

Cabinet

Agenda

MONDAY
5 FEBRUARY 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
26 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 (19 to 23) 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 4 to 16 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 31st January 2018**

COUNCILLORS' CALL-IN TO SCRUTINY COMMITTEES

A decision list regarding items on this agenda will be published by **Wednesday 7th February 2018**. Items on the agenda may be called in to the relevant Accountability Committee.

The deadline for receipt of call-in requests is: **Monday 12th February 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 12th February 2018**.

Cabinet Agenda

5 February 2018

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| 2. | APOLOGIES FOR ABSENCE | |
| 3. | DECLARATION OF INTERESTS | |
| | <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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| 16. | PEDESTRIAN CROSSINGS AT THE WANDSWORTH BRIDGE ROAD/CARNWATH ROAD/TOWNMEAD ROAD JUNCTION | 775 - 811 |
| 17. | FORWARD PLAN OF KEY DECISIONS | 812 - 834 |
| 18. | 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. | |
| 19. | EXEMPT MINUTES OF THE CABINET MEETING HELD ON 15 JANUARY 2018 (E) | |
| 20. | AWARD OF THE COMMUNITY ADVICE AND LEGAL SUPPORT SERVICES CONTRACTS : EXEMPT ASPECTS (E) | |
| 21. | PROCUREMENT STRATEGY FOR MOBILE TELEPHONY SERVICES: EXEMPT ASPECTS (E) | 835 - 846 |

- 22. AWARD OF A LEARNING DISABILITY FLEXIBLE SUPPORT CONTRACT FOR AN ORGANISATION TO DELIVER CARE AND SUPPORT SERVICES TO PEOPLE WITH LEARNING DIFFICULTIES WITHIN HAMMERSMITH AND FULHAM: EXEMPT ASPECTS (E)**
- 23. DIRECT AWARD OF CONTRACTS FOR OLDER PERSONS AND DEMENTIA DAY OPPORTUNITIES: EXEMPT**

London Borough of Hammersmith & Fulham

Cabinet Minutes



Monday 15 January 2018

PRESENT

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

ALSO PRESENT

Councillor Joe Carlebach
Councillor Andrew Brown
Councillor Steve Hamilton
Councillor Lucy Ivimy

79. MINUTES OF THE CABINET MEETING HELD ON 4 DECEMBER 2017

RESOLVED:

That the minutes of the meeting of the Cabinet held on 4 December 2017 be confirmed and signed as an accurate record of the proceedings, and that the outstanding actions be noted.

80. APOLOGIES FOR ABSENCE

Apologies for lateness were received from Councillor Sue Macmillan.

81. DECLARATION OF INTERESTS

Councillor Lisa Homan declared an interest as a Chelsea season ticket holder. She did not participate in the debate nor vote.

82. THE WORK OF THE YOUTH COUNCIL - PRESENTATION ITEM

This item was withdrawn.

83. ENDING ROUGH SLEEPING IN HAMMERSMITH & FULHAM - REPORT OF THE HAMMERSMITH & FULHAM ROUGH SLEEPING COMMISSION

Councillor Sue Fennimore, the Deputy Leader, expressed her gratitude to the Commissioners for all their hard work in producing such important recommendations which would assist the Council in eliminating rough sleeping in the Borough and set landmarks for the government to also reduce rough sleeping to zero.

Shepherd Glendine, Head of Housing Solutions, welcomed the findings of the Commission and noted that the Council would be promoting its recommendations to Central government. Officers would now draft an action plan and costing to implement the report's recommendations.

The Leader formally thanked all the commissioners and noted that it's the Council's moral duty to end rough sleeping in the Borough.

RESOLVED:

- 1.1. That the Council welcomes the H&F Rough Sleeping Commission report's findings.
- 1.2. 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.
- 1.3. That officers are tasked with producing an action plan with costings, for the implementation of the recommendations directed at the Council.

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.

84. REPORT OF THE HAMMERSMITH AND FULHAM BIODIVERSITY COMMISSION

Morag Carmichael, Chair, and some members of the Biodiversity Commission attended the meeting speaking in support of the Commission's recommendations. They highlighted the following key findings: -

- To appoint an Ecology officer and establish an ecology centre in the Borough.
- To support Greenfest which would open HF to green visitors.
- To support a greater green projects award scheme.
- Biodiversity is related to health and wellbeing and has a positive impact on air quality.

Councillor Wesley Harcourt thanked the Commissioners for all their work particularly as residents who gave up their time and expertise to develop key green policies. The Council is currently looking for resources to implement the recommendations and move the issues forward.

RESOLVED:

- 1.1. That the Council welcomes the Biodiversity Commission report's findings.
- 1.2. 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.
- 1.3. That officers are tasked with producing an action plan and costings for the implementation of the recommendations directed at the Council.

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.

85. RENEWAL OF ENHANCED POLICING CONTRACT

Councillor Fennimore expressed her delighted that the Council continued its commitment to support our police force and provide the greatest number of Council funded police officers on our street.

RESOLVED:

That 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, be approved.

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.

86. COMMUNITY ASSET TRANSFER

Michael Angus, the Barons Court Project Director, was unable to attend the meeting. Councillor Culhane read out a short-prepared speech outlined below on his behalf.

“The Board and myself are delighted that the Cabinet, this evening, are considering the transfer of the Freehold of 69 Talgarth Road, W14 9DD (Barons Court Project) to the charity. This transfer will help to make the charity more sustainable. We have been serving residents of Hammersmith and Fulham, who are homeless or living with mental health issues for 33 years. Whilst the economic environment has become tougher we have been able to raise funds not only to keep our services going and expand but to also invest in the premises. We have raised £27,000 in the last year for improvements to the building with new shower and wash room facilities as well as a new boiler, with the freehold raising further funds for investment becomes easier.

We know that there will always be a need in the borough for our work with some of its most vulnerable residents. Last year we had a 16% rise in attendances at our drop-in. We are very grateful to the Council for their support and recognition of our work and considering the transfer of the freehold so that we can ensure we continue to provide services for decades to come for the local community and those who need us.”

The Leader reiterated the Council’s support for a strong third sector delivering much needed services to local residents.

RESOLVED:

- 1.1. To approve the freehold transfer of the Council’s 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.
- 1.2. 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.

1.3. 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.

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.

87. CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2017/18 (SECOND QUARTER)

RESOLVED:

To approve the proposed budget variations to the capital programme totalling £18.7 million (summarised in Table 1 of the report and detailed in Appendix 2 attached to the report).

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.

88. CORPORATE REVENUE MONITOR 2017/18 MONTH 6 - 30ST SEPTEMBER 2017

RESOLVED:

- 1.1. To confirm the General Fund and Housing Revenue Account Month 6 forecast revenue outturn variances.
- 1.2. To agree the departmental action plans amounting to £2.348 million, seeking to address the General Fund gross overspend forecast variance of £4.669 million and require that they identify and deliver further actions to

reduce the net forecast overspend, after mitigating, actions of £2.321 million.

- 1.3. 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.

89. LONDON BOROUGH OF HAMMERSMITH AND FULHAM'S COUNCIL TAX SUPPORT SCHEME 2018/19

Councillor Schmid welcomed the recommendations and noted that no resident would be worst off due to universal credit. The Leader commended the policy which assists the most vulnerable in our society particularly at a time when the Council is under immense budgetary pressure.

RESOLVED:

That the Council continues with its council tax support scheme with no changes from the current scheme.

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.

90. COUNCIL TAX BASE AND COLLECTION RATE 2018-19 AND DELEGATION OF THE BUSINESS RATE ESTIMATE

RESOLVED:

1.1 That the following recommendations for the financial year 2018/19 be approved:

(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

1.2 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.

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.

91. PROCUREMENT STRATEGY AND BUSINESS CASE INTEGRATED MANAGEMENT SYSTEMS

RESOLVED:

1.1. To approve the Integrated Management Systems Procurement Strategy and Business Case as defined in Appendix 1, leading to the procurement 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.

1.2. 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.

1.3. 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 procedure. Subsequent contract award will be taken to cabinet for approval in Autumn 2018.

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.

92. ICT TRANSITION - ASSURING SERVICE CONTINUITY PHASE 4 - TELEPHONY NETWORK SERVICES UPGRADE

RESOLVED:

- 1.1. To approve the purchase of new telephony hardware and services with associated managed services from BT, for a one-off cost as set out in the exempt part of the agenda.
- 1.2. To approve the programme management services from Agilisys, for a one-off cost as set out in the exempt part of the agenda.

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.

93. CORPORATE PROPERTY SERVICES FRAMEWORK

This report was withdrawn.

94. RISK FINANCING PROPOSALS 2018-19

RESOLVED:

- 1.1 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.
- 1.2 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.

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.

95. 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

RESOLVED:

1.1 To note that Cabinet have considered the report, supplementary report, and all representations before reaching its decisions.

1.2. To approve 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.

1.3 To approve the subsequent leaseback and associated property documents in respect of the Land pursuant to section 233(1)(a) of the 1990 Act.

1.4 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.

1.5 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.

1.6 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.

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.

96. DISPOSAL OF FULHAM NORTH HOUSING OFFICE (SW6 7RX) TO SHEPHERDS BUSH HOUSING ASSOCIATION (SBHA) TO DEVELOP NEW AFFORDABLE HOUSING

RESOLVED:

1.1. 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.

1.2. 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).

1.3. 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.

1.4. 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.

1.5. 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.

1.6. 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.

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.

97. CHARGEABLE SERVICES POLICY

RESOLVED:

To approve the Chargeable Services Policy for implementation by LBHF attached as Appendix 1 to the report.

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.

98. OLDER PEOPLE'S SUPPORT & SOCIAL INCLUSION SERVICES PROCUREMENT STRATEGY & BUSINESS CASE

RESOLVED:

1.1 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.

1.2 That a three-year contract with the option to extend for a further two-year period will be awarded to the successful tenderer.

1.3 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.

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.

99. NOS.84 - 90B FULHAM HIGH STREET - SECTION 106/SECTION 278 HIGHWAYS WORKS

RESOLVED:

1.1. 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.

1.2. To note that cost of the works will be funded by the developer Tesco Stores Limited.

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.

100. LOCAL PLAN: ADOPTION OF DOCUMENT

RESOLVED:

1.1 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).

1.2 That approval be given to recommend to Full Council the revocation of the supplementary planning guidance identified in paragraph 4.6 of this report.

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.

101. H&F AIR QUALITY ACTION PLAN

RESOLVED:

To approve the Air Quality Action Plan 2018-2023 to then be adopted and put in place once approval is granted by the GLA.

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.

102. FORWARD PLAN OF KEY DECISIONS

RESOLVED:

The Key Decision List was noted.

103. 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.]

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

RESOLVED:

That the recommendations in the exempt report be approved.

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.

105. COMMUNITY ASSET TRANSFER: EXEMPT ASPECTS (E)

RESOLVED:

That the appendices 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.

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

RESOLVED:

That the recommendations in the exempt report be approved.

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.

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

RESOLVED:

That the appendix 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.

