan its vision of there being</p>

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										more street trees by 2035.
12	Local plan to specify the need to consider the impact of all new developments on air quality.	PL	Normal business	1	✓	✓		2018	This information will be reported in the Annual Status Report.	This issue is covered by a proposed minor amendment to Local Plan Planning Policy CC10 which has been changed to apply to all developments which may be impacted by local sources of poor air quality or may adversely contribute to local air quality.
13	Support residents by providing energy efficiency advice and by installing small and low-cost energy efficiency measures to combat climate change. Reduce their energy bills and carbon footprint through the Healthy (Healthier) Homes project and through home energy	EH	Normal business	1	✓		✓	This is on-going and reported annually	Number of residents to which advice provided. Number of efficiency measures installed will be reported in the Annual Status Report.	Further information is available on the council's webpages at https://www.lbhf.gov.uk/housing/private-housing/energy-efficiency-and-warm-homes

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
	visits by trained green experts.									
14	Arboricultural and greening policies to be promoted in the local plan and SPDs.	PL	Normal business	1	✓	✓	✓	This is on-going and will be reported annually	In council planning policies and this information will be reported in the Annual Status Report.	<p>The consultation of the draft Planning guidance SPD will consider the recommendations of Report of the Hammersmith & Fulham Biodiversity Commission' October 2017.</p> <p>The Proposed Submission Local Plan has many Borough wide planning policies on Green and Public Open Space: Policy OS1 on Parks and Open Space; Policy OS2 on Access to Parks and Open Space; OS3 on Playspace for Children and Young People; OS4 on Nature Conservation and OS5 on Greening the Borough. These ensure that the council will protect, enhance, and increase provision of parks, open spaces,</p>

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										and biodiversity in the borough.
15	The council and other decision makers to keep under review new environmental initiatives and best practices as these come forward.	PL	Normal business	1	✓	✓	✓	This is on-going and reported annually	Number of activities completed will be reported in the Annual Status Report.	An example would be that as part of the drafted sustainability strategy for corporate assets there will be a requirement for innovation to be included in all decision making.

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
16	Ensure that Director of Public Health and Deputy Director of Public Health for H&F have been fully briefed on the scale of the problem in your local authority area; what is being done, and what is needed. A briefing should be provided.	EH	Normal business	n/a				This is on-going and reported annually	Minimum of one briefing provided per year. To be reported in Annual Status Report.	ASR's are passed through the Director of Public Health and regular liaison to take place as part of AQAP steering group.
17	Public Health Teams should be supporting engagement with local stakeholders (businesses, schools, community groups and healthcare providers). They should be asked for their support via the Deputy Director for Public Health for H&F when projects are being develop: utilising	EH/PH	Normal business	n/a	✓	✓		This is on-going and reported annually	Number of projects supported by public health team. To be reported in Annual Status Report.	Joint projects and initiatives to be discussed and developed as part of AQAP steering group

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
	the reach of public health services to this stakeholder group and developing the key public health messaging for stakeholders.									
18	Director of Public Health to have responsibility for ensuring their online Joint Strategic Needs Assessment (JSNA) has up to date information on air quality impacts on the population	PH	Normal business	n/a				This is on-going and reported annually	Annual check that information is up to date to be reported in Annual Status Report.	The council's JSNA is available at https://www.jsna.info/
19	Strengthening co-ordination with Public Health by ensuring that at least one Consultant-grade public health specialist	PH	Normal business	n/a				This is on-going and reported annually	In place. Annual check that this continues to be the case to be reported in Annual	

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
	within the borough has air quality responsibilities outlined in their job profile								Status Report.	
20	Director of Public Health to sign off Statutory Annual Status Reports and all new Air Quality Action Plans	EH/PH	Normal business	n/a				This is on-going and reported annually	The Annual Status Reports are signed off annually including any changes to the Action Plan.	The council's ASRs are available at https://www.lbhf.gov.uk/environment/pollution/air-quality-and-monitoring
21	Ensure that the Head of Transport has been fully briefed on the Public Health duties and the fact that all directors (not just Director of Public Health) are responsible for delivering them, as well as on air quality opportunities and risks	EH	Normal business	n/a	✓	✓		This is on-going and reported annually	Minimum one updated briefing provided per year and reported in the Annual Status Report.	ASR's are passed through the Head of Transport and regular liaison to take place as part of AQAP steering group.

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
	related to transport in the borough. Provide a briefing to be disseminated amongst the Transport team.									
22	Engagement with businesses to increase workplace travel plans and implement local air quality improvement measures	EH	Normal business	3	✓	✓	✓	This is ongoing and reported annually	Number of workplace travel plans in place to be reported in the Annual Status Report.	<p>The council engages with business through the Healthy Workplace Charter, detailed at https://www.lbhf.gov.uk/business/health-and-safety-work/london-healthy-workplace-charter The council will consider how information about air quality can be disseminated through this already established contact with local business.</p> <p>All employers in the borough must develop/have an up-to-date workplace travel plan before they can access further healthy workplace support to help them gain Healthy Workplace Charter accreditation (it is a requirement to qualify for the free</p>

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
										support). This is being trailed. The council is part of the WestTrans partnership, more information is available at http://www.westtrans.org/wla/wt2.nsf <u>Working with</u> CABB to roll out local air quality improvement measures that include: Click and Collect; Low Pollution Routes; and supporting Hammersmith BID in bidding for funding to produce a business low emission neighbourhood
23	Promotion of availability of airTEXT and walkit.com.	EH/PH	£1000 per year	3	✓	✓	✓	This is ongoing and reported annually	The number of events attended to promote the services the number of social media posts and all other activities in which these tools promoted will be counted	Both services promoted on relevant officers' email signatures Activities do include messages on the council's website and through social media channels and distribution of information at council events. Information is provided on the council's air quality webpages https://www.lbhf.gov.uk/environment/po

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
									and reported in the Annual Status Report.	llution/air-quality-and-monitoring.
24	Encourage schools to join the TfL STARS accredited travel planning programme and GLA's Healthy Schools' London Programme by providing information on the benefits to schools and supporting the implementation of such programmes.	TR/PH	Normal business	2	✓	✓	✓	This is ongoing and reported annually	Number of schools that are part of TfL STARS and Healthy School's programmes and what accreditation level achieved will be reported in the Annual Status Report.	Information on school travel plans is available at https://www.lbhf.gov.uk/transport-and-roads/travel-plans . The STARS programme webpages are at https://stars.tfl.gov.uk/ The Healthy Schools Programme is detailed at http://www.healthyschools.london.gov.uk/
25	Air quality at schools, such as The Mayor's School Air Quality Audits' Initiative Focus on air quality at schools- through delivery of air quality	EH/TR	Normal business and external funding including GLA	3	✓	✓	✓	Air quality audits are currently set to be completed by 2018 The number	Number of Schools receiving air quality audits and number of interactions with schools will be reported in the Annual Status	The Mayor's School Air Quality Audits' were announced here https://www.london.gov.uk/press-releases/mayoral/air-quality-audits-to-protect-school-kids funding has been obtained from The Mayor of London to undertake audits at 2 schools. Should further plans for further audits be

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
	teaching sessions with schools and air quality audits.							of interactions with schools will be ongoing and reported annually	Report.	<p>announced further bids will be made to roll out air quality auditing to other schools in the borough.</p> <p>Council officers attend Urbanwise.London events across the school year where local school children attend active travel sessions to ask questions about improving air quality.</p> <p>Healthy School Streets (HSS) trial to be implemented awaiting approval in 2018 with daily road closures to motor traffic from 07:30 - 08:30 and from 15:00-16:30 to be enforced by unattended CCTV cameras.</p>
26	Raise awareness of the impact of individual behaviour on air quality within the council and to the public including events such as National Clean Air Day.	EH	Normal business	3	✓	✓		This is ongoing and reported annually	The number of events attended, initiatives promoted, social media posts made and all other activities to promote air quality	<p>The national clean air day webpages are available at https://www.cleanairday.org.uk/</p> <p>The council will encourage its staff to use active travel and not to drive to work which are elements of the emerging H&F People Strategy.</p>

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
									will be counted and reported in the Annual Status Report.	
27	Public air pollution alerts and forecast to be made more widely available.	EH	Normal business	3	✓	✓		This is ongoing and reported annually	Number of messages and social media posts completed reported in the Annual Status Report.	The council will put messages on website and on twitter when notified of air pollution alert.
28	Lobby central government to retain air quality legislation after withdrawal from the European Union in 2019.	PH	Normal business		✓	✓		This is ongoing and reported annually	Number of responses to consultations reported in the Annual Status Report.	
29	Lobby central government to meet World Health Organization (WHO) air quality guidelines	PH	Normal business		✓	✓		This is ongoing and reported annually	Number of responses to consultations reported in Annual Status Report.	This action was included in the NICE air quality guideline (2017) available at https://www.nice.org.uk/guidance/ng70

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
30	Lobby tyre, brake and clutch manufacturers to use materials which reduce small particles released through wear.	PH	Normal business			✓		This is ongoing and reported annually	Number of responses to consultations and other lobbying activities recorded in the Annual Status Report.	Officers meeting with car clubs and businesses take the opportunity to raise this issue and push for change

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Delivery Servicing and Freight										
31	Develop a procurement policy document for air quality to require that suppliers have Fleet Operator Recognition Scheme (FORS) accreditation	EH/ PR	Normal business	3	✓	✓	✓	Procurement policy document for air quality completed by 2021	The number of activities completed to work towards achieving this action will be reported in the Annual Status Report.	The fleet operator recognition scheme webpages are at https://www.fors-online.org.uk/cms/ Initial step would be to develop a procurement policy document for air quality that would be available on the council's intranet procurement pages. The document would provide advice to departments about to enter contracts for services.
32	Develop a procurement policy document for air quality to require that suppliers have sustainable logistical measures in place (and include requirements for preferentially scoring bidders based on their sustainability criteria)	EH/ PR	Normal business	3	✓	✓	✓	Procurement policy document for air quality completed by April 2020.	The number of activities completed to work towards achieving this action will be reported in the Annual Status Report.	Initial step would be to develop a procurement policy document for air quality that would be available on the council's intranet procurement pages. The document would provide advice to departments about to enter contracts for services.

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Delivery Servicing and Freight										
33	Re-organisation of freight to minimise, consolidate and re-time deliveries for the council and businesses in the borough	EH/TR	£12,000 per year plus funding from GLA and local business	3	✓	✓	✓	This is on-going and reported annually	The number of activities completed to work towards achieving this action will be reported in the Annual Status Report.	H&F joined a Low Emissions Logistics (LEL) project which is supported by the Mayor's Air Quality Fund whose aim is to work with the council and businesses in the borough to enable them to coordinate and minimise deliveries thereby reducing vehicle trips (particularly HGV and vans). The first stage of the business engagement part of the project for 2017/18 is to collect baseline data from around their delivery and servicing patterns. The data will be analysed to find the most appropriate interventions
34	Virtual Loading Bays and priority loading for ultra-low emission delivery vehicles- Review research and trials being completed in London with a view to using in H&F in the future.	TR	Normal business	3	✓	✓	✓	This is on-going and reported annually	The number of activities completed to work towards achieving this action will be reported in the Annual Status Report.	Transport for London Road Network (TLRN) is running a trial focusing on high-density loading 'hotspots' which we will be closely monitoring the results of this study and investigate the feasibility of adopting within equivalent measures within Hammersmith and Fulham

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Borough fleet actions										
35	Join the Fleet Operator Recognition Scheme (FORS) for the borough's own fleet and obtain Gold accreditation	BF	Costs being assessed	2	✓	✓	✓	2019	Number of activities completed to work towards achieving this will be reported in the Annual Status Report.	The fleet operator recognition scheme webpages are at https://www.fors-online.org.uk/cms/
36	Increase the number of hydrogen, electric, hybrid, and cleaner vehicles in the borough's fleet	BF	Normal business	3	✓	✓	✓	This is ongoing and reported annually	The proportion of vehicles of these types in the borough's fleet, will be reported in the Annual Status Report.	
37	Accelerate uptake of new Euro VI larger vehicles (e.g. HGVs) in the borough's fleet	BF	Normal business	3	✓	✓	✓	This is ongoing and reported annually	The proportion of vehicles which are Euro VI in the borough's fleet, will be reported in the Annual Status	

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Borough fleet actions										
									Report.	
38	Smarter Driver Training for drivers of vehicles in Borough's Own Fleet i.e. through training of fuel efficient driving and providing regular re-training of staff	BF	Normal business	3	✓	✓	✓	This is on-going and reported annually	The number of staff who have received training and retraining for that year and the percentage of staff that have current training each year, will be reported in the Annual Status Report.	

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Localised Solutions										
39	Green Infrastructure. The council to increase tree, hedge and grass planting on council-owned land and highways.	HW	£100,000 per year	2	✓	✓	✓	This is on-going and reported annually	Square Metres of additional greening installed will be reported in the Annual Status Report.	The first steps will be to identify locations that would benefit from increased green infrastructure and choose appropriate plants. Previous experience from green infrastructure project from Mayor’s Air Quality Funding could be used, this is discussed at http://www.hammersmithtoday.co.uk/shared/hfcycling014.htm
40	Implement opportunities for small scale LENS (Low Emission Neighbourhoods) and investigate opportunities for funding of further LEN projects	TR	Normal business/ external funding secured	1	✓	✓	✓	This is on-going and reported annually	The number of activities completed to work towards achieving this action. E.g. Applying for future funding opportunities will be reported in the Annual Status Report.	An example of a previous application for funding for a LEN is shown at https://www.lbhf.gov.uk/articles/news/2016/05/council-1m-bid-tackle-air-pollution-hammersmith We provided support to Hammersmith BID in 2017 for their application for a business Low Emission Neighbourhood.

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Localised Solutions										
41	The council will commit to modify the pruning regime of trees on main roads in the borough	HW	Normal business	1	✓	✓	✓	This is on-going and reported annually	The number of roads for which trees received reduced pruning will be reported in the Annual Status Report.	
42	The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to keep fit and active.	PI	Normal business	1	✓	✓	✓	This is on-going and reported annually	In council planning policies will be reported in the Annual Status Report.	<p>Strategic Objective 11 of the Proposed Submission Local Plan is to protect and enhance the borough’s open green spaces and create new parks and open spaces where there is major regeneration, promote biodiversity and protect private gardens.</p> <p>Strategic Objective 15 is to maintain and improve health care provision in the borough and encourage and promote healthier lifestyles, for example through better sports facilities, to reduce health inequalities.</p> <p>Planning Policy OS2 states that the council will seek to reduce open space</p>

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Localised Solutions										
										deficiency and to improve the quality of, and access to, existing open space (which includes play areas and school playing fields as well as sport, leisure, or recreational facilities).

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
43	Discouraging unnecessary idling by taxis, coaches and other vehicles through enforcement and awareness raising campaigns and carryout patrols in hotspot areas such as taxi ranks bus stands and schools	EH	Normal business and external funding from GLA and annual campaign cost of £10,000 per year	2	✓	✓	✓	This is ongoing and reported annually	Number of drivers told to shut off engines; number of drivers fined for not shutting off engines; number of awareness raising campaigns completed to be reported in the Annual Status Report.	Previous action days for idling are shown at https://www.lbhf.gov.uk/articles/news/2016/11/clean-air-champions-successful-action-day-stop-idling-motorists-hf Further press and publicity activity planned to raise awareness
44	Speed control measures e.g. lowering the speed limit to 20mph in built up residential areas	TR	Normal business	2	✓	✓	✓	2020	20mph installed in all built up residential areas and town centres except 'A' Roads. Implementation is being monitored; non-compliant areas will be identified and measures will be designed and	Information on 20mph speed limit is available at https://www.lbhf.gov.uk/articles/news/2016/02/majority-support-more-20mph-speed-limits-hammersmith-fulham

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
									implemented to ensure compliance. Progress will be reported in the Annual Status Report	
45	Increase the proportion of electric, hydrogen and ultra-low emission vehicles in Car Clubs	TR	External to Council funding	2	✓	✓	✓	This is ongoing and reported annually	The percentage increase in the proportion of non-diesel and hybrid electric vehicles in car clubs to be reported in the Annual Status Report.	<p>Currently this borough has the most Source London Electric charging points of any of the London Boroughs</p> <p>Partnership work by the council with Bluecity fully electric car club that is supplied with 100% renewable electricity the details can be found at https://www.lbhf.gov.uk/transport-and-roads/electric-vehicles</p> <p>The council are also working with other car club providers to pursue opportunities to increase the percentage of Ultra Low Emission Vehicles used within their fleet in our borough.</p>
46	To hold Very Important Pedestrian Days (e.g. no vehicles on certain roads on a Sunday) and similar	TR	Normal business	2	✓	✓	✓	This is ongoing and reported annually	Number of days completed to be reported in the Annual Status Report.	An example of a previous day held is shown at https://www.lbhf.gov.uk/articles/news/2015/06/unlimited-play-streets-children-shepherds-bush-road


ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
	initiatives per year									
47	Free or discounted residential parking permits for zero emission cars	TR	Normal business	3	✓	✓	✓	2018	Activities completed to work towards achieving this action to be reported in the Annual Status Report.	
48	Review of surcharge on diesel vehicles below Euro 6 standards for Resident and Controlled Parking Zone permits	TR	Under review	3	✓	✓	✓	Review completed 2018 and implementation of changes in 2019.	Activities completed to work towards achieving this action to be reported in the Annual Status Report.	Awaiting final ULEZ plans to assess financial implications to residents before final decision on surcharge
49	Installation of residential electric charge points	TR	External to Council funding	1	✓	✓	✓	An additional 200 by the end of 2020 then reviewed and set new targets	Number of electric charging points installed to be reported in the Annual Status Report.	This is being investigated through funding opportunities available from OLEV/EST and GULCS. There is a baseline of 150 on-street charging points already installed by the end of the 2017/2018 financial year. Work completed on street light charging points is detailed at https://www.lbhf.gov.uk/articles/news/2017/07/quick-and-easy-electric-car-

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
										charging-points-unveiled-westcroft-square If this trial is successful and dependent on secured funding the number of these will be increased across the borough
50	Installation of rapid chargers to help enable the take up of electric private hire vehicles and commercial vehicles (in partnership with TfL and/or OLEV)	TR	External to Council funding	2	✓	✓	✓	10 by 2019 and 20 by 2020 dependent on securing further external funding	Number of rapid charging points installed to be reported in the Annual Status Report.	This is currently being progressed working with TfL. There will be 3 rapid charging points installed by the end of 2017 with additional 2 installed subject to planning process
51	Reprioritisation of road space; reducing parking at some destinations and or restricting parking on congested high streets and A roads to improve bus journey times, cycling experience, and reduce emissions caused by congested traffic	TR	Normal business	2	✓	✓	✓	This is ongoing and reported annually	Number of activities completed to be reported in the Annual Status Report.	Examples of reallocation of parking spaces to create a parklet detailed at https://www.lbhf.gov.uk/articles/news/2017/04/new-bicycle-parklet-brings-party-brackenbury-village
52	Provision of	TR	Normal	1	✓	✓	✓	This is	Number of	Example of previous work related to

ID	Action description	Who	Cost	Score	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
	infrastructure to support walking and cycling. To enable more people to take up cycling to travel around the borough and to allow children to walk to school more easily. More safer cycle routes will be developed by the council and TfL. The council together with its strategic partners such as TfL, to develop plans to increase pedestrianisation, cycling and greening in its town centres.		business					ongoing and reported annually	activities completed to be reported in the Annual Status Report.	improving cycling infrastructure available at https://consultations.tfl.gov.uk/roads/hammersmith-gyratory/user_uploads/hammersmith-gyratory-report-final.pdf And https://www.lbhf.gov.uk/articles/news/2016/08/strong-support-safer-cycling-plans-hammersmith-gyratory
53	Work with and lobby the Mayor of London, GLA and TfL to take the necessary actions to improve air quality in the borough, e.g. by extending the ULEZ to include the borough	EQ	Normal business	1	✓	✓	✓	This is ongoing and reported annually	Number of consultation responses and letters submitted to be reported in the Annual Status Report.	The ULEZ is currently going to cover the Congestion Zone only starting in 2019 and the Mayor has identified that he plans to extend this across London for buses, coaches and lorries in 2020 and to the north and south circular for cars, buses and vans by 2021. Consultation on these extensions are currently awaited.

Appendix A Reasons for Not Pursuing Action Plan Measures**Table A.1 Action Plan Measures Not Pursued and the Reasons for that Decision**

Action category	Action description	Reason action is not being pursued (including Stakeholder views)
Emissions from developments and buildings		
Public health and awareness raising		
Delivery servicing and freight		
Borough fleet actions		
Localised solutions		
Cleaner transport	From GLA Action Plan Template: 32.Free or discounted parking charges at existing parking meters for zero emission cars	Anyone wishing to visit the borough may participate in our Blue City electric vehicle car club scheme and use the club's reserved parking bays. The council aims to increase active travel and travel by public transport. Implementing this measure would not fit with this aim so it is not being pursued.

A young child with dark hair, wearing a blue and white plaid shirt, is blowing bubbles. The bubbles are floating in the air against a clear blue sky. The child is holding a red and white bubble wand to their mouth.

Draft Air Quality Action Plan

2018 - 2023

Consultation Paper

Foreword

London has the highest levels of air pollution in the UK. Poor air quality is bad for all of us all, but the very old, young and unwell suffer the most

That's why we've drafted this five-year action plan. We are determined to have Hammersmith & Fulham at the forefront in improving air quality to protect our residents and make us the greenest borough in the country.

We'd like your input.

We all have a role to play. Using our cars less, walking and cycling more and not running engines when stationary can make a big difference. And, at the council, we're fast developing a reputation as a borough which takes poor air pollution seriously. That's recognised by our Clean Air Borough accreditation, but there's much more we can do.

Our plans to achieve the healthy, clean borough are set out in this air quality action plan, including:

- launching our electric vehicle hiring scheme – with a year's free membership for local people,
- encouraging people to use electric vehicles by extending our network of charging bays,
- fining drivers who leave their engines running unnecessarily
- becoming the leading cycle-friendly borough in London with cycle quietways, cycle storage and cycle superhighways,
- encouraging more walking by tackling congestion, traffic speeds and by providing more greenery,
- reducing fossil-fuel boilers by replacing them with ultra-low nitrogen oxide boilers and ensuring energy plants are regulated through the planning process.

With your continued support, we'll make this borough a cleaner, safer and healthier place to live, work and visit.

I look forward to your feedback on our draft plan.

Councillor Stephen Cowan
Leader of Hammersmith & Fulham Council
July 2017

HAVE YOUR SAY

This draft Air Quality Action Plan lists the things we are planning to do and will continue doing in the borough to improve air quality to improve our residents' health and wellbeing. We are now asking for your help and input to let us know if you think there is more we can do as a Council.

Copies of the document will be available in all of our libraries.

How can I comment?

Your comments are welcome on all parts of the draft.

You can comment online (see link below) but if you would rather post or email your comments to us we have provided questions at the end of this document to help structure your response. If you are responding using a hardcopy, please feel free to use additional paper if needed.

Online www.lbhf.gov.uk/aqapconsultation

Or you can email or post your comments to us

AQAP@lbhf.gov.uk

Environmental Quality
Hammersmith & Fulham Council
5th Floor Town Hall Extension
King Street
Hammersmith
W6 9JU

When can I comment?

This consultation will run from **27 July 2017 and all comments are due by 31 October 2017.**

The paper will also be circulated to statutory consultees and partner organisations including the Secretary of State, Mayor of London, TfL, Public Health England, the Hammersmith & Fulham Air Quality Commission, the Hammersmith BID, Hammersmith and Fulham Friends of the Earth

SUMMARY

This Air Quality Action Plan (AQAP) has been produced as part of our duty to London Local Air Quality Management. It outlines the actions we will take to improve air quality in Hammersmith & Fulham between 2018-2023.

This action plan replaces the previous action plan which ran from 2003-2017. Highlights of successful projects delivered through the past action plan include:

- The council established a resident-led Air Quality Commission. The commission engaged with external experts and local residents in examining the causes and dangers of local air pollution and has proposed potential solutions to help reduce. The final report was received by Cabinet on 7 November 2016 and its recommendations are being currently being reviewed for implementation by the council.
- The council are working with a residents group to form a Hammersmith Town Centre Supplementary Planning Document (SPD) – which looks to minimise town centre traffic with the potential pedestrianisation of the Hammersmith gyratory.
- The council is one of the twelve London boroughs that organised and participated in six vehicle idling days from October 2016-March 2017 as part of the funded London wide Major of London project. Four out of five motorists agreed to turn off their idling engines during a campaign of action days to tackle air pollution in Hammersmith & Fulham.
- Officers from the Transport and Technical Services Department of the council have regularly attended sessions with participating Primary Schools as part of the Urbanwise School Travel Project. Urbanwise. London is a voluntary organisation which was established in 1983 and was previously known as Hammersmith & Fulham Urban Studies Centre.
- Using LIP to match fund MAQF projects including integrating greening measures to improve local air quality and sustainable drainage along a busy road in Hammersmith Town Centre.
- Working closely with the Hammersmith Business Improvement District (BID) in MAQF funded Clean Air Better Business (CABB) and Low Emission Logistic (LEL) projects. The council have been working with Hammersmith BID and having discussions with Westfield and Olympia encouraging and advising how they may consolidate and reduce their freight deliveries
- A MAQF dust suppression project has been undertaken at around waste transfer stations and residential roads in the north of the borough.
- The new Cycling Strategy was launched in September 2015 with an overall aim of getting 8% of all trips made by our residents, made by bike. The Strategy also

highlighted the development of new dedicated and segregated cycle lanes through Hammersmith Gyratory, a new cycle Superhighway (9) from Kensington Olympia to Chiswick, a cycle Quietway from east Acton to Kensington along the edge of Wormwood scrubs. New cycle lanes have been installed along Uxbridge Road and Goldhawk road.

- The council will have installed a minimum of 100 on street electric charging points by the end of 2017 with plans to more than double this.
- All approved major planning applications must meet the Mayor's requirements relating to AQ neutral and combustion based Energy Plant.
- The air quality policy within our Draft Local Plan has been amended to include all developments that have the potential to impact or be impacted by local air quality (previously restricted to major developments).
- Secured S106 funding for officers to deal with Air Quality planning submissions and monitoring at major sites in the borough including the Earls Court Opportunity Area and Thames Tideway Tunnel sites.
- Minimising the impact of fugitive emissions by requiring all major developments to produce and implement Air Quality Dust Management Plans.
- Requiring all major developments to ensure that all non road mobile machinery (NRMM) operating on demolition and construction sites complies with London's Low Emission Zone requirements
- Increasing the number of monitoring locations in our NO₂ Diffusion Tube air quality network from 15 to 35 location across the borough focusing on monitoring near schools.
- The Council's waste contractor fleet HGVs meet the Low Emission Zone requirements and they are actively procuring vehicles that meet higher emissions standards including electric and hybrid vehicles.

Air pollution is associated with a number of adverse health impacts, it is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas^{1,2}.

Poor air quality has a significant negative impact on human health and a recent report by King's College London (Understanding the Health Impacts of Air Pollution in London, KCL, July 2015) has estimated that, based on 2010 data, approximately 203 early deaths are attributable to nitrogen dioxide (NO₂) and fine particulate matter

¹ Environmental equity, air quality, socioeconomic status and respiratory health, 2010.

² Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006.

(PM_{2.5}) in Hammersmith & Fulham annually. This is approximately 25% of early deaths in the borough.

Public Health England has identified the fraction of all-cause adult mortality attributable to PM_{2.5} as one of its key indicators within the Public Health Outcomes Framework (PHOF 3.01) which is 6.1% based on 2015 values (down from 7.9% in 2010).

The annual health costs to society of the impacts of air pollution in the UK is estimated to be roughly £15 billion. Hammersmith & Fulham Council is committed to reducing the exposure of people in Hammersmith & Fulham to poor air quality in order to improve health.

We have developed actions that can be considered under six broad topics:

- **Emissions from developments and buildings:** emissions from buildings account for about 15% of the NO_x emissions across London so are important in affecting NO₂ concentrations;
- **Public health and awareness raising:** increasing awareness can drive behavioural change to lower emissions as well as to reduce exposure to air pollution;
- **Delivery servicing and freight:** vehicles delivering goods and services are usually light and heavy duty diesel-fuelled vehicles with high primary NO₂ emissions;
- **Borough fleet actions:** our fleet includes light and heavy duty diesel-fuelled vehicles such as mini buses and refuse collection vehicles with high primary NO₂ emissions. Tackling our own fleet means we will be leading by example;
- **Localised solutions:** these seek to improve the environment of neighbourhoods through a combination of measures; and
- **Cleaner transport:** road transport is the main source of air pollution in London. We need to incentivise a change to walking, cycling and ultra-low emission vehicles (such as electric) as far as possible.

Our priorities are to tackle the sources of emissions that the council has control over, raising public awareness of air pollution, and lobbying the government to make the necessary wide spread changes needed to improve air quality.

You will see in this report that we have worked hard to engage with stakeholders and communities which can make a difference to air quality in the borough. We would like to thank all those who have worked with us in the past and we look forward to working with you again as well with new partners as we deliver this new action plan over the coming years.

In this AQAP we outline how we plan to effectively use local levers to tackle air quality issues within our control.

However, we recognise that there are many air quality policy areas that are outside of our influence (such as Euro standards, national vehicle taxation policy, taxis and buses), and so we will continue to work with and lobby regional and central government on policies and issues beyond Hammersmith & Fulham council influence.

RESPONSIBILITIES AND COMMITMENT

This Draft AQAP was prepared by the Environmental Quality Team of Hammersmith & Fulham Council with the support and agreement of the following officers and departments:

- Public Health
- Transport Planning
- Highways Maintenance and Projects
- Planning
- Housing
- Building and Property Management
- Fleet Management
- Environmental Health
- Procurement

This AQAP will be subject to an annual review, appraisal of progress and reporting to the relevant Council Committee. Progress each year will be reported in the Annual Status Reports produced by Hammersmith & Fulham, as part of our statutory London Local Air Quality Management duties.