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

RESOLVED:

That the recommendations in the exempt report be approved.

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.

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

RESOLVED:

That the recommendations in the exempt report be approved.

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.

110. 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)

RESOLVED:

That the appendices 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.

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

RESOLVED:

That the report and exempt appendices 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.

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

RESOLVED:

That the recommendations in the exempt report be approved.

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: 7.30 pm

Chair

| | |
|---|--|
| <p align="center">London Borough of Hammersmith & Fulham</p> <p align="center">CABINET</p> <p align="center">5 February 2018</p> |  |
| <p>REVENUE BUDGET AND COUNCIL TAX LEVELS 2018/19</p> | |
| <p>Report of the Leader of the Council – Councillor Stephen Cowan</p> | |
| <p>Open Report</p> | |
| <p>Classification: For decision Key Decision: Yes</p> | |
| <p>Consultation: <i>All departments.</i></p> | |
| <p>Wards Affected: All</p> | |
| <p>Accountable Director: Hitesh Jolapara, Strategic Finance Director</p> | |
| <p>Report Author: Andrew Lord, Head of Strategic Planning and Monitoring</p> | <p>Contact Details: Tel: 020 8753 2531 E-mail: andrew.lord@lbhf.gov.uk</p> |

1. EXECUTIVE SUMMARY

1.1. The 2018/19 revenue budget proposals are set out regarding:

- Council tax levels
- Savings and growth proposals
- Changes to fees and charges
- Budget risks, reserves and balances
- Equalities Impact Assessments

2. RECOMMENDATIONS

- 2.1 To freeze the Hammersmith & Fulham element of the council tax charge, and not apply the 3% increase modelled by the Government for the coming year.
- 2.2 To not apply the “social care precept” levy of 3% as modelled by the Government for the coming year.
- 2.3 To set council tax for 2018/19 for each category of dwelling, as calculated in accordance with Sections 31A to 49B of the Localism Act 2011, as outlined below and in full in Appendix A:
- (a) *The element of council tax charged for Hammersmith & Fulham Council will be £727.81 per Band D property in 2018/19*
 - (b) *The element of council tax charged by the Greater London Authority will be £294.22 per Band D property in 2018/19*
 - (c) *The overall Council Tax to be set at £1,022.03 per Band D property in 2018/19.*
 - (d) *The Social Care Precept set at nil*

| Category of Dwelling | A | B | C | D | E | F | G | H |
|----------------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Ratio | 6/9 £ | 7/9 £ | 8/9 £ | 1 £ | 11/9 £ | 13/9 £ | 15/9 £ | 18/9 £ |
| a) H&F | 485.21 | 566.07 | 646.94 | 727.81 | 889.55 | 1,051.28 | 1,213.02 | 1,455.62 |
| b) GLA | 196.15 | 228.84 | 261.53 | 294.22 | 359.60 | 424.98 | 490.37 | 588.44 |
| c) Total | 681.36 | 794.91 | 908.47 | 1,022.03 | 1,249.15 | 1,476.26 | 1,703.39 | 2,044.06 |

- 2.4 To set the Council’s own total net expenditure budget for 2018/19 at £138.944m.
- 2.5 To approve £6.5m new spend on key council services.
- 2.6 To approve fees and charges as set out in paragraph 6.1, including freezes for all parking charges, and all fees and charges in children’s services, adult social care, housing, markets and libraries.
- 2.7 To approve the planned additional contribution of £0.620m to the Efficiency Projects Reserve and estimated contribution of £2.6m from the benefit receivable from the London 100% business rates retention pilot.
- 2.8 To note the budget projections, made by the Strategic Finance Director to 2021/22 in consultation with the Senior Leadership Team

- 2.9 To note the statement made by the Strategic Finance Director under Section 25 of the Local Government Act 2003 regarding the adequacy of reserves and robustness of estimates (section 14).
- 2.10 To authorise the Strategic Finance Director to collect and recover National Non-Domestic Rate and Council Tax in accordance with the Local Government Finance Act 1988 (as amended), the Local Government Finance Act 1992 and the Council Schemes of Delegation.
- 2.11 To require all Directors report on their projected financial position compared to their revenue estimates in accordance with the Corporate Revenue Monitoring Report timetable.
- 2.12 To authorise Directors to implement their service spending plans for 2018/19 in accordance with the recommendations within this report and the Council's Standing Orders, Financial Regulations and relevant Schemes of Delegation.
- 2.13 Members' attention is drawn to S106 of the Local Government Finance Act 1992 which requires any Member, who is two months or more in arrears on their Council Tax, to declare their position and not to vote on any issue that could affect the calculation of the budget or Council Tax.

3. REASONS FOR DECISION

- 3.1 The Council is obliged to set a balanced budget and council tax charge in accordance with the Local Government Finance Act 1992.

4. BUDGET OVERVIEW

- 4.1 **A freeze in the Hammersmith and Fulham element of council tax is recommended.** This includes not levying a 3% 'social care precept' or increasing council tax by 3% as assumed by Central Government. A tax freeze will provide a balanced budget whilst not increasing the burden on local taxpayers.
- 4.2 The council tax freeze has been delivered despite on-going government funding cuts and pressure from them to increase taxes. A continued reduction in the general grant receivable by Hammersmith and Fulham from **Central Government**. Grant funding¹ has been cut in each year since 2010/11. The total reduction since April 2010 to March 2018 has been £70m. In addition, there will be a further reduction in 2018/19 of £8.6m and further £5.2m cut is forecast in 2019/20. A fuller explanation of the funding forecast and spending power calculation is set out in Appendix I.
- 4.3 Growth of **£6.5m** has been provided to meet statutory obligations, demographic, service pressures and key resident priorities.
- 4.4 Savings of **£15.0m** are put forward to balance the 2018/19 budget. 40% of the savings relate to central support services and income from commercial activities.

¹ After allowance for changes in funding between grant and business rates.

- 4.5 The budget proposals mean that Hammersmith and Fulham residents will pay council tax at 6% below the level modelled (social care precept and for council tax) by the Government for 2018/19. 2018/19 is the third year of a four-year local government finance settlement that started in 2016/17. From 2016/17 to 2018/19 Government modelling has assumed an overall council tax increase of 13.3% of which 7% relates to use of the social care precept.

5. THE COUNCIL TAX REQUIREMENT

- 5.1 The Band D council tax charge is calculated by dividing the council tax requirement by the council tax base². The 2018/19 council tax requirement is £56.664m. The medium-term forecast, to 2021/22 is set out in Appendix B.

| Table 1: The Council Tax Requirement | £'000s |
|---|----------------|
| Base gross budget rolled forward from 2017/18 | 155,012 |
| Plus/Minus: | |
| Inflation (section 6) | 5,207 |
| Growth (section 6) | 6,522 |
| Savings and additional income (section 7) | -14,976 |
| One-off Contribution to the Efficiency Projects Reserve | 620 |
| Earmarked Grant | |
| Gross Budget Requirement | 152,385 |
| Specific unringfenced grants (section 8) | -10,141 |
| Use of developer contributions (section 8) | -3,300 |
| Net Budget Requirement for 2018/19 | 138,944 |
| Less: | |
| Revenue Support Grant (section 8) | 0 |
| Locally retained business rates (section 8) | -80,400 |
| One off Collection Fund Surplus | -1,880 |
| 2018/19 Council Tax Requirement | 56,664 |

6. INFLATION AND GROWTH

Inflation

- 6.1 Inflationary pressures have increased in the wider economy with the August Retail Price Index showing an increase of 3.9% compared to 1.8% last year. This

² The council tax requirement is the expenditure that is to be funded from council tax. The council tax base is the income that will be generated from a council tax charge of £1.

is against a background of a devaluation in the pound, following the outcome of the European referendum. For 2018/19, the sum provided for overall inflation is £5.2m compared to £2.9m in 2017/18. The provision made is:

- **Price inflation** of £3.4m is provided for when there is a contract in place.
- **Pay inflation** of £1.8m. This provides for a 2% pay award in line with the latest offer from the Local Government Employers.
- **Fees and charges**
 - Parking, Adult Social Care, Children's Services, Markets, Libraries and Housing charges frozen.
 - A standard uplift of 3.9% based on the August Retail Price index for some remaining fees.
 - Commercial services that are charged on a for-profit basis, will be reviewed on an ongoing basis in response to market conditions and varied up and down as appropriate, with appropriate authorisations according to the Council constitution.

Current proposed exceptions to the standard 3.9% increase are set out in Appendix F.

Growth

- 6.2 Growth is provided through the budget process as necessary. This is detailed in Appendix C and summarised in Table 2.

Table 2: 2018/19 Growth Proposals

| Department | £m |
|---|--------------|
| Adult Social Care | 1.249 |
| Childrens Services | 1.803 |
| Environmental Services | 0.395 |
| Corporate Services | 0.310 |
| Regeneration, Planning & Housing Services | 1.356 |
| Centally Managed Budgets | 1.409 |
| Total Growth | 6.522 |

Table 3: Categorisation of Growth

| Growth Categories | £m |
|---------------------------------------|--------------|
| Government related | 0.175 |
| Other public bodies | 0.015 |
| Increase in demand/demographic growth | 1.663 |
| Resident Priority | 1.836 |
| Budget pressure | 1.584 |
| Living Wage Pressures | 1.249 |
| Total Growth | 6.522 |

7. SAVINGS AND INCOME GENERATION

- 7.1 The saving proposals are detailed in Appendix C with the 2018/19 position summarised in Table 4.

Table 4: 2018/19 Savings Proposals

| Department | £m |
|---|---------------|
| Adult Social Care | 2.916 |
| Childrens Services | 2.086 |
| Environmental Services | 1.863 |
| Libraries | 0.100 |
| Corporate Services | 2.909 |
| Regeneration, Planning & Housing Services | 0.153 |
| Public Health | 2.000 |
| Transformational | 3.199 |
| Total Savings | 15.226 |
| Less Savings accounted for in grant Resource forecast | -0.250 |
| Net Savings | 14.976 |

7.2 The saving proposals are categorised by savings area in Table 5.

Table 5: Categorisation of 2018/19 Savings

| Savings Categories | £m |
|---|---------------|
| Business Intelligence | 0.410 |
| Budget reduced in line with spend | 0.165 |
| Commercialisation | 3.147 |
| Estate rationalisation | 0.128 |
| Income | 0.521 |
| Outside investment secured (i.e. Section 106, NHS) | 0.085 |
| Prevention | 1.608 |
| Procurement / Commissioning | 5.227 |
| Service reconfiguration | 3.066 |
| Staffing / Productivity | 0.870 |
| Total Savings | 15.226 |
| Less Savings accounted for in grant Resource forecast | -0.250 |
| Net Savings | 14.976 |

8. EXTERNAL, DEVELOPER AND BUSINESS RATES FUNDING

- 8.1 The Government funding receivable is detailed in Appendix E. On a like-for like-basis 2018/19 funding is (in cash terms) £8.6m less than in 2017/18. The grant figures are provisional pending the release of the Final Local Government Finance Settlement. Should grant figures change any adjustments will be reported in the first 2018/19 Corporate Revenue Monitoring Report.
- 8.2 **Business rates** are modelled to increase with inflation with allowance made for an extra £2.2m from the expected opening of the Westfield extension in March 2018. The key elements of the business rates system are set out in Appendix H (**Drafting Note – final figures not available for the despatch of the Council Report**).
- 8.3 London Local Government has been working to take forward a **100% business rates retention** pilot for London from April 2018. The pilot will pool business rates across the 33 London Boroughs and Greater London Authority (GLA). Under such an arrangement London will keep 100% of any growth in business rates, though business rates valuations and levels would still be set by Government. Indicative modelling has suggested this may benefit Hammersmith and Fulham by £2.6m. In addition, a suggested £110m would be generated for a London wide investment pot.
- 8.4 At present Hammersmith and Fulham retains 30% of the business rates it collects with the balance paid to the Government and GLA. Under the proposed pilot the share retained by Hammersmith and Fulham would increase to 67% with the

balance going to the GLA. The Council would not initially benefit from the increased share as there would be compensating adjustments (through grant cuts and payment of a tariff to Government). These adjustments are shown in Table 6. The benefit to Hammersmith and Fulham would be receiving a share of London's future business rates growth above the revised baseline.

Table 6 – Changes to Funding Streams from the Business Rates Pilot

| | No-Pilot | With Pilot |
|--------------------------------------|-------------|------------|
| Business Rates Baseline | 77.9 | 157.8 |
| Tariff payable to the Government | -18.8 | -74.8 |
| Funding Baseline | 59.1 | 83 |
| Revenue Support Grant | 23.9 | 0 |
| Total Hammersmith and Fulham Funding | 83 | 83 |

- 8.5 Table 6 sets out the sums assumed by the Government in the 2018 Local Government Finance Settlement. The current Hammersmith and Fulham forecast, which will be updated in January, for business rates income is £80.4m. Under the pilot scheme there is a guarantee that no authority will be worse off than under the present scheme.
- 8.6 The 100% business rates retention pool:
- Is a pilot and may not continue after 2018/19.
 - Uses modelling based on an aggregation of high level estimates.
 - Will not confirm final income until October 2019 in relation to 2018/19.
- 8.7 Greater clarity on the potential benefits from the pilot 100% business rates retention pool will be available in mid-February, after each Borough updates their 2018/19 business rates forecast. No benefit is allowed for within the current resource forecast. Once confirmed the sum receivable will be added to reserves.
- 8.8 **Property developments** have placed increased pressure on council services in recent years. Section 106 (S106) agreements containing planning obligations are entered between developers and the Council as the Local Planning Authority. Legislation controls the use of such obligations, including regulation 122 of the Community Infrastructure Regulations 2010 which requires planning obligations to be:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 8.9 The Council has entered into a significant number of S106 agreements. Whilst S106 funds can only lawfully be applied in accordance with the terms of each specific agreement, as approved by the Planning Applications Committee, some approved funds are identified generally as being for expenditure on as yet unspecified "Social and Physical Infrastructure" or "Environmental Improvements" (although the agreements identify the types of projects/items the funds can be used for).

8.10 Provided the Council respects the obligation to maintain a reasonable relationship with the developments and complies with the specific terms of each of the S106 agreements giving rise to the funds, the Council has a degree of flexibility and discretion as to how it spends some of these funds. The Council has analysed all its S106 agreements that may give a financial benefit to determine which should be relied upon for budgeting purposes and which have flexibility in how they may be applied. As is usual in these circumstances many areas of Council activity that have faced increased demand following new developments offer a good fit with the purposes of some of the uncommitted S106 funds which can therefore be lawfully used to finance such activities.

8.11 The Council currently has section 106 receipts of £50.1m in hand with agreements in place for the receipt of future financial obligations of £201m. £72.4m of the future obligations are assessed as highly likely to be received by the close of 2021/22. The total amount of flexible funding in-hand, or highly likely to be received, is estimated to be a minimum of £72m by the close of 2021/22.

8.12 The 2018/19 budget assumes that £3.3m (an additional £0.7m compared to previous years) of expenditure will be funded from S106 resources with such funding on-going from 2018/19 to 2021/22. In addition, contributions of £1.7m per annum are assumed towards the provision of policing.

HAMMERSMITH AND FULHAM'S COUNCIL TAX REQUIREMENT

9.1 Council on 25 January formally agreed a Tax Base of 77,856 equivalent Band D properties for 2018/19. Therefore, the Council's element of the Council Tax can be calculated as follows:

| |
|---|
| $\frac{\text{Total Council Tax Requirement}}{\text{Tax Base}} = \frac{\underline{\underline{\pounds 56.664\text{m}}}}{77,856} = \pounds 727.81$ |
|---|

9.2 This represents a freeze in the Hammersmith and Fulham element of the council tax charge.

10. PRECEPTOR'S COUNCIL TAX REQUIREMENTS (SUBJECT TO CONFIRMATION)

10.1 The Greater London Authority's precept of is also funded from Council Tax. The following table analyses the total amount to be funded and the resulting overall Band D Council Tax level

| |
|--|
| $\frac{\text{Preceptors Budget Requirement}}{\text{Tax Base}} = \frac{\text{£22.907m}}{77,856} = \text{£294.22}$ |
|--|

10.2 This represents an increase of £14.20.

11. OVERALL COUNCIL TAX REQUIREMENTS 2018/19

11.1 It is proposed to freeze Hammersmith and Fulham's element of the Council Tax in 2018/19. This will provide a balanced budget with £19m in General Fund balances (see section 14). The overall amount to be funded from the Council Tax is calculated as follows:

Table 7 – Overall 2018/19 Council Tax Requirement

| | |
|--|------------------------|
| London Borough of Hammersmith & Fulham | £000s 56,664 |
| Greater London Authority | 22,907 |
| Total Requirement for Council Tax | 79,571 |

11.2 In accordance with the Local Government Finance Act 1992, the Council is required to calculate and approve a council tax requirement for its own budgetary purposes (section 9) and then add the separate Council Tax requirements for each of the preceptors (section 10). The requisite calculation is set out in Appendix A.

11.3 The Council must then set the overall Council Tax for the Borough. These calculations must be carried out for each of the valuation bands A to H, and are set out in the recommendations at the front of the report. The amount per Band D equivalent property is calculated as follows:

| |
|---|
| $\frac{\text{Total Council Tax Requirement}}{\text{Tax Base}} = \frac{79.571\text{m}}{77,856} = \text{£1,022.03}$ |
|---|

12. CONSULTATION WITH NON DOMESTIC RATEPAYERS

- 12.1 In accordance with the Local Government Finance Act 1992, the Council is required to consult with Non Domestic Ratepayers on the budget proposals. The consultation can have no effect on the Business Rate, which is set by the Government.
- 12.2 As with previous years, we have discharged this responsibility by writing to the twenty largest payers and the local Chamber of Commerce together with a copy of this report.

13. COMMENTS OF THE POLICY AND ACCOUNTABILITY (PAC) COMMITTEES

- 13.1 As part of the consultation process the budget proposals have been reviewed by all the PAC Committees.

14. COMMENTS OF THE STRATEGIC FINANCE DIRECTOR

The Robustness of the Budget Estimates

- 14.1 Under Section 25 of the Local Government Act 2003, the Strategic Finance Director is required to include, in the budget report, his view of the robustness of the 2018/19 estimates.
- 14.2 Budget estimates are exactly that, estimates of spending and income at a point in time. This statement about the robustness of estimates cannot give a guaranteed assurance about the budget, but gives Members reasonable assurances that the budget has been based on the best available information and assumptions. For the reasons set out below the Strategic Finance Director is satisfied with the accuracy and robustness of the estimates included in this report:
- The budget proposals have been developed following guidance from the Strategic Finance Director and have been through a robust process of development and challenge.
 - Contract inflation is provided for.
 - Adequate allowance has been made for pension costs.
 - Service managers have made reasonable assumptions about growth pressures.
 - Rigorous mechanisms will be in place to monitor sensitive areas of expenditure and the delivery of savings. Whilst existing monitoring arrangements have previously delivered consistent budget. underspends the Council recognises that it faces an increasing financial challenge due to the combination of declining government grant, new burdens from government and demographic trends. The latest current year Monitoring Report (month 6) forecasts a gross overspend of £4.8m which will reduce to £2.3m should current mitigating actions be delivered. Officers are developing further

mitigating measures to close the remaining overspend and prevent future overspends.

- Key risks have been identified and considered.
- Prudent assumptions have been made about interest rates payable and the budget proposals are joined up with the requirements of the Prudential Code and Treasury Management Strategy.
- The revenue effects of the capital programme have been reflected in the budget.
- The recommendations regarding fees and charges are in line with the assumptions in the budget.
- The provision for redundancy is reasonable to meet future restructuring and downsizing.
- The use of budget monitoring in 2017/18 to re-align budgets where required with growth provided for 2018/19 to meet budget pressures.
- A review via the Strategic Leadership Team of proposed savings and their achievability.
- A Member review and challenge of all budget proposals.
- The establishment of appropriate management and monitoring arrangements for the delivery of transformation programmes.
- A prudent approach has been adopted on the local share of income receivable through the business rates retention scheme.
- Developer contributions fund some budget pressures. Such contributions can only be used once. Monitoring arrangements are in place to ensure that sufficient contributions are set aside to meet the budget assumptions.
- A process is in place for 2019/20, and beyond, to tackle underlying budget pressures.
- Review has been undertaken of the Moving On programme (the change to tri-borough shared services arrangements) with new structures costed and budgeted for within existing ongoing budgets, with some opportunities for savings resulting from Moving On included in this budget. A realignment of budgets will be required to reflect the new Hammersmith and Fulham structure and arrangements in due course.

Risk, Revenue Balances and Earmarked Reserves

- 14.3 Under Section 25 of the Local Government Act 2003, the Strategic Finance Director is required to include, in budget reports, his view of the adequacy of the balances and reserves the budget provides for. The level of balances is examined each year along with the level of reserves in light of the risks facing the Authority in the medium term.
- 14.4 The key financial risks that face the Council have been identified and quantified (appendix D). They total £19.3m. Financial risks of £20.6m were identified when the 2017/18 Budget was set.

General Fund Balances

- 14.5 The Council's general balance stood at £19m as at 1 April 2017 and it is currently projected that this will not reduce in the current financial year.

This will leave general balances at over 11% of the 2018/19 gross budget requirement.

- 14.6 Given the on-going scale of change in local government funding, and risks facing the Council, the Strategic Finance Director considers that general balances need to be maintained within the range of £14m to £20m. The optimal level is projected to be broadly met over the next 3 years and is, in the Strategic Finance Director's view, sufficient to allow for the risks identified and to support effective medium term financial planning.

Earmarked Reserves

- 14.7 The Council holds a number of one-off earmarked reserves. The latest position is set out in Table 8. In the Strategic Finance Director's view such reserves are adequate to deal with anticipated risks and liabilities.