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Abbreviations

AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
AQO	Air Quality Objective
BEB	Buildings Emission Benchmark
CAB	Cleaner Air Borough
CAZ	Central Activity Zone
CHP	Combined Heat & Power
EST	Energy Saving Trust
EV	Electric Vehicle
GLA	Greater London Authority
GULCS	Go Ultra Low City Scheme
LAEI	London Atmospheric Emissions Inventory
LAQM	Local Air Quality Management
LLAQM	London Local Air Quality Management
NICE	The National Institute for Health and Excellence
NRMM	Non-Road Mobile Machinery
OLEV	Office for Low Emission Vehicles
PM ₁₀	Particulate matter less than 10 micron in diameter
PM _{2.5}	Particulate matter less than 2.5 micron in diameter
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
STARS	Sustainable Travel: Active, Responsible, Safe
TEB	Transport Emissions Benchmark
TfL	Transport for London

Introduction

This report outlines the actions that Hammersmith & Fulham Council will deliver between 2018 - 2023 to reduce concentrations of pollution, and exposure to pollution; thereby positively impacting on the health and quality of life of residents and visitors to the borough.

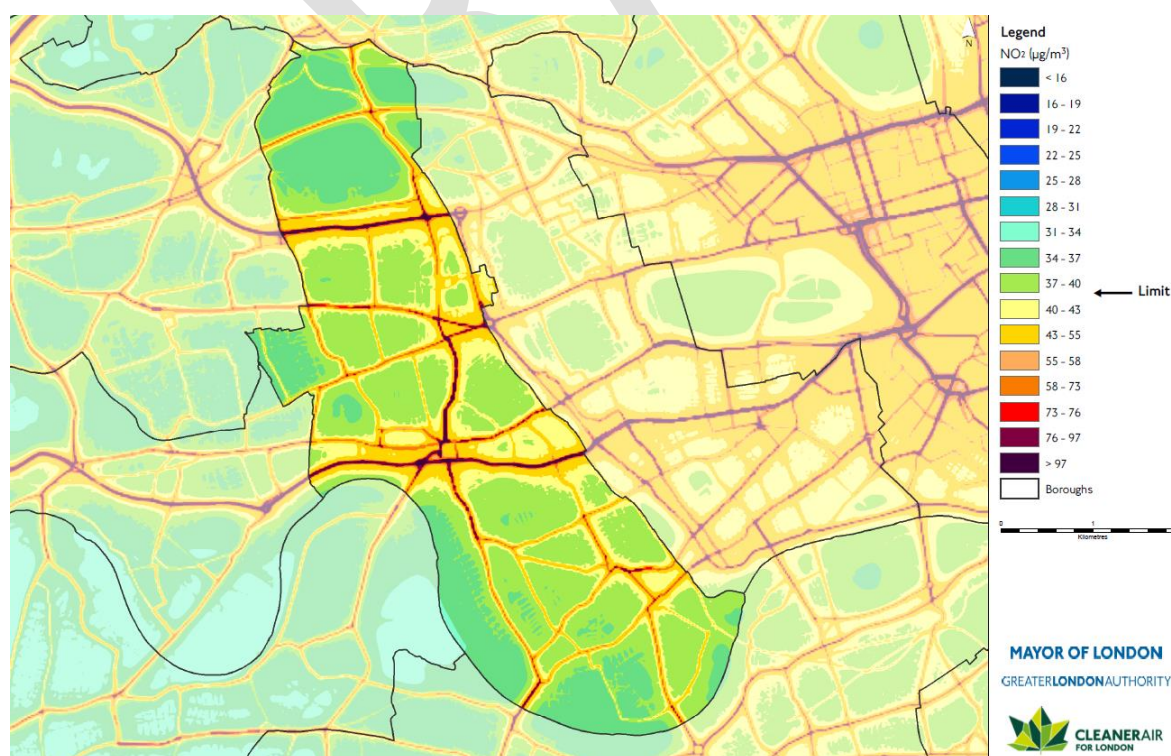
It has been developed in recognition of the legal requirement on the local authority to work towards air quality objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the London Local Air Quality Management statutory process³.

1 Summary of current air quality in Hammersmith & Fulham

The UK Air Quality Strategy (AQS), released in July 2007, provides the overarching strategic framework for air quality management in the UK and contains national air quality standards and objectives established by the Government to protect human health. The AQS objectives take into account EU Directives that set limit values which member states are legally required to achieve by their target dates.

Hammersmith and Fulham Council is meeting all of the national AQS objectives other than for the gas Nitrogen Dioxide (NO₂). Hammersmith and Fulham Council is meeting the current objectives for Particulate Matter (PM₁₀ and PM_{2.5}) but as this pollutant is damaging to health at any level, this remains a pollutant of concern.

Figure 1 Modelled map of annual mean NO₂ concentrations (from the LAEI 2013)



³ LLAQM Policy and Technical Guidance. <https://www.london.gov.uk/what-we-do/environment/pollution-and-air-quality/working-boroughs>

Figure 2 Modelled map of annual mean PM₁₀ (from the LAEI 2013)

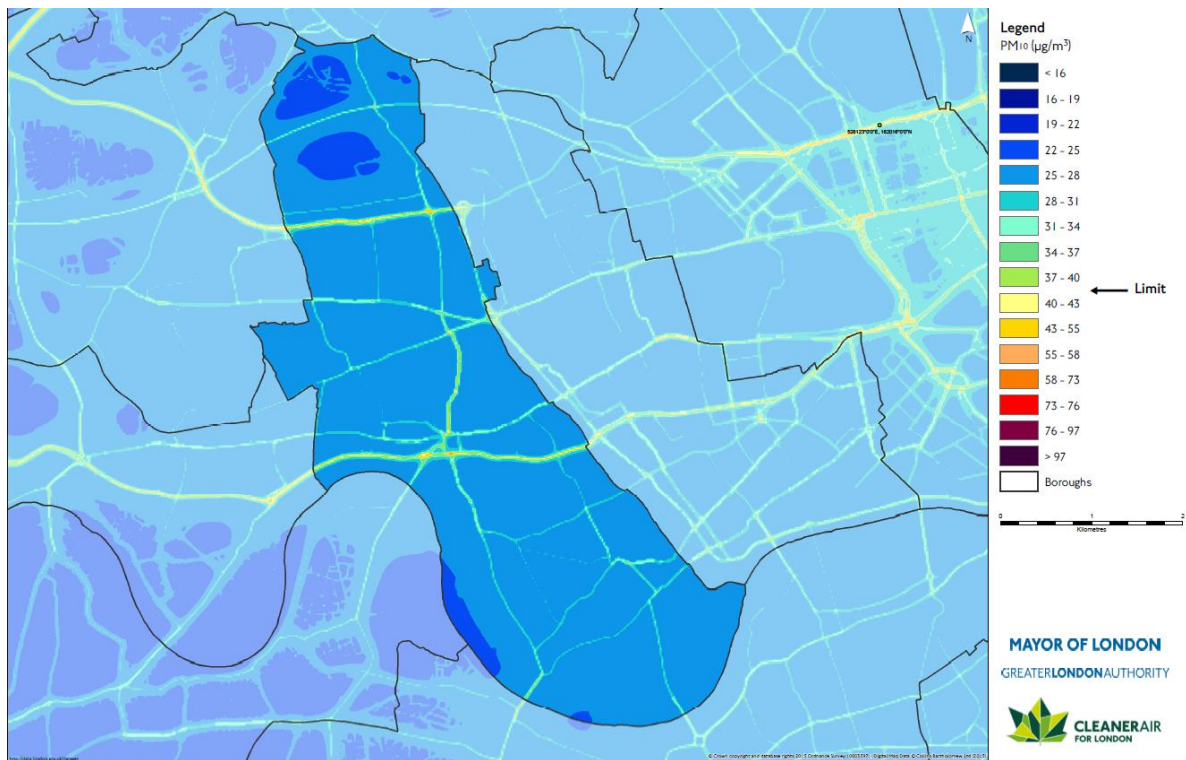
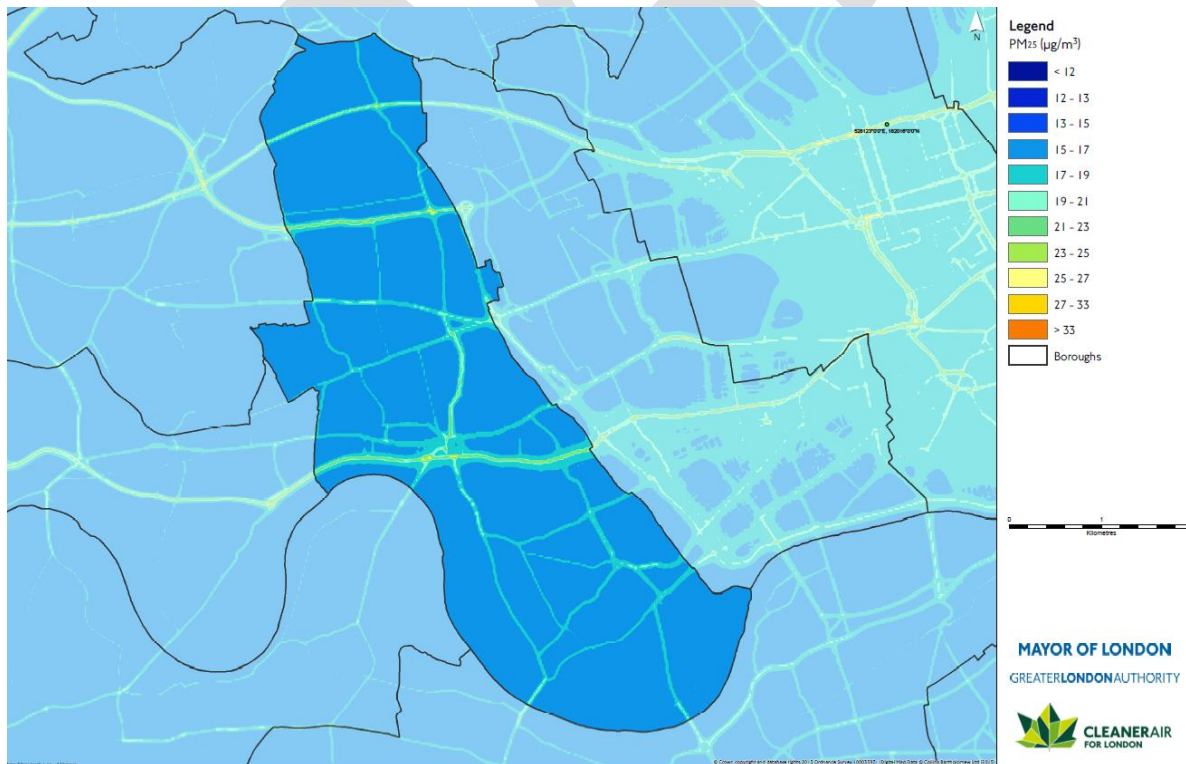


Figure 3 Modelled map of annual mean PM_{2.5} (from the LAEI 2013)



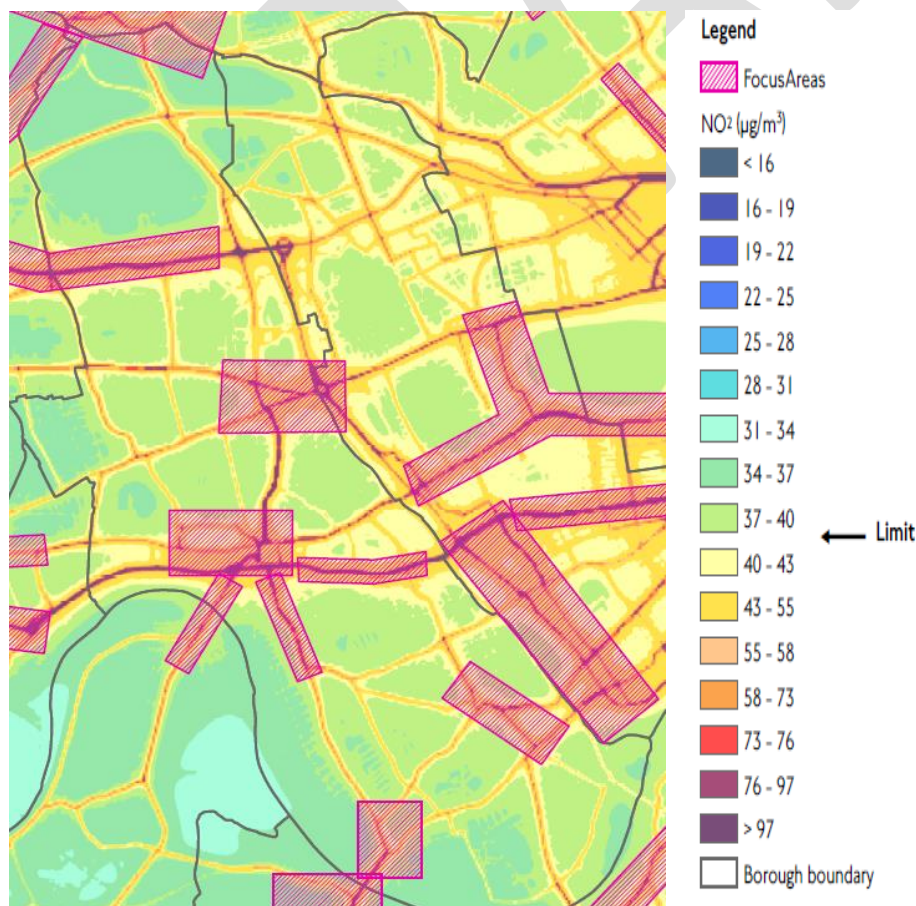
1.1 AQMAs and Focus areas

A whole borough Air Quality Management Area (AQMA) has been declared for Hammersmith & Fulham.

The AQMA has been declared for the following pollutants: Nitrogen Dioxide (NO₂) and particles (PM₁₀). In respect to Nitrogen Dioxide because we are failing to meet the EU annual average limit for this pollutant at some of our monitoring stations and modelling indicates it is being breached at a number of other locations, and Particulate Matter (PM₁₀) because although we are meeting EU Limits we are exceeding World Health Organisation air quality guideline for this pollutant), and we have a formal responsibility to work towards reductions of PM_{2.5}, which is a fraction of PM₁₀ and concentrations of PM_{2.5}

An air quality Focus Area is a location that has been identified by the GLA as having high levels of pollution and human exposure. There are 6 focus areas in the borough: A4 West Cromwell Road, A213 Fulham Palace Road from Hammersmith Flyover to junction of Lillie Road, Fulham Town Centre and Harwood Road area, Hammersmith Town Centre, Holland Park Uxbridge Road/Shepherd's Bush Road/Bush Green/Holland Road, Putney Bridge, and junction with Fulham Road/New Kings Road/Fulham Palace Road.

Figure 4 Air Quality Focus Areas in Hammersmith & Fulham



1.2 Sources of Pollution in Hammersmith & Fulham

Pollution in Hammersmith & Fulham comes from a variety of sources. This includes sources outside of the borough, and in the case of Particulate Matter (PM₁₀, PM_{2.5}), a significant proportion of this comes from outside of London and even the UK.

Of the pollution that originates in the borough the main sources of Nitrogen Oxides (NO_x), including Nitrogen Dioxide (NO₂), are road transport including diesel vehicles and combustion based energy plant such as Combined Heat and Power (CHP) and gas boilers. The main sources of particulate matter are on and off-road transport such as diesel vehicles and Non-Road Mobile Machinery (NRMM).

Data is available from the London Atmospheric Emissions Inventory which provides data gathered in 2008, 2010 and 2013 and modelled for 2020, 2025 and 2030 based on current predictions and technology.

Figure 5 NO_x Emissions by source (from the LAEI 2013)

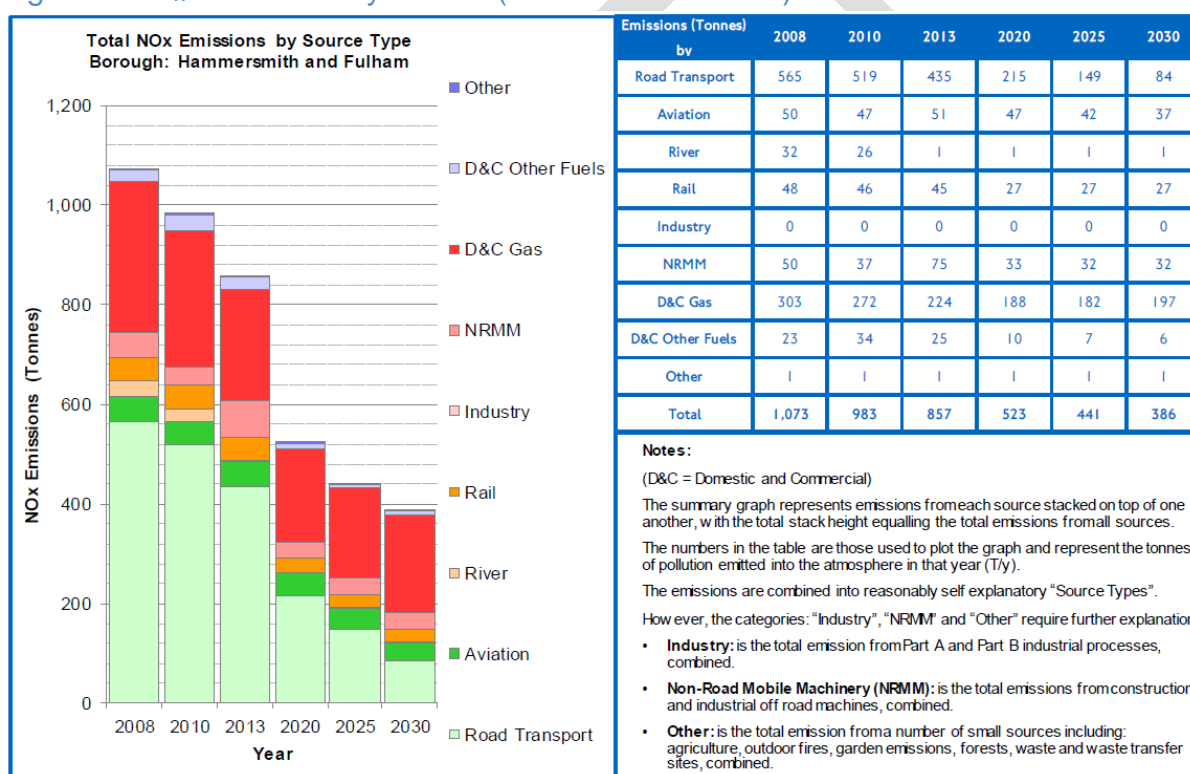


Figure 5 shows that for sources of NO_x within Hammersmith & Fulham currently (as represented by the most recent data from 2013): the largest contributor is road transport, followed by burning of domestic and commercial gas as the second largest source. However, Figure 5 shows that by 2020 emissions from road transport will reduce as vehicle emissions improve and it is projected that domestic and commercial gas sources will become the largest contributor of NO_x in the borough, with road transport falling to second largest source.

Figure 6 below details that 20.7% of NO_x emissions emanate from diesel cars, this contrasts with 10.4% from petrol cars, despite the fact there are fewer diesel cars than petrol cars in London.

Figure 6 NO_x Emissions by vehicle type (from the LAEI 2013)

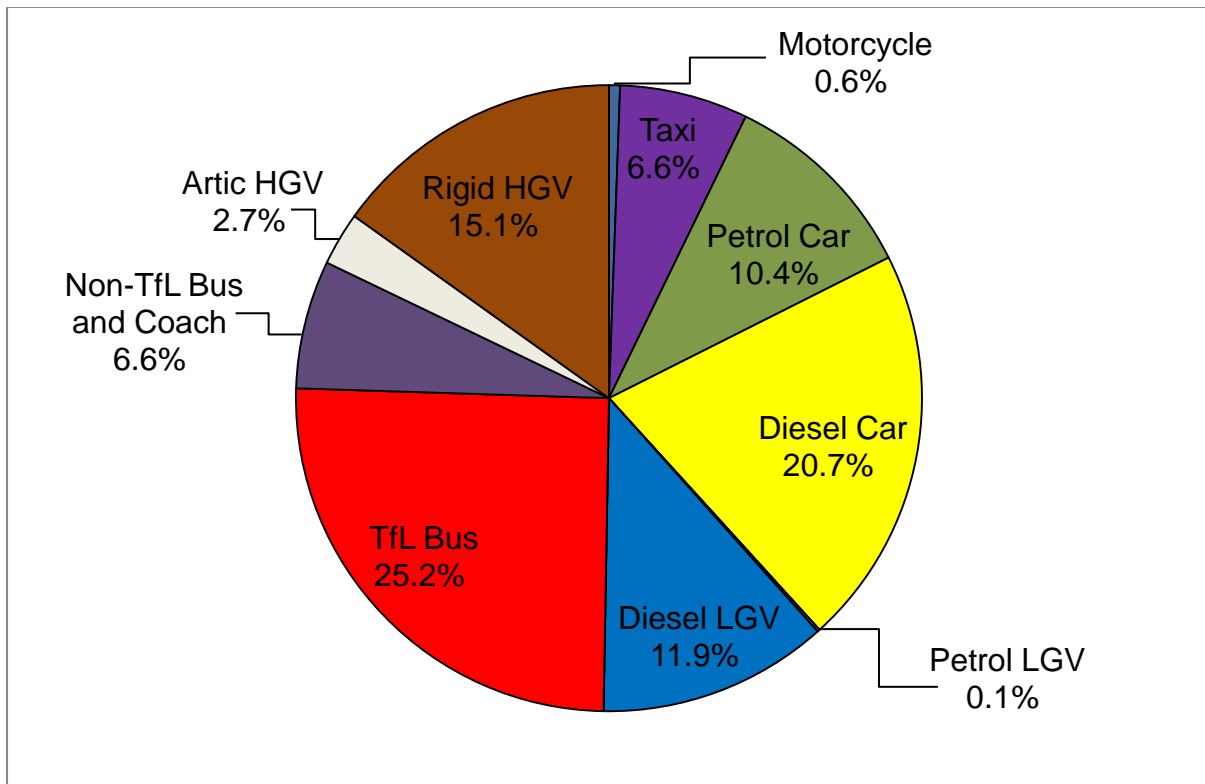
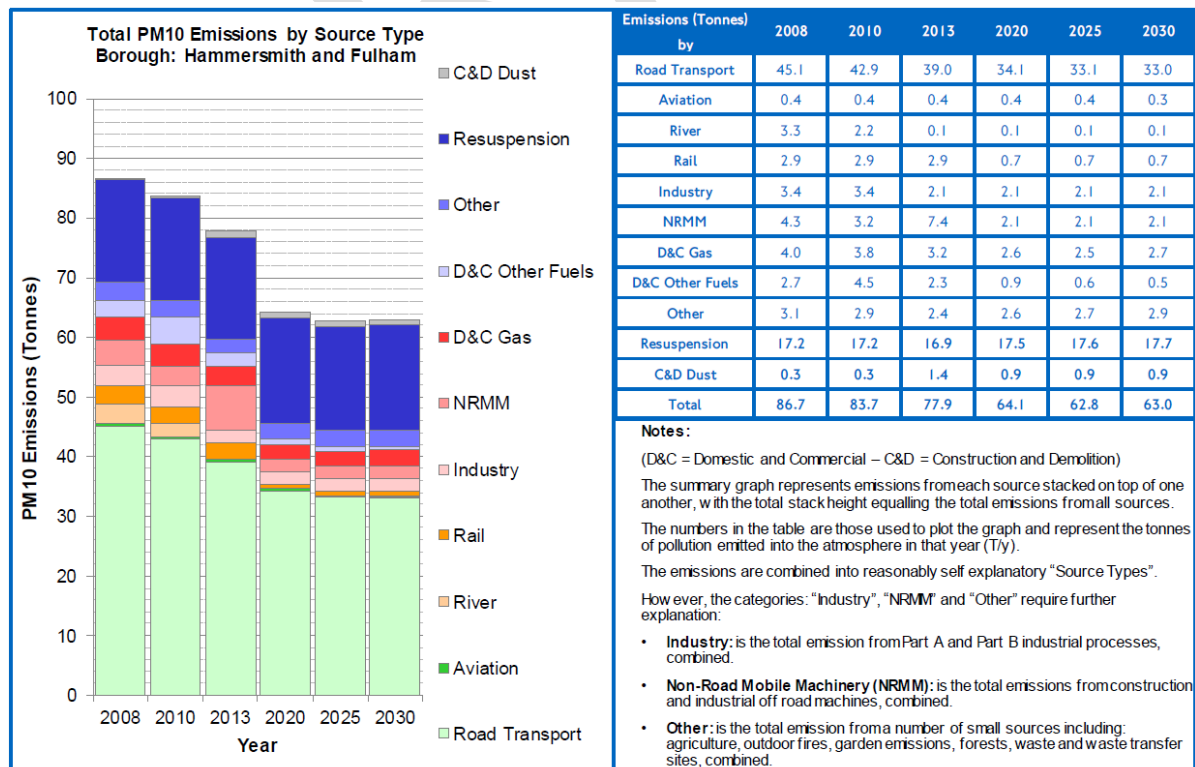
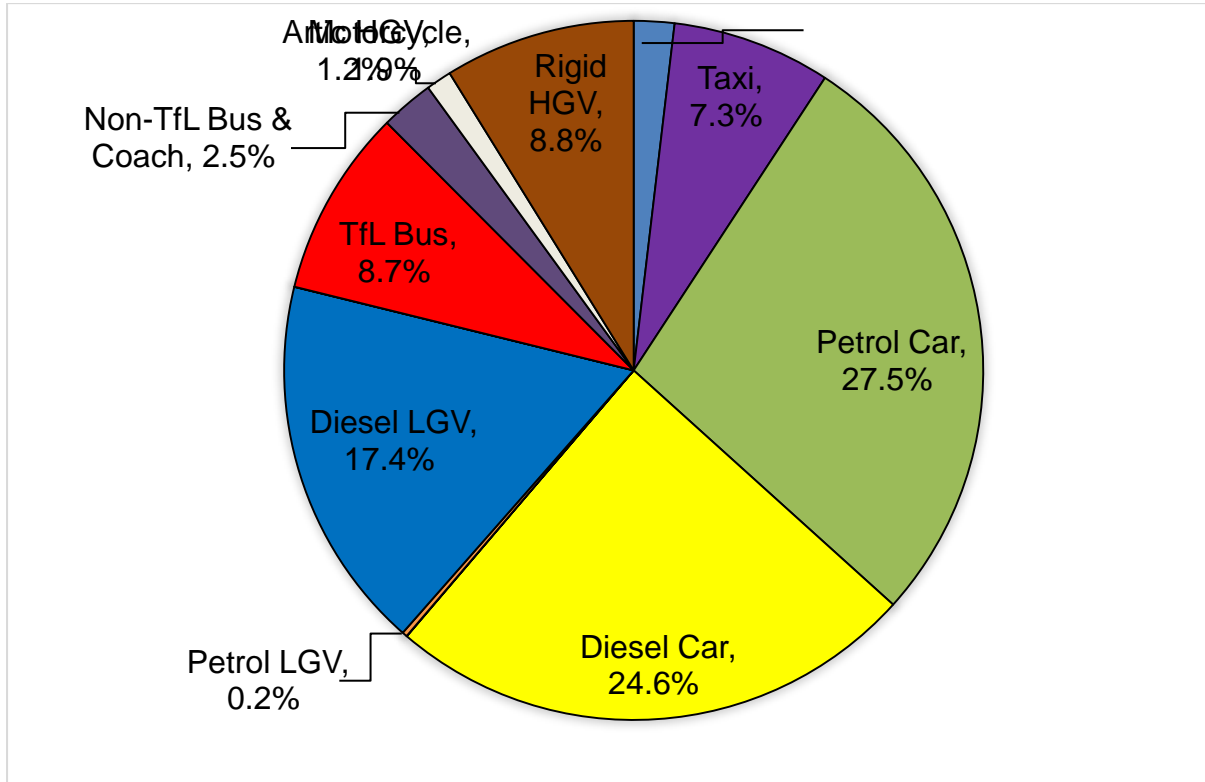


Figure 7 PM₁₀ Emissions by source (from the LAEI 2013)



The sources of PM₁₀ within Hammersmith and Fulham are shown in Figure 7 where the largest contributor is shown as road transport followed by resuspension as the second largest source.

Figure 8 PM₁₀ Emissions by vehicle type (from the LAEI 2013)



Splitting the road transport PM₁₀ emissions, the greatest contributor to road transport PM₁₀ are petrol cars (27.5 %) followed by diesel cars (24.6%) as shown in Figure 8. PM₁₀ emissions are greater because there are more petrol cars than diesel cars; in London approximately 70% of registered vehicles are petrol while only 30% are diesel.

Road transport PM₁₀ emissions are generated from exhaust gases and from tyre and brake wear. In the London Borough of Hammersmith and Fulham 24% of road transport PM₁₀ emissions originate from the exhaust whereas 76% are generated from tyre and brake wear.