Table 8 – General Fund Balances and Earmarked Reserves

| | 31/03/14 actual | 31/03/15 actual | 31/03/16 actual | 31/03/17 actual | 31/03/18 forecast |
|--------------------|----------------------------|----------------------------|----------------------------|----------------------------|------------------------------|
| | £'m | £'m | £'m | £'m | £'m |
| General Balances | 19.0 | 19.0 | 19.0 | 19.0 | 19.0 |
| Earmarked Reserves | 81.6 | 89.5 | 90.0 | 82.7 | 75.5 |
| | 100.6 | 108.5 | 109.0 | 101.7 | 94.5 |

- 14.8 The Council has used reserves to fund investment in transformation and efficiency and other significant one-off costs pressures. Examples in 2016/17 included investments in ICT, Invest to Save schemes such as LED street-lighting and mitigating the impact of the Managed Services project.
- 14.9 The 2018/19 base budget includes planned contributions of £0.75m to the Efficiency Projects Reserve and £0.8m to the IT Enablers Reserve. In addition, the proposed savings for 2018/19 (£15.0m) currently exceed the budget gap (£14.4m). This will enable a further contribution to Reserves of £0.6m. The sum due from the London 100% Business Rates retention pilot (estimated at £2.6m) will also be put to Reserves. **In total, the estimated contribution to Reserves for 2018/19 is £4.75m.** Uses of Reserves in 2018/19 will include taking forward the Integrated Family Support Service, taking forward new arrangements for the outsourced managed services programme and funding the Landlord Incentive scheme to support the provision of temporary accommodation.

Council Tax Setting

- 14.10 As part of the Localism Act 2011, the Government replaced the power to cap excessive budgets and Council Tax increases with compulsory referenda on

Council Tax increases above limits it sets. For 2018/19 local authorities “will be required to seek the approval of their local electorate in a referendum if, compared with 2017/18, they set an increase in the relevant basic amount of council tax that is 3% or higher”. No such referendum is required for this Council.

- 14.11 In addition the Government has given power for Hammersmith and Fulham to charge a 3% social care precept in both 2018/19 and 2019/20. This sum is included in Government projections for Hammersmith and Fulham’s spending power in future years. However, the Council wishes to avoid having to apply this tax to residents.

Prior Year Collection Fund Surplus

- 14.12 The Local Government and Finance Act 1988 requires that all council tax and non-domestic rates income is paid into a Collection Fund, along with payments out regarding the Greater London Authority precept, the business rates retention scheme and a contribution towards a Council’s own General Fund. As at the close of 2016/17, due to the receipt of higher than expected income, the Collection Fund was in surplus by £2.603m. The Hammersmith and Fulham share of this surplus is £1.880m and this is included within the 2018/19 budget proposals. The balance is payable to the Greater London Authority.

15. LEGAL IMPLICATIONS

- 15.1 The Council is obliged to set the council tax and a balanced budget for the forthcoming financial year in accordance with the provisions set out in the body of the report.
- 15.2 In addition to the statutory provisions the Council must also comply with general public law requirements and in particular it must take into account all relevant matters, ignore irrelevant matters and act reasonably and for the public good when setting the Council Tax and budget.
- 15.3 The recommendations contained in the report have been prepared in line with these requirements.
- 15.4 Section 25 of the Local Government Act 2003, which came into force on 18 November 2003, requires the Strategic Finance Director to report on the robustness of the estimates made for the purposes of budget calculations and the adequacy of the proposed financial reserves. The Council must take these matters into account when making decisions about the budget calculations.
- 15.5 A public authority must, in the exercise of its functions, comply with the requirements of the Equality Act 2010 and in particular section 149 (the Public Sector Equality Duty). Members need to consider this duty in relation to the present proposals. In addition, where specific budget proposals have a potential equalities impact these are considered and assessed by the relevant service as part of the final decision-making and implementation processes and changes made where appropriate.
- 15.6 The protected characteristics to which the Public Sector Equality Duty (“PSED”) applies are age, disability, gender reassignment, marriage and civil partnership,

pregnancy and maternity, race/ethnic/national origin, sexual orientation, religion or belief and sex.

15.7 The PSED is set out in section 149 of the Equality Act 2010 (“the Act”) and provides (so far as relevant) as follows:

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

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

(3) 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, in particular, to the need to:

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) 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;

(c) 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.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) tackle prejudice, and

(b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

15.8 Case law has established the following principles relevant to compliance with the PSED which Council will need to consider:

(i) The PSED is an integral and important part of the mechanisms for ensuring the fulfilment of the aims of anti-discrimination legislation.

(ii) 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.

(iii) 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.

(iv) Although the weight to be given to equality issues and countervailing factors is for the decision-maker, it is for the Court to determine whether “due regard” has been given. This will include the court assessing for itself whether in the circumstances appropriate weight has been given by the authority to those “needs” and not simply deciding whether the authority’s decision is a rational or reasonable one.

(v) 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 goes for other protected groups where they will be particularly and directly affected by a decision.

(vi) 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 ("EIA") is likely to be required by the courts as part of the duty to have 'due regard'.

(vii) The duty to have ‘due regard’ involves considering not only whether taking the particular decision would unlawfully discriminate against particular protected groups, but also whether the decision itself will 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 particular protected group, or to take steps to promote equality of opportunity by, for e.g., treating a particular affected group more favourably.

(viii) The duty is non-delegable and must be fulfilled by the Council and members personally.

(ix) The Council must ensure that it is properly informed before taking a decision.

(x) Council officials must be rigorous in both enquiring and reporting to the Council on equalities issues to assist Council and members to fulfil that duty.

(xi) The duty must be exercised in substance, with rigour, and with an open mind. It is not a question of “ticking boxes”.

(xii) The duty is a continuing one and equalities issues must be kept under review.

15.9 All these matters will be considered by service departments as part of the final decision-making and implementation processes, but must also be considered by the Council when taking its decision.

15.10 To assist the Council in fulfilling its PSED, the Equality Impact Analysis (‘EIA’) that has been carried out in respect of the proposed budget is attached to this report in Appendix G. This will need to be read and taken into account by the Council, together with the requirements of the PSED itself set out above, in reaching a decision on the recommendations in the report.

15.11 The EIA addresses the broad issue of the proposed freeze in Council Tax and identifies the areas of the budget which may have particular equality implications.

It also identifies areas that are likely to require further detailed consideration prior to implementation during the financial year and which may, as a result, be subject to change. The courts have found that this is a legitimate approach.

Implications verified by: Kevin Beale – Senior Corporate Lawyer

16. EQUALITY IMPLICATIONS

- 16.1 Published with this report is an Equality Impact Analysis ('EIA'). The EIA assesses the impacts on equality of the main items in the budget proposed to Full Council as well as the decision to freeze Council Tax. The full EIA is attached, in Appendix G.

LOCAL GOVERNMENT ACT 2000 - LIST OF BACKGROUND PAPERS

None.

LIST OF APPENDICES:

Appendix A – The Requisite Council Tax Calculations for Hammersmith and Fulham

Appendix B – Medium Term Financial Forecast

Appendix C – Growth and Savings Proposals

Appendix D - Budget Risks

Appendix E – Government Grant Funding

Appendix F – Fees and Charges – exceptions to the standard 3.9% increase

Appendix G – Draft Equalities Impact Assessment

Appendix H – The Business Rates Retention Scheme for Hammersmith and Fulham

Appendix I – Reduction in Spending Power

APPENDIX A

The Requisite Calculations for Hammersmith & Fulham (as set out in Section 31A to 49B in the Localism Act 2011)

| | | <u>£'s</u> |
|-----|---|------------|
| (a) | Being the aggregate of the amounts which the Council estimates for the items set out in section 31A (2) (a) to (f) of the Act. | tbc |
| (b) | Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) (a) to (d) of the Act. | tbc |
| (c) | Being the aggregate difference of (a) and (b) above calculated by the Council in accordance with Section 31A (4) of the Act, as its council tax requirement for the year. | 79,571,000 |
| (d) | Being the amount formally agreed by Council as the council tax base for 2018/19. | 77,856 |
| (e) | Being the amount at (c) divided by the amount at (d) above, calculated by the Council in accordance with Section 31B of the Act as the Basic amount of council tax (Band D) for the year. | 294.22 |
| (f) | Hammersmith and Fulham proportion of the Basic amount of its Council Tax (Band D) | 727.81 |

| (g) Valuation Bands – Hammersmith & Fulham Council: | | | |
|---|---------------|---------------|---------------|
| | | | |
| Band A | Band B | Band C | Band D |
| 485.21 | 566.07 | 646.94 | 727.81 |
| Band E | Band F | Band G | Band H |
| 889.55 | 1,051.28 | 1,213.02 | 1,455.62 |
| | | | |

being the amounts given by multiplying the amount at (f) above by the number which, in proportion set out in section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which that proportion is applicable to dwellings listed in band D, calculated by the Council, in accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year in respect of dwellings listed in the different valuation bands.

(h) Valuation Bands – Greater London Authority

That it be noted that the following amounts in precepts issued to the Council in respect of the Greater London Authority, its functional and predecessor bodies, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

| Band A | Band B | Band C | Band D |
|---------------|---------------|---------------|---------------|
| 196.15 | 228.84 | 261.53 | 294.22 |
| Band E | Band F | Band G | Band H |
| 359.60 | 424.98 | 490.37 | 588.44 |

(i) That having calculated the aggregate in each case of the amounts at (g) and (h) above, the Council, in accordance with Section 30 (2) of the Local Government Finance Act 1992, hereby sets the following amounts of Council Tax for the year 2018/19 for each of the categories of dwellings shown below:

| Band A | Band B | Band C | Band D |
|---------------|---------------|---------------|---------------|
| 681.36 | 794.91 | 908.47 | 1,022.03 |
| Band E | Band F | Band G | Band H |
| 1,249.15 | 1,476.26 | 1,703.39 | 2,044.06 |

Medium Term Budget Requirement

Appendix B

| | Year 1 2018/19 £'000 | Year 2 2019/20 £'000 | Year 3 2020/21 £'000 | Year 4 2021/22 £'000 |
|---|----------------------------|----------------------------|----------------------------|----------------------------|
| General Fund Base Budget | 158,137 | 158,137 | 158,137 | 158,137 |
| One off and historic budget adjustments | (3,125) | (3,125) | (3,125) | (3,125) |
| Net General Fund Base Budget | 155,012 | 155,012 | 155,012 | 155,012 |
| Contract and Income Inflation | 3,432 | 7,000 | 10,500 | 14,000 |
| New Burdens from Government | | | | |
| Growth | 6,522 | 6,961 | 6,976 | 6,686 |
| Pay Award Contingency. (2% per annum) | 1,775 | 3,550 | 5,325 | 7,100 |
| Savings (1) | (14,976) | (17,205) | (18,257) | (18,257) |
| Contribution to Reserves | 620 | 0 | 0 | 0 |
| Current headroom | 0 | 6,000 | 12,000 | 18,000 |
| | | | | |
| Gross Budget Requirements | 152,385 | 161,318 | 171,556 | 182,541 |
| Less: | | | | |
| Developer Contributions | (3,300) | (3,300) | (3,300) | (3,300) |
| New Homes Bonus Grant and Other Revenue Grants | (10,141) | (11,377) | (11,377) | (11,377) |
| Revenue Grants | (13,441) | (14,677) | (14,677) | (14,677) |
| | | | | |
| Net Budget Requirement | 138,944 | 146,641 | 156,879 | 167,864 |
| | | | | |
| Resources | | | | |
| Revenue Support Grant | 0 | 17,131 | 13,983 | 12,078 |
| Council Resources | 137,064 | 115,311 | 117,167 | 119,060 |
| Collection fund surplus | 1,880 | 0 | 0 | 0 |
| Gross Resources | 138,944 | 132,442 | 131,150 | 131,138 |
| | | | | |
| Budget Gap | 0 | 14,199 | 25,728 | 36,726 |
| | | | | |
| Risks | 19,322 | 25,045 | 28,427 | 31,283 |
| 1) £250k of savings are built into the resources forecast. Details of these can be seen in the Corporate Services savings schedule. | | | | |