Figure 9 Split of road transport PM₁₀ emission from their source (LAEI 2013)

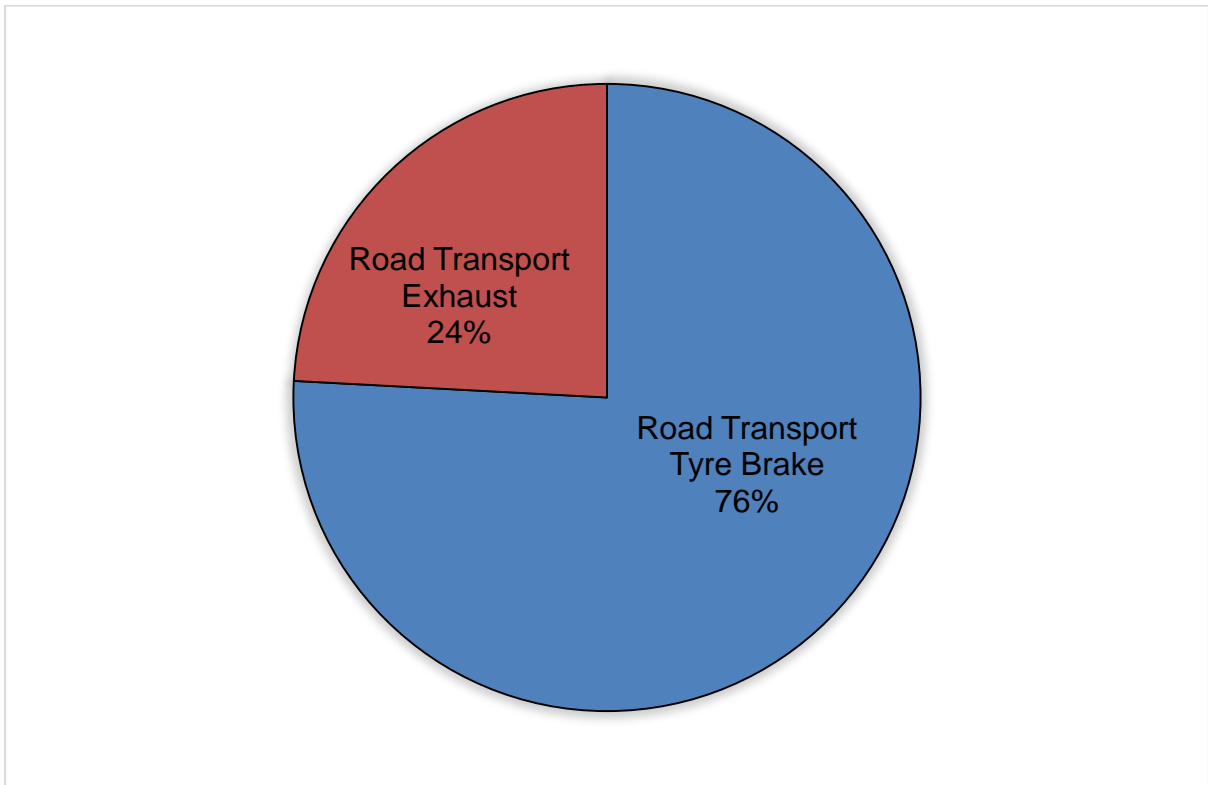
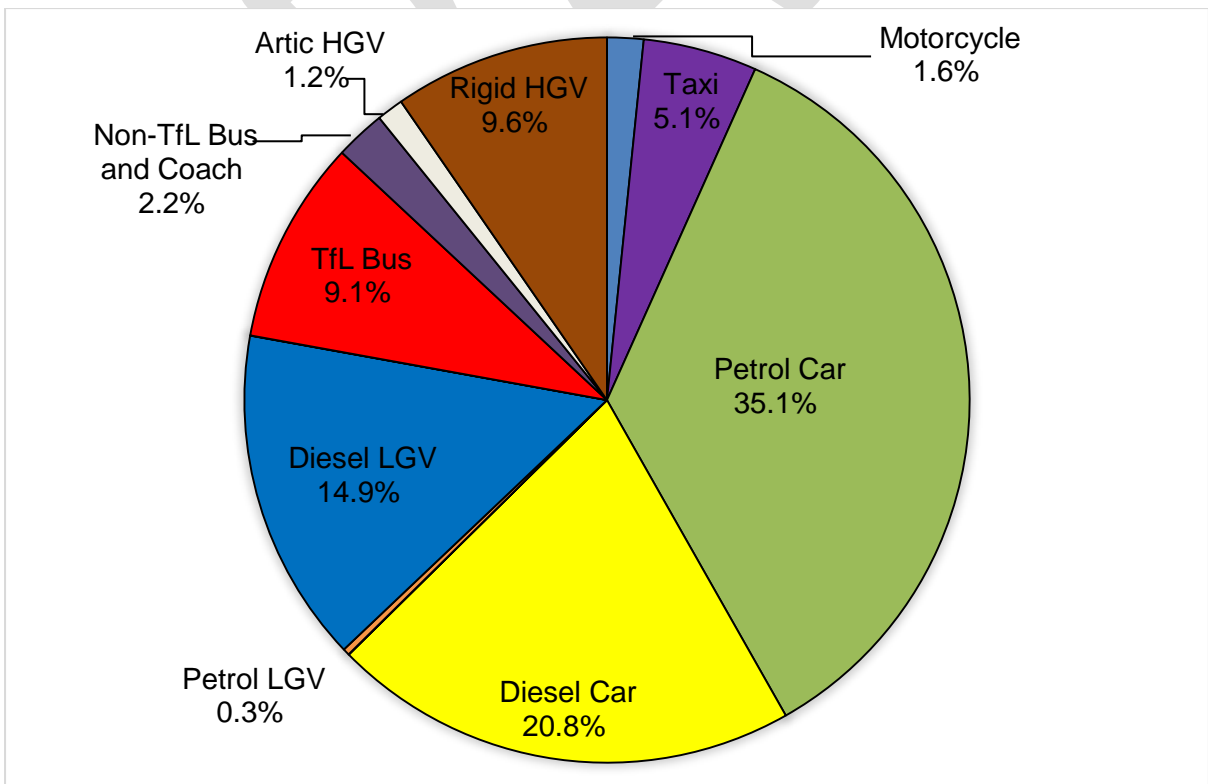
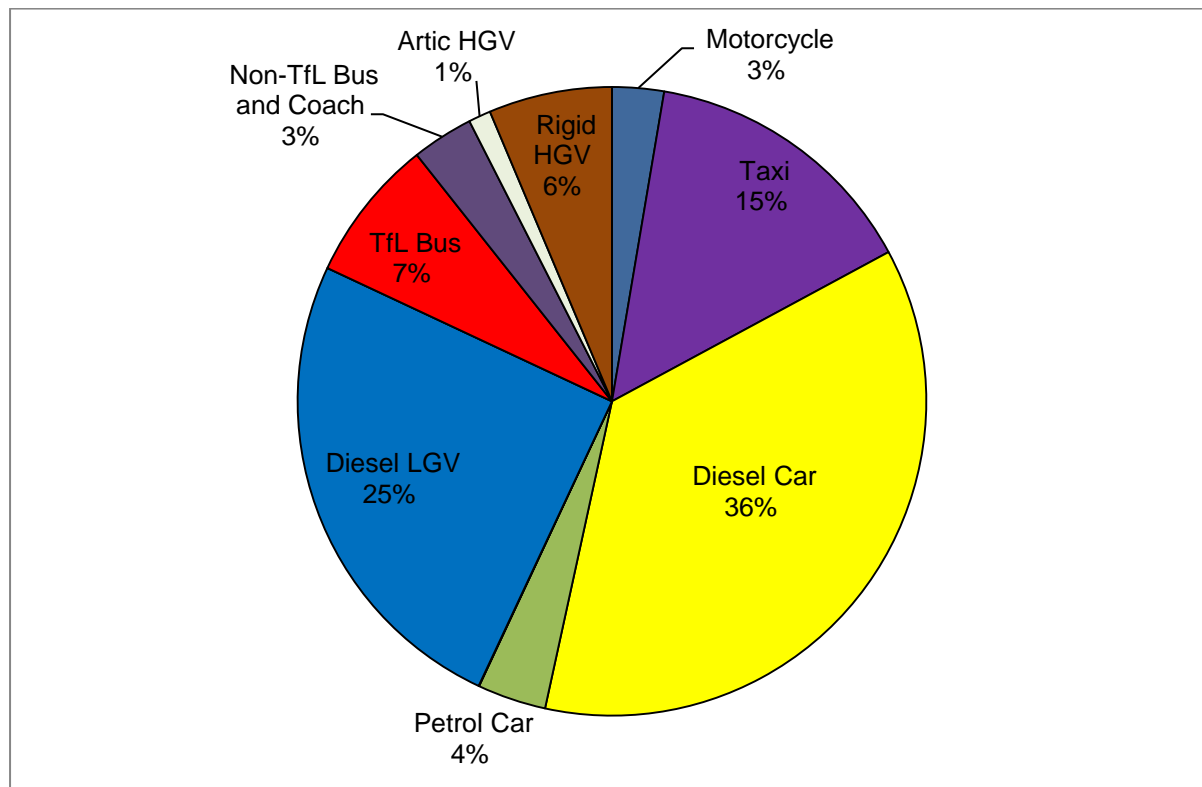


Figure 10 Sources of road transport tyre and brake wear PM₁₀ emissions



Breaking down the road transport PM₁₀ emissions, the greatest contributor to road transport PM₁₀ is from tyre and brake wear as shown in Figure 9. Petrol cars are the largest contributor of this component (35.1%) and diesel cars the second largest contributor (20.8%) because there are more petrol cars than diesel cars.

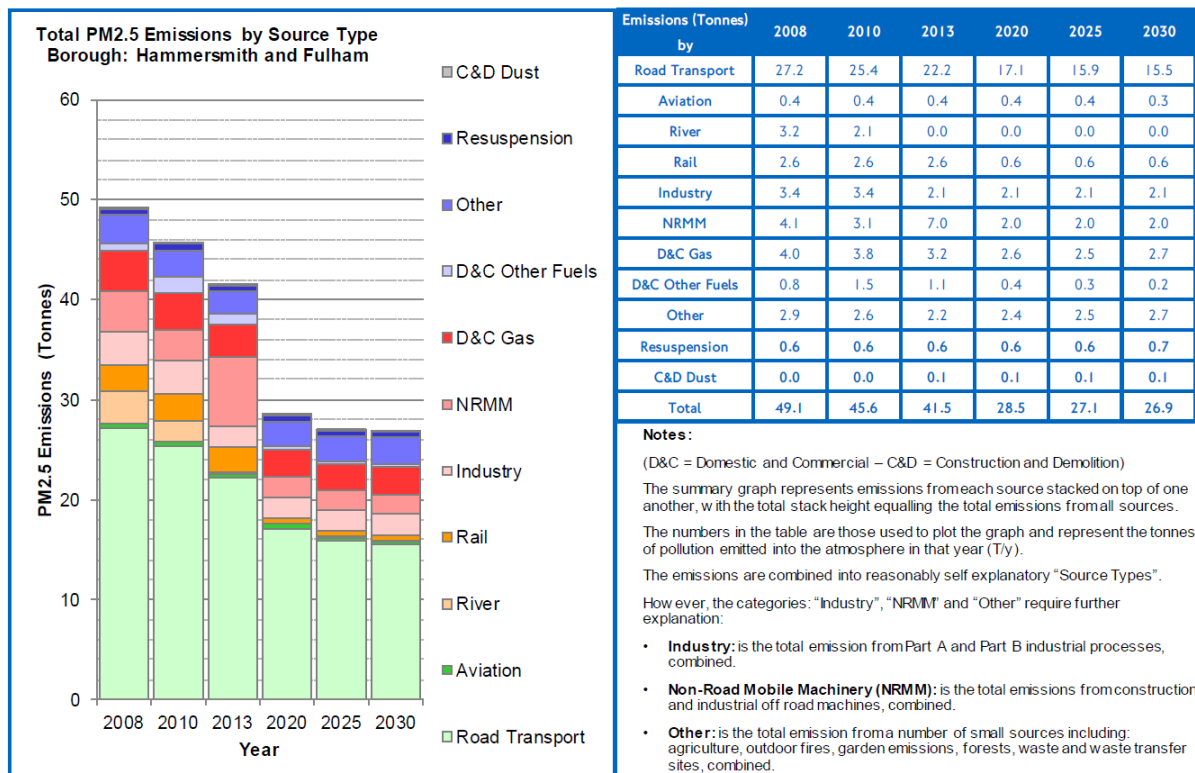
Figure 11 Sources of road transport exhaust PM₁₀ emissions



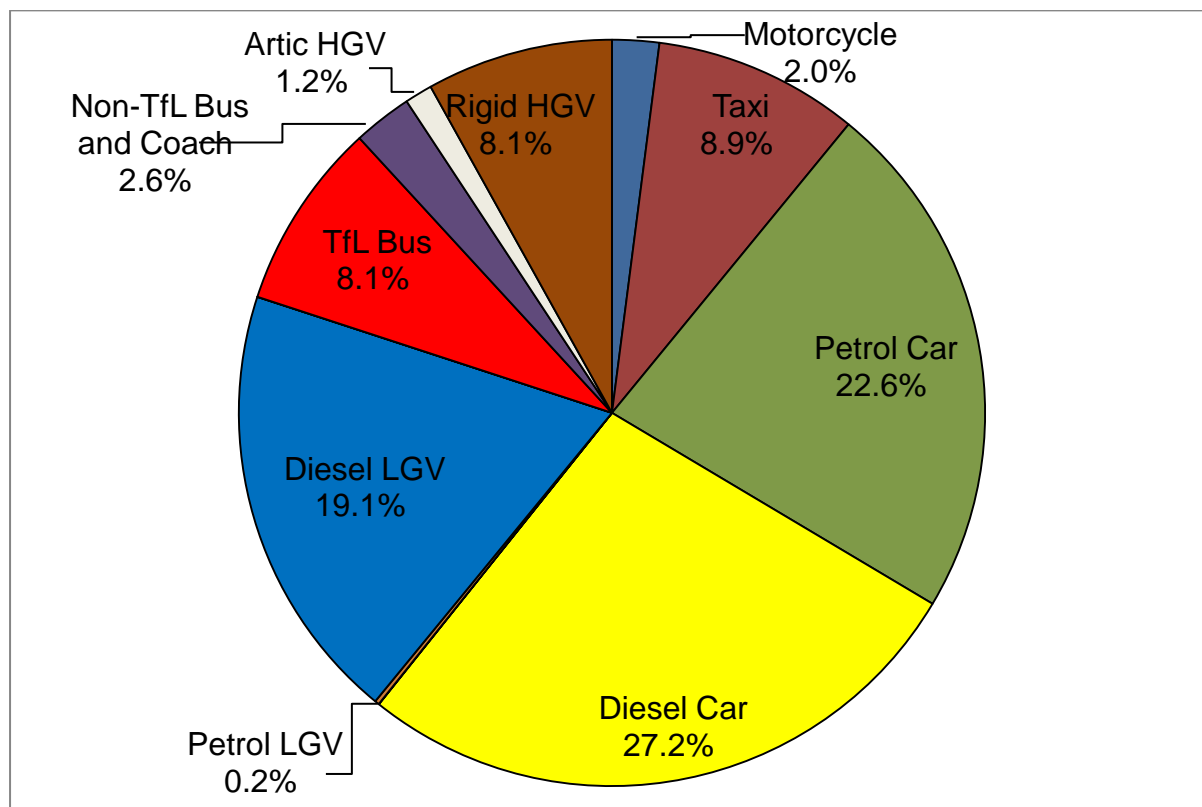
Breaking down the road transport PM₁₀ emissions, exhaust component only, diesel cars are the largest contributor (38.8%) and diesel LGV's are the second largest contributor (26.7%) as shown in Figure 11, despite there being less diesel cars than petrol cars in London.

These graphs show that a high percentage of PM₁₀ road transport is from tyre and brake wear and that this is independent of vehicle type. This means that to reduce road transport PM₁₀, there would need to be a decrease in all vehicles travelling through the borough.

Figure 12 PM_{2.5} emissions by source and vehicle type (from the LAEI 2013)



The sources of PM_{2.5} within the Hammersmith & Fulham are varied as shown in Figure 12. The largest contributor is road transport followed by NRMM as the second largest source (LAEI 2013)

Figure 13 Road Transport PM_{2.5} Emissions per vehicle type (from the LAEI 2013)

Splitting the road transport PM_{2.5} emissions in Figure 13, the greatest contributor to road transport PM_{2.5} are diesel cars (27.2 %) followed by petrol cars (22.6%), despite there being less diesel cars than petrol cars in London.

Road transport PM_{2.5} emissions are generated from exhaust gases and from tyre and brake wear. In Hammersmith & Fulham 40% of road transport PM_{2.5} emissions originate from the exhaust whereas 60% are generated from tyre and brake wear.

Figure 14 Split of road transport PM_{2.5} emissions from their source (LAEI 2013)

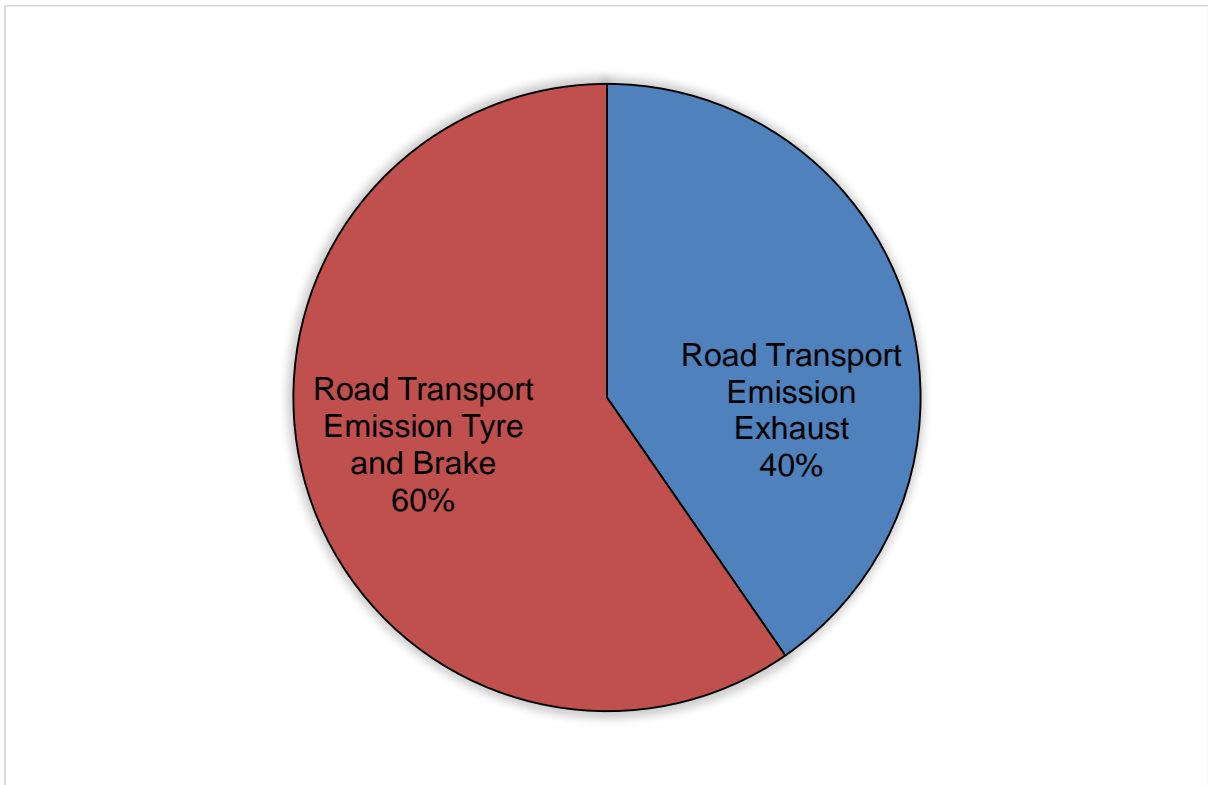
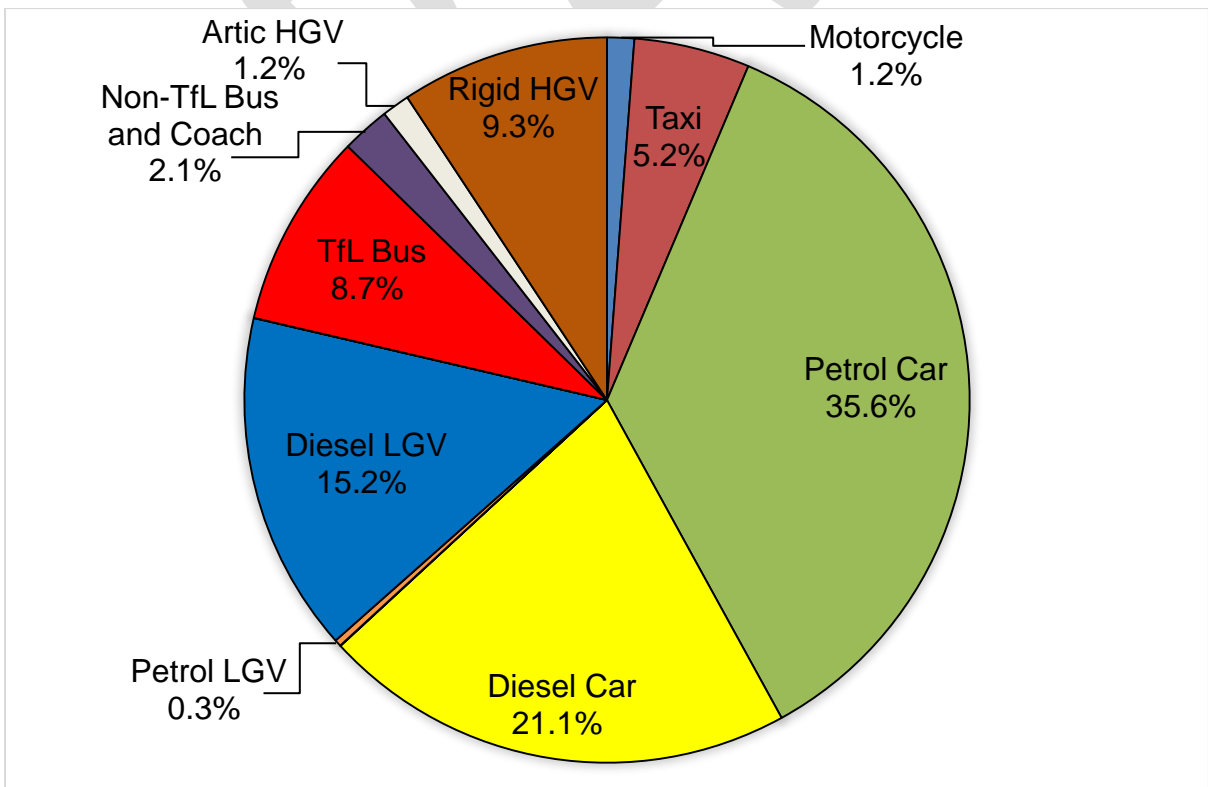
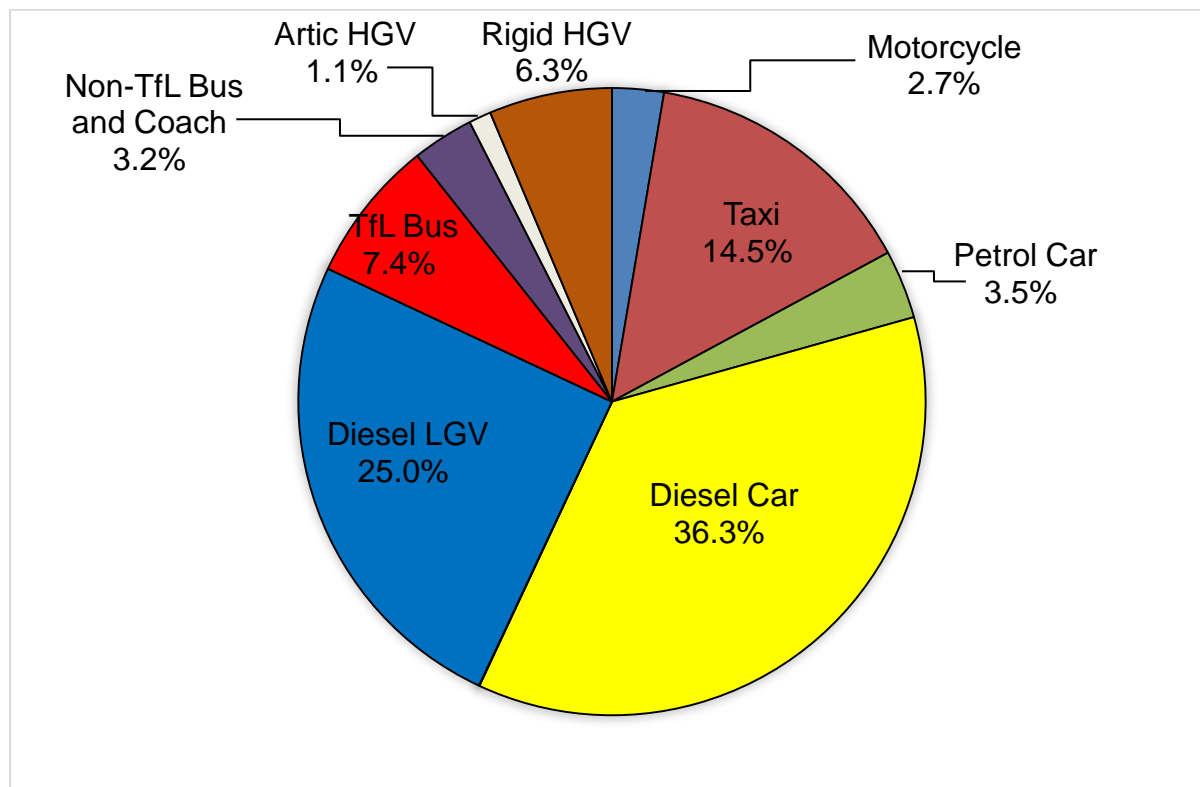


Figure 15 Sources of road transport tyre and brake wear PM_{2.5} emissions



Breaking down the road transport PM_{2.5} emissions in Figure 14, the greatest contributor to road transport PM_{2.5} is tyre and brake wear. Figure 15 shows that petrol cars are the largest contributor (35.6%) and diesel cars the second largest contributor (21.1%) to non-exhaust emissions of PM_{2.5}.

Figure 16 Sources of road transport exhaust PM_{2.5} emissions



Breaking down the road transport PM_{2.5} emissions in Figure 16, the greatest contributor to road transport PM_{2.5} from the exhaust are diesel cars (36.3%) and Diesel LGV's are the second largest contributor (25.0%), despite there being fewer diesel cars than petrol cars in London.

2 Hammersmith & Fulham's Air Quality Priorities

The purpose of this plan is to protect the health and wellbeing of the people who live, work in and visit the borough from the effects of air pollution.

We also have the goal of being the greenest local authority

In order to achieve this, we have the following priorities:

- **Tackling the sources of pollution that the council can control** – for example from our own properties and fleet and through our planning policies, our transport policies, highways works and maintenance
- **Raising residents' and businesses' awareness** of what they can do to reduce their own emissions and how to avoid exposing themselves to existing pollution.
- **Lobby** the government to make the changes needed to improve air quality across the Country
- **Work with the GLA and TfL** to make the improvements needed to reduce pollution in the borough and across London.

3 AQAP Progress

Table 1 shows Hammersmith & Fulham's AQAP. It contains:

- a list of the actions that form part of the plan;
- the responsible individual and departments/organisations who will deliver this action;
- estimated cost to the council;
- expected benefit in terms of emissions and concentration reduction;
- the timescale for implementation; and
- how progress will be monitored.

Key for reading the Action Plan:

Who: name of the council department responsible for this action	BF: Borough Fleet CP: Property Services EH: Environmental Health HS: Housing Services HW: Highway Maintenance and Projects PH: Public Health PL: Planning PR: Procurement TR: Transport Planning
Cost	If the cost to implement an action is already part of the council's budget, then ' Normal Business ' is entered here. Otherwise the funding sources and costs are listed.
Expected Emissions Benefit	Magnitude of Air Quality Benefits High=1 Medium=2 Low =3
NO₂, PM, CC	Symbols indicate whether the action will have an impact on NO₂ (nitrogen dioxide), PM₁₀ and PM_{2.5} (particulate matter) or CC (Climate Change gasses).
When	What year (or month) this action will be implemented of completed or if this is an ongoing commitment

Table 1 - Air Quality Action Plan

The actions have been grouped into six categories: Emissions from developments and buildings; Public health and awareness raising; Delivery servicing and freight; Borough fleet actions; Localised solutions; and Cleaner transport.

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
1	Ensuring emissions from construction are minimised	EH/PL	Normal business	1	*	*		2023	Number of planning applications for which planning condition for automatic air quality monitoring recommended. In line with SPG available to view at https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and	This information is required and reported in the Annual Status Report (ASR)
2	Ensuring enforcement of Non Road Mobile Machinery (NRMM) air quality policies	EH/PL	£2,000 per year with additional funding	1	*	*	*	2023	Number of planning applications for which NRMM planning condition recommended, In	This information is required and reported in the Annual Status Report (ASR). There is a website with further information on

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
			from the GLA						line with SPG available to view at https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/control-dust-and	NRMM. At the website http://nrmm.london.gov.uk/nrmm/legislation
3	Enforcing CHP and biomass air quality policies	EH/PL	Normal business	1	*	*	*	2023	Number of sites for which planning condition for CHP or biomass recommended, in line with SPG. This guidance is available to view at https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/sustainable-design-and	This information is required and reported in the Annual Status Report (ASR)

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
4	Enforcing Air Quality Neutral policies	EH/PL	Normal business	1	*	*	*	2023	Number of air quality neutral assessments completed, in accordance with guidance commissioned by the GLA available at http://www.aqconsultants.co.uk/getattachment/Resource/s/Download-Reports/GLA-AQ-Neutral-Policy-Final-Report-April-2014.pdf.aspx	This information is required and reported in the Annual Status Report (ASR)
5	Ensuring adequate, appropriate, and well located green space and infrastructure is included in new developments	EH/PL	Normal business	2	*	*	*	2023	Appropriate planning policy in place.	The Proposed Submission Local Plan available to view at: https://www.lbhf.gov.uk/planning/planning-policy/local-plan , has a number of Borough wide policies on Green and Public Open Space: Policy OS1 on Parks and

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										Open Space; Policy OS2 on Access to Parks and Open Space; OS3 on Playspace for Children and Young People; OS4 on Nature Conservation and OS5 on Greening the Borough. These ensure that the council will protect, enhance, and increase provision of parks, open spaces and biodiversity in the borough.
6	Ensuring that Smoke Control Zones are appropriately identified and fully promoted and enforced including a review of the air pollution impacts of approved appliances and fuels and potential local restrictions.	EH	Normal business	2	*	*		2023	Number of activities to enforce/promote the smoke control zone.	This could include information provided to residents and businesses on smoke control (https://www.lbhf.gov.uk/environment/pollution/air-quality-and-monitoring) or enforcement activity by the council

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										of legislation. Particulate matter associated with wood burning has been a factor in pollution events in London which requires further review and potentially local measures to control them
7	Promoting and delivering in the Council's own stock energy efficiency retrofitting projects in workplaces and homes (Including using the GLA RE:FIT programme) to replace old polluting heat and energy plant with new low emission plant (e.g. old boilers with new ultra low-NO _x boilers); and top-up lost insulation in combination with other energy conservation measures.	CP/HS	Normal business	1	*	*	*	2023	Number of projects delivered.	The council has signed up to take part in Re-fit for the corporate estate (more information on RE:FIT is available at https://www.london.gov.uk/what-we-do/environment/energy/energy-buildings/refit), Hammersmith & Fulham are currently benchmarking the properties and will come back with recommendations for energy conservation measures to the buildings.

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										The council will investigate options to change the specification of the replacement boilers that will be installed into council housing stock to use ultra low NO _x boilers.
8	The council to encourage residents and organisations to consider Blue Green schemes like Sustainable Drainage Systems (SuDs) in homes and offices.	PL	Normal business	2	*	*	*	On-going commitment	Guidance available at the council website at https://www.lbhf.gov.uk/emergencies-and-safety/floods/living-rainwater	
9	The council to encourage the use of prefabrication in construction works to reduce particulate matter.	PL	Normal business	3	*	*		On-going commitment	Included in council planning policies.	Encouraging the use of prefabrication in construction works is considered to be in line with the requirements of Planning Policy CC2, ensuring sustainable design and

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										construction. However, a minor amendment is proposed to add a bullet point that promoting the use of prefabrication construction methods where appropriate.
10	The need to plan for walkability to be recognised in SPDs in local plan	PL	Normal business	3	*	*	*	On-going commitment	Included in council planning policies.	Strategic Objective 14 of the Proposed Submission Local Plan refers to the need to ensure the development of a safe, sustainable transport network that includes improvements to public transport, cycling and walking infrastructure which will improve transport accessibility and local air quality and reduce traffic congestion and the need to travel. Planning Policy T3 specifically deals with increasing

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										and promoting opportunities for cycling and walking. Promotion of walking is also covered in the Planning Guidance SPD.
11	The council to exercise its enforcement powers to ensure that developers fulfil commitments in delivering tree planting plans; also to seek ways of maintaining mature tree cover when planning for new developments.	PL	Normal business	3	*	*	*	2023	Included in council planning policies.	<p>Planning Policy OS5 states that the council will seek to enhance biodiversity and green infrastructure in the borough, including by:</p> <ul style="list-style-type: none"> • seeking to prevent removal or mutilation of protected trees; • seeking retention of existing trees and provision of new trees on development sites; and • adding to the greening of streets and the public realm. <p>The council also sets out in the Proposed</p>

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
										Submission Local Plan its vision of there being more street trees by 2035.
12	Local plan to specify the need to consider the impact of all new developments on air quality.	PL	Normal business	1	*	*		2018	Included in council planning policies.	This issue is covered by a proposed minor amendment to Local Plan Planning Policy CC10 which has been changed to apply to developments which may be impacted by local sources of poor air quality or may adversely contribute to local air quality.
13	Support residents by providing energy efficiency advice and by installing small and low-cost energy efficiency measures to combat climate change. Reduce their energy bills and carbon footprint through the Healthy (Healthier) Homes project and through home energy	EH	Normal business	1	*		*	2023	Number of residents to which advice provided. Number of efficiency measures installed.	Further information is available on the council's webpages at https://www.lbhf.gov.uk/housing/private-housing/energy-efficiency-and-warm-homes

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
	visits by trained green experts.									
14	Aboricultural and greening policies to be promoted in the local plan and SPDs.	PL	Normal business	1	*	*	*	2023	In council planning policies.	The Proposed Submission Local Plan has a number of Borough wide planning policies on Green and Public Open Space: Policy OS1 on Parks and Open Space; Policy OS2 on Access to Parks and Open Space; OS3 on Playspace for Children and Young People; OS4 on Nature Conservation and OS5 on Greening the Borough. These ensure that the council will protect, enhance, and increase provision of parks, open spaces, and biodiversity in the borough.

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Emissions from developments and buildings										
15	The council and other decision makers to keep under review new environmental initiatives and best practices as these come forward.	PL	Normal business	1	*	*	*	2023	Number of activities completed.	An example would be that as part of the drafted sustainability strategy for corporate assets there will be a requirement for innovation to be included in all decision making.

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
16	Ensure that Director of Public Health and Deputy Director of Public Health for H&F have been fully briefed on the scale of the problem in your local authority area; what is being done, and what is needed. A briefing should be provided.	EH	Normal business	n/a				On-going commitment	Minimum of one briefing provided per year.	
17	Public Health Teams should be supporting engagement with local stakeholders (businesses, schools, community groups and healthcare providers). They should be asked for their support via the Deputy Director for Public Health for H&F when projects are being develop: utilising the reach of public health services	EH/PH	Normal business	n/a	*	*		On-going commitment	Number of projects supported by public health team.	

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
	to this stakeholder group and developing the key public health messaging for stakeholders.									
18	Director of Public Health to have responsibility for ensuring their online Joint Strategic Needs Assessment (JSNA) has up to date information on air quality impacts on the population	PH	Normal business	n/a				Ongoing commitment	Annual check that information is up to date.	The council's JSNA is available at https://www.jsna.info/
19	Strengthening co-ordination with Public Health by ensuring that at least one Consultant-grade public health specialist within the borough has air quality responsibilities outlined in their job profile	PH	Normal business	n/a				On-going commitment	In place.	
20	Director of Public Health to sign off Statutory Annual Status Reports and all	EH/PH	Normal business	n/a				On-going commitment	Sign off undertaken.	The council's ASRs are available at https://www.lbhf.gov.uk/environment/pollu

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
	new Air Quality Action Plans									tion/air-quality-and-monitoring
21	Ensure that the Head of Transport has been fully briefed on the Public Health duties and the fact that all directors (not just Director of Public Health) are responsible for delivering them, as well as on air quality opportunities and risks related to transport in the borough. Provide a briefing which can be disseminated amongst the Transport team.	EH	Normal business	n/a	*	*		Ongoing commitment	Minimum one updated briefing provided per year.	
22	Engagement with businesses	EH	Normal business	3	*	*	*	2023	Number of workplace travel plans in place.	The council engages with business through the Healthy Workplace Charter, detailed at https://www.lbhf.gov.uk/business/health-and-safety-

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
										work/london-healthy-workplace-charter The council will consider how information about air quality can be disseminated through this already established contact with local business. The council is part of the WestTrans partnership, more information is available at http://www.westtrans.org/wla/wt2.nsf
23	Promotion of availability of airTEXT and walkit.	EH/PH	£1000 per year	3	*	*	*	2023	Number of activities in which these tools promoted.	Activities could include messages on the council's website and through social media channels or distribution of information at council events. Information can be provided on the

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
										council's air quality webpages https://www.lbhf.gov.uk/environment/pollution/air-quality-and-monitoring .
24	Encourage schools to join the TfL STARS accredited travel planning programme and GLA's Healthy Schools' London Programme by providing information on the benefits to schools and supporting the implementation of such programmes.	TR/PH	Normal business	2	*	*	*	2023	Number of schools that are part of TfL STARS and Healthy School's programmes.	Information on school travel plans is available at https://www.lbhf.gov.uk/transport-and-roads/travel-plans . The STARS programme webpages are at https://stars.tfl.gov.uk/ The Healthy Schools Programme is detailed at http://www.healthyschools.london.gov.uk/
25	Air quality at schools, such as The Mayor's School Air Quality Audits' Initiative.	EH/TR	Normal business and external funding including GLA	3	*	*	*	2023	Number of Schools receiving air quality and number of sessions air quality information delivered at	The Mayor's School Air Quality Audits' were announced here https://www.london.gov.uk/press-releases/mayoral/air

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
									urbanwise sessions.	-quality-audits-to-protect-school-kids
26	Raise awareness of the impact of individual behaviour on air quality during events such as National Clean Air Day.	EH	Normal business	3	*	*		2023	Number of related activities completed.	The national clean air day webpages are available at https://www.cleanairday.org.uk/
27	Public air pollution alerts and forecast to be made more widely available.	EH	Normal business	3	*	*		2023	Number of messages completed.	The council will put messages on website and on twitter when notified of air pollution alert.
28	Lobby central government to retain air quality legislation after withdrawal from the European Union in 2019.	PH	Normal business		*	*		2023	Number of responses to consultations	
29	Lobby central government to meet World Health Organization (WHO) air quality guidelines	PH	Normal business		*	*		2023	Number of responses to consultations provided.	This action was included in the NICE air quality guideline (2017) available at https://www.nice.org.uk/guidance/ng70

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Public health and awareness raising										
30	Lobby tyre,brake and clutch manufacturers to use materials which reduce small particles released through wear.	PH	Normal business			*		2023	Number of responses to consultations provided.	

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Delivery Servicing and Freight										
31	Review council procurement policies with a view to requiring Fleet Operator Recognition Scheme (FORS) accreditation	EH/PR	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	The fleet operator recognition scheme webpages are at https://www.fors-online.org.uk/cms/ Initial step would be to develop a procurement policy document for air quality that would be available on the council's intranet procurement pages. The document would provide advice to departments about to enter contracts for services.
32	Review council procurement policies with a view to requiring that sustainable logistical measures are implemented (and include requirements	EH/PR	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	Initial step would be to develop a procurement policy document for air quality that would be available on the council's intranet procurement pages.

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Delivery Servicing and Freight										
	for preferentially scoring bidders based on their sustainability criteria)									The document would provide advice to departments about to enter contracts for services.
33	Re-organisation of freight to support consolidation (or micro-consolidation) of deliveries, by setting up or participating in new logistics facilities, and/or requiring that council suppliers participate in these	EH/TR	£25,000 per year plus funding from GLA and local businesses	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	Hammersmith & Fulham joined a Low Emissions Logistics (LEL), project, which was established in the four boroughs of Lambeth, Croydon, Wandsworth and Southwark in 2016/17, to reduce and consolidate deliveries. Hammersmith and Fulham joined with a group of other London boroughs in 2017. The action for 2017/18 is to collect baseline data for feasibility study into the setting up of an consolidation centre. The LEL is supported

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Delivery Servicing and Freight										
										by the Mayor's Air Quality Fund.
34	Virtual Loading Bays and priority loading for ultra-low emission delivery vehicles- Review research and trials being completed in London with a view to using in H&F in the future.	TR	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	Transport for London Road Network (TLRN) is running a trial in Wandsworth in 2017, focusing on high-density loading 'hotspots'

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Borough fleet actions										
35	Join the Fleet Operator Recognition Scheme (FORS) for the borough's own fleet and obtain Gold accreditation	BF	Costs being assessed	2	*	*	*	2023	Number of activities completed to work towards achieving this action.	The fleet operator recognition scheme webpages are at https://www.fors-online.org.uk/cms/
36	Increasing the number of hydrogen, electric, hybrid, bio-methane and cleaner vehicles in the boroughs' fleet	BF	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	
37	Accelerate uptake of new Euro VI vehicles in borough fleet	BF	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	
38	Smarter Driver Training for drivers of vehicles in Borough Own Fleet i.e. through training of fuel efficient driving and providing regular re-training of staff	BF	Normal business	3	*	*	*	2023	Number of activities completed to work towards achieving this action.	

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Localised Solutions										
39	Green Infrastructure. The council to increase tree, hedge and grass planting on council-owned land and highways.	HW	£100,000 per year	2	*	*	*	2023	Square Metres of additional greening installed.	The first steps will be to identify locations that would benefit from increased green infrastructure and choose appropriate plants. Previous experience from green infrastructure project from Mayor's Air Quality Funding could be used, this is discussed at http://www.hammersmithtoday.co.uk/shared/hfcycling014.htm
40	Implement opportunities for small scale LENS (Low Emission Neighbourhoods) and investigate opportunities for funding of further LEN projects	TR	Normal business/ external funding secured	1	*	*	*	2023	Number of activities completed to work towards achieving this action. E.g Applying for future funding opportunities.	An example of previous application for funding for a LEN is shown at https://www.lbhf.gov.uk/articles/news/2016/05/council-1m-bid-tackle-air-pollution-hammersmith

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Localised Solutions										
41	The council will commit to modify the pruning regime of trees on main roads in the borough	HW	Normal business	1	*	*	*	2023	Number of roads for which trees received reduced pruning.	
42	The council to increase playing fields, pocket parks, and sporting facilities in the borough to enable residents to keep fit and active.	PI	Normal business	1	*	*	*	2023	In council planning policies.	<p>Strategic Objective 11 of the Proposed Submission Local Plan is to protect and enhance the borough's open green spaces and create new parks and open spaces where there is major regeneration, promote biodiversity and protect private gardens.</p> <p>Strategic Objective 15 is to maintain and improve health care provision in the borough and encourage and promote healthier lifestyles, for example through better sports facilities, to reduce health inequalities.</p>

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Localised Solutions										
										Planning Policy OS2 and OS2 states that the council will seek to reduce open space deficiency and to improve the quality of, and access to, existing open space (which includes play areas and school playing fields as well as sport, leisure, or recreational facilities).

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
43	Discouraging unnecessary idling by taxis, coaches and other vehicles through enforcement and awareness raising campaigns	EH	Normal business and external funding from GLA and annual campaign cost of £10,000 per year	2	*	*	*	2023	Number of drivers told to shut off engines; number of drivers fined for not shutting off engines; number of awareness raising campaigns completed.	Previous action days for idling are shown at https://www.lbhf.gov.uk/articles/news/2016/11/clean-air-champions-successful-action-day-stop-idling-motorists-hf
44	Speed control measures e.g. lowering the legal speed limit to 20mph in built up residential areas	TR	Normal business	2	*	*	*	2023	Number of activities related to maintaining or expanding 20mph roads in the boroughs.	Information on 20mph speed limit is available at https://www.lbhf.gov.uk/articles/news/2016/02/majority-support-more-20mph-speed-limits-hammersmith-fulham
45	Increasing the proportion of electric, hydrogen and ultra low emission vehicles in Car Clubs	TR	External to Council funding	2	*	*	*	2023	Number of activities completed.	Partnership work by the council with Bluecity electric car club is detailed at https://www.lbhf.gov.uk/transport-and-

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
										roads/electric-vehicles
46	Very Important Pedestrian Days (e.g. no vehicles on certain roads on a Sunday) and similar initiatives	TR	Normal business	2	*	*	*	2023	Number of days completed.	An example of a previous day held is shown at https://www.lbhf.gov.uk/articles/news/2015/06/unlimited-play-streets-children-shepherds-bush-road
47	Free or discounted residential parking permits for zero emission cars	TR	Normal business	3	*	*	*	2023	Activities completed to work towards achieving this action.	
48	Review of surcharge on diesel vehicles below Euro 6 standards for Resident and Controlled Parking Zone permits	TR	Under review	3	*	*	*	2023	Activities completed to work towards achieving this action.	Awaiting final ULEZ plans to assess financial implications to residents before final decision on surcharge
49	Installation of residential electric charge points	TR	External to Council funding	1	*	*	*	2023	Number of activities completed to work towards achieving this action.	This is being investigated through funding opportunities available from OLEV/EST and GULCS.

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
										Work completed on street light charging points is detailed at https://www.lbhf.gov.uk/articles/news/2017/07/quick-and-easy-electric-car-charging-points-unveiled-westcroft-square
50	Installation of rapid chargers to help enable the take up of electric taxis, cabs and commercial vehicles (in partnership with TfL and/or OLEV)	TR	External to Council funding	2	*	*	*	2023	Number of activities completed to work towards achieving this action.	This is currently being progressed working with TfL.
51	Reprioritisation of road space; reducing parking at some destinations and or restricting parking on congested high streets and A roads to improve bus journey times, cycling experience, and reduce emissions caused by congested traffic	TR	Normal business	2	*	*	*	2023	Number of activities completed.	Examples of reallocation of parking spaces to create a parklet detailed at https://www.lbhf.gov.uk/articles/news/2017/04/new-bicycle-parklet-brings-party-brackenbury-village

ID	Action description	Who	Cost	Expected emissions benefit	NO ₂	PM	CC	When	How implementation will be monitored	Further information
Cleaner Transport										
52	Provision of infrastructure to support walking and cycling. To enable more people to take up cycling to travel around the borough and to allow children to walk to school more easily. More safer cycle routes will be developed by the council and TfL. The council together with its strategic partners such as TfL, to develop plans to increase pedestrianisation, cycling and greening in its town centres.	TR	Normal business	1	*	*	*	2023	Number of activities completed.	Example of previous work related to improving cycling infrastructure available at https://consultations.tfl.gov.uk/roads/hammersmith-gyratory/user_uploads/hammersmith-gyratory-report-final.pdf And https://www.lbhf.gov.uk/articles/news/2016/08/strong-support-safer-cycling-plans-hammersmith-gyratory

Appendix A Reasons for Not Pursuing Action Plan Measures

Table A.1 Action Plan Measures Not Pursued and the Reasons for that Decision

Action category	Action description	Reason action is not being pursued (including Stakeholder views)
Emissions from developments and buildings		
Public health and awareness raising		
Delivery servicing and freight		
Borough fleet actions		
Localised solutions		
Cleaner transport	From GLA Action Plan Template: 32.Free or discounted parking charges at existing parking meters for zero emission cars	The council aims to increase active travel and travel by public transport. Implementing this measure would not fit with this aim so it is not being pursued.

Consultation Questions

1. Do you agree with the council's priorities listed in section 2 of the consultation document? [2 Hammersmith & Fulham's Air Quality](#) Priorities

Yes

No

2. If 'No,' please let us know what we should change in the space below:

3. Do you agree that the council should be taking the actions listed in [Table 1](#) of the consultation document?

Yes

No

4. If 'No,' please let us know what you don't agree with in the space below; please include the action number in your response.

5. Do you think the council should be taking more actions than those listed in Table 1?

Yes

No

6. If 'Yes,' please let us know what we could add to this plan in the space below:

7. If you have any other comments on the Draft Air Quality Action Plan please provide them in the space below:

APPENDIX C - AQAP Annex – Consultation Responses

No	Response	Nature of response	Officer response	Response ID
1	<p>I think the priorities are ok, but not complete.</p> <p>for example, on the topic of congestion, I think more could be done there. Perhaps focusing on the most congested parts/roads of the borough, more could be done to make areas pedestrian only.</p> <p>two proposed schemes come to mind:</p> <ul style="list-style-type: none"> -proposed underpass Hammersmith roundabout -pedestrianisation of Sheperds Bush green (closing one of the roads) <p>these would both have a significant beneficial impact on the worst congested and polluted parts of the borough and a much larger impact to the stated priorities.</p>	Support with conditions	<p>Comments noted and partly upheld as additional priority will be included as follows: 'Provide the necessary infrastructure such as green spaces, the cycle superhighway and more widely available cycle hire to increase active travel like walking and cycling'. Action 46 of the plan promotes Pedestrian Days (e.g. no vehicles on certain roads on Sundays) and similar initiatives. We are working with the Mayor to progress the Hammersmith flyunder scheme and have asked Transport for London to investigate the possibilities for pedestrianising the north side of Shepherds Bush Green, or making it bus and bicycle only.</p>	Public
2	<p>Cycle super highways sound like a good idea but when you squeeze motorists into a smaller space this causes traffic hold ups dramatically increasing air pollution just like speed bumps. You need to keep traffic moving not stop start, Fulham Palace Road, Hammersmith Broadway, Shepherds Bush Green, are prime examples of stop/start traffic and that's without cycle super highways.</p>	Observation	<p>A key aim of the cycle super highways is to transfer journeys from motor vehicles to cycles, thereby reducing congestion and pollution. Response relating to traffic hold ups partially upheld. Action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F'. Action 33 of the plan provides aims to reorganise freight to support consolidation or micro-consolidation of deliveries.</p>	Public
3	<p>The main priority should be to reduce air pollution across 100% of H&F to below legal limits within a set timeframe (e.g. 10 years). Everything else should stem from that.</p>	Observation	<p>Comments noted and comment relating to controlling the type and ammount of vehicle on each road upheld. New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the</p>	Public

	<p>The council needs to clearly set out the limits of its powers with regard to air quality (perhaps in another table). For example, can the council control the amount and type of vehicles on each road? Can the council close certain roads? Can the council implement dynamic traffic controls (e.g. no more vehicles after pollution reaches a set limit each day)? Can the council ban through traffic? Can the council mandate electric vehicles only on its roads?</p>		<p>roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F'. The comment on a 10 year target noted. Our intention is to meet the limits as soon as possible with our actions including lobbying the Government to make the necessary changes and legislation to make this happen. In terms of listing the limits of our powers, the council have a wide range of powers and limitations which would not be feasible to list in this document. The council can close its own minor roads, but the main roads are either managed by Transport for London or the council needs their approval for any changes we make. Most traffic, and therefore pollution is concentrated on the main roads and therefore any measures to close roads or restrict the type of traffic using them would have to be done in partnership with the Mayor of London and TfL. The Mayor is planning to implement an Ultra Low Emission Zone in central London and we are lobbying for this to be extended to include the borough to help restrict the nature of the vehicles on the road.</p>	
4	<p>Most of them are either nonsense like more cycling highways (where on congested roads and only a few cycle), replacing boilers (have you properly costed this, I doubt it), get people to walk more (how are you going to do that when most people who are capable already walk) and etc.</p> <p>The only sensible suggestion was planting more trees.</p> <p>Why not remove humps and bumps, reduce impediments to vehicles on roads, reduce traffic lights and replace with roundabouts, synchronise lights. All of that will, reduce use of engines.</p> <p>Encouraging electric cars has already been</p>	Objection	<p>Comments noted. "Humps and bumps" are effective in reducing vehicle speeds, which is very important for road safety. Injuries to pedestrians are much more serious at higher speeds. Lower speeds also mean that people feel more comfortable walking and cycling and encourages them to do so. Fear of traffic is one of the main deterrents to these activities. Likewise removing traffic signals would reduce the ability of pedestrians to cross main roads and therefore deter them from walking. Traffic signals are controlled by TfL and are adjusted to dissipate congestion at particular times. Not all journeys can be made on foot, by bicycle, or public transport, and where motor vehicles are needed, e.g. to transport heavy loads or by disabled people, electric vehicles emit no tailpipe emissions, unlike petrol or diesel engine vehicles and therefore</p>	Public

	<p>shown to be nonsense. The country cannot support the electricity required, for cities especially there can never be enough charging points and now you want to use taxpayers money to subsidise cars. Really!</p>		<p>improve local air quality. Electricity can be generated from a variety of sources, including renewable and carbon-free wind and water power.</p>	
5	<p>From reading the document I am only qualified to comment on the travel elements of the strategy regarding reducing air pollution with measures which would deter motorized travel and the damage from this.</p> <p>It is clearly stated that PM10 emissions are 76% from brake on tyre action. This means that even if electric cars/vans/lorries/buses are used (and the take up of this will take years) there are still more PM10 emissions from this than from exhaust (24%).</p> <p>Equally PM2.5 particles are 40% from exhaust and 60% from brakes on tyre actions.</p> <p>It states within the document that to reduce this pollution there needs to be an overall decrease of ALL vehicles traveling through the Borough. To this end there is no mention of filtered permeability, no mention of closed roads round schools to ban people driving children to school and the aspiration of journeys by bicycle to be 8% is pitifully low.</p> <p>It would seem that the idea of electric motor vehicles is seen as the gold standard of dealing with air pollution - no mention of electric bicycles.</p> <p>We know that the majority of journeys by car aren't less than 2 miles as yet offering free residents parking to zero emission vehicles ignores your own statistics that emissions are greatest from the brake on tyre effect - so all residential parking has to be rationed.</p> <p>Huge numbers of vehicle journeys are now Uber and Taxis and other PHVs using sat nav to find rat</p>	Objection	<p>Figure 12 shows that 39 Tonnes of PM2.5 is attributed to road transport out of the total 77.9 tonnes (2013 data) which means that 50% of this pollutant is from non-transport sources. That means that 38% of total PM2.5 emissions is from brake and tyre wear, not 76% and similarly 32% of PM2.5 are from this wear. Action 30 of the action plan is targeted at lobbying manufacturers to use materials which reduce small particles released through wear. Our main aim is to increase the proportion of journeys made by walking, cycling and public transport, in line with the Mayor's Transport Strategy's target of increasing the Londonwide share of these modes from the current 64% to 80%. However, some journeys will still need to be made by motor vehicles, e.g. when carrying heavy loads or trips by disabled people. We have some 50 road closures with exemptions for cyclists ("filtered permeability"). Likewise we have a large number of one way streets, some with contra-flow cycling, but we do not plan to increase the number of one-way streets as they tend to increase the speed of traffic and rat running in the direction of the street, as well as longer car journeys. There are several types of electric bicycle on the market, but we are concentrating on improving the safety and comfort of all cyclists, e.g. through 20mph speed limits and cycle superhighways. The latter will be available 24/7, but in Goldhawk Road the shops need access for loading</p>	Public

	runs through Hammersmith and beyond - again this has to be stopped by one way streets with bi-directional cycle routes and filtered permeability. Cycle routes on Goldhawk Rd and Uxbridge Rd are worse than useless as mostly used for parking day in and day and especially in the evening. These need to be 24/7 and mandatory.			
6	Working with the other agencies across London makes good sense. The council does have a lot of control over the road planning in the borough, so I hope as much as possible is done to promote cycling and walking.	Support with conditions	Comments noted. Action 46 Proposes Very Important Pedestrian Days (e.g. no vehicles on certain road on Sundays) and similar initiatives Action 52 is to provide infrastructure to support walking and cycling to enable more people travel around the borough.	Public
7	The missing part is the large amount of emissions from planes flying over our polluted city. We are subject to constant noise and invisible pollutants. Electric cars are PART of a solution. My fear is a terrorist attack , a plane coming down, which will kill and destroy. Pedestrian only areas must be considered too. Car free zones.? We need to be more aggressive in tackling this.	Support with conditions	Car clubs operate in the borough and we have recently introduced London's and the UK's first all-electric car club. Action 45 outlines a commitment to increase the proportion of ultra-low and no-tailpipe emission vehicles in these Clubs. Action 46 Proposes Very Important Pedestrian Days (e.g. no vehicles on certain road on Sundays) and similar initiatives. Emissions of noise from aircraft is outside the scope of this document although. The council is opposed to expansion at Heathrow and is against any increase in flight numbers beyond the current annual allowance of 480,000. We comment on Government consultations on airspace changes, expansion plans for Heathrow and operational changes at Heathrow that could impact on H&F. We lobby for restrictions and changes to airspace and operations that reduce impacts for H&F residents.	Public
8	NONE of your plans go anywhere near making any measurable difference to hammersmith air quality. Are you really expecting anyone to think those pathetic suggestions amount to us as residents thinking our local council is taking it seriously. You are evidently not prepared to make any hard decisions. I am saddened (a very	Objection	Our main aim is to increase the proportion of journeys made by walking, cycling and public transport, in line with the Mayor's Transport Strategy's target of increasing the London wide share of these modes from the current 64% to 80%. Most traffic, and therefore pollution is concentrated on the main roads and therefore any measures to close roads or restrict the	Public

	<p>politics expression) that you are wasting your time our time and tax payers money in drawing up these suggestions. The causes of Hammersmith air pollution is volume of traffic, buses and deisel cars and taxis and Uber taxis clogging up the roads looking for tiny fares which stop people walking. Make some grown decisions about cutting pollution and then come back to the tax payers to get our approval. You are wasting out time at the moment and ours!</p>		<p>type of traffic using them would have to be done in partnership with the Mayor of London and TfL. Comment relating to volume of traffic partially upheld. New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F'</p>	
9	<p>Fining vehicles who leave their vehicle running while stationery is a priority in my opinion.</p> <p>Having lived for many years in Switzerland, I lived the benefit of strict enforcement of this. Also people should be actively encouraged to turn vehicles off in traffic jams and even perhaps at red traffic lights (esp those that take a long time to change to green).</p> <p>Also need more frequent, environmentally friendly buses and car share schemes easily accessible in H&F.</p> <p>We have recently sold our car and I would like to live car free with a family of 4 but access to car-share schemes would help in our borough - as one does need to use a car from time to time.</p>	Support with conditions	<p>We will be implementing an anti-vehicle engine idling enforcement policy in accordance with Action Plan Measure 43. Car clubs operate in the borough and we have recently introduced London's and the UK's first all-electric car club. Action 45 outlines a commitment to increase the proportion of ultra-low and no-tailpipe emission vehicles in these Clubs and Action 45 outlines a commitment to increase the proportion of ultra-low and no-tailpipe emission vehicles in these Clubs. We have recently introduced London's first all-electric car club.</p>	Public
10	<p>I agree with all of the principle priorities, but I think they underemphasis how impactful the Council could be on developing more healthy, sustainable transport options for residents and those travelling through the Borough.</p> <p>I think this should be reflected by creating a new priority that is something along the lines of 'Encouraging the use of green transport by the</p>	Support with conditions	<p>Comments noted and partly upheld as additional priority will be included as follows 'Provide the necessary infrastructure such as green spaces, the cycle superhighway and more widely available cycle hire to increase active travel like walking and cycling'. Next year we will have to produce a Transport Local Implementation plan in line with the Mayor's Transport Strategy, and we will incorporate this principle in the plan.</p>	Public