Adult Social Care

| MTFS Growth | | | Budget Change | | | |
|---------------------|---|--|--------------------------------|---|---|---|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| All | Departmental growth arising from demographic pressures and increased costs of social care | | 1,249 | 1,249 | 1,249 | 1,249 |
| Total Growth | | | 1,249 | 1,249 | 1,249 | 1,249 |

| MTFS Savings | | Delivery Risk (R-A-G) | Budget Change | | | |
|--------------------------------------|--|-----------------------|--------------------------------|---|---|---|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Integrated Care | Promoting Independence through social work practice. Reduction in Community Care spend as the council facilitates individual care and support plans for residents. Forensic assessment of where payments are not aligned to services provided for residents. | Medium | (747) | (1,397) | (1,397) | (1,397) |
| Strategic Commissioning & Enterprise | Major re-commissioning projects in the areas of Learning Disabilities Accommodation and Support; Mental Health Accommodation and Support. Day Care Services and Extra Care Housing. | Medium | (505) | (505) | (505) | (505) |
| Strategic Commissioning & Enterprise | An in-depth value for money assessment of the councils in-house care and support service portfolio | High | (75) | (75) | (75) | (75) |
| Strategic Commissioning & Enterprise | Dynamic Purchasing System. | Medium | (100) | (100) | (100) | (100) |
| Integrated Care | Improved transition and promoting independence. | Medium | (310) | (465) | (465) | (465) |
| Strategic Commissioning & Enterprise | Review of supporting housing programme | Medium | (130) | (130) | (130) | (130) |
| Strategic Commissioning & Enterprise | Improved targeting of prevention services and increased emphasis on using community assets to deliver better services for residents | Medium | (150) | (150) | (150) | (150) |
| Director | The Whole Systems Integration Programme with the NHS. | Medium | (700) | (700) | (700) | (700) |
| All | Review of workforce costs moving into single borough arrangement | Medium | (100) | (100) | (100) | (100) |
| Asset Based Approach to Transport | Transport: Review transport provision and policy across care type and consider opportunities to promote independence wherever possible. | Medium | (99) | (110) | (120) | (120) |
| Total Savings | | | (2,916) | (3,732) | (3,742) | (3,742) |

Childrens Services

| MTFS Growth | | Budget Change | | | |
|--|---|--------------------------------|---|---|---|
| Service | Description | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Queens Manor Resource Centre | Project and specialist resources to develop the service offer of the Resource Centre for disabled children and their family | 450 | 450 | 450 | 450 |
| Children's and Adults - Travel Care and Support Contract | Extra cost above approved 17/18 growth of £270k. Approved through Leaders Urgency March 2017 | 344 | 344 | 344 | 344 |
| Education | Developing a world class SEN Service, significantly improving the service received by residents | 290 | 290 | 290 | 0 |
| Family Services | Care Leavers Support | 105 | 85 | 85 | 85 |
| Family Services | Dubs children (unaccompanied child refugees) | 239 | 298 | 313 | 313 |
| Family Services | Contact and Assessment Team Management | 212 | 212 | 212 | 212 |
| Commissioning | Onside Youth Service | 0 | 400 | 400 | 400 |
| Education | Travel Care & Support | 163 | 163 | 163 | 163 |
| Total Growth | | 1,803 | 2,242 | 2,257 | 1,967 |

| MTFS Savings | | Delivery Risk (R-A-G) | Budget Change | | | |
|-------------------------------|--|-----------------------|--------------------------------|---|---|---|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Family Services/Commissioning | Integrated Family Support Services (see cabinet report on 10th October 2016) | Medium | (1,000) | (1,000) | (1,000) | (1,000) |
| Family Services | Maximising Social Care Effectiveness (see cabinet report on 7th November 2016) | Medium | (644) | (1,248) | (1,748) | (1,748) |
| Family Services | Securing social housing placements for vulnerable young people to reduce payments to private landlords | Medium | (200) | (200) | (200) | (200) |
| Family Services | Efficiencies to Legal Costs | Medium | (50) | (50) | (50) | (50) |
| Family Services | Recognising existing budget underspend due to reduced number of placements | Low | (75) | (75) | (75) | (75) |
| Education | Travel Care and Support – Travel Training | Medium | (67) | (67) | (67) | (67) |
| Education | Traded Income to Schools – Education Psychology | Low | (50) | (50) | (50) | (50) |
| Total Savings | | | (2,086) | (2,690) | (3,190) | (3,190) |

Environmental Services

| MTFS Growth | | Budget Change | | | | |
|------------------------------------|--|--------------------------------|---|---|---|--|
| Service | Description | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) | |
| Emergency Planning | Contribution agreed by all London Borough chief executives. Permanent budget therefore required | 15 | 15 | 15 | 15 | |
| Environmental Health - Residential | Increase Corporate Health & Safety Officers by 1 FTE (£65k) as well as strengthen management training (£15k) and external audit support from independent specialists (£20k). The additional resource will help the organisation work towards providing assurance and confidence to staff and the public that it is compliant with health and safety law around the services it provides, safe housing (permanent and temporary) for residents, robust client management of third parties (waste/housing/parks etc), safe corporate buildings for staff and users, and protection of staff and managers from corporate manslaughter. | 100 | 100 | 100 | 100 | |
| Civic Accommodation | LBHF leases 145-155 King Street under a commercial lease in which the rent is due to be reviewed. The growth provides for the worst case result of a an increased rent arising from the review process. | 280 | 280 | 280 | 280 | |
| Total Growth | | 395 | 395 | 395 | 395 | |

| MTFS Savings | | Budget Change | | | | |
|----------------------|---|-----------------------|--------------------------------|---|---|---|
| Service | Description | Delivery Risk (R-A-G) | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Transport & Highways | Cycle street furniture advertising initiative | High | (50) | (75) | (75) | (75) |
| Transport & Highways | Transport Planning Consultancy | High | (10) | (11) | (11) | (11) |
| Transport & Highways | Savings through the roll out of Light Emitting Diode Lighting across the borough | Medium | (164) | (164) | (164) | (164) |
| Leisure & Parks | Provide a digital genealogy service for Cemetery & Bereavement services | Medium | (2) | (5) | (10) | (10) |
| Network Assurance | Introduce formal licensing process for placing advertising boards on the public highway | Low | (20) | (20) | (20) | (20) |
| Network Assurance | Review administrative and enforcement arrangements for skips and building material licences | Low | (10) | (10) | (10) | (10) |
| Highways Projects | Review Highways Team - replace temporary staff with permanent staff | Medium | (10) | (32) | (32) | (32) |
| Highways Projects | Introduce new charge for Transport and Highways design work relating to planning applications | High | (20) | (20) | (20) | (20) |
| Leisure & Parks | Maximise commercial rental income from parks and open spaces | Medium | (20) | (50) | (50) | (50) |
| Parking | 'Deep dive' review of the Parking service | Medium | (45) | (45) | (45) | (45) |
| Parking | Increase income from advertising on Pay & Display parking machines | High | (20) | (20) | (20) | (20) |

| MTFS Savings | | Delivery Risk (R-A-G) | Budget Change | | | |
|----------------------------------|--|-----------------------|--------------------------------|---|---|---|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Parking | Consequences of Major Changes to Infrastructure for Paid-for Parking | Medium | (500) | (500) | (500) | (500) |
| Facilities Management | Review energy contract | Low | (60) | (60) | (60) | (60) |
| Facilities Management | Review Total Facilities Management client side arrangements - increase number of apprentices | Low | (20) | (20) | (20) | (20) |
| Facilities Management | Maximise commercial rent income | Low | (180) | (180) | (180) | (180) |
| Facilities Management | Review Total Facilities Management client side arrangements | Low | (22) | (43) | (43) | (43) |
| Facilities Management | Review water supply contract | Medium | (20) | (20) | (20) | (20) |
| Facilities Management | Contractual reductions in the Total Facilities Management contract | Low | (75) | (75) | (75) | (75) |
| Facilities Management | Review the Total Facilities Management contract - variations resulting from disposed buildings | Medium | (53) | (53) | (53) | (53) |
| Environmental Health Residential | New external funding for Air Quality | Low | (60) | (60) | (60) | (60) |
| Environmental Health Residential | Increase Noise and Nuisance income | Medium | (3) | (5) | (5) | (5) |
| Environmental Health Commercial | Increase Pest Control income | High | (5) | (5) | (5) | (5) |
| Environmental Health Commercial | Increase Licensing income | Low | (5) | (5) | (5) | (5) |
| Community Safety | New external funding for Neighbourhood Watch Scheme | Low | (5) | (5) | (5) | (5) |
| Community Safety | Review Stray Dog contract | Low | (4) | (4) | (4) | (4) |
| Registrars | Increase Registrar income through new service offer | Medium | (6) | (10) | (10) | (10) |
| Events | Review major event contracts | Low | (27) | (27) | (27) | (27) |
| Commercial Waste | Increase commercial waste income through increase in fees and charges | Medium | (49) | (49) | (49) | (49) |
| Commercial Waste | Increase income from private land and road street cleansing | Medium | (5) | (5) | (5) | (5) |
| Waste Disposal | Targeted increase in recycling | High | (120) | (120) | (120) | (120) |
| Waste Management | End bi-borough working for senior waste and enforcement managers | Low | (5) | (5) | (5) | (5) |
| Waste Contract | Review the waste collection contract | High | (159) | (159) | (159) | (159) |
| Executive, Support & Finance | Review Senior Management | Low | (80) | (80) | (80) | (80) |
| Total Savings | | | (1,863) | (1,972) | (1,977) | (1,977) |

Libraries

| MTFS Savings | | Delivery Risk (R-A-G) | Budget Change | | | |
|----------------------|--|------------------------------|---------------------------------------|--|--|--|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Libraries | Libraries: reduce running costs while maintaining or increasing opening hours through better use of technology | High | (100) | (100) | (100) | (100) |
| | | | | | | |
| Total Savings | | | (100) | (100) | (100) | (100) |

Corporate Services

| MTFS Growth | | Budget Change | | | |
|---------------------|---|--------------------------------|---|---|---|
| Service | Description | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| ICT | Software licenses | 95 | 95 | 95 | 95 |
| Commercial | Investment in the Commercial Team to generate income and contract management savings listed below | 215 | 215 | 215 | 215 |
| Total Growth | | 310 | 310 | 310 | 310 |

| MTFS Savings | | Budget Change | | | | |
|---|---|-----------------------|--------------------------------|---|---|---|
| Service | Description | Delivery Risk (R-A-G) | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Procurement & Information Technology Strategy | Information Technology - New contract arrangements | Medium | (1,100) | (1,600) | (1,600) | (1,600) |
| Electoral Services | Electoral Registration - Reduced print and back office costs by enabling canvassers to use tablets to register people at point of contact | Low | (5) | (5) | (5) | (5) |
| Human Resources | Human Resources Core Team - reduce costs including transactional work | Low | (20) | (20) | (20) | (20) |
| Delivery and Value | Reduction in spend on councillors | | (50) | (50) | (50) | (50) |
| Delivery and Value | Governance and Scrutiny - reduction in staffing in Governance & Scrutiny, Innovation & Change Management and Community Investment teams | Low | (150) | (150) | (150) | (150) |
| Delivery and Value | Leaders Office - reduction in staffing | Low | (50) | (50) | (50) | (50) |
| Delivery and Value | Leaders Office - reduction in supplies and services budget | Low | (5) | (5) | (5) | (5) |
| H&F Direct | Improved performance management - Revenues and Benefits | Medium | (158) | (158) | (158) | (158) |
| H&F Direct | Call Centre Improvements including Robotic Process Automation | Medium | (237) | (237) | (237) | (237) |
| H&F Direct | Reduction in spend on management | Medium | (46) | (46) | (46) | (46) |
| H&F Direct | Other Initiatives | Low | (40) | (40) | (40) | (40) |
| H&F Direct | Reduction in Postage & Printing | Low | (30) | (30) | (30) | (30) |
| Legal services | Review of fees and charges ensuring full cost recovery | Medium | (50) | (50) | (50) | (50) |
| Human Resources | Human Resources - reduction in staffing costs | Low | (100) | (100) | (100) | (100) |
| Human Resources | Recharge to pension fund - increase budget to match current recharge levels | Low | (74) | (74) | (74) | (74) |
| Finance | Recharge to pension fund - increase budget to match current recharge levels | Low | (15) | (15) | (15) | (15) |
| Finance | Finance trainee scheme - change scheme to also include finance apprentices from the local area | Low | (10) | (10) | (10) | (10) |
| Finance | Reduction in external audit fees | Low | (30) | (30) | (30) | (30) |
| Audit, Risk, Fraud & Insurance | Contribution from HRA for corporate investigation group in line with activity | Low | (275) | (275) | (275) | (275) |
| Corporate review of recharges | Recharges review | Low | (54) | (54) | (141) | (141) |

Appendix C - Growth Savings

| MTFS Savings | | Delivery Risk (R-A-G) | Budget Change | | | |
|---|---|------------------------------|---------------------------------------|--|--|--|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Commercial | Business Intelligence - Freedom Pass Reviews | Low | (160) | (160) | (160) | (160) |
| Total Savings (excluding savings in gross resources) | | | (2,659) | (3,159) | (3,246) | (3,246) |
| Commercial | Business Intelligence - revenue savings from internal work in council | Low | (250) | (500) | (750) | (750) |
| Savings shown within Gross Resources | | | (250) | (500) | (750) | (750) |
| Total Savings | | | (2,909) | (3,659) | (3,996) | (3,996) |

Regeneration, Planning and Housing Services General Fund

| MTFS Growth | | Budget Change | | | |
|---------------------|---|---|--|--|--|
| Service | Description | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Housing Solutions | Structural Budget Deficit - Increase in client numbers | 400 | 400 | 400 | 400 |
| Housing Solutions | Non-achievement of 2017-18 savings due to unfavourable temporary accommodation rental market trends | 956 | 956 | 956 | 956 |
| | | | | | |
| Total Growth | | 1,356 | 1,356 | 1,356 | 1,356 |

| MTFS Savings | | Delivery Risk (R-A-G) | Budget Change | | | |
|-------------------------|--|--------------------------------------|---|--|--|--|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Economic Regeneration | Repurposing of One Place, using Section 106 income | Low | (60) | (60) | (60) | (60) |
| Economic Regeneration | Additional Income from Commercial Units | Low | (28) | (28) | (28) | (28) |
| Adult Learning & Skills | New courses in Adult Learning & Skills | Medium | (20) | (20) | (20) | (20) |
| Adult Learning & Skills | Standard uplift of Adult Learning fees in line with inflation | Medium | (27) | (27) | (27) | (27) |
| Planning | Planning Initiatives--making sure large developers pay appropriate planning fees | Medium | (18) | (18) | (18) | (18) |
| Total Savings | | | (153) | (153) | (153) | (153) |

Public Health

| MTFS Savings | | Delivery Risk (R-A-G) | Budget Change | | | |
|----------------------|---|-----------------------|--------------------------------|---|---|---|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| | Public Health investment in services that improve the health of residents, applying savings from better procurement and contract management | Low | (2,000) | (2,000) | (2,000) | (2,000) |
| Total Savings | | | (2,000) | (2,000) | (2,000) | (2,000) |

Centrally Managed Budgets

| MTFS Growth | | Budget Change | | | |
|-----------------------|--|---|---|---|---|
| Service | Description | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Bank | Bank Charges- Growth to cover lost income from credit card chages due to changes in Governemnt legislation | 70 | 70 | 70 | 70 |
| Net Cost of Borrowing | Capital Financing and Treasury Management due to low interest rates. | 250 | 250 | 250 | 250 |
| Corporate - MSP (GF) | HR & Payroll growth based on estimated costs | 477 | 477 | 477 | 477 |
| Corporate - MSP (GF) | ICT growth based on estimated costs | 323 | 323 | 323 | 323 |
| Corporate - MSP (GF) | Finance growth based on estimated costs | 60 | 60 | 60 | 60 |
| Corporate - MSP (GF) | Income Management Solution | 166 | 166 | 166 | 166 |
| Corporate - MSP (GF) | MSP contract payment | 63 | 63 | 63 | 63 |
| | | | | | |
| Total Growth | | 1,409 | 1,409 | 1,409 | 1,409 |

Transformational Workstreams

| MTFS Savings | | Delivery Risk (R-A-G) | Budget Change | | | |
|---|---|-----------------------|--------------------------------|---|---|---|
| Service | Description | | 2018-19 Budget Change (£000's) | 2019-20 Budget Change Cumulative (£000's) | 2020-21 Budget Change Cumulative (£000's) | 2021-22 Budget Change Cumulative (£000's) |
| Commercial | Savings from better contract management | Low | (1,000) | (1,000) | (1,000) | (1,000) |
| Commercial | Business Intelligence - commercial income | Low | (1,249) | (1,249) | (1,249) | (1,249) |
| Commercial | Ethical Debt Joint Venture | Low | (600) | (600) | (600) | (600) |
| Commercial | Agency contract management | Low | (200) | (200) | (200) | (200) |
| Cross Cutting | Contact Channel Improvements | Low | (150) | (350) | (800) | (800) |
| Total Savings (excluding savings in gross resources) | | | (3,199) | (3,399) | (3,849) | (3,849) |

Departmental Risk/Challenges

| Department & Division | Short Description of Risk | Risk | | | | Mitigation |
|--------------------------------|---|------------------------|------------------------|------------------------|------------------------|--|
| | | 2018/19 Value (£000's) | 2019/20 Value (£000's) | 2020/21 Value (£000's) | 2021/22 Value (£000's) | |
| Adult Social Care | | | | | | |
| Integrated Care | Demographic pressures on Adult Social Care services continue to increase as the population gets older. We continue to experience increases in numbers during future financial years. | 1,321 | 1,321 | 1,321 | 1,321 | The March 17 Local Government settlement announced a new improved Better Care Fund (iBCF) support for Adult Social Care. We will aim to mitigate the pressures from this funding. |
| Integrated Care | 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 resident. | 1,800 | 1,800 | 1,800 | 1,800 | The department has commissioned a piece of work to explore the health requirements of local residents to ensure these are being met and funded by the appropriate body. |
| Integrated Care | Commissioners are continuing to receive requests for inflationary increases from providers above that which has already been built into the base budget | 190 | 190 | 190 | 190 | The Commercial and Innovation team will negotiate with providers on the inflationary increases to be awarded and this will need to be managed through this process. The Care Market is particularly fragile with a number of factors which are affecting the price-service delivery model. |
| All | Year on year savings from Transformation Commissioning Programme are increasingly difficult to deliver | 900 | 900 | 900 | 900 | The department has a transformational programme review group which will review all saving programmes and check progress on delivery. |
| Integrated Care | Increased costs associated with the payment of the London and National Minimum Wage for care workers who work sleep-in shifts in the social care sector. | 200 | 200 | 200 | 200 | There is a risk that providers will require extra monies in order to cover the backdating of these payments. It is expected that backdating could go back as far as 6 years, costing ASC c. £200k - £1 million. In order to mitigate this we have made clear that ASC will not consider backdating any payments from before this financial year. We would, however, be happy to support providers lobbying position that central Govt who decided on this policy should make funding available to address the issue. |
| Adult Social Care Total | | 4,411 | 4,411 | 4,411 | 4,411 | |

| Department & Division | Short Description of Risk | Risk | | | | Mitigation |
|--|---|------------------------|------------------------|------------------------|------------------------|--|
| | | 2018/19 Value (£000's) | 2019/20 Value (£000's) | 2020/21 Value (£000's) | 2021/22 Value (£000's) | |
| Centrally Managed Budgets | | | | | | |
| Land Charge Income | Land Charge income is dependant on housing market activity. If this continues to be depressed in 2018/19 there is a risk that income may be under budget | 250 | 250 | 250 | 250 | The Land Charge team is a small team so there isn't scope to reduce costs to compensate for reduced activity. Therefore compensatory underspends elsewhere in Centrally managed budgets will be looked at to mitigate this risk. |
| Pay award contingency | Pay award increases to 2.5% rather than the 2% offered by the employers | 425 | 425 | 425 | 425 | This is a council wide budget so a wide range of options will be looked at if this risk materialises |
| Net Cost of Borrowing | Interest rates remain low and income from investing cash balances are under budget. | 500 | 500 | 500 | 500 | Investment opportunities will be investigated by the treasury management team. |
| Centrally Managed Budgets Total | | 1,175 | 1,175 | 1,175 | 1,175 | |
| Children's Services | | | | | | |
| Tower Hamlets related claims | The likely liability, should all connected carers apply for re-imburement of carers fees (in line with the Tower Hamlets judgement), as far back as 2011, has been estimated to be in the region of £2.1m. Three families (6 children) have now brought claims via the same solicitors totalling £141k, but we continue to hold the risk. | 2,100 | 2,100 | 2,100 | 2,100 | |
| Looked After Children | New high cost placements. Recent cases have occurred in 2017-18 with annual costs of up to £0.360m. | 1,000 | 1,000 | 1,000 | 1,000 | |
| Children with disabilities | New high cost placements. | tbc | tbc | tbc | tbc | |
| Children's Services Total | | 3,100 | 3,100 | 3,100 | 3,100 | |
| Corporate Services | | | | | | |
| H&F Direct | Loss of court cost income (element previously collected by enforcement agents) | 10 | 100 | 100 | 100 | Work closely with 1st Credit |
| H&F Direct | Unknown operational cost of ethical debt collection replacing nil operational cost of enforcement agents | tbc | tbc | tbc | tbc | Workshops being held with 1st Credit to understand costing model and a request has been made for these costs to be centralised. |
| Commercial Directorate | Underachievement of income target | 0 | 200 | 200 | 200 | Marketing plan, advertising, networking, joint sales approach with the Ethical Debt Collection Joint Venture, dynamic supply/demand assessment, continual product development, training/coaching, collaboration with internal departments and weekly sales forecasting |