	Borough's residents and visitors in any way the council is able to'.			
11	I broadly agree with the Council's priorities. However, there is one source of air pollution which is not included: pollution from helicopters at London Heliport. Helicopters idling, taking off and landing emit massively more toxic fumes than motor cars. I am sure there is a comparison somewhere. Residents in South Fulham have to endure these fumes - in addition to the noise - but little action has been taken to clamp down on larger, older, noisier and thus more polluting helicopters. It is fervently to be hoped that the Council will address this problem.	Support with conditions	Hammersmith & Fulham Council do not have the statutory powers to regulate emissions from aircraft including helicopters. The council will continue to lobby Central Government to minimise the impact of these aircraft emissions on local air quality. The council has representatives on the Heliport Consultative Group and can raise this issue of pollution impacts at the next meeting. In our consultation response to the draft London Environment Strategy, the council has highlighted the issue of air pollution from helicopters as one that the Mayor should be seeking regulatory powers.	Public
12	The priorities are positive but very long term focused and don't help tackle issues in the more immediate term. The current proposals look to incentivise lower air pollution creation, but something that can be done now is looking at ways to contain/capture air pollution e.g via more hedges or trees along main roads that can 'catch' some of this pollution to reduce how much drifts into people's homes.	Support with conditions	Action 5, 14 and 39 of the plan encourage the increase of green infrastructure within the borough. We are actively using (and planning to use) greening to reduce exposure and refer to the latest research to plan optimal plant species and placement in our planning which is captured by Action 39.	Public
13	Place heavy restrictions on numbers of cars entering H&F.	Support with conditions	We don't have powers to restrict vehicles on the main roads on our own, so this will have to be done in co-operation with TfL. We partially upheld the comment on number of cars entering H&F. Action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F'	Public
14	The Council has no business interfering in individuals choices of vehicle. Get on with emptying the bins and cleaning the streets like councils are meant to.	Objection	Comments noted. The council are required by legislation in the Environment Act 1995 to produce and implement an Air Quality Action Plan.	Public
15	A very key way to cut pollution is to cut motor vehicle journeys and therefore a top priority	Support with conditions	Action 35 of the plan will increase the number of hydrogen, electric, hybrid and cleaner vehicles in the	Public

	should be the provision of safe cycling and walking routes - also road closures and filtered permeability. Of course the Council fleet should be electric and a ban on idling but until more people are walking and cycling - especially during school term time there will not be a reduction in air pollution as is necessary.		borough fleet. Action 37 will accelerate the uptake of Euro V1 vehicles in borough fleet. Action 46 Proposes Very Important Pedestrian Days (e.g. no vehicles on certain road on Sundays) and similar initiatives Action 52 Is to provide infrastructure to support walking and cycling to enable more people travel around the borough.	
16	Too much raising awareness - although essentially is putting in hold things to do now. Cemex? Get rid if it - dust everywhere on the road - Tideway so much traffic - ban HGV over Wandsworth bridge / Road - you did allow Imperial wharf Chelsea Harbour residents a private road to stop pollution - was that because these residents are rich and more important? LBHF actions of benefit the few and not the majority - be specific in what you will actually do. This plan is too vague - set targets - explain how you will achieve them.	Objection	Comments noted and partly upheld as more detailed actions and targets have been added to the Plan. Comments on Cemex are noted, though no complaints regarding dust track out have been received in the past couple of years nor have they been noted during routine inspections in this time. We have secured agreement with Tideway for most of the spoil and construction materials to be transported by barge, but there is still a need for some transport of materials by road. The barrier under the railway bridge at Chelsea Harbour was installed to prevent a major traffic rat run opening up in Sands End.	Public
17	A ban needs to be put in place in London on petrol diesel vehicles. This is killing us! If busses in the north of the uk who don't have problems with pollution are using ELECTRIC busses and transport!! Why is London not the leading city in the country. Is it because TfL cba spending the outright costs of electric transport as they just care about the money? Yes is the answer. Stop letting TfL destroy this city. The council needs to take control of this. They are destroying London.	Objection	Comments noted and partially upheld. Action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F. TfL are planning to make King Street/Hammersmith Road and Uxbridge Road "low emission bus corridors"	Public
18	I feel that they do not go far enough. Air pollution is an urgent issue and needs to be acted on immediately. Air quality must be prioritised above private transport.	Objection	Comments noted and partly upheld as more detailed actions and targets have been added to the Plan.	Public
19	The section begins "We also have the goal of being the greenest local authority". This is meaningless as stated, and should be removed. It might be considered utter hypocrisy if LBHF takes	Objection	Comments noted. Our main aim is to increase the proportion of journeys made by walking, cycling and public transport, in line with the Mayor's Transport Strategy's target of increasing the Londonwide share of	Public

<p>draconian measures impacting local residents' freedom while blatantly organising fireworks displays which fill the air with chemical smog. The council's response to a resident comment on the LBHF website is that firework displays are very popular. It should admit that using private vehicles like motorcycles and petrol cars is very popular with an even greater number of residents. The section advises:</p> <p>"The purpose of this plan is to protect the health and wellbeing of the people who live, work in and visit the borough from the effects of air pollution." Only if you read reports like those from the government's Committee on the Medical Effects of Air Pollutants (COMEAP) and the Parliamentary Office of Science and Technology (Ambient Air Quality, PN-458), you will realise that the health effects claimed are very uncertain. Hammersmith & Fulham Cyclists have also admitted uncertainties in the method for measuring levels of nitrogen oxides. The overwhelming priority for the AQAP should therefore be:</p> <p>"To seek incontrovertible proof of the health effects of air pollutants on the people who live, work in and visit the borough, and to tailor action based upon specific cases. Such action should not be used to justify measures that will disproportionately affect residents and others or disguise unpopular policies such as forcing modal shift. At all times, LBHF will seek to work with people, not do things to them." The next priority for the AQAP should be:</p> <p>"At all times to be honest with residents and others about uncertainties relating to claims for health impact or lives lost." In 2013, the GLA produced a document</p>		<p>these modes from the current 64% to 80%. However, some journeys will still need to be made by motor vehicles, e.g. when carrying heavy loads or trips by disabled people. We have some 50 road closures with exemptions for cyclists ("filtered permeability"). Likewise we have a large number of one way streets, some with contra-flow cycling, but we do not plan to increase the number of one-way streets as they tend to increase the speed of traffic and rat running in the direction of the street, as well as longer car journeys. We are concentrating on improving the safety and comfort of all cyclists, e.g. through 20mph speed limits and cycle superhighways</p>	
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“BETTER ENVIRONMENT, BETTER HEALTH
A GLA guide for London’s Boroughs
London Borough of Hammersmith & Fulham” This
admitted over the cited thousands of deaths from
a pollutant (p15):
“It should be noted that this does not relate to real
individuals, but is a statistical construct”
<http://www.fairdealforthemotorist.org.uk/glabetterenvhealth.pdf> A contact tried to tactfully feature this
quote in a comments section on the LBHF
website, but the comment was not displayed after
moderation. LBHF should not be applying
censorship to comments that do not match its
own preconceived views. Rather it should
welcome open debate, not least as legal
consultation guidelines require procedural
fairness. According to the Cabinet Office’s
Consultation Principles, 2013, authorities should
furnish residents and other stakeholders with
sufficient information to enable them to make
informed comments. In 2010, COMEAP produced
a report: “The Mortality Effects of Long-Term
Exposure to Particulate Air Pollution in the United
Kingdom.” The computation and assumptions
underlying the data were opaque, and its
conclusions admitted significant uncertainty. A
reviewer projected that the ‘loss of life’ might
typically be in the region of 16-41 days using
COMEAP figures, and could even be zero on
account of the risk coefficient (confidence factor
used). See ‘The Great Dirty Diesel Scare’ by
Transport Watch.
<http://www.transport-watch.co.uk/great-dirty-diesel-scare> There are also uncertainties
surrounding COMEAP’s 2014 paper ‘Considering
the evidence for the effects of Nitrogen dioxide on
health’. Parliament’s Commons Select Committee

	<p>on Health will be exploring claims that diabetes is 'linked to' air pollution. All of the 'evidence' I have so far been able to look up on the internet has failed to prove causality. For instance, studies have been inconclusive, involved estimates based on theoretical models, low numerical samples or experiments conducted on mice not human tissue. Operational priorities for action should be subordinate to the main priorities. It should be noted that the prevailing legislation, does not require action to be taken where it would result in disproportionate cost. (Ambient Air Quality Directive, 2008/50/EC). Both LBHF and GLA resources are obtained from council tax payers (cf. the GLA precept). Resources allocated on air quality measures without an objective justification will be measures taken at the expense of others, such as health education or policing that can prevent injuries and save lives. It should also be noted that many pollutants blow into London from outside the M25, possibly even from continental industrial plants or the Sahara, and LBHF should come clean with residents that there will be sources of pollution that it cannot manage or control.</p>			
20	<p>Cycle super highways sound like a good idea but when you squeeze motorists into a smaller space this causes traffic hold ups dramatically increasing air pollution just like speed bumps. You need to keep traffic moving not stop start, Fulham Palace Road, Hammersmith Broadway, Shepherds Bush Green, are prime examples of stop/start traffic and that's without cycle super highways.</p> <p>Penalising diesel cars when we were advised they were more air pollution friendly is misplaced.</p>	Objection	Comments noted. These concerns regarding stop/start traffic are addressed in Action 51 which captures our intention to reduce emissions caused by congested traffic in line with our reprioritisation of road space to encourage and facilitate a shift to active travel.	Public
21	The proposed actions will have a negligible	Observation	Comments noted and partially upheld Comments noted	

	impact on the air quality in the borough. The council needs to "think big" and invest in schemes that will actually have an impact on bringing air quality within recommended limits.		and partially upheld. Action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F.	Public
22	Yes but please see my resins to the previous question, it is pathetically slow and too in aspirationa with regard to private motor vehicle journeys.	Objection	Comments noted and partly upheld as more detailed actions and targets have been added to the Plan.	Public
23	And focus on cycling and pedestrianisation.	Support with conditions	Cycling and pedestrianisation are a focus in our plan. Action 46 proposes Very Important Pedestrian Days (e.g. no vehicles on certain road on Sunday) and similar initiatives. Action 52 is to provide infrastructure to support walking and cycling to enable more people travel around the borough.	Public
24	You could definitely fine people for sitting idling. That would send a superficial message to people. I helped out on a couple of the councils days of "asking" people to commitment to stop idling. It would have made hardly any difference. People will get the message if they are fined. Hit their pockets and use the fine money to fund traffic reducing measures!	Support with conditions	Hammersmith & Fulham Council will be implementing an anti-vehicle engine idling enforcement policy in accordance with Action Plan Measure 43.	Public
25	They are not sufficient	Objection	Comment noted	Public
26	This tables is mainly "mission creep". Nothing to do with local authorities.	Objection	Comment noted. The council are required by legislation to produce and implement an Air Quality Action Plan	Public
27	Item 47 - no free or discounted permits for zero emission cars - there is no such thing as a zero emission car - the action of brakes on tyres releases particles into the atmosphere - the emphasis should be on car reduction or for car sharing and more bike hangers for safe and secure cycle parking incl cargo bikes and trikes.	Support with conditions	Comment noted. Zero-emission to be changed to 'zero tailpipe emission.' Action 52 captures our ambition to provide cycling infrastructure which would include improving storage.	Public
28	Not enough direct tackling of issues - document too vague	Objection	We are not able to ban vehicles, although the comments relating to numbers of vehicles and long	Public

	<p>Directly and clearly show hot spots - be assertive - ban polluting vehicles - what about Planes? Awareness is great but this is long term - provide cheap electric cars in addition to bikes</p>		<p>term objectives upheld. Action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F. The target dates have been revised throughout the plan. We have installed over 100 electric car charging bays and give a 50% discount to parking permits for electric and lower emission cars, with a plan to introduce free parking for electric cars. In respect to aircraft emissions the council is opposed to expansion at Heathrow and is against any increase in flight numbers beyond the current annual allowance of 480,000. We comment on Government consultations on airspace changes, expansion plans for Heathrow and operational changes at Heathrow that could impact on H&F. We lobby for restrictions and changes to airspace and operations that reduce impacts for H&F residents.</p>	
29	<p>In addition. Make all buildings eco by adding greenery and plants fitted on top of Buildings and on sides. To help reduce the harsh pollutants. We have filled the space with construction and cars. Now add the plants back!!</p>	<p>Support with conditions</p>	<p>Major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible in line with the requirements of Policy 5.11 of the London Plan. The councils revised Local Plan, due for adoption in early 2018, includes the following new requirement in Policy CC4: "All flat roofs in new developments should be living roofs to help contribute to reducing surface water run-off".</p>	<p>Public</p>
30	<p>Page 49 43 Discouraging unnecessary idling by taxis, coaches and other vehicles through enforcement and awareness raising campaigns EH Normal business and external funding from GLA and annual campaign cost of £10,000 per year 2 * * * 2023 Number of drivers told to shut off engines; number of drivers fined for not shutting off engines; number of awareness raising campaigns</p>	<p>Observation</p>	<p>Hammersmith & Fulham Council will be implementing an anti-vehicle engine idling enforcement policy in accordance with Action Plan Measure 43.</p>	<p>Public</p>

	<p>completed. Previous action days for idling are shown at https://www.lbhf.gov.uk/articles/news/2016/11/clean-airchampionssuccessful-actionday-stop-idlingmotorists-hf</p> <p>v How are you realistically going to effect change by enforcement or raising awareness? It is wholly impossible. You don't fine people for driving at 60mph down the A219. You don't fine people for driving 40mph in 20mph zones. Discouraging won't work.</p>			
31	<p>44 Speed control measures e.g. lowering the legal speed limit to 20mph in built up residential areas TR Normal business 2 * * *</p> <p>2023 Number of activities related to maintaining or expanding 20mph roads in the boroughs. Information on 20mph speed limit is available at https://www.lbhf.gov.uk/articles/news/2016/02/majority-supportmore-20mph-speedlimits-hammersmithfulham See above. Unless this is policed properly and there needs to be an action point relating to this in your draft plan, it is purely words. I would like 20mph to be enforceable.</p>	Observation	Following the extension of 20mph limits to most of the borough, we are monitoring speeds and have a programme of introducing speed reducing features to those areas which have most non-compliance or where there are most collisions. In most cases, 20 mph limits will follow DfT guidance* and include 'road calming' features designed to slow traffic so that 20mph zones should be 'self-enforcing' through the use of such features	Public
32	<p>Page 50. 46 Very Important Pedestrian Days (e.g. no vehicles on certain roads on a Sunday) and similar initiatives TR Normal business 2 * * * 2023 Number of days completed. An example of a previous day held is shown at https://www.lbhf.gov.uk/articles/news/2015/06/unlimited-playstreets-childrenshepherds-bush-road. If this is a serious plan and not just lip service, then show us that some key roads, such as the A219 can be 'access only' for a day or two. Even at night, we can have traffic free zones. Holland Road does it in W8/W14. It would go some way</p>	Observation	We now close North End Road to motor vehicles for street markets on 3 to 4 Saturdays per year and are planning one for King Street, Hammersmith in December. These are very busy main roads, and if the King Street one is successful, we will look at expanding it to other days and locations	Public

	to showing that you are serious about reducing vehicles. Anything else is purely ineffective.			
33	Action 44: I would like the 20mph speed limit done away with on major roads. In my Fiesta I have to drive in 2nd or 3rd gear at 20mph. At 30mph I can drive in 5th gear. Translate this to diesel lorries and you get a lot more pollution. How many accidents have there been on Hammersmith Road because a lorry was driving at 30mph and not 20mph? See what I mean.	Objection	Comments noted. Newer cars travel more efficiently, and have fewer emissions, in lower gears. Injuries to pedestrians and cyclists are significantly more serious when vehicles are travelling at 30 mph than at 20mph.	Public
34	Action 6: Emissions from developments and buildings. Recent research into emissions from domestic wood burning was carried out by King's College London's Environmental Research Group, led by Gary Fuller, a senior lecturer in air quality measurement. It was noted that the contribution of wood burning to PM in urban areas is 'very significant indeed' and is potentially amounting to around 23% and 31% of emissions during peak times. The council must ensure that Smoke Control Zones are appropriately identified and fully promoted and enforced including a review of the air pollution impacts of approved appliances and fuels and potential local restrictions. There must be efficient and enforceable measures to deal with wood burning stoves and especially those households who have an open wood burning fire without using an approved stove and residents must know how to report breaches of these to the relevant enforcement section of the council.	Support with conditions	Action 6 proposes that a Promotional campaign raising the awareness of smoke control legislation will to be completed in 2018. We are proposing a review of further local restrictions before 2020 and will implement any recommended restrictions by 2022.	Public
35	Vehicle idling I think the wording of Item 43 Discouraging unnecessary idling by taxis, coaches and other vehicles through enforcement and awareness raising campaigns" and the description: Normal business and external funding from GLA and annual campaign cost of	Objection	We will be implementing an anti-vehicle engine idling enforcement policy in accordance with Action Plan Measure 43.	Public

	<p>£10,000 per year is insufficiently strong. "Unnecessary idling" is actually illegal under Section 42 of the Road Traffic Act 1988 and Rule 123 of the Highway Code. It needs more than "discouragement". I have more than once asked your Traffic Wardens/Parking fine operatives if they have instructions to fine people for idling their vehicles unnecessarily for more than two minutes. They have no such instructions. It would be a useful source of revenue in view of the extent to which it happens around Bettridge Road SW6 3QH where I live. People semi-park their vehicles, sit in them on the phone or texting, still the engine is running, sometimes after many minutes. Most of these are recently manufactured, big diesel cars.</p>			
36	<p>Smoke control orders I believe these apply to all residences in the Borough. I can find no mention of enforcement in the Draft Action Plan. Under the Clean Air Act 1993 Section 20 on any day smoke is emitted from a chimney from the use of unauthorised, i.e. not smokeless, fuel, the occupier is guilty of an offence and the fine not exceeding level 3 on the standard scale. There are several houses near mine from whose chimneys smoke is emitted, not every day but on enough days to make fines worthwhile, which strongly smells like ordinary wood smoke, and is, given the amount of other pollution around, is extremely annoying and damaging to health.</p>	Observation	Action 6 proposes that a Promotional campaign raising the awareness of smoke control legislation will to be completed in 2018. We are proposing a review of further local restrictions before 2020 and implement any recommended restrictions by 2022.	Public
37	<p>Action 28 Lobby central government to retain air quality legislation after withdrawal from the European Union in 2019. EU Directives have already been transposed into UK law so will survive Brexit. Central government is in any case planning to retain EU legislation, so no action needed.</p>	Observation	Comments Noted	Public

ER1 2	<p>Action 51 Reprioritisation of road space; reducing parking at some destinations and or restricting parking on congested high streets and A roads to improve bus journey times, cycling experience, and reduce emissions caused by congested traffic. More silly gesture politics; more anti-motorist wolf in green granny's clothing. LBHF's drivers have pay for road use five times over and should not be deprived of parking spaces. The Sunday Times has reported that the lack of parking spaces causes drivers to travel even further looking for spaces, which aggravates congestion. Does anyone ever think through these half-baked ideas? It is worth recalling that around 2005, LBHF removed a road lane in King Street for the hyped Street Smart extravaganza, aggravating congestion around the Hammersmith Broadway area and creating dangerous tailbacks on the A4. The main 'benefit' of the extra pavement space seems to be more gangs of youths congregating and street smoking. TFL have admitted that the removal of road space has been a factor in increased congestion and road speeds lowering LBHF should instead look to relieve congestion by removing bus lane restrictions on Saturdays and allowing drivers to use a bus lane like a box junction – entering if the exit is clear. Under-used bus lanes aggravate traffic congestion by removing road space, as do badly signed bus lanes; even in hours when they are not in force, drivers feel the need to avoid the lane to be sure of avoiding a penalty. It is a joke to claim the 'improvement of bus journey times' when in my experience buses regularly have to wait at a stop 'to even out gaps in the service', which implies that they are ahead of schedule.</p>	Objection	<p>Buses are a very efficient user of roadspace. A peak hour commuter by car uses up 13 times as much space as a bus passenger, so bus lanes are an important part of our strategy. There are several contributors to congestion, including roadworks and collisions as well as the sheer volume of traffic. The works which the council undertook in King Street in 2005 were done according to TfL's specification that they should not cause tailbacks on the gyratory or the A4. It is generally accepted that the charges paid by motor vehicle drivers in congested urban areas do not cover the costs of congestion, pollution and road provision and maintenance attributed to them.</p>	Public
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39	49 Installation of residential electric charge points Acceptable only if proportionate to an objective measure for actual demand, and not at the expense of parking spaces for conventional vehicles. These should then be new spaces.	Support with conditions	Comments Noted. Existing Action	Public
40	48 Review of surcharge on diesel vehicles below Euro 6 standards for Resident and Controlled Parking Zone permits More silly gesture politics. Parked vehicles (with engines off) have zero emissions and this will just look like money-grabbing. Proposals like this terminally damage the LBHF administration's claim to be 'fairer to motorists' which was made to get elected in 2014. For reasons like this and the unpopular 20mph imposition, LBHF's credibility is in tatters with much of the borough.	Objection	Vehicles parked and not idling do not have any associated emission although the travel to and from any parking space will generate emissions. The aim of action 48 is to add a surcharge on vehicles with higher emissions to help improve air quality. The aim of differential charges is to give drivers an incentive to switch to cleaner vehicles.	Public
41	action 46 Very Important Pedestrian Days (e.g. no vehicles on certain roads on a Sunday) and similar initiatives Very Ignorant Politician days? Silly gesture politics which will have minimal impact on air quality, and might even increase emissions as drivers take a longer route to avoid closed roads	Objection	Pedestrian days help show that streets are for people, not just vehicles, can help bring neighbours together, and are spaces where people live, shop and work, and don't just drive through. They can also help the economy by increasing footfall and giving local businesses an opportunity to show their wares. Community groups also have stalls which can encourage people to get involved.	Public
42	44 Speed control measures e.g. lowering the legal speed limit to 20mph in built up residential areas....Number of activities related to maintaining or expanding 20mph roads in the boroughs. Does the left hand know what the right hand is doing? LBHF Council Leader Stephen Cowan has promised that there would be no further expansion of 20mph zones on LBHF managed roads. To even see 'expansion' mentioned either questions LBHF's competence in communicating or cheapens his promise? There is no case for reducing speed limits to 20mph on TFL-managed roads like the	Objection	Over 70% of respondents to the consultation supported the expansion of 20mph limits to at least some more roads in the borough, so we acted in accordance with this and left main roads outside town centres at 30mph. Benefits of lower speeds include fewer and less severe collisions and a more comfortable environment for pedestrians and cyclists.	Public

	A4. There is also no blanket case for introducing traffic calming on LBHF-managed roads on which a 20mph speed limit was imposed in/before 2016. That residents rejected borough wide 20mph limits by 55%-45% in 2015 despite a rigged consultation and that recent speed surveys show that the abnormally low limits are not respected should make the LBHF come to its senses and avoid wasting further money on compliance.			
43	40 Implement opportunities for small scale LENS (Low Emission Neighbourhoods) and investigate opportunities for funding of further LEN projects. Does LBHF really want to play King Canute? Air pollutants can and will blow in from a wider area, such initiatives are at best silly gesture politics. They will be easily seen through by residents and others as a waste of council taxpayers' money or a pious justification of plans to deprive people of using their vehicles.	Objection	Comments Noted	Public
44	39 Green Infrastructure. The council to increase tree, hedge and grass planting on council-owned land and highways. Such measures need the qualification that not be used as a justification for removing general carriageway or parking space, for instance for hyped pocket parklets or green street art.	Support with conditions	Reduced highway space may be appropriate in some circumstances (e.g. where there are very wide entrances to side streets which encourage high speeds, and it may be appropriate to install planting in these areas.	Public
45	33 Re-organisation of freight to support consolidation (or micro-consolidation) of deliveries, by setting up or participating in new logistics facilities, and/or requiring that council suppliers participate in these 34 Virtual Loading Bays and priority loading for ultra-low emission delivery vehicles- Review research and trials being completed in London with a view to using in H&F in the future. These activities are potentially useful, but are inadequate without qualifying statements that	Support with conditions	There may be locations where loading is the best use of available carriageway or parking space is, so such a general statement is not appropriate	Public

	such measures will not be used as a justification for removing general carriageway or parking space.			
46	29 Lobby central government to meet World Health Organization (WHO) air quality guidelines. This action would involve disproportionate cost and restrictions on mobility/freedom. This would affect both motorists and non-motorists, such as those receiving goods delivered by Amazon or eBay suppliers. In the absence of firm objective proof of general health impact by air pollutants smaller vehicles, such as cars, LBHF should be looking to deter by persuasion behavior that is claimed to create vulnerability to pollutants - such as heavy smoking or living in damp, under-heated premises.	Objection	Meeting World Health Organisation air quality guidelines will benefits the Health of all residents and users of the borough.	Public
47	16 Ensure that Director of Public Health and Deputy Director of Public Health for H&F have been fully briefed on the scale of the problem in your local authority area; what is being done, and what is needed. A briefing should be provided. 21 Ensure that the Head of Transport has been fully briefed on the Public Health duties and the fact that all directors (not just Director of Public Health) are responsible for delivering them, as well as on air quality opportunities and risks related to transport in the borough. Provide a briefing which can be disseminated amongst the Transport team. These actions should be tempered by the requirement not to inflict undue costs on residents and others, and the local authority obligation to expedite the movement of traffic.	Support with conditions	Comments Noted. Transport Comment: Transport team works closely with public health team and one of the latter's staff is currently seconded to the former, working on a "Healthy workplace" initiative. Both public health and transport have a strong interest in encouraging walking and cycling.	Public
48	12 Local plan to specify the need to consider the impact of all new developments on air	Support with conditions	Vehicle traffic to and from the development are just one way that they impact local air quality. The way	Public

	<p>quality. The notes that follow are vague. They should be amended to guarantee that action under this heading is not used as a front for repressive measures such as restricting conventional car parking or insisting on new developments are 'car-free' or 'car-lite'. To do the latter will just lead to obstructive parking on surrounding roads and increase the likelihood of abusing Blue Badge parking spaces meant for disabled drivers</p>		<p>that developments are heated/ provided with energy are significant sources of local air quality pollutants. Local Plan Planning Policy CC10 which has been changed to apply to all developments which may be impacted by local sources of poor air quality or may adversely contribute to local air quality, will not only look at vehicle traffic and parking for developments. The revised Local Plan contains a revised policy on local air quality issues - Policy CC10 - which includes the following requirement: "requiring all developments which may be impacted by local sources of poor air quality or may adversely contribute to local air quality to provide an air quality assessment that considers the potential impacts of pollution from the development on the site and on neighbouring areas and also considers the potential for exposure to pollution levels above the Government's air quality objective concentration targets".</p>	
49	<p>National and local government interventions often focus on reducing traffic and industrial air pollution, however increasing public awareness of air pollution actions (e.g. particularly actions 23-27) can complement measures that reduce emissions, for example the current evidence indicates that targeted behavioural change initiatives can be effective in encouraging subgroups of the population to use alternative forms of transport. PHE is supportive of such measures</p>	comment	Noted	Public Health England
50	<p>Action 16 is to ensure that the Director of Public Health and Deputy Director of public health are briefed. As you may be aware, there are several resources that might be of assistance with this action, for example: Air quality: a briefing for directors of public health (2017) (https://www.local.gov.uk/air-quality-briefing-directors-public-health) ; Air Quality in</p>	Observation	Noted	Public Health England

	Hammersmith and Fulham, A Guide for Public Health Professionals (2013) (https://www.london.gov.uk/sites/default/files/air_quality_for_public_health_professionals_-_lb_hammersmith_and_fulham.pdf)			
51	As the years roll on things change, what's the use of having a draconian air pollution policy in Hammersmith when as soon as you drive outside the borough other boroughs have not moved on this, it needs a London wide approach.	Objection	LLAQM (London Local Air Quality Management) - it is London-wide and all London boroughs are required to produce air quality action plans. Neighbouring boroughs and the GLA are statutory consultees and required to provide comments on action plans. LAQM (Local Air Quality Management) and the preparation of air quality action plans is a required nationally.	Public
52	My comment is general, show what you are doing at the worse points (Shep Bush Green/Hammersmith R'boat Visible and obvious campaigns are required and having one traffic free day on Shep Bush Green might change. The need to remodel Shep Bush Green is so obvious. It is just like Tranfalgar square used to be!	Support with conditions	Action 46 of the plan promotes Very Important Pedestrian Days (e.g. no vehicles on certain roads on Sundays) and similar initiatives. We are working with the Mayor of London to progress the Hammersmith flyunder scheme and have asked Transport for London to investigate the possibilities for pedestrianising the north side of Shepherds Bush Green, or making it bus and bicycle only.	Public
53	Some much bigger and longer-term schemes need to be considered: - Sink the A4 into a tunnel (with air filters on ventilation) and sell off the land this frees up. - Hammersmith flyunder (with air filters on ventilation) - Ban all non-electric vehicles - Borough-wide average-speed cameras to reduce acceleration and deceleration due to fixed speed cameras, junctions and humps. - Measure air quality each day and automatically close roads when it passes legal limits - Reconsider the 20mph limit. Although this may improve road safety most research (apart from	Support with conditions	Most major roads exceed objective levels on a daily basis and it is not possible for the Council to close them. We do not have the powers to ban non-electric vehicles, but a New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F to expand the ULEZ into the borough to reduce the number of more polluting vehicles within the borough. We are working with the Mayor of London and TFL to progress the Hammersmith flyunder scheme. NICE guidelines encourage 20 mph to smooth out traffic (quote: 20 mph limits without physical measures to reduce speeds in urban areas where average speeds are already low (below around	Public

	the 2013 ICL study) indicates this worsens air quality.		24 mph) to avoid unnecessary accelerations and decelerations).	
54	See above. By the way the question has got it's yes and no mixed up. If you can't get that right why should we trust you to get anything else right?	Observation	Noted	Public
55	As I wrote before. Filtered permeability in all residential streets, one way in residential streets to deter rat running, parking permits rationed, mandatory cycle lanes. Car free days regularly. Grants for cycle parking cages and access to electric charging points for electric cycles.	Support with conditions	Action 46 aims to promote Very Important Pedestrian Days (e.g.) No vehicles on certain roads on Sunday) and similar initiatives. Action 51 aims to Reprioritise of road space; reducing parking at some destinations and or restricting parking on contested high streets.	Public
56	Consider pollution absorbing measures such as the CityTree from Green city solutions. Check out Instagram @ecotechstuff for loads of ideas	Support with conditions	Noted	Public
57	You reward low emission car owners with free of subsidised resident parking (point 47), but do not give the same reward to households who cycle. It is very hard to store 4-5 bikes securely in a terraced house with little space in the front. How about giving up some parking spaces on the street to provide secure cycle storage lockers? Lambeth use the cycle hangers and also have a range of initiatives to promote cycling. http://love.lambeth.gov.uk/cycling/ (No need to limit yourselves by your 8% journeys by bike target ;)) Well done with items 51 and 52. The more pedestrianisation and promotion of walkability the better. Can some of the smaller roads be developed as pedestrian and cycle routes? We walk from the corner of Lillie Road up to Hammersmith to get the tube and as pedestrians we are naturally funnelled along Fulham Palace Road.... with all the cars. It takes an effort to	Support with conditions	Comments Noted. Action 23 of the plan the council will be promoting Walkit a service that maps low pollution walking routes. Action 51 aims to Reprioritise road space; reducing parking at some destinations and or restricting parking on contested high streets. We are working with the Mayor of London and TFL to progress the Hammersmith flyunder scheme.	Public

	<p>choose a different route, and at night we tend to stick to the main road for safety.</p> <p>The Hammersmith gyratory is a problem... all those cars funnelling in and out of there, yet none actually want to stop there. So the more bypass solutions that can be proposed the better.</p> <p>Also be sure to see public transport as part of the solution. For every person using the bus or underground, that's a lot fewer cars.</p>			
58	<p>There are two additional areas which have not been covered in this draft air quality action plan, which I believe could reduce air pollution</p> <p>1) Businesses in H&F could encourage people who commute to work, by means other than by walking-cycling to work for home for 1 or more days a week to reduce pollution caused by non-green vehicles, e.g. diesel/petrol cars, diesel buses, etc..</p> <p>2) Internet Providers need to improve internet access in rural areas so that more people can have the opportunity to work from home, as Virgin Media is located in H&F maybe this is an opportunity for a direct discussion around this.</p>	Support with conditions	<p>The council through Action 22 of the plan engages with business through the Healthy Workplace Charter, detailed at https://www.lbhf.gov.uk/business/health-and-safety-work/london-healthy-workplace-charter The council will consider how information about air quality can be disseminated through this already established contact with local business.</p> <p>All H&F employers must develop/have an up-to-date workplace travel plan before they can access further healthy workplace support to help them gain Healthy Workplace Charter accreditation (it is a requirement to qualify for the free support). This is being trailed at the moment.</p> <p>The council is part of the WestTrans partnership, more information is available at http://www.westtrans.org/wla/wt2.nsf</p> <p>We are members of a project Clean air Better Business (CABB) to roll out local air quality improvement measures that include: Click and collect, Low pollution routes, and supporting</p>	Public
59	<p>The council should be doing more to separate food waste into special bins which could be collected daily and used for green energy</p>	Support with conditions		Public

	<p>production and the residual waste for compost. This would do much to reduce the carbon footprint, landfill and make waste less attractive for vermin. Many other cities and rural areas in the UK manage to do this.</p>			
60	<p>No flights over London Car free zones More pedestrian areas Cheaper Electric only, public transport. Reasonable as far as it goes</p>	Support with conditions	<p>Action 52 of the plan provides additional infrastructure to support walking and cycling to travel around the borough more easily. Action 46 of the plan promotes Pedestrian Days (e.g. no vehicles on certain roads on Sundays) and similar initiatives. The council is opposed to expansion at Heathrow and is against any increase in flight numbers beyond the current annual allowance of 480,000. We comment on Government consultations on airspace changes, expansion plans for Heathrow and operational changes at Heathrow that could impact on H&F. We lobby for restrictions and changes to airspace and operations that reduce impacts for H&F residents.</p>	Public
61	<p>Spend money changing buses engines and cancelling their omission. Ban diesel vans and cars. Fine drivers who idle Prevent non London residents driving in London or at least fine them heavily Ban Uber Taxis</p>	Support with conditions	<p>New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to expand the ULEZ to include our borough. This would not ban vehicles, which is not within our power, but it would help reduce the number driving through the borough. We do not have the powers to prevent non-London residents from driving in London nor to ban Uber taxis, but the extension of the ULEZ would help reduce the most polluting vehicles from the borough over time. We will be implementing an anti-vehicle engine idling enforcement policy in accordance with Action Plan Measure 43.</p>	Public
62	<p>Please see reply to question 1.</p> <p>Also the reduction of noise caused by helicopters and airplanes should be a priority as well as building noise and pollution from building sites should be reduced.</p>	Support with conditions	<p>One of the priorities is minimising the impacts of construction sites on local air quality this is achieved by requiring all major developments to produce and implement Air Quality Dust Management Plans. We also require all major developments to ensure that all non road mobile machinery (NRMM) operating on</p>	Public

			demolition and construction sites complies with London's Low Emission Zone requirements	
63	<p>I go think these are a strong starting point for the council's activities - but it would be good to see more active engagement to actively discourage visitors to the Borough from using dirty vehicles (in essence this is any sort of motor vehicle, not just petrol and diesel), and and more ambitious approach to developing the infrastructure to support cycling alongside TfL. This needs more than encouragement strategies, it needs the Borough to take a more invasive attitude to infra development and getting traffic off its roads.</p> <p>Hammersmith is in a strong position to lobby its neighbouring boroughs to push for safe cycling infrastructure (particularly Kensington and Chelsea) and should make use of this to press them to do more.</p>	Support with conditions	New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to expand the ULEZ to include our borough . Action 52 aims to provide additional infrastructure to support walking and cycling to travel around the borough more easily. Transport to check consultation comment in red text and draft response to walking/cycling and lobbying element	Public
64	<p>Think you mean "if yes".</p> <p>I live opposite a school and several pick up and drop offs are happening during the day. Morning, lunchtime,end of school day and after school day until 6pm.</p> <p>When they arrive early they sit in their cars with heaters on in the winter and air con and music in the summer.</p> <p>My windows and door frames are blackened by pollution.</p> <p>Although I don't like too much signage, I think there should be a warning that if they don't switch off their engines they will, as you've proposed, be fined.</p> <p>Parking wardens could be placed outside schools for enforcement.</p>	Support with conditions	Hammersmith & Fulham Council will be implementing an anti-vehicle engine idling enforcement policy in accordance with Action Plan Measure 43.	Public
65	As mentioned above, more immediate measures that can help catch pollution e.g. strategically	Support with conditions	Comments noted. We are actively using (and planning to use) greening to reduce exposure and refer to the	Public

	<p>planting trees or hedges along main roads (there are large sections with no trees). Certain types are more effective at capturing air pollution than others.</p> <p>Also, it may be worth offering incentives for LPG use in cars.</p>		<p>latest research into plan optimal plant species and placement in our planning which is captured by Action 39. Our aim is to reduce fossil fuel use to improve air quality; LPG still produces air quality pollutants therefore we would not look to incentivise LPG use.</p>	
66	<p>Banning cars. Restricting parking. Closing roads to cars on regular days. Pedestrianising streets.</p>	Support with conditions	<p>We are not able to ban cars, but new action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to expand the ULEZ to include our borough. . Action 52 of the plan provides additional infrastructure to support walking and cycling to travel around the borough more easily. We now close North End Road to motor vehicles for street markets on 3 to 4 Saturdays per year and are planning one for King Street Hammersmith in December. These are very busy main roads, and if the King Street one is successful, we will look at expanding it to other days and locations.</p>	Public
67	<p>Limit the number of personal cars per household to 1 (one) car</p>	Support with conditions	<p>Comments noted. Further restrictions currently apply</p>	Public
68	<p>A more determined approach to improving safety for cycling and walking and much more to deter car ownership or car use. A ban on parking round all schools except for genuine disabled blue badge holders.</p>	Support with conditions	<p>Action 52 of the plan provides additional infrastructure to support walking and cycling to travel around the borough more easily.</p>	Public
69	<p>In addition. Make all buildings eco by adding greenery and plants fitted on top of Buildings and on sides. To help reduce the harsh pollutants. We have filled the space with construction and cars. Now add the plants back!!</p>	Support with conditions	<p>Major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible in line with the requirements of Policy 5.11 of the London Plan. The councils revised Local Plan, due for adoption in early 2018, includes the following new requirement in Policy CC4: "All flat roofs in new developments should be living roofs to help contribute to reducing surface water run-off".</p>	Public
70	<p>Deliveries - encourage and enable greater use of</p>	Support with	<p>New action 53 has been added in the plan to reduce</p>	

	<p>cargo bikes for more last mile deliveries. Partner with private logistics companies to build infrastructure that allows for zero carbon active travel</p> <p>Transport - modal filtering in residential zones to discourage rat running and encouraging active travel</p> <p>Council services - set a plan for the majority of households in the borough to compost at home using garden or balcony composters, to reduce number of refuse truck movements. Lobby packaging manufacturers to make more use of compostable packaging for the same reason.</p> <p>Transport - Congestion Charging / road pricing in LBHF</p> <p>Transport - remove freeze on parking permit prices to reflect the true cost of polluting forms of transport. Take parking out of service and replace with pocket parks, cycle hire stations, and electric car bays</p> <p>Transport - segregated cycle lanes on all main roads in the borough to enable fast, direct active travel</p> <p>Transport - force Heathrow airport to fit soundproofing on all properties in the borough, thus making it too expensive for them to build a third runway</p>	conditions	<p>the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to expand the ULEZ to include our borough. Action 33 of the plan provides aims to reorganise freight to support consolidation or micro-consolidation of deliveries. Action 44 aims to implement opportunities for small scale LENS and investigate opportunities for funding of further LEN projects. An increase in pocket parks and town centre greening form part of Actions 39 and 42..</p>	Public
71	<p>We believe the Air Quality Action Plan must additionally address deliveries, both commercial and individual, in town centres. Click & collect should be promoted more as an alternative to</p>	Support with conditions	<p>Action 33 of the plan provides aims to reorganise freight to support consolidation or micro-consolidation of deliveries. Action 46 aims to promote Very Important Pedestrian Days, Walk to Work and Bike week could</p>	Public

	<p>deliveries, including the use of tools such as the HammersmithLondon clickcollect website, and town centre consolidated delivery strategies need to be supported. Businesses and shopping centres must have freight consolidation measures and waste collection consolidation must be implemented in town centres.</p> <p>National initiatives such as Walk to Work week and National Bike week should be encouraged through the Healthy Workplace Charter with the aim of reducing vehicle usage and changing behaviour in the workplace.</p> <p>Furthermore, an annual car-free day in town centres should be piloted, with the aim of increasing this to monthly/weekly.</p>		<p>be incorporated into this action. Action 50 aims to install rapid charging points to help enable the take up of electric commercial vehicles.</p>	
72	<p>If I have a suggestion to make to improve the quality of air which I know could be shocking for the English culture and especially London is to stop driving children to school or activities: the infamous "school runs". It is easy if you choose, like I have done for my three children, a local school and local activities only. The children will have friends also around the house and will be more autonomous to visit them by walking. Encourage them to live locally like for shopping and going out and skip the car. Numerous studies have shown that it is the short trips in the city at the time of heavy traffic which are the most polluting, also the pollution inside the car is worse than if you walk on the side of the road. This could be achieved by educating the parents by the school staff.</p>	Support with conditions	<p>Comments noted. Action 42 regarding the schools TfL STARS scheme addresses this. Action 52 of the Plan aims to provide Infrastructure to support walking and cycling to travel around the borough and also children to walk to school more easily.</p>	Public
73	<p>I own and manage a block of newly built flats with the new address of Harlequin House, 1 Coningham Road, W12 8JU.The property shares</p>	Observation	<p>Green walls are not necessarily Air quality measure although action 5 of the plan aims to ensuring that adequate, appropriate, and well located green space</p>	Public

	<p>a boundary with the council owned block of flats called Morland Court on Coningham Road. Having seen the air quality consultation I do not believe that the council is making enough use of its properties for the purposes of green walls. I believe that the side wall of Morland Court would make an excellent addition to urban greening as a green wall. Would the council be interested in building a green wall here and we could then share the management cost going forward?</p>		<p>and infrastructure is included in new developments.</p>	
74	<p>I have looked at your proposals which are very good. However, as you know, diesel vehicles are a major contributor to pollution, we should ban diesel lorries, vans and coaches from the borough. Aircraft, including helicopters, are also major polluters, including noise pollution, and flights over the borough, especially low flying 4 engined aircraft should be substantially reduced.</p>	<p>Support with conditions</p>	<p>Comments noted and partially upheld. New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to expand the ULEZ to include our borough. Hammersmith & Fulham Council do not have the statutory powers to regulate emissions from aircraft including helicopters. The Council will continue to lobby Central Government to minimise the impact of these aircraft emissions on local air quality.</p> <p>The council has representatives on the Heliport Consultative Group and can raise this issue of pollution impacts at the next meeting. In our consultation response to the draft London Environment Strategy, the council has highlighted the issue of air pollution from helicopters as one that the Mayor should be seeking regulatory powers for. The council is opposed to expansion at Heathrow and is against any increase in flight numbers beyond the current annual allowance of 480,000. We comment on Government consultations on airspace changes, expansion plans for Heathrow and operational changes at Heathrow that could impact on H&F. We lobby for restrictions and changes to airspace and operations that reduce impacts for H&F residents.</p>	<p>Public</p>
75	<p>In the latest newsletter you have invited people to</p>	<p>Support with</p>	<p>Hammersmith & Fulham Council will be implementing</p>	<p>Public</p>

	<p>send in suggestions for improving air quality. I was a volunteer in the Council campaign asking people to switch off their engines when parked. I think this campaign should continue. Every day I see about 6 parked cars with their engines on and the drivers texting or eating their lunch. Last night a van sat outside my house at 11.30 with a Diesel engine running when I was trying to sleep. It was making such a noise I actually got dressed and went out to ask him to switch it off after 20 minutes. Perhaps fines should be introduced for this sort of thing. I would be happy to volunteer again if you run another campaign.</p>	<p>conditions</p>	<p>an anti-vehicle engine idling enforcement policy in accordance with Action Plan Measure 43.</p>	
76	<p>May I suggest an awareness campaign to ask drivers not to allow their vehicles to "creep" whilst queuing at say traffic lights - often just a few centimetres. I was waiting at a bus stop in Wandsworth Bridge Road recently watching a pretty solid queue of traffic and noticed one driver repeatedly start his very new Mercedes which had automatic engine cutting system when idling - thereby negating the whole point of this system! It occurred to me that he was causing more pollution than any of the others who kept their engines running! Of course they were all creeping along too and causing more pollution than necessary.</p>	<p>Support with conditions</p>	<p>Comments Noted. We raising awareness of the impact of idling in queueing traffic in accordance with Action Plan Measure 43.</p>	<p>Public</p>
77	<p>all private transport restricted access into the borough, especially around Shepherd's Bush. A toll could be implemented or only allowing cars of certain number plate. The congestion zone should be expanded to H&F and extended to weekend.</p>	<p>Support with conditions</p>	<p>Comments noted and partially upheld. New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to expand the ULEZ to include our borough. The expansion of road user charging is more likely to be satellite and real time basis, charging more in the most congested areas at the most congested times, on a London wide or even nationwide, rather than local area basis. we will look into further investigation of the feasibility of such</p>	<p>Public</p>

			schemes.	
78	Did you know the Government is planning to do away with speed bumps? Did you know it was offering financing to help do away with them? On a quick perusal I see nothing about removing speed bumps. Did you know 9000 people a year die from pollution in London? I don't think anything like that number die from traffic accidents caused by speeding.	Observation	Noted. We are not aware of any government policy to "do away with speed bumps". There is no conclusive evidence that they add to pollution, but but it is highly unlikely that a significant proportion of pollution related deaths can be attributed to them .	Public
79	With regard to your new 5 year air quality action plan consultation, I just wanted to raise a section on waste sites and industrial locations.I am aware that some of the area is covered by the development area and opportunity area, such as Willesden for example, however to remain consistent with other boroughs, the LES which we have commented on, and our own planning and permitting policy, we would support H&FLB requiring full enclosure for new waste sites. To reduce the emissions of particulate matter, enclosure is Best Available Technique (BAT) and will be required under the new BREF after consultation. We are already requesting full enclosure on a case by case basis where there are new applicants, or changes to site operations where we can address the increase in risk, proportionate to the increase in abatement needed.	Support with conditions	Noted, support for total enclosure of new or expanded waste sites welcomed.	Environment Agency
80	Cancel annual LBHF firework displays and explain to residents that it is investing the money saved in health education or food banks that will help needy local people.	Support with conditions	Noted	Public
81	Educate residents that trendy wood burning stoves and garden bonfires are inappropriate in built up inner London areas. The fumes force others to close their windows and make it difficult for those who work away in the daytime to dry	Support with conditions	Action 6 proposes that a Promotional campaign raising the awareness of smoke control legislation will to be completed in 2018. We are proposing a review of further local restrictions before 2020 and implement any recommended restrictions by 2022.	Public

	their laundry in the evening.			
82	<p>The AQAP has nothing to say about rising use of cannabis, the stench of which is increasingly common e.g. in Frank Banfield Park, on Fulham Palace Road and Woodlawn Road. My local police now rank it as the most reported local problem and perceive 'Cannabis is everywhere'. Exposure to cannabis fumes by passive smoking can affect the faculties of pedestrians, cyclists and drivers, and therefore increase the risk of road accidents. The drug is proven to have mental health effects and may also be a gateway to more harmful hard drugs. LBHF should have zero tolerance on those who inflict its fumes upon others.</p>	Support with conditions	Comments noted. The Action Plan concentrates on the major sources of air pollution that are Nitrogen Dioxide and Particulates.	Public
83	<p>Concentrate action against proven highly toxic carcinogens like 1,8-dinitropyrene (18-DNP) and T3-nitrobenzantrone (3-NBA) emitted from the exhausts of large diesel engines (such as in HGVs, buses and trains). Petrol or small diesel engines as found in cars do not have this specific problem. In standard Ames tests of carcinogenicity, where only 0.0000003 grammes of these pollutants caused 5-6 million mutations. These genotoxins are far worse than the banned food colouring Sudan 1, which gave a positive Ames test 'only in isolated cases' and 'negative results in the HGPRT, UDS and chromosomal aberration tests'. In other recent tests, 3-NBA was found to cause DNA migration in human liver cancer and lung cancer cells. The research report concluded that 3-NBA is a genotoxic carcinogen. Refs: Dr Hitomi Suzuki, University of Kyoto, V H Mersch-Sundermann et al, 2003, Federal Institute for Risk Assessment http://www.abd.org.uk/pr/436.htm http://www.abd.org.uk/pr/674.htm</p>	Support with conditions	Noted We are lobbying government extend the ULEZ to reduce the number of more polluting vehicles within the borough. Pollutants within your response do not fall within in the legislative requirements of this plan	Public

84	Further actions need to be taken and at a more urgent timescale.	Support with conditions	Comment partially Upheld. The action plan has been revised with amended time scales	Public
85	The Council may wish to consider wider natural resource use reduction/conservation awareness campaigns. With fewer natural resources being consumed by the local population, less energy will be required to process the resources that are required within the borough. This has the added benefit of local actions having a wider influence regionally, for example with water use and conservation across the south, south east of England. Less energy used for treatment of water leads to less CO2 emissions, and less water extracted out of wild habitats etc. While not a localised improvement, this may still be important on a regional scale.	Support with conditions	Comments noted. This is not relevant to the air quality action plan in respect to main pollutants of concern which Nitrogen Dioxide and Particulates.	Public Health England
86	It is unclear for some of the actions how they will be evaluated in terms of their effectiveness and contribution to any reductions in emissions.	Support with conditions	Monitoring is part of the plan and reporting is required annually in the status report.	Public Health England
87	CRP strongly agrees with action 5 that new developments should ensure "adequate, appropriate, and well located green space and infrastructure is included." We believe there should be a requirement for all developments to include a certain square footage of green space in order to ensure Hammersmith and Fulham remains a green borough. CRP's 'Greening the BIDs' programme assisted Business Improvement Districts and boroughs identify places where there is more greening potential; and supported the installation of green infrastructure (such as living walls, rain gardens and green roofs) with partners.	Support with conditions	Noted--Planning enforcement able to undertake an annual inspection to all major sites to verify the landscaping conditions have been implemented.	Cross River Partnership
88	(Emissions from developments and buildings actions section) The borough should consider including an action to educate residents against the installation of wood burners as these	Support with conditions	Agree that it is important to raise awareness of this matter, however this will be addressed through two of the actions already present in the air quality action plan. Action 6 proposes a review of air pollution	Cross River Partnership

	significantly contribute to local PM levels.		impacts of approved appliances and Action 26 is to raise awareness of the air quality impact of individual behaviour.	
89	<p>The diesel consuming trucks, taxis and cars seems to be the main source of air pollution that can be either eliminated or reduced.</p> <p>A fee should be payable by diesel burning vehicles can be introduced for the trucks, vans, taxis and private cars (belonging to the residents or pass by vehicles) will not only create further funds for the council but will encourage these type of vehicles to visit the borough less and help reducing the pollution.</p> <p>I cannot understand why the London taxi's cannot be converted to electric or hybrid just like Amsterdam taxi's.</p>	Support with conditions	<p>Comments noted and upheld relating to controlling the type and amount of higher polluting vehicle travelling on road within the borough. New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in H&F'.We do not have the legal powers or the enforcement capabilities to charge vehicles using our roads, on the basis of their fuel type. However in the next ULEZ consultation due late 2017 we will restate our position to TFL that we would like them to investigate including Hammersmith & Fulham in the ULEZ area. See Action 48- we will also look to reflect proposed ULEZ model of charging in the structure of parking permits in the borough. Comments on taxis are noted; all newly registered Taxi's must be zero tailpipe emission capable from January 2018 in the ULEZ.</p>	Public
90	<p>firstly-laws must be enforced not flouted vehicles parked with motors running happening all the time</p> <p>bicycles might be greener but not riding on the footpath-they are for pedestrians[no action-it is illegal] ie already a law being flouted.</p> <p>encourage more use of public transport and less private cars within city zones but not with taxes as this is just treated as an extra cost and doesn't deter vehicles ie cut pollution.</p> <p>think out carefully on electric vehicles as until battery's can safely be disposed of we may cause another problem.</p> <p>I think that will do for now</p>	Support with conditions	<p>We will be implementing an anti-vehicle engine idling enforcement policy in accordance with Action Plan Measure 43. Enforcement of the prohibition of footway cycling can only be enforced by the police. The council aims to discourage it by making the highway safer for cyclists (eg 20mph speed limits), by providing segregated cycle paths, and by offering cycle training which gives cyclists the skills and confidence to ride on the road.</p>	Public
91	On pages 13 and 14 of the plan, in my opinion,	Observation	The council is opposed to expansion at Heathrow and	Public

	<p>the amount of pollution caused by aircraft flying over Hammersmith is woefully under estimated. In the few days following 9/11, when no aircraft flew anywhere, the windowsills of my flat had almost no particulates lying on them; and the air certainly seemed far cleaner. This is the main reason I am against the 3rd runway at Heathrow.</p>		<p>is against any increase in flight numbers beyond the current annual allowance of 480,000. We comment on Government consultations on airspace changes, expansion plans for Heathrow and operational changes at Heathrow that could impact the borough. We lobby for restrictions and and changes to airspace and operations that reduce impacts for borough residents.</p>	
92	<p>Overall the plan seems to be mostly "filler" written because a plan was needed, rather than a properly thought-through document written by experts who really know about reducing pollution. What examples can we take from around the world? Has any other city managed to significantly reduce air pollution?</p>	Observation	<p>Noted. The draft action plan has utilised the template developed and made available by the GLA Environment team-(available to view at https://www.london.gov.uk/what-we-do/environment/pollution-and-air-quality/working-london-boroughs) the action template includes justification for use of such actions in terms of their effectiveness in improving air quality. The action plan has also taken into consideration the report produced by the Hammersmith Air Quality Commission in 2016 with suggested actions for the council. The Mayor of London actively works with Mayors of other cities such as Paris to develop methods to improve air quality, this is discussed at this press release https://www.london.gov.uk/press-releases/mayoral/mayor-unveils-polluting-vehicle-checker-scheme.</p>	Public
93				Public
94	<p>Pollution from people smoking cigarettes and vape smoke.</p> <ol style="list-style-type: none"> 1. Smoking in public places to be banned completely.eg it is so unpleasant going down north end rd .2.smoking in gardens to be banned as it's not possible to enjoy peace in your garden with both neighbours smoking on either side. 3.vape causes cancer I read in the daily mail this week should be banned totally..infact removed from market before it causes cancer in the population resulting in high care costs. 	Observation	<p>Comments noted. The Action Plan concentrates on the major sources of air pollution that are Nitrogen Dioxide and Particulates.</p>	Public

	4.non complied should be fined ie ticketed. Thanks			
95	Please see all my comments before. It is pitifully unambitious re cycling and far too little to encourage people on to bicycles and out of cars. The mad dash for electric cars for personal use doesn't do anything to stop the additional congestion nor pollution which they create. I am incredibly disappointed and depressed by this document.	Observation	Noted.-Our first priority is to encourage walking and cycling, by 20mph speed limits, improved crossing facilities, supporting cycle superhighways, cycle hire schemes, providing cycle parking on street and in new developments, and giving cycle training to children and adults. But there will be some journeys which need to be made by motor vehicles, e.g. by disabled people and carrying heavy loads, and electric vehicles can play a significant part in reducing emissions from these movements.	Public
96	Go for continuous improvement.	Observation	Noted. Amendments have been made to several actions to include immediate targets, such as improving the number of schools with travel plans, which will be reviewed and further targets made in subsequent years- to ensure the action remains relevant and stringent.	Public
97	In general, I am supportive of the suggested measures. At the same time I am wondering why the implementation dates for many of the listed measures is only in 2023. Poor air quality is a scourge for inhabitants of London today and it would be nice to see quicker implementation of some of these measures. What angers me is that even if people could make a contribution to better air quality they fail to realise that they are the problem. I find this is most acute when it comes to idling engines while stopping. I previously lived in Switzerland and there it would be normal for a driver to switch off the engine as soon as he/she stops. Here in London it is very common to keep the engine running - even during a lunch break or a longer wait. I have personally approached drivers and urged them to switch off the engine. I am	Support with conditions	Comments noted and upheld. Timescales on the action plan have been amended to make clear that action will start immediately for all actions and these actions will be ongoing throughout the duration of the action plan. We will be implementing an anti-vehicle engine idling enforcement campaign in accordance with Action Plan Measure 43. Comments regarding ice cream vans are noted, action 43 provides the scope to consider and address issues with idling from all vehicles.	Public

	<p>therefore supportive of further campaigns to educate drivers. More leverage could be achieved by approaching owners/operators of large fleets (taxi companies, other transport businesses - and dare I say it, the police!) to instruct employees to switch off engines when stopping.</p> <p>To this end I would also urge the council to withdraw permission for ice cream trucks to sell ice cream while stationary and keeping their engines running to power the freezer. I regularly see an ice cream truck in front of Shepherd's Bush tube station with the engine running. If they want to use such spots then they have to be able to plug in the freezer!</p> <p>Good luck</p>			
98	more needs doing	Objection	Noted.	Public
99	There's a typo in question 6 should be 'If Yes' rather than 'If No'	Other	Noted- this was altered on the online consultation as soon as the mistake was noticed.	Public
100	In full support of stopping engine vehicles being left running while stationary	Support	Noted.	Public
101	What action is being taken regarding pollution caused by aircraft going into heathrow and also by helicopters flying over the borough ???	Objection	The council is opposed to expansion at Heathrow and is against any increase in flight numbers beyond the current annual allowance of 480,000. We comment on Government consultations on airspace changes, expansion plans for Heathrow and operational changes at Heathrow that could impact on the borough. We lobby for restrictions and changes to airspace and operations that reduce impacts for borough residents. The council has representatives on the Heliport Consultative Group and can raise this issue of pollution impacts at the next meeting. In our consultation response to the draft London Environment Strategy, the council has highlighted the issue of air pollution from helicopters as one that the Mayor should be seeking regulatory powers for enforcement.	Public