| Department & Division | Short Description of Risk | Risk | | | | Mitigation |
|--|---|------------------------|------------------------|------------------------|------------------------|---|
| | | 2018/19 Value (£000's) | 2019/20 Value (£000's) | 2020/21 Value (£000's) | 2021/22 Value (£000's) | |
| ICT Services | Savings from contracts less than anticipated | tbc | tbc | tbc | tbc | Ensure tender process is run effectively and risks of delay in delivery are managed. Consider use of reserves. |
| Corporate Services Total | | 10 | 300 | 300 | 300 | |
| Environmental Services (Inc CPA) | | | | | | |
| Highways & Projects | WiFi income budget will not be achieved | 133 | 133 | 133 | 133 | Currently working closely with Arqiva on new initiatives to increase revenue for the Council. |
| Highways & Projects | Bay Media Advertising Contract | 59 | 59 | 59 | 59 | Highways have recently taken this over and working with BayMedia to increase advertising including introducing monthly contract management meetings. |
| Highways & Projects | 2015/16 MTFS - Sponsored information boards on the highway | 50 | 50 | 50 | 50 | Combined project with Cycling Initiative. Currently working on designs for both and going to LDG for approval. Are working to develop marketing strategy and have attend industry seminars were there is a great interest in this proposal. |
| Highways & Projects | 2017-18 MTFS - TTS15 - Cycle street furniture initiative | 75 | 75 | 75 | 75 | as above |
| Parks & Open Spaces | Reactive Repairs – Grounds Maintenance – The budget of £110k may prove inadequate | 50 | 50 | 50 | 50 | Other funding sources are being considered, with Building Property Management colleagues, to fund additional costs of infrastructural assets, which need replacing. |
| Transport & Highways | Staff time recharges to projects fail to cover salaries expenditure in full | 200 | 200 | 200 | 200 | Managers will ensure prompt logging of new projects and that officers update time sheets in good time |
| Transport Planning & Development | Street works/Highways license Fixed Penalty Notice (FPN) income changes due to changes in the law | 90 | 90 | 90 | 90 | SW FPN's income is down because of operational guidance issued by DfT rather than change in law. Highway FPN income is down due to us being more robust in our inspection regime. Income is directly linked to amount of work carried out and how utilities perform so income could be more or less than budget |
| Transport Planning & Development | Transport Planning Consultancy income will not be achieved | 65 | 65 | 65 | 65 | Work is underway to generate revenue |
| Parking | Parking suspensions income may fall if the wider economy slows, leading to reduce property development activity and reduced demand for parking bay suspensions. | 1,000 | 1,000 | 1,000 | 1,000 | Parking fees not set to raise income, so no mitigation proposed |

| Department & Division | Short Description of Risk | Risk | | | | Mitigation |
|---|--|------------------------|------------------------|------------------------|------------------------|---|
| | | 2018/19 Value (£000's) | 2019/20 Value (£000's) | 2020/21 Value (£000's) | 2021/22 Value (£000's) | |
| Parking | Receipts from moving traffic offence penalty charge notices will fall if driver behaviour improves. | 1,000 | 1,000 | 1,000 | 1,000 | Reducing offences is the object of moving traffic penalties, so a reduced income would be a sign of success |
| Parking | Risk of delay in introducing call-back function | 45 | 45 | 45 | 45 | The service would consider making other adjustments to its staffing. |
| Asset Strategy and Portfolio Management | Unfunded revenue costs incurred in appropriation of General Fund assets to HRA as well as transactions costs for transfer of assets for community benefits. | 50 | 50 | 50 | 50 | Housing colleagues will agree to ongoing revenue funds for assets transferring from General Fund to HRA |
| Building Control | There is an income shortfall on Building Control. This is primarily due to the current recession in the construction industry as a result of the uncertainties surrounding Brexit and the increased competition from the private approved inspectors. | 150 | 150 | 150 | 150 | Further opportunities being explored to identify new commissions (internal and external) |
| Facilities Management | There is a project that is being planned which is designed to increase the overall specification for all Health and Safety and Compliance works across the Hammersmith and Fulham Estates. The costs for these works are not contained within the existing TFM budget. | 500 | 250 | 150 | 100 | There is a short life programme that will report to senior officers and ensure it is understood the ongoing liability and some of this work may be picked up as part of Corporate Planned maintenance programme |
| Rent and Other Properties | Lyric Theatre - Unfunded repairs and maintenance costs above the agreed cap of £50k | 100 | 100 | 100 | 100 | A monitoring programme will be put in place for this figure |
| EH Private Housing - Selective/Additional Licensing | New private housing licensing income does not cover the additional administration costs in full | 300 | 300 | 300 | 300 | Closely monitor to ensure that expenditure is reduced in line with any reductions in income. Report progress on this Commercial business case to the Commercial Board |
| Registrars | Loss of Nationality Checking Service income, resulting from Home Office shift to online digital services | 45 | 45 | 45 | 45 | Identify alternative income generating potential within the service area, although this may be limited (look to other boroughs for opportunities). Seek support from the Commercial Team to increase income as far as possible. |
| Events and Lettings | Filming income budgets not delivered in full | 125 | 125 | 125 | 125 | Fully mobilise and exploit new filming and events location library. Work with the Commercial Team to maximise sales. |

| Department & Division | Short Description of Risk | Risk | | | | Mitigation |
|--|--|------------------------|------------------------|------------------------|------------------------|--|
| | | 2018/19 Value (£000's) | 2019/20 Value (£000's) | 2020/21 Value (£000's) | 2021/22 Value (£000's) | |
| Waste Disposal | Waste disposal rates and tonnages increase by more than budgeted | - | 645 | 1,014 | 1,383 | Regular finance review and reporting through DMT. Continue to progress action plans to target reductions in general waste tonnages and increase recycling. |
| Ducting Contract | Risk that the current ducting concession contract terminates/reduces at the February 2018 contract review point, with no alternative provider or substitution | 290 | 290 | 290 | 290 | Work with the Commercial Director and concession holder to identify new large contracts. Regular finance review to monitor concession holder's performance. Set aside departmental reserves. |
| Various | Loss of commercial income due to refurbishment of Hammersmith Town Hall | 794 | 794 | 794 | 794 | Continue to raise with the project lead and Strategic Director for Finance to ensure that any financial losses are provided for in the project business case and costings |
| Various | Commercial income savings not achievable due to market conditions | 220 | 220 | 220 | 220 | Work with the Commercial Director to develop and implement plans. Regular finance review to monitor service demand. Report through DMT and Commercial Board |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Environmental Services (Inc CPA) Total | | 5,341 | 5,736 | 6,005 | 6,324 | |
| Libraries & Archives Shared Service | | | | | | |
| Libraries | Due to the need for a consultation and the lead in time to introduce technology there is a possibility that this will not achieve a full year saving in 2018/19. | 50 | - | - | - | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| Libraries & Archives Shared Service Total | | 50 | 0 | 0 | 0 | |
| Public Health Services | | | | | | |
| None to report | | | | | | |
| | | | | | | |
| Public Health Services Total | | 0 | 0 | 0 | 0 | |
| Regeneration, Planning & Housing Services | | | | | | |
| Temporary Accommodation | Overall Benefit Cap | 278 | 278 | 278 | 278 | |
| Temporary Accommodation | Direct Payments (Universal Credit) | 998 | 1,551 | 2,137 | 2,367 | |
| Temporary Accommodation | Increase in the number of households in Temporary Accommodation - based on current forecast | - | 391 | 782 | 1,173 | |

| Department & Division | Short Description of Risk | Risk | | | | Mitigation |
|---|--|------------------------|------------------------|------------------------|------------------------|------------|
| | | 2018/19 Value (£000's) | 2019/20 Value (£000's) | 2020/21 Value (£000's) | 2021/22 Value (£000's) | |
| Temporary Accommodation | Increase in the number of households in Temporary Accommodation - extra 100 each year above current forecast | 651 | 1,421 | 2,257 | 3,009 | |
| Temporary Accommodation | Loss of Temporary Accommodation Management Fee on Housing Benefit Subsidy - the Flexible Homelessness Support Grant will be received in 2018/19 but Government has not confirmed whether funding will be available from 2019/20 onwards. | - | 1,930 | 2,022 | 2,115 | |
| Temporary Accommodation | Inflationary pressures on Temporary Accommodation landlord costs, based on an extra 1.5% rental inflation | 270 | 545 | 824 | 1,107 | |
| Temporary Accommodation | Large families in B&B | 258 | 482 | 707 | 931 | |
| Temporary Accommodation | Direct Lettings Incentive payments - risk in future years (the incentive payments will be funded from the Temporary Accommodation earmarked reserve in 18/19 as no growth has been granted) | | 600 | 600 | 600 | |
| Temporary Accommodation | Homelessness Reduction Bill - increase in households in temporary accommodation - extra 70 each year | 506 | 1,095 | 1,692 | 2,256 | |
| Temporary Accommodation | The Governments High value void sales policy as legislated for in Housing & Planning Act 2016 - based on a reduction of available accommodation of 10 homes per year as an illustrative number | - | 106 | 213 | 213 | |
| Economic Development Learning and Skills (EDLS) | Section 106 funding for Economic Development - no formal confirmation, Cabinet report in January, receipt of funds. Investment team, Work Matters, One Place | 750 | 750 | 750 | 750 | |
| EDLS | Devolution of Adult Education Budget to London Mayor | - | unknown | unknown | unknown | |
| EDLS | Affordable housing and regeneration projects - feasibility studies on GF land | 450 | 100 | 100 | 100 | |