102	<p>My principle concern with this initiative - which I think is excellent and very important - is that if I'm reading it right many of the objectives may not be achieved until 2023. That seems a very long way off. I feel sure that some could be achieved sooner, for example, asking schools to co-operate by asking parents not to idle when delivering/collecting their children - and getting the children on side also.</p> <p>Could traffic wardens/police community support officers be enlisted to ask drivers idling by the roadside to turn off their engines?</p> <p>I have been out with the teams on the no idling days and found them very effective. I would like to continue to ask people to turn off their engines when sitting by the kerb but am discouraged by the sometimes aggressively negative responses. If I had a small official looking placard issued by the Council I would feel better authorised to make this request.</p>	Support with conditions	Comments noted and upheld and timescales on the action plan amended to make clear that action will start immediately for all actions as these actions will be ongoing through the duration of the action plan. We will be implementing an anti-vehicle engine idling enforcement campaign in accordance with Action Plan Measure 43.	Public
103	Reasonable as far as it goes. No real vision	Support with conditions	Noted.	Public
104	Your suggestions are shameful. They do nothing to reducing air pollution. You making the claim that you want to be the borough with the cleanest air quality is a joke and you know it! I would like please to be on the panel of resident led people who are handling this topic.	Objection	Noted. The Hammersmith Air Quality Commission ran for 9 months in 2016 and engaged with local residents and experts to examine the causes and dangers of air pollution and proposed solutions to help to reduce it to the Council. A final report was produced and is available at https://www.lbhf.gov.uk/environment/pollution-and-air-quality/air-quality-commission . The council is keen to engage with local residents on air quality and has utilised residents during anti idling campaigns to raise awareness of poor air quality (https://www.lbhf.gov.uk/articles/newsbite/2016/09/clean-air-champions-wanted-help-stop-idling-vehicles-	Public

			hammersmith-fulham)	
105	As someone having been diagnosed and receiving treatment for cancer this year, I believe pollution in all its forms needs to be reduced and quickly. Diesel engines should be taken off the road as a matter of urgency. Tiny particles from diesel get into our respiratory systems and sit on our lungs. All Respiratory specialists will tell you this and tell you what an enormous priority this is.	Support with conditions	Noted and Comment upheld. We do not have the legal powers or the enforcement capabilities to charge vehicles using our roads, on the basis of their fuel type. However in the next ULEZ consultation due late 2017 we will restate our position to TfL that we would like them to investigate including Hammersmith & Fulham in the ULEZ area, that would charge older diesel vehicles to enter the borough. Amendment is new action number 53 to lobby TfL to investigate including Hammersmith in an expanded ULEZ.	Public
106	I strongly disagree with the electric vehicle scheme being proposed. Electric vehicles may be cleaner than petrol and diesel, but it's important to realise that they are still part of the problem and not the solution. The Borough would be better focusing its limited resources on getting people out of cars altogether rather than incentivising them to switch to a less polluting type of vehicle. This would have far greater pollution benefits as well as safety benefits for all those cycling (and walking).	Objection	Our first priority is to encourage walking and cycling, by 20mph speed limits, improved crossing facilities, supporting cycle superhighways, cycle hire schemes, providing cycle parking on street and in new developments, and giving cycle training to children and adults. But there will be some journeys which need to be made by motor vehicles, e.g. by disabled people and carrying heavy loads, and electric vehicles can play a significant part in reducing emissions from these movements.	Public
107	It is woefully inadequate and weak. Air pollution needs far more severe and urgent plans.	Objection	Noted	Public
108	The action for cycling is negligible and must be improved.	Objection	Comments Noted. Action for cycling includes extension of 20mph limits, support for cycle superhighways, support for cycle hire schemes, provision of cycle parking in residential and employment developments on street, and giving free cycle training to children and adults.	Public
109	Let us know the most dangerous places - show us raise our awareness - ban the traffic - move on industrial industry - you will be the cleanest borough - actually plant trees without residents having to hound the council to do so. Adopt local citizens to help you in person beyond this form.	Support with conditions	Comments Noted. Existing action 26 will require the council to raise awareness of exposure to poor air quality. There are actions in place to increase and maintain green infrastructure, (5,8,11,14, 39,41,42). We support the comment on local citizens-we have used local citizens for recent vehicle idling campaigns (see	Public

			https://www.lbhf.gov.uk/articles/news/2017/05/motorist-s-switch-engines-fight-air-pollution) and will do so again where it is appropriate.	
110	Ban all non electric cars in the city centres!! Where pollution is high. Make all transport electric in the main polluted areas. Our life should come before convenience. Stop TfL using engine powered vehicles in excess. Stop letting TfL rip us off, and ruin our city. I'd rather be able to breathe than to have 50 buses running a minute to one bus stop. And emissions need to come before anything else	Objection	Comments noted and upheld relating to controlling the type and amount of higher polluting vehicle travelling on road within the borough. We do not have the legal powers or the enforcement capabilities to charge vehicles using our roads, on the basis of their fuel type. New action 53 has been added in the plan to reduce the number of higher polluting vehicles travelling on the roads, by lobbying and supporting Mayor of London to take action to improve air quality in the borough to investigate including Hammersmith in an expanded ULEZ. The council continues to work to increase infrastructure in the borough to increase use of electric vehicles, see actions 36,45,49,50.	Public
111	Its intentions are good, but the specifics sound as if they won't generate much noticeable change.	Support with conditions	Noted	Public
112	Hammersmith London believes that with the additions suggested, the plan is very comprehensive and would be happy to support it.	Support	Noted.	Public
113	The council are working with a residents group to form a Hammersmith Town Centre Supplementary Planning Document (SPD) – which looks to minimise town centre traffic with the potential pedestrianisation of the Hammersmith gyratory. How will a potential pedestrianisation of the Hammersmith gyratory, help with the continual, constant and loud traffic on the Fulham Palace Road which emits noise and fumes 24/7, rendering many to become ill? I have sought medical treatment for my condition as a result of incessant toxic air pollution.	Objection	Any proposal to partially pedestrianise the Hammersmith gyratory would be carefully studied to ensure that it does not result in more traffic and pollution on Fulham Palace road, which will benefit from other measures in the Air Quality Action Plan such as the transfer of journeys to walking, cycling and public transport.	Public
114	Page 12: The Fulham Palace Road is the A219 NOT the A213. In addition, the ENTIRE Fulham Palace Road has log jams during rush	Objection	Noted. A213 typing mistake to be corrected in Final version to A219. The Air Quality Focus Areas have been developed by GLA through the use of modelling	Public

	hour, football matches, when light signalings are changed to stem the flow of traffic. This means HOURS (really) of fumes and noise. Whilst you may have had some people knocking on car windows, this is not an effective solution, and really should not be just added to your draft plan because there is no other action plan. The ENTIRE Fulham Palace Road has to be monitored and included in the Air Quality Focus Area. The only way people will change is if people are fined.		software and input from local authorities. If the focus areas are reconsidered in the future, we have noted this comment for consideration.	
115	Air quality is a major health concern and action needs to be taken urgently, cars must be restricted and reduced. Thank you.	Support with conditions	Noted. Comment upheld and amendment is new action 53 to lobby TfL to investigate including Hammersmith in expanded ULEZ.	Public
116	This document is 55 pages long and impossible to deal with online. Do you have a printed out document? How many people in the borough know about this consultation?	Observation	This respondent was signposted to where the paper copy of the consultation could be accessed.	Public
117	It needs to have a sense of proportion. The days of 'peasouper' smogs are long gone and improved technology has seen vehicle emissions slashed according to DfT. I personally have lived and worked near traffic-laden Fulham Palace Road and Hammersmith Broadway for over 30 years. I regularly walk along polluted roads, but only noticeably suffer health effects when I travel on trains and the tube. Possibly as the air conditioning system circulates everyone's germs. Read the document "Urban Air Quality & Public Health", which also notes that indoor air quality can be several times worse than it is outdoors. For example, Dr Jeff Llewellyn of the Government Buildings Research Establishment found that the air in the average UK home was ten times more polluted than city smog. Dr Martin Stern of the British Allergy Foundation has categorically rejected that asthma is linked to	Objection	Noted. The council does not have powers or legislation available to it to enforce indoor air quality. This is plan is to identify the actions the Council can take, not actions or guidance for others. However, we look to educate, signpost and raise awareness on both how to reduce exposure and how to produce less/no pollution on our website and other initiatives.	Public

	<p>outdoor air pollution. Instead, he links it to the household dust mite and its excreta. Modern living, with central heating, draught-free double glazing, fitted carpets and poor diet factors, provide the ideal environment for the dust mite and its effects on our respiratory system. The proportion of homes with fitted carpets in England, France and Italy is directly proportional to the incidence of asthma in each country. The air quality in people's homes can suffer due to organic chemicals from glues and other solvents, poor ventilation and smoking. The draft AQAP could offer more guidance to residents on actions they can carry out for themselves. General references: http://www.fairdealforthemotorist.org.uk/abdairqual.pdf http://www.abd.org.uk/topics/asthma.htm http://www.abd.org.uk/blair.htm There is also scope for following the experience of other cities (e.g. Singapore where equipment that sucks pollutants out of the air is being trialled.)</p>			
118	<p>Thank you for the opportunity to comment on the Councils Air Quality Action Plan (AQAP) (2018-2023). We welcome the development of this AQAP, to replace the previous version published in 2003, to help to tackle poor air quality in Hammersmith and Fulham. The AQAP proposes a range of measures, many that are ongoing, to reduce air pollution as a contributor to ill-health; contribute to London Local Air Quality Management and support the UK Government in meeting EU air quality thresholds. We would encourage the Council to maximise the potential health benefits of actions and potential associated co-benefits such as increased physical activity; climate change mitigation and adaptation; community cohesion and road safety.</p>	Observation	<p>Noted, we are aware and in agreement of the impact of co-benefits. An example of this would be that we have highlighted those actions which will have benefits for climate change, within the table of actions in the borough's air quality action plan.</p>	Public Health England

119	PHE supports measures to reduce sources of air pollution and people's exposure, such as those outlined in the AQAP. We note that many of the measures outlined are aimed at improving air quality across the Borough. This acknowledges the transient nature of pollution; whereby the negative effects of air pollution may occur at locations other than where the emissions occur. There are no thresholds of effect identified particulate matter and nitrogen dioxide and therefore health benefits can be expected from improving air quality even below concentrations stipulated by EU and UK standards.	Support	Comments noted of support. Action 29 is to lobby government for more stringent objectives than current EU and UK (WHO air quality guidelines).	Public Health England
120	Within the action plan the three main pollutants are considered NO2 (nitrogen dioxide), PM (particulate matter (PM10 and PM2.5)) and CC (climate change gases). These are key pollutants of concern due to their prevalence in the urban environment from man-made sources, their potential impact on local health and of global significance in terms of climate change.	Observation	Noted- no action required.	Public Health England
121	Land use and transport planning can have synergistic effects on air quality including at the local level. Measures outlined in the AQAP such as the Low Emission Neighbourhoods (LEN), provision of infrastructure to support walking and cycling etc, can all aid in encouraging the reduction in the use of private vehicles; the adoption of cleaner fuels (for example, provision of low emission infrastructure) and increased modal shift can alleviate the impact of traffic on both the local population and urban environment and lead to wider public health benefits.	Observation	Comments noted. The action plan includes various actions that will support increased use of active travel and public transport and there will be a requirement to report on these actions annually to Defra and the GLA.	Public Health England
122	Interventions that are aimed at reducing air pollution can have wider public health co-benefits, contribute to increased life expectancy, and help reduce premature deaths from cardiovascular and	Observation	Noted.	Public Health England

	respiratory disease. We encourage a focus on improving air quality as a whole including interventions that reduce emissions, whilst also embracing measures that can be adopted at an individual level such as promoting active travel and awareness of the effects of air pollution on health.			
123	CRP agrees with the priorities of the draft Air Quality Action Plan (AQAP), including: • Tackling the sources of pollution that the council can control; • Raising resident's and businesses' awareness; • Lobbying; and, • Working with the GLA and TfL.	Support	Noted	Cross River Partnership
124	CRP strongly agrees with the council tackling the sources of pollution that it can control, including from or as a result of its own properties and fleet, planning and transport policies and other capital and maintenance and enforcement works. It is important for the council to be seen to be genuinely leading by example, particularly to be successful in achieving the other priorities of the draft plan which are reliant on influencing others to deliver change.	Support	Noted and in agreement, the council must lead by example.	Cross River Partnership
125	CRP also strongly agrees with the priority given to raising residents' and businesses' awareness of what they can do to reduce their own emissions and reduce their exposure to existing pollution. Our experience with community and business engagement has shown that while most Londoners are aware that London has an air quality problem, many are unsure how they themselves can be part of the solution. Air quality can only reach safe levels if pollution is addressed from multiple angles. For example, consumers need to be aware of how their demand (individual and business) negatively impacts upon air pollution.	Support	Comments Noted. Actions in plan present that address this comment.	Cross River Partnership

126	CRP also strongly agrees with the priority of working with the Greater London Authority (GLA) and Transport for London (TfL) to achieve the required emissions reductions. As air pollution knows no boundaries, working collaboratively can more effectively address the air quality problems within London. CRP would like to see the AQAP reflect the council's commitment to working with other boroughs, the private sector, community groups and partnerships such as Cross River Partnership to implement effective, cross-boundary and cross-sector interventions.	Support with conditions	Comment noted and action plan amended to highlight the council will work with other groups and boroughs to achieve air quality benefits where appropriate.	Cross River Partnership
127	CRP agrees with the six areas of action as set out in the draft Air Quality Action Plan (AQAP), including: • Emissions from developments and buildings; • Public health and awareness raising; • Deliveries, servicing and freight; • Borough fleet; • Localised solutions; and, • Cleaner transport.	Support	Noted. These groups of action have been taken from the template for action plans produced by the GLA.	Cross River Partnership
128	(with regard to the area of action-emissions from developments and buildings) It is important that Hammersmith & Fulham have set objectives to tackle emissions from buildings as a significant source of emissions.	Observation	Noted. For several of the actions it would not be appropriate to have targets for when NRMM, site monitoring, CHP conditions should be placed. Environmental Quality will review all planning applications for air quality impacts and recommend use of planning conditions where appropriate.	Cross River Partnership
129	Public health and awareness raising There are a number of strong actions within this section, particularly with regards to engaging with schools. CRP believes the action plan could also more specifically identify and state actions for targeting other vulnerable populations including elderly and lower socio-economic groups, who are disproportionately affected by poor air quality. This will also assist with aligning the AQAP with the goals of the Mayor's Health Inequalities and Environment Strategies. Hammersmith & Fulham should link to initiatives such as National Clean Air Day (NCAD). CRP co-ordinated and promoted	Observation	Comment noted and upheld. Existing wording amended of anor several actions to highlight targeted action towards other vulnerable groups other than school children.	Cross River Partnership

	<p>partner activities on the inaugural day in 2017 (see www.storify.com/crossriverpship/national-clean-air-day). CRP is pleased to be partnering with the event organisers for NCAD 2018 and are supportive of the council's plans to be involved in such high-profile awareness activities. CRP supports the promotion of journey planning tools that factor in exposure to air pollution when suggesting routes. Our online clean air route finder (at www.cleanairroutes.london) developed with Kings College London factors in live air quality data to enable route choices to be made on the most up-to-date information. Information like this can be quickly shared with local residents, businesses and schools to encourage people to use active travel modes, on routes that are least harmful to their health. Such online tools are supplemented by on-street routes signalled to promote foot traffic down cleaner routes. Linking with green infrastructure on buildings; increasing pedestrianised space (throughout, or at certain times of the day); and improving accessibility, wayfinding and lighting can build corridors through an urban area. Example case studies can be found in CRP's Walkable London toolkit. CRP's Clean Air Better Business programme pioneered the concept of clean air walking routes with business groups and boroughs across central London. The first of these routes, delivered with Urban Partners, the business partnership in Somers Town, has been successfully encouraging pedestrians along a quieter, cleaner route between Euston and St Pancras stations for over 2 years.</p>			
130	<p>Delivery, servicing and freight Delivery and freight trips make up 16% of vehicle kilometres in London, but contribute a disproportionate share of</p>	<p>Support with conditions</p>	<p>Comments and Support noted. Freight consolidation as well as the LEL project are captured by Action 33. We would support all the initiatives identified and are</p>	<p>Cross River Partners</p>

	<p>London's emissions (22% of road CO2 36% of NOx and 39% of transport PM10)¹. The Mayor has proposed, through his draft Transport Strategy, a 10% reduction in freight traffic in central London over the morning peak by 10% by 2026. It is therefore pleasing to see this area singled out for action within the council's draft AQAP. The Mayor's target can only be achieved by addressing demand for delivery and servicing journeys. CRP recommends that the council's AQAP be amended to include actions to address demand for delivery and servicing journeys in the borough. These could include projects such as:</p> <ul style="list-style-type: none"> • Building on work currently being undertaken through the Low Emission Logistics programme, which CRP is pleased to have been recently commissioned to deliver with 7 London boroughs including Hammersmith and Fulham (Action 33) to support delivery consolidation. Results of the initial business engagement and research will identify the most beneficial and cost-effective opportunities for delivery consolidation in Hammersmith Town centre. • Identifying opportunities to retime vehicle trips to remove congestion at the busiest time of day • Supporting neighbouring businesses to procure together through shared supplier schemes such as www.westendbuyersclub.london • Helping businesses identify efficiencies in their deliveries, for example through deliverBEST (www.deliverbest.london) • Promoting the use of 'click and collect' services for online shopping, for example through Click. Collect. Clean Air. (www.clickcollect.london) 		<p>currently working with Hammersmith BID on the development on a low emission freight delivery scheme.</p>	<p>hip</p>
131	<p>Borough fleet actions CRP strongly agrees with the aspiration to reduce emissions from the council's fleet. The council demonstrating that</p>	<p>Objection</p>	<p>Comments noted. Thank you for highlighting this recent project, we will ensure fleet manager aware of this project.</p>	<p>Cross River Partners</p>

	<p>electric vehicles are commercially viable alternatives will help encourage other fleet operators to convert their fleets. CRP encourages the council to be more ambitious in its targets, and to consider committing to no new diesel-fuelled vehicles as soon as possible, and to commit to a minimum number of cleaner, non-conventionally fuelled vehicles by 2023 rather than for a simple increase in number by that date. The EU Seventh Framework-funded Freight Electric Vehicles in Urban Europe (FREVUE) project led by CRP successfully demonstrated that electric freight vehicles are commercially viable in urban environments across Europe, including in London. Results from the project may be useful for the council's fleet managers (see: www.frevue.eu/reports).</p>			hip
132	<p>Localised Solutions The appropriate use and maintenance of green infrastructure can help improve air quality by filtering air pollutants and CRP supports the inclusion of these actions in the AQAP. Many of the BID-led projects within our Greening the BIDs programme (see www.crossriverpartnership.org/projects/greening-the-bids) had air quality objectives alongside amenity, biodiversity and urban drainage objectives. Lessons from this CRP-led programme as well as other green infrastructure projects support the consideration of the air quality impact of planned planting and urban realm improvements at both the design and maintenance stages to ensure maximum benefits can be realised. Green infrastructure, however, is no substitute for reducing sources of pollution in the first instances, so localised, temporary pedestrianisation or traffic reduction could be considered in addition to greening</p>	Support	<p>Noted in agreement of importance of reducing pollution at source in first instance. Action 46 Very Important Pedestrian days. See https://www.lbhf.gov.uk/articles/news/2015/06/unlimited-play-streets-children-shepherds-bush-road and https://www.lbhf.gov.uk/articles/news/2017/04/north-end-road-market-goes-traffic-free-tomorrow.</p>	Cross River Partners hip

133	Cleaner Transport CRP agrees with the actions in the 'cleaner transport' section and notes their alignment with the draft Mayor's Transport Strategy, particularly the action to promote walking and cycling. CRP and our partners have wide experience in designing and delivering relatively low-cost interventions to promote walking, as highlighted in the Walkable London, best practice guide. CRP is pleased to see anti-idling days included in the draft plan. Engaging drivers and encouraging them not to idle is proven to have a positive impact on air quality. Research commissioned by CRP and carried out by Kings College London showed a 20-30% decrease in peak air pollutant concentrations on London's first two multi-borough anti-idling days, run by CRP in April 2016. It is also encouraging to see support for the installation of rapid EV chargers. Our experience with the FREVUE project showed that rapid chargers can be the difference in creating a positive business case for companies looking to move towards electric freight vehicles compared to standard chargers.	Support	Noted.	Cross River Partnership
134	CONCLUSION CRP congratulates the council on the development of a comprehensive air quality action plan that will improve health and quality of life outcomes for those who live, work and visit Hammersmith & Fulham. Cross River Partnership is well placed to collaborate and support projects that help deliver Hammersmith and Fulham's Air Quality Action Plan. We anticipate the finalised AQAP with interest and look forward to continuing to work with the council and on projects with partners in the borough.	Support	Noted. Welcomed.	Cross River Partnership
135	Good but—1 We need to show this is an ongoing evolving plan so these are actions now but we are planning long term too; 2 We need much more	Support with conditions	Comments noted and upheld. We have made amendments to the action plan to show that we want to complete some actions immediately so that benefits to	Public

	<p>monitoring and you can involve the public to participate in this very easily including schools; 3 Construction needs to move more towards prefabrication and 3D/4D printing so no waste or pollution; 4 We need a flourishing urban ecology plan which will mean budgetary allocations will need to change with an emphasis on value not just short term costs</p>		<p>air quality can be seen as soon as possible. We have also included targets to be achieved towards the end of the action plan duration in 2023. With regard to monitoring the number of locations in the borough wide NO2 diffusion tube network was doubled in 2017. Additionally, the council is working to reinstate an air quality monitoring station at Hammersmith Broadway in 2018. The action plan does include prefabrication within action 9 and we agree that this may provide air quality benefits.</p>	
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GREATER **LONDON** AUTHORITY
Development, Enterprise and Environment

Elizabeth Fonseca
By email to
elizabeth.fonseca@lbhf.gov.uk

Department: Development,
Enterprise and Environment

Date: 25th October 2017

Dear Elizabeth,

Thank you for the opportunity to comment on your Air Quality Action Plan. The plan contains all of the required elements for an AQAP, and presents the local mapping and information well.

There are a number of general points to be addressed, although these seem extensive, on the whole the content is there, it's just a case of rewording some elements in order to make your commitments clearer. The suggestions for improvement are as follows:

- The priorities you identified at the start of the document are quite general (controlling emissions, lobbying and raising awareness) it would be good if these were a little more specific if possible. For example: increasing the uptake of EV charging or addressing pollution at schools (or at hotspots), or whatever your really key and specific areas of focus are.
- On the whole, in your list of actions, where you have taken the examples from the Matrix they often really need to be more tailored to the local circumstance and more include detail/commitment about what you plan to do locally. Some examples of where this needs undertaking in order to be more clear and have more of a clear commitment are: action 6 smoke control zones; action 22 business engagement; action 24 STARS; action 25 schools audits; action 31 FORS; action 32 procurement policy; and action 33 freight consolidation. You can amend the action wording itself (in the first column) for each of these in order for it to be relevant locally.

- There is a lack of targets related to the actions; targets/objectives should be included wherever possible.
- Finally, you have put 2023 as the target date for a number of ongoing actions (such as reducing emissions from developments). Can you please refer more clearly to the fact that you will be assessing yourself annually against these (the ASR reporting is mentioned but for the layperson's benefit I think it's worth clarifying that this will be starting immediately and assessed annually). Additionally, 2023 has been added as the target date for several projects which are assumed to be delivered much sooner (such as the review of diesel surcharges - action 48). The target date for completion should be added in these instances.

There are also specific comments on two actions:

- Action 2 NRMM – this should include some commitment to enforcement.
- Action 5 – is any other process/checking system planned to ensure inclusion of green space?

As per the LLAQM guidance, I will need to see the final post-consultation version of the AQAP for approval before it is published, please send this on to me before it is finalised/published.

Please don't hesitate to contact me if you have any questions or if you would like to discuss my comments.

Kind regards,

A handwritten signature in blue ink that reads "P. Lyle".

Poppy Lyle
Senior Policy and Programme Officer (Air Quality)

APPENDIX E - LBHF Equality Impact Analysis Tool

Conducting an Equality Impact Analysis

An EqIA is an improvement process which helps to determine whether our policies, practices, or new proposals will impact on, or affect different groups or communities. It enables officers to assess whether the impacts are positive, negative or unlikely to have a significant impact on each of the protected characteristic groups.

The tool has been updated to reflect the new public sector equality duty (PSED). The Duty highlights three areas in which public bodies must show compliance. It states that a public authority must, in the exercise of its functions, have due regard to the need to:

- 1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under this Act;**
- 2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;**
- 3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

Whilst working on your Equality Impact Assessment, you must analyse your proposal against the three tenets of the Equality Duty.

General points

1. In the case of matters such as service closures or reductions, considerable thought will need to be given to any potential equality impacts. Case law has established that due regard cannot be demonstrated after the decision has been taken. Your EIA should be considered at the outset and throughout the development of your proposal, it should demonstrably inform the decision, and be made available when the decision is recommended.
2. Wherever appropriate, the outcome of the EIA should be summarised in the Cabinet/Cabinet Member report and equalities issues dealt with and cross referenced as appropriate within the report.
3. Equalities duties are fertile ground for litigation and a failure to deal with them properly can result in considerable delay, expense and reputational damage.
4. Where dealing with obvious equalities issues e.g. changing services to disabled people/children, take care not to lose sight of other less obvious issues for other protected groups.
5. If you already know that your decision is likely to be of high relevance to equality and/or be of high public interest, you should contact the Equality Officer for support.
6. Further advice and guidance can be accessed from the separate guidance document (link), as well as from the Opportunities Manager: PEIA@lbhf.gov.uk or ext 3430

LBHF Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2017/2018-2022/2023
Name and details of policy, strategy, function, project, activity, or programme	H&F Air Quality Action Plan Short summary: This Plan is a statutory requirement on the council because the borough is designated as an Air Quality Management Area for nitrogen dioxide and particulate matter. This Plan identifies the actions the Council will take to improve air quality and therefore the health of residents and other occupants.
Lead Officer	Name: Elizabeth Fonseca Position: Environmental Quality Manager Email: elizabeth.fonseca@lbhf.gov.uk Telephone No: 0208 753 3454
Date of completion of final EIA	13/11/2017

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Section 02	Scoping of Full EIA		
Plan for completion	Timing: Resources:		
Analyse the impact of the policy, strategy, function, project, activity, or programme	Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral or negative impact on equality, giving due regard to relevance and proportionality.		
	Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
	Age	All ages are impacted by poor air quality, but the young and the old are the most vulnerable. Air pollution impacts on the formation and development of lungs and can have a particularly negative affect on young children. The elderly are also more sensitive to air pollution leading to the need for more care including hospitalisation	Positive
	Disability	Some of the actions in the plan aim to improve pedestrian and cyclist access throughout the borough. Improvements to the highways and pavements would	Positive

	likely improve the ability for those with physical disabilities to travel through the borough. Those who have existing heart and lung conditions (i.e. COPD, asthma) are more sensitive to air pollution leading to the need for additional medical care including hospitalisation. There is not a notable impact on those with mental disabilities	
Gender reassignment	There is no evidence found to show that the action plan would have a potential impact on this characteristic	Neutral
Marriage and Civil Partnership	There is no evidence found to show that the action plan would have a potential impact on this characteristic	Neutral
Pregnancy and maternity	Exposure to air pollution may have a negative impact on foetal development.	Positive
Race	Exposure to poor air quality is higher on average among black and minority ethnic groups.	Positive
Religion/belief (including non-belief)	There is no evidence found to show that the action plan would have a potential impact on this characteristic	Neutral
Sex	There is no evidence found to show that the action plan would have a potential impact on this characteristic	Neutral
Sexual Orientation	There is no evidence found to show that the action plan would have a potential impact on this characteristic	Neutral

Human Rights or Children's Rights

If your decision has the potential to affect Human Rights or Children's Rights, please contact your Equality Lead for advice

Will it affect Human Rights, as defined by the Human Rights Act 1998?

No

	Will it affect Children's Rights, as defined by the UNCRC (1992)? No
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Section 03	Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	<ul style="list-style-type: none"> • UK Notification to the European Commission to extend the compliance deadline for meeting PM10 limit values in ambient air to 2011: Racial Equality Impact Assessment (England) - August 2009. • Every breath we take. The lifelong impact of air pollution. Report of a working party, Royal College of Physicians, February 2016 • Understanding the Health Impacts of Air Pollution in London, King's College London, 14th July 2015.
New research	Further research into the impacts of interventions to reduce exposure to poor air quality to quantify their benefits for different populations would be useful

Section 04	Consultation
Consultation	Public and statutory consultation undertaken from 27 July 2017 through 31 October 2017. Documents were available on-line as well as all libraries in the borough along with response forms and paid postage return envelopes.
Analysis of consultation outcomes	<ul style="list-style-type: none"> • 70% of respondents agree the priorities, though 10% of these respondents want them to go further • Over 75% of respondents agree that the council should undertake the actions in the draft revised plan; • 86% want the council to undertake more actions that those identified in the draft revised plan; however, the majority of these comments ask for actions outside of the council's overall control such as banning vehicles from entering the borough.

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Section 05	Analysis of impact and outcomes
Analysis	<p>What has your consultation (if undertaken) and analysis of data shown? You will need to make an informed assessment about the actual or likely impact that the policy, proposal or service will have on each of the protected characteristic groups by using the information you have gathered. The weight given to each protected characteristic should be proportionate to the relevant policy (see guidance).</p> <p>One respondent identified that vulnerable residents were not identified as benefactors of the actions listed in the plans nor that their wellbeing was adequately targeted. The Action Plan has been updated to clarify that protecting vulnerable residents, particularly the young, old and those with heart and lung disease.</p>

	Public Health England were one of the statutory consultees; their response is broadly supportive. None of the remaining responses made reference to the characteristics above.
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Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	Include any specific actions you have identified that will remove or mitigate the risk of adverse impacts and / or unlawful discrimination. This should provide the outcome for LBHF, and the overall outcome. No further actions are needed to remove or mitigate the risk of adverse impacts and/or unlawful discrimination.

Section 07	Action Plan					
Action Plan	Not applicable					

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Section 08	Agreement, publication and monitoring					
Chief Officers' sign-off	Name: Position: Email: Telephone No:					
Key Decision Report (if relevant)	Date of report to Cabinet/Cabinet Member: 15/01/2018 Key equalities issues have been included: Yes					
Opportunities Manager (where involved)	Name: Position: Date advice / guidance given: Email: Telephone No:					

London Borough of Hammersmith & Fulham

Community Safety, Environment and Residents Services Policy and Accountability Committee Minutes



Monday 18 September 2017

PRESENT

Committee members: Councillors Larry Culhane (Chair), Iain Cassidy, Charlie Dewhirst and Steve Hamilton

Other Councillors: Wesley Harcourt (Cabinet Member for Environment, Transport and Residents Services)

Officers: Elizabeth Fonseca (Environmental Quality Manager), Nick Austin (Director for Environmental Health), Joyce Golder (Principal Solicitor (Litigation), Claire Rai (Head of Community Safety), and Stephen Gibbs (Neighbourhood Warden Manager).

9. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Holder.

10. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

11. **MINUTES**

RESOLVED

That the minutes of the meeting held on 28 June 2017 be approved as a correct record and signed by the Chair.

12. COUNCIL'S DRAFT AIR QUALITY ACTION PLAN CONSULTATION

Elizabeth Fonseca explained that the council was required to adopt a new Air Quality Action Plan for 2018-23. There was significant evidence that poor air quality was having a negative impact on residents of Hammersmith and Fulham; 25% of early deaths in the borough had been attributed to the effects of poor air quality. It was therefore important that the council developed an Air Quality Action Plan which would help it to tackle the issue. The Greater London Authority (GLA) had developed a framework for Councils across London to use when developing their action plans. It was hoped that having a more coordinated approach across London would help to increase the impact of each borough's actions.

Maps showing the concentration of nitrogen dioxide pollution and particulate matter in the borough were shown, with main roads clearly standing out as the principal areas of concentration. Elizabeth Fonseca explained that the majority of nitrogen dioxide pollution came from diesel vehicles, whereas particulate matter was caused largely by particles from tyre, brake and clutch wear and particles being resuspended in the air, although there were also many other sources. Unfortunately, there was little that the council could realistically do to significantly reduce the impact of pollution from roads, national or regional action would need to be taken as most of the traffic in Hammersmith and Fulham was passing through rather than being caused by residents.

Hammersmith and Fulham's draft action plan proposed actions in a wide range of areas. Air pollution would continue to be monitored closely, the council having doubled its nitrogen dioxide monitoring network in 2016. The council's own vehicle fleet and the larger fleets of its contractors would be upgraded to less polluting vehicles. Council buildings would also be fitted with low-emission boilers as they needed replacement. Greening measures would also continue to be introduced on the highway, with some schemes to look at reducing the canyon effect which concentrated pollution between tall buildings on main roads. Planning controls would be used to ensure that large developments did not have a negative impact on air quality. The council would also try to persuade people make less polluting choices, for example, through discounted parking permits for low emission vehicles, the promotion of active travel and anti-idling campaigns.

A resident asked why planning powers were not used to prevent tall buildings from being built near to polluted roads, as it was known that this would cause a canyon effect. Elizabeth Fonseca explained that each application for development was assessed individually and that developers could potentially overcome issues of the canyon effect through other design measures. Councillor Harcourt said that Hammersmith and Fulham used the limited planning powers available to it to good effect, but said that it was difficult to prevent developments on air quality grounds.

A resident asked what the impact of the 20mph speed limit was on air quality. Elizabeth Fonseca explained that driving at 20mph would typically reduce a vehicle's emissions as traffic flow should be smoother and a consequent

reduction in acceleration and braking which caused significant amounts of pollution. A resident noted that traffic lights often stopped drivers and asked whether these ought not to be retimed to favour cars to prevent pollution from idling vehicles and stated that vehicles are forced to idle because shutting them off and turning them on again is even worse for the environment. Elizabeth Fonseca said that this is not the case with modern cars, some of which are fitted with Start/Stop technology.. A resident noted that the needs of pedestrians and other road users also needed to be considered. The Chair asked whether officers working on air quality cooperated with staff responsible for transport and highways. Elizabeth Fonseca confirmed that they did work closely together.

A resident asked whether the council planned to take enforcement action against those idling on the borough's roads. Elizabeth Fonseca explained that the most effective way to combat idling was to raise awareness through campaigns. It was intended that enforcement powers would be used, but it was very difficult to take formal action against a driver as legislation required that a warning be issued before a fine could be given, and almost all drivers would heed the warning and turn off their engine. A resident asked that anti-idling leaflets be distributed to members of the public so that they could help to educate idling drivers, whilst another resident asked that more work be done with large venues to prevent taxis, coaches and lorries from idling there. Elizabeth Fonseca said that the council's anti-idling campaign already distributed leaflets and worked with venues; she agreed to ensure that more was done.

A resident of Ashcroft Square said that he would favour pedestrianisation on King Street to reduce pollution; he also complained about noise pollution caused by the council's street cleaning vehicles. Councillor Harcourt said that he hoped that electric street cleaning machines would be introduced in the next few years and said that this should mean that they were both quieter and less polluting than the current sweepers.

A resident asked if pollution from aircraft was covered by the action plan. Elizabeth Fonseca said that the main impact of aviation on the borough was people travelling to and from Heathrow airport in vehicles mostly on main roads through the borough..

A resident asked what could be done to reduce pollution from taxis. Councillor Harcourt explained that from 2018 Transport for London (TfL) would require that all new taxis were capable of running with zero emissions at the tailpipe; this would mean that new taxis would either be electric or be hybrids and so nitrogen oxide pollution from taxis would drop significantly. There were also to be two low emission bus corridors running into the borough along the A4020 and the A315. Elizabeth Fonseca explained that the council also lobbied TfL to try to persuade them to do more.

A resident asked whether the queuing of buses at Hammersmith Bridge was permanent. Councillor Harcourt explained that the current system would only operate until major repairs had been completed. These were likely to start in the summer of 2018 and were expected to last around 12 months; the council

would push TfL to try to ensure that the closure period was kept to a minimum. Councillor Harcourt also explained that TfL were being asked to stagger departures from Hammersmith Bus Station to prevent queuing at the bridge.

A resident asked whether a diesel scrappage scheme would be developed. Elizabeth Fonseca explained that such a scheme would need to be set up by the government; so far they had been unwilling to commit to this action in their recent revised strategy to improve air quality which focussed other than to ask councils to do so.

13. RIPA AND CCTV UPDATE

Joyce Golder explained that the Regulation of Investigatory Powers Act (RIPA) controlled the council's use of covert CCTV. Between June 2016 - August 2017 covert surveillance had been used on 12 occasions to identify the perpetrators of anti-social behaviour and drug dealing. In January 2017 the Office of Surveillance Commissioners inspected the council's use of RIPA. The report had generally been very positive; 6 recommendations for minor improvements were made as detailed in the report.

A resident said that they wanted more CCTV cameras to be installed on estates to help to tackle anti-social behaviour and rough sleeping in communal areas. The Chair noted that there was a programme of expansion of the CCTV network on housing estates and said that the council recognised their value. Joyce Golder said that the council's use of CCTV had been commended many times and that 543 arrests had been made as a direct result of the CCTV service's work.

The Chair asked whether the existing RIPA procedures made it difficult for officers to deploy covert CCTV. Joyce Golder said that the procedures worked well within RIPA, however, there would be a change to the regulatory framework as the provisions of the Investigatory Powers Act 2016 came into force, which might make covert surveillance easier to organise.

A resident asked whether the council ran a CCTV service for other organisations. Claire Rai explained that the council's CCTV service only ran public space CCTV cameras. It worked with Hammersmith BID to prevent crime in Hammersmith Broadway and also had a link to Westfield's CCTV network. CCTV networks in council buildings, schools and at other sites were run by the managers of those buildings.

A resident asked how long CCTV footage was retained. Claire Rai explained that CCTV was kept for 30 days, although if requested by the police, it could be kept for longer.

A resident asked whether CCTV could be used to take enforcement action against those who were fly-tipping. Councillor Culhane explained that CCTV was used to prove the identities of those fly tipping and that the council often forced individuals and companies to pay the council for the cost of

investigation and clearing their dumped waste. The council had appointed a Street Tsar to reduce fly-tipping through the use of CCTV.

Councillor Dewhirst asked whether there were plans to extend the CCTV network to the Western End of King Street. Clair Rai agreed to look into the issue and report back to Councillor Dewhirst.

Councillor Cassidy asked how good the council was at getting access to footage from other organisations CCTV networks. Claire Rai explained that it depended on the organisation; some partners such as Westfield were very helpful whereas other premises might be more reluctant to share their footage.

14. NEIGHBOURHOOD WARDENS SERVICE

Claire Rai introduced the report, saying that the Neighbourhood Wardens Service consisted of 13 officers who patrolled the borough's streets and estates. The service had been formed when the Shepherds Bush Street Wardens and the Estate Wardens Services had merged.

The Neighbourhood Wardens provided a wide range of services, including:

- Tackling Anti-Social Behaviour both through intervention and by passing information to housing officers so that tenancy action could be taken where the perpetrators were council tenants.
- Stopping Begging and Street Drinking by providing support for those on the streets and by taking enforcement action where necessary.
- Providing Reassurance through high visibility patrols and home visits to residents.
- Helping to keep the borough clean by issuing fines to those littering or failing to clear up after their dogs.
- Engaging with residents and helping with their problems; the team regularly attended community events to talk to residents and also gave fraud prevention advice to older residents.
- Doing joint work with the police, including carrying out weapons sweeps across housing estates. Intelligence was also regularly provided to both the police and other council services.
- Helping with major incidents by being available to do what was needed. The team carried out a range of roles in an emergency, from acting as the Local Authority Liaison Officer to manning cordons and helping to direct the public. The team had attended the terrorist attack at Parson's Green on Friday 15 September.

A resident asked how the service could be contacted and whether they would attend all incidents. Stephen Gibbs said that the Neighbourhood Wardens operated from 8am -11pm Monday to Saturday and 10am-10pm on Sundays. The service could be called on 020 8753 2645 and where possible the team would visit a resident on the same day as their call; if this proved impossible officers would contact the resident to discuss the issue with them over the phone.

A resident asked how the team helped rough sleepers if they only worked until 11pm. Stephen Gibbs explained that monthly patrols were run at 3am, along with St Mungos who provided support to those sleeping on the streets.

A resident asked how many fixed penalty notices had been issued for littering. Stephen Gibbs explained that the vast majority of the 72 fixed penalty notices issued between January and July 2017 were for littering whilst in 2016 120 fixed penalty notices had been issued. The council's street scene enforcement officers were noted to issue far more of these notices as that was one of their primary roles, whereas Neighbourhood Wardens carried out enforcement alongside a wide range of other duties. The resident explained that he had previously asked that the council look at ways to carry out more littering enforcement as he did not feel that residents were getting the message. Councillor Harcourt agreed to provide the resident with a response to his suggestions about increased enforcement.

A resident asked whether the service would be affected by the changes to shared service arrangements. Claire Rai explained that it wouldn't be as neither the Royal Borough of Kensington and Chelsea nor Westminster City Council had a Street Wardens service. Councillors were pleased that the borough had been able to retain its service as it was very useful for residents.

The Chair asked where officers working in the service were recruited from. Stephen Gibbs explained that staff were from a wide range of backgrounds, with some from enforcement, some from customer service roles and some ex-police officers; the key to being successful in the role was being approachable and being able to communicate well with the public.

A resident asked whether the service dealt with fly-tipping on estates. Stephen Gibbs explained that the service would report fly-tipping to housing officers and Mitie to arrange its removal. Where rubbish was considered to be a fire risk they would arrange removal immediately.

15. WORK PROGRAMME AND DATES OF FUTURE MEETINGS

The work programme was noted.

Meeting started: 7.00 pm
Meeting ended: 8.45 pm

Chair

Contact officer: Ainsley Gilbert
Committee Co-ordinator
Governance and Scrutiny
☎: 020 8753 2088
E-mail: ainsley.gilbert@lbhf.gov.uk

Minutes are subject to confirmation at the next meeting as a correct record of the proceedings and any amendments arising will be recorded in the minutes of that subsequent meeting.

NOTICE OF CONSIDERATION OF A KEY DECISION

In accordance with paragraph 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Cabinet hereby gives notice of Key Decisions which it intends to consider at its next meeting and at future meetings. The list may change between the date of publication of this list and the date of future Cabinet meetings.

NOTICE OF THE INTENTION TO CONDUCT BUSINESS IN PRIVATE

The Cabinet also hereby gives notice in accordance with paragraph 5 of the above Regulations that it intends to meet in private after its public meeting to consider Key Decisions which may contain confidential or exempt information. The private meeting of the Cabinet is open only to Members of the Cabinet, other Councillors and Council officers.

Reports relating to key decisions which the Cabinet will take at its private meeting are indicated in the list of Key Decisions below, with the reasons for the decision being made in private. Any person is able to make representations to the Cabinet if he/she believes the decision should instead be made in the public Cabinet meeting. If you want to make such representations, please e-mail Katia Richardson on katia.richardson@lbhf.gov.uk. You will then be sent a response in reply to your representations. Both your representations and the Executive's response will be published on the Council's website at least 5 working days before the Cabinet meeting.

KEY DECISIONS PROPOSED TO BE MADE BY CABINET ON 5 FEBRUARY 2018 AND AT FUTURE CABINET MEETINGS UNTIL APRIL 2018

The following is a list of Key Decisions which the Authority proposes to take at the above Cabinet meeting and future meetings. The list may change over the next few weeks. A further notice will be published no less than 5 working days before the date of the Cabinet meeting showing the final list of Key Decisions to be considered at that meeting.

KEY DECISIONS are those which are likely to result in one or more of the following:

- Any expenditure or savings which are significant (ie. in excess of £100,000) in relation to the Council's budget for the service function to which the decision relates;
- Anything affecting communities living or working in an area comprising two or more wards in the borough;
- Anything significantly affecting communities within one ward (where practicable);
- Anything affecting the budget and policy framework set by the Council.

The Key Decisions List will be updated and published on the Council's website on a monthly basis.

NB: Key Decisions will generally be taken by the Executive at the Cabinet.

If you have any queries on this Key Decisions List, please contact

Katia Richardson on 020 8753 2368 or by e-mail to katia.richardson@lbhf.gov.uk

Access to Cabinet reports and other relevant documents

Reports and documents relevant to matters to be considered at the Cabinet's public meeting will be available on the Council's website (www.lbhf.org.uk) a minimum of 5 working days before the meeting. Further information, and other relevant documents as they become available, can be obtained from the contact officer shown in column 4 of the list below.

Decisions

All decisions taken by Cabinet may be implemented 5 working days after the relevant Cabinet meeting, unless called in by Councillors.

Making your Views Heard

You can comment on any of the items in this list by contacting the officer shown in column 4. You can also submit a deputation to the Cabinet. Full details of how to do this (and the date by which a deputation must be submitted) will be shown in the Cabinet agenda.

LONDON BOROUGH OF HAMMERSMITH & FULHAM: CABINET 2017/18

Leader:	Councillor Stephen Cowan
Deputy Leader:	Councillor Sue Fennimore
Cabinet Member for Environment, Transport & Residents Services:	Councillor Wesley Harcourt
Cabinet Member for Housing:	Councillor Lisa Homan
Cabinet Member for Economic Development and Regeneration:	Councillor Andrew Jones
Cabinet Member for Health and Adult Social Care:	Councillor Ben Coleman
Cabinet Member for Children and Education:	Councillor Sue Macmillan
Cabinet Member for Finance:	Councillor Max Schmid

Key Decisions List No. 62 (published 5 January 2018)

KEY DECISIONS LIST - CABINET ON 5 FEBRUARY 2018

The list also includes decisions proposed to be made by future Cabinet meetings

Where column 3 shows a report as EXEMPT, the report for this proposed decision will be considered at the private Cabinet meeting. Anybody may make representations to the Cabinet to the effect that the report should be considered at the open Cabinet meeting (see above).

* All these decisions may be called in by Councillors; If a decision is called in, it will not be capable of implementation until a final decision is made.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet <i>(other relevant documents may be submitted)</i>
5 February 2018				
Cabinet	5 Feb 2018	<p>Award Of The Learning Disability Flexible Support Contract For An Organisation To Deliver Care And Support Services To People With Learning Difficulties Within Hammersmith And Fulham</p> <p>This report sets out the commissioning background and subsequent procurement exercise undertaken to enable the award of a contract to provide a range of care and support services for people with learning disabilities (LD) living within Hammersmith and Fulham.</p>	Cabinet Member for Health and Adult Social Care	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): All Wards	
Cabinet	5 Feb 2018	<p>Designation of conservation area extensions and conservation area boundary amendments and adoption of conservation area character profiles</p> <p>Designation of conservation area extensions and boundary amendments affecting 11 existing conservation areas and adoption of conservation area character profiles for four existing conservation areas.</p>	Cabinet Member for Environment, Transport & Residents' Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): Avonmore and Brook Green; College Park and Old Oak; Fulham Broadway; Fulham Reach; Hammersmith Broadway; Munster; Parsons Green and Walham; Shepherds Bush Green; Town; Wormholt and White City	

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			paul.goodacre@lbhf.gov.uk	
Cabinet	5 Feb 2018 Reason: Expenditure more than £100,000	<p>ICT Transition phase 4 assuring service continuity - Funding for Mobile Telephony Supplier Change</p> <p>This paper proposes the replacement of the existing Mobile Phone Contract and its supplier for a period of two years from the end of February 2018 to the end of February 2020. The project includes the provision of professional services and support implementing the supplier changeover.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	Cabinet Member for Finance Ward(s): All Wards Contact officer: Howell Huws Tel: 020 8753 5025 Howell.Huws@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Feb 2018 Reason: Expenditure more than £100,000	<p>2017_18 Corporate Revenue Monitoring Month 7</p> <p>Corporate Revenue Forecast as at Month 7</p>	Cabinet Member for Finance Ward(s): All Wards Contact officer: Gary Ironmonger Tel: 020 8753 2109 Gary.Ironmonger@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	5 Feb 2018	<p>FOUR YEAR CAPITAL PROGRAMME 2018-22</p> <p>This report presents the Council's four-year Capital Programme for the period 2018-22.</p>	Cabinet Member for Finance	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): All Wards	
Cabinet	5 Feb 2018	<p>CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2017/18 (THIRD QUARTER)</p> <p>This report provides a financial update on the Council's Capital Programme and seeks approval for budget variations as at the end of the third quarter, 2017/18.</p>	Cabinet Member for Finance	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Income more than £100,000		Ward(s): All Wards	
Cabinet	5 Feb 2018	<p>Planning Guidance Supplementary Planning Document (SPD)</p> <p>The Planning Guidance SPD contains supplementary Planning guidance to the Local Plan and will be used to help determine planning applications.</p> <p>We are seeking Cabinet approval of the Planning Guidance SPD for adoption.</p>	Cabinet Member for Environment, Transport & Residents' Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards	
Cabinet	5 Feb 2018	<p>Pedestrian Crossings at Wandsworth Bridge Road</p> <p>Seek authorisation to provide pedestrian crossing phases at the junction of Wandsworth Bridge Road, Carnwath Road and Townmead Road</p>	Cabinet Member for Environment, Transport & Residents' Services	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): Sands End	

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				considered.
Cabinet	5 Feb 2018 Reason: Expenditure more than £100,000	<p>APPROVAL TO MODIFY / DIRECT AWARD OLDER PERSON AND DEMENTIA DAY OPPORTUNITIES</p> <p>This report seeks a waiver from the Council's Contract Standing Orders (under CSO 3.1) of the requirement to seek competitive bids and approval for the direct award and modification of four contracts for the provision of older persons and dementia day opportunities.</p> <ol style="list-style-type: none"> 1. Notting Hill Housing (for Elgin Resource Centre) 2. Nubian Life 3. The Alzheimer's Society (for St Vincents); and 4. The Asian Health Agency (for Shanti) to continue provision of day services to older people in the London Borough of Hammersmith and Fulham (H&F) to enable the strategic remodel of pathways and discharge's into older person and dementia services complete market development complete the development of the stakeholder engagement strategy and following this - co-produce service models decommission service; and, complete procurement exercises. 	Cabinet Member for Health and Adult Social Care Ward(s): All Wards Contact officer: Sharon Grant Sharon.Grant@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Feb 2018 Reason: Affects 2 or more wards	<p>A report on H&F Council's Emergency Response to Major Incidents in June and September 2017</p> <p>This report is a follow up to the immediate Emergency Planning Lessons Learned Report, which was presented to the Finance and Delivery Policy and Accountability Committee (PAC) on 6th September 2017.</p> <p>A further and separate review of the H&F Emergency Planning service and the response to both Grenfell Tower and the Parsons</p>	Deputy Leader Ward(s): Addison Contact officer: Peter Smith Tel: 020 8753 2206 peter.smith@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
		Green incident has been commissioned from an independent consultant and the results will be incorporated in this report once that review has been completed.		
Cabinet	5 Feb 2018 Reason: Expenditure more than £100,000	Approval to progress Main Contractor Works for Sands End Arts & Community Centre Redevelopment Hammersmith and Fulham Council has committed to replacing the Sands End Arts & Community Centre to serve local residents on the site of the existing Clancarty Lodge Depot in South Park, Fulham. This report sets out the procurement approach for the 'Main Contractor Works'.	Cabinet Member for Economic Development and Regeneration Ward(s): Sands End Contact officer: Ayesha Ovaisi Tel: 020 8753 5584 Ayesha.Ovaisi@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Feb 2018 Reason: Expenditure more than £100,000	Financial Plan for Council Homes: The Housing Revenue Account Financial Strategy, 2018/19 Housing Revenue Account Budget and 2018/19 Rent reduction This report covers the 2018/19 budget for the Council's homes (also known as the annual Housing Revenue Account budget) including a reduction in rents for Council homes of 1% for 2017/18.	Cabinet Member for Housing Ward(s): All Wards Contact officer: Kathleen Corbett Tel: 020 8753 3031 Kathleen.Corbett@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Feb 2018 Reason: Expenditure more than £100,000	Draft Revenue and Council Tax Levels 2018/19 Presentation of draft Council Tax levels and Council Budget for cabinet discussion. The final report to be presented to full council for approval.	Leader of the Council Ward(s): All Wards Contact officer: Andrew Lord Tel: 020 8753 2531 andrew.lord@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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Cabinet	5 Feb 2018	Report of The Defend Council Homes Unit The report of the independent Defend Council Homes Unit with recommendations on how best to safeguard Council homes for the long term.	Cabinet Member for Housing	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Affects 2 or more wards		Ward(s): All Wards Contact officer: David Burns David.Burns@lbhf.gov.uk	
5 March 2018				
Cabinet	5 Mar 2018	FutureGov FamilyStory Phase 2 LBHF, WCC and RBKC Children's Services have completed a 6 month engagement with supplier FutureGov to explore how technology for social care could be radically redesigned to meet the needs of families, young people and practitioners. The next phase of work is to move the design from a concept to workable solutions. It is for a 12 month engagement to change the front-end user experience by developing task driven tools and a lightweight integrations layer across child protection. PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Children and Education	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
	Reason: Expenditure more than £100,000		Ward(s): All Wards Contact officer: Etiene Steyn, Amy Buckley Tel: 0207 361 2202 Etiene.Steyn@rbkc.co.uk, Amy.Buckley@rbkc.gov.uk>;	

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Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	Annual S106 Drawdown Report A report seeking authority for the drawdown of S106 and CIL monies for 2017/18	Cabinet Member for Economic Development and Regeneration Ward(s): All Wards Contact officer: Peter Kemp Tel: 020 8753 6970 Peter.Kemp@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	Resolution to appropriate land at Edith Summerskill House and Watermeadow Court from housing to planning purposes The report requests approval for delegated authority to grant resolution to appropriate rights affecting Edith Summerskill House and Watermeadow Court in order to deliver new housing. PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Economic Development and Regeneration Ward(s): All Wards Contact officer: Matthew Doman Tel: 02087534547 Matthew.Doman@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	60 Benworth Road - educational capital investment Capital investment in the schools largely funded by the Academy with a capital receipt from an asset of the caretakers house next to the school to allow	Cabinet Member for Finance Ward(s): North End Contact officer: Nigel Brown Tel: 020 8753 2835 Nigel.Brown@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
		<p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>		background papers to be considered.
Cabinet	<p>5 Mar 2018</p> <hr/> <p>Reason: Income more than £100,000</p>	<p>Database Management & Tracking NEET</p> <p>Report to outline and seek agreement to extend Hammersmith & Fulham's current contractual arrangements for the provision of tracking young people not in education, employment or training.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p>	<p>Councillor Sue Macmillan</p> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Rachael Wright-Turner, David Burns Tel: 020 7745 6399, Rachael.Wright-Turner@rbkc.gov.uk, David.Burns@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	<p>Contract extension request for Behaviour Change contracts</p> <p>This report seeks the Cabinet approval of a contract extension of the Healthy Hearts contract for one year and a direct award to extend the Stop Smoking Service contract for nine months to make them co-terminus. This is to ensure the Public Services Reform department has sufficient time to look into possible re-procurement options without the need for further Direct Awards whilst continuing with high performing contracts for our residents.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	Cabinet Member for Health and Adult Social Care Ward(s): All Wards Contact officer: Christine Mead, Neil Colquhoun Tel: 020 7641 4662, Tel: SOCNECO cmead@westminster.gov.uk Neil.Colquhoun@rbkc.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	<p>Procurement of Home Care Services</p> <p>Procurement strategy and business case for the procurement of a regulated spot purchase of home care services throughout Hammersmith and Fulham to ensure demand for the service is fully met and contingency arrangements exist in the event of provider failure.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from</p>	Cabinet Member for Health and Adult Social Care Ward(s): All Wards Contact officer: Tim Lothian Tel: 020 8753 5377 tim.lothian@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	<p>King Street Town Hall Regeneration Project</p> <p>This report will give a update on the King Street Town Hall Regeneration Project. This includes an update on the new proposal for this site.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Economic Development and Regeneration</p> <p>Ward(s): Hammersmith Broadway</p> <p>Contact officer: David Burns, Archie Adu-Donkor</p> <p>David.Burns@lbhf.gov.uk, Archie.Adu-Donkor@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	<p>Upgrade of Community Alarm Monitoring and Associated Disaster Recovery Solution</p> <p>To request approval for the necessary upgrade to the IT system supporting the council's Careline Service</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it</p>	<p>Cabinet Member for Health and Adult Social Care</p> <p>Ward(s): All Wards</p> <p>Contact officer: Tim Lothian Tel: 020 8753 5377 tim.lothian@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	<p>Contract Award Decision to appoint the construction contractor for the redevelopment of the Bridge Academy site for the provision of a range of young people services</p> <p>Following a procurement exercise over the summer 2016 this decision will be to award the contract to the successful contractor</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	<p>Cabinet Member for Children and Education</p> <p>Ward(s): Palace Riverside</p> <p>Contact officer: Dave McNamara, Ian Turner Tel: 020 7605 8337 david.mcnamara@lbhf.gov.uk, Ian.Turner@rbkc.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	<p>Access to the LGRP Framework</p> <p>The report provides the rationale for approval for the council to have the ability to access the LGRP Framework. The Framework covers 4 Lots with suppliers listed on each lot (Executive Search Permanent (roles over £70K) & Interim</p>	<p>Cabinet Member for Finance</p> <p>Ward(s): All Wards</p> <p>Contact officer: Veronique Vermeer Tel: 07747 007300 Veronique.Vermeer@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or

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		<p>Recruitment (all roles) , Permanent Recruitment (roles between £30 - £70K), HR Consultancy and HR Marketing Solutions) . Award of individual contracts under the framework and respective lots will be by service departments as the need arises and in accordance with the requirements of the framework, the Council's Contract Standing Orders and internal processes in place.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	v.uk	background papers to be considered.
Cabinet	<p>5 Mar 2018</p> <p>Reason: Expenditure more than £100,000</p>	<p>Legal Case Management System</p> <p>This paper seeks Cabinet approval for the procurement of a new case management system for LBHF legal services through the Crown Commercial Services' G-Cloud 9 Framework that will enable legal services to deliver value for money and provide high quality services.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information)</p>	<p>Cabinet Member for Finance</p> <p>Ward(s): All Wards</p> <p>Contact officer: Naik Sucheta Sucheta.Naik@lbhf.gov.uk</p>	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	Implementation of the Recommendations of the Poverty and Worklessness Commission This report sets out proposals for the implementation of the recommendations of the H&F Poverty and Worklessness Commission. It seeks funding for a Policy and Project Officer post and community capacity building resources to establish 'community hubs' in areas of deprivation across the borough. It also seeks funding for a review of volunteering across the borough.	Deputy Leader Ward(s): All Wards Contact officer: Peter Smith Tel: 020 8753 2206 peter.smith@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	2017_18 Corporate Revenue Monitoring Month 9 Corporate Revenue Forecast as at Month 9	Cabinet Member for Finance Ward(s): All Wards Contact officer: Gary Ironmonger Tel: 020 8753 2109 Gary.Ironmonger@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
Cabinet	5 Mar 2018 Reason: Expenditure more than £100,000	Drug and Alcohol Well Being Service Contract Variation The report recommends a contract variation of the DAWS contract to include aspects of groupwork, primary care support and criminal justice work. PART OPEN PART PRIVATE Part of this report is exempt from	Cabinet Member for Health and Adult Social Care Ward(s): All Wards Contact officer: Nicola Lockwood Tel: 020 8753 5359 Nicola.Lockwood@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

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		disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	5 Mar 2018 Reason: Affects 2 or more wards	Local Lettings Plan for Edith Summerskill House Allocation process for allocating properties to residents on the Clem Atlee Estate, Fulham and then the wider borough	Cabinet Member for Housing Ward(s): Fulham Broadway Contact officer: Glendine Shepherd Tel: 020 8753 4148 Glendine.Shepherd@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.
16 April 2018				
Cabinet	16 Apr 2018 Reason: Income more than £100,000	Procurement of My Time Active Service Procurement Decision sought on Mytime Active Family Weight Management Programme PART OPEN PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	Cabinet Member for Health and Adult Social Care Ward(s): All Wards Contact officer: Mary Dos Santos Justo Tel: 020 7641 3626 mjusto@westminster.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
Cabinet	16 Apr 2018 Reason: Affects 2 or more wards	<p>Procurement Of Contract Framework For The Planned Upgrade Of Existing Controlled Access Systems Serving Housing Properties And The Provision Of New Systems</p> <p>This report establishes the rationale for going out to procurement for a contract framework to carry out the council's planned programme of replacement and upgrade of controlled access systems serving housing properties and the provision of new systems.</p>	<p>Cabinet Member for Housing</p> <p>Ward(s): All Wards</p> <p>Contact officer: Vince Conway Tel: 020 8753 1915 Vince.Conway@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>
Cabinet	16 Apr 2018 Reason: Expenditure more than £100,000	<p>CORPORATE PLANNED MAINTENANCE PROGRAMME (CPMP) 2018/2019</p> <p>To provide proposals for the delivery and funding of the 2018/2019 Corporate Planned Maintenance Programme (CPMP) for the Council's corporate property portfolio.</p> <p>PART OPEN</p> <p>PART PRIVATE Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information relating to any individual. Information which is likely to reveal the identity of an individual. Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p>	<p>Cabinet Member for Environment, Transport & Residents' Services</p> <p>Ward(s): All Wards</p> <p>Contact officer: Nigel Brown Tel: 020 8753 2835 Nigel.Brown@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (<i>other relevant documents may be submitted</i>)
		<p>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p> <p>Information which reveals that the authority proposes - to give under any enactment a notice under or by virtue of which requirements are imposed on a person, or to make an order or direction under any enactment,</p> <p>Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p> <p>Information which is subject to any obligation of confidentiality.</p> <p>Information which relates in any way to matters concerning national security.</p> <p>The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.</p>		
Cabinet	<p>16 Apr 2018</p> <hr/> <p>Reason: Expenditure more than £100,000</p>	<p>Extension of Elm Grove Extra Care Housing Contract</p> <p>Elm Grove is an extra care housing scheme for 14 older people who require 24 hour care and support. It is recommended the contract is extended for a period of 2 plus 1 years.</p> <p>PART OPEN</p> <p>PART PRIVATE</p>	<p>Cabinet Member for Health and Adult Social Care</p> <hr/> <p>Ward(s): Hammersmith Broadway</p> <hr/> <p>Contact officer: Julia Copeland Tel: 0208 753 1203 julia.copeland@lbhf.gov.uk</p>	<p>A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.</p>

Decision to be Made by (Cabinet or Council)	Date of Decision-Making Meeting and Reason	Proposed Key Decision Most decisions are made in public unless indicated below, with the reasons for the decision being made in private.	Lead Executive Councillor(s), Wards Affected, and officer to contact for further information or relevant documents	Documents to be submitted to Cabinet (other relevant documents may be submitted)
		Part of this report is exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.		
Cabinet	16 Apr 2018 Reason: Affects 2 or more wards	HRA Housing Capital Programme 2018/19 to 2021/22 This report provides specific details of the 2018/19 and 2019/20 housing capital programme, proposes budget envelopes for the following two financial years, and seeks authority to proceed with the various projects identified in Appendix 1.	Cabinet Member for Housing Ward(s): All Wards Contact officer: Mark Brayford Tel: 020 8753 4159 Mark.Brayford@lbhf.gov.uk	A detailed report for this item will be available at least five working days before the date of the meeting and will include details of any supporting documentation and / or background papers to be considered.