| Department & Division | Short Description of Risk | Risk | | | | Mitigation |
|--|--|------------------------------|------------------------------|------------------------------|------------------------------|------------|
| | | 2018/19 Value (£000's) | 2019/20 Value (£000's) | 2020/21 Value (£000's) | 2021/22 Value (£000's) | |
| EDLS | New Homes Bonus funding for Economic Development, contingent on extension of NHB contract to December 2019. Consists of £342k for Investment Team staffing and Brilliant Business Awards and other activities; Work Matters (£280k) for staffing, activities relating to employment disability, employment hub, estate skills audit, job fayre, community employment outreach; £18k for One Place running costs including IT software. | 640 | 640 | 640 | 640 | |
| EDLS | Skills Funding Agency grant reduction (the grant is £2.7m in 2017/18) | TBC | TBC | TBC | TBC | |
| EDLS | Adult Learning: Recharge for repairs costs from Amey (£88k) | 88 | 88 | 88 | 88 | |
| EDLS | Adult Learning: A recommendation from OFSTED to increase staffing levels (£23k) | 23 | 23 | 23 | 23 | |
| EDLS | Adult Learning: A historical correction to sessional staff pay increases (£15k) | 15 | 15 | 15 | 15 | |
| EDLS | Adult Learning: MTFs saving of £95k - contingent on extension of NHB grant | 95 | 95 | 95 | 95 | |
| EDLS | Adult Learning: Rent increase at Normand Croft | 13 | 13 | 13 | 13 | |
| EDLS | Adult Learning: Provision for unexpected events | 100 | 100 | 100 | 100 | |
| Regeneration, Planning & Housing Services | Risk of abortive costs from affordable housing feasibility studies on General Fund land not being pursued | 100 | 100 | 100 | 100 | |
| Regeneration, Planning & Housing Services | | 5,235 | 10,323 | 13,436 | 15,973 | |
| Grand Total | | 19,322 | 25,045 | 28,427 | 31,283 | |

| | | | | |
|--|---------------|---------------|---------------|--|
| | | | | |
| | | | | |
| Government Resources Summary | | | | |
| | | | | |
| Unringfenced resources | 2017/18 | 2018/19 | 2019/20 | |
| | £'000 | £'000 | £'000 | |
| Revenue Support Grant | 29,499 | 23,427 | 17,131 | For 2018/19 this will be part of business rates. |
| | | | | |
| Other Unringfenced grants | | | | |
| New Homes Bonus Grant | 7,831 | 6,747 | 7,326 | |
| Housing Benefit Administration Grant | 1,273 | 1,020 | 969 | estimated for 19/20 |
| Localised Council Tax Support Administration Grant | 364 | 338 | 321 | estimated for 19/20 |
| Education Support Grant | 582 | 0 | 0 | |
| Special Educational Needs Implementation | 139 | 0 | 0 | |
| Independent Living Fund | 821 | 796 | 772 | |
| Compensation for change in business rates multiplier | 744 | 1,240 | 1,862 | switch to CPI from RPI in 2018/19 |
| Total Other Unringenced Grants | 11,754 | 10,141 | 11,250 | |
| | | | | |
| One-Off Funding | | | | |
| Adult Social Care Support Grant | 922 | 0 | 0 | |
| | | | | |
| Total Unringfenced Grants | 42,175 | 33,568 | 28,381 | |
| | | | | |
| Reduction in Unringenced grants | | 8,607 | 5,187 | |
| | | | | |
| Ringfenced Grants allocated within Departmental Budgets | | | | |
| Flexible Homelessness Support Grant | 3,527 | 3,381 | tbc | |
| Homelessness Reduction Act - new Burden | 225 | 206 | 199 | |
| Lead Local Authorities Flood Grant | 42 | 45 | 48 | |
| Better Care Fund | 5,128 | 7,051 | 8,814 | |
| Public Health | 22,338 | 21,764 | 21,189 | |
| Total Specific Grants | 31,260 | 32,447 | | |
| | | | | |
| | | | | |

Environmental Services Fees and Charge 2018-19

Exceptions to the inflationary 3.9% increase

| Directorate | Service | Fee Description | Sub Category | 2017-18 Fee (£) | 2018-19 Fee (£) | % Change | Reason for exception to inflationary increase |
|---------------------------|---------------------------|--|---|-----------------|-----------------|----------|---|
| Parking | Parking Permits | Individual's first permit (6mths) | | 71.00 | 71.00 | 0.0% | Parking fees will be considered in the context of Parking Policy |
| | Parking Permits | Individual's second permit (6mths) | | 260.00 | 260.00 | 0.0% | |
| | Parking Permits | Individual's first permit (Yearly) | | 119.00 | 119.00 | 0.0% | |
| | Parking Permits | Individual's second permit (Yearly) | | 497.00 | 497.00 | 0.0% | |
| | Parking Permits | Discounted permit charges (Green vehicles) | | 60.00 | 60.00 | 0.0% | |
| | Parking Permits | Business first permit (6mths) | | 464.00 | 464.00 | 0.0% | |
| | Parking Permits | Business second permit (6mths) | | 735.00 | 735.00 | 0.0% | |
| | Parking Permits | Business first permit (Yearly) | | 791.00 | 791.00 | 0.0% | |
| | Parking Permits | Business second permit (Yearly) | | 1,310.00 | 1,310.00 | 0.0% | |
| | Parking Permits | Doctors | | 125.00 | 125.00 | 0.0% | |
| | Parking Pay and Display | Zone A | | 2.80 | 2.80 | 0.0% | |
| | Parking Pay and Display | Zone A - Visitor's | | 1.80 | 1.80 | 0.0% | |
| | Penalty Charge Notices | More Serious | | 130.00 | 130.00 | 0.0% | |
| | Penalty Charge Notices | Less Serious | | 80.00 | 80.00 | 0.0% | |
| | Towaway | | | 200.00 | 200.00 | 0.0% | |
| | Suspension of Parking Bay | 1-5 Days | | 40.00 | 40.00 | 0.0% | |
| | Suspension of Parking Bay | 6-42 Days | | 60.00 | 60.00 | 0.0% | |
| Suspension of Parking Bay | 43 days + | | 80.00 | 80.00 | 0.0% | | |
| Community Safety | Community Safety | Motorcycle Recovey | Individual | 50.00 | 50.00 | 0.0% | Price freeze as current price is reasonable |
| | Community Safety | Stray Dogs | Return of Stray Dogs to Owners | 25.00 | 25.00 | 0.0% | Charge set in statute |
| | Community Safety | Stray Dogs | Statutory fee | 25.00 | 25.00 | 0.0% | |
| | Community Safety | Stray Dogs | Administration Fee | 25.00 | 25.00 | 0.0% | |
| | Community Safety | Stray Dogs | Kennelling (per day) | 12.50 | 12.50 | 0.0% | Price freeze as published charges have not yet been implemented |
| | Neighbourhood Wardens | Patrols | Neighbourhood Warden Patrols (per hour) | 100.00 | 100.00 | 0.0% | Price freeze as main customer base is Registered Social Landlords |
| | Anti Social Behaviour | Investigations | Casework (per hour) | 100.00 | 100.00 | 0.0% | Price freeze to remain competitive. |
| | Anti Social Behaviour | Investigations | Professional Witness Service (per hour) | 50.00 | 50.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Pin hole camera hire - charge per day | 10.00 | 10.00 | 0.0% | Price freeze as LBHF is new to the market so wish |
| | Anti Social Behaviour | Camera hire | Pin hole camera with briefcase hire - charge per day | 25.00 | 25.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Lipstick camera hire - charge per day | 10.00 | 10.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Lipstick camera with briefcase hire - charge per day | 25.00 | 25.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Door viewer camera hire - charge per day | 10.00 | 10.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Door viewer camera with briefcase hire - charge per day | 25.00 | 25.00 | 0.0% | |
| Anti Social Behaviour | Camera hire | Large zoom camera hire - charge per day | 15.00 | 15.00 | 0.0% | | |
| Anti Social Behaviour | Camera hire | Large zoom camera with briefcase hire - charge per day | 25.00 | 25.00 | 0.0% | | |

Environmental Services Fees and Charge 2018-19

Exceptions to the inflationary 3.9% increase

| Directorate | Service | Fee Description | Sub Category | 2017-18 Fee (£) | 2018-19 Fee (£) | % Change | Reason for exception to inflationary increase |
|---|-----------------------|--|--|-----------------|-----------------|----------|---|
| Environmental Health, Community Safety & Emergency Services | Anti Social Behaviour | Camera hire | Polecam hire - charge per day | 50.00 | 50.00 | 0.0% | to remain competitive |
| | Anti Social Behaviour | Camera hire | Door viewer camera (housed) hire - charge per day | 15.00 | 15.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Metal hide with camera hire - charge per day | 25.00 | 25.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Notice board camera hire - charge per day | 25.00 | 25.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Fire sign camera hire - charge per day | 25.00 | 25.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Motion sensor camera hire - charge per day | 20.00 | 20.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Briefcase camera plus audio hire - charge per day | 50.00 | 50.00 | 0.0% | |
| | Anti Social Behaviour | Camera hire | Camera equipped vehicle hire - charge per day | 50.00 | 50.00 | 0.0% | |
| | CCTV | 4G Deployable CCTV cameras | Survey (per hour) | 25.00 | 25.00 | 0.0% | Price freeze as LBHF is new to the market so wish to remain competitive |
| | CCTV | 4G Deployable CCTV cameras | Individual PoleCam (set up) | 400.00 | 400.00 | 0.0% | |
| | CCTV | 4G Deployable CCTV cameras | Individual PoleCam (charge per day) | 100.00 | 100.00 | 0.0% | |
| | CCTV | 4G Deployable CCTV cameras | Individual PoleCam (charge per week) | 600.00 | 600.00 | 0.0% | |
| | CCTV | 4G Deployable CCTV cameras | Individual PoleCam (charge per calendar month) | 1,800.00 | 1,800.00 | 0.0% | |
| | CCTV | 4G Deployable CCTV cameras | Two PoleCams (set up) | 600.00 | 600.00 | 0.0% | |
| | CCTV | 4G Deployable CCTV cameras | Two PoleCams (charge per day) | 180.00 | 180.00 | 0.0% | |
| | CCTV | 4G Deployable CCTV cameras | Two PoleCams (charge per week) | 1,000.00 | 1,000.00 | 0.0% | |
| | CCTV | 4G Deployable CCTV cameras | Two PoleCams (charge per calendar month) | 3,000.00 | 3,000.00 | 0.0% | |
| | CCTV | Footage analysis | Forensic review of recorded footage (per hour) | 30.00 | 30.00 | 0.0% | |
| | CCTV | Footage analysis | Forensic review of recorded footage (per day) | 200.00 | 200.00 | 0.0% | |
| | Registrars | Notices | Notice of marriage/civil partnership | 35.00 | 35.00 | 0.0% | Statutory fees, no increase |
| | Registrars | Notices | Notice of marriage/civil partnership (subject to Home Office referral) | 47.00 | 47.00 | 0.0% | |
| Registrars | Notices | Consideration of Divorce/Dissolution (outside of British Isles) by LRS | 50.00 | 50.00 | 0.0% | | |
| Registrars | Notices | Consideration of Divorce/Dissolution (outside of British Isles) by GRO | 75.00 | 75.00 | 0.0% | | |
| Registrars | Notices | Waiver (reduce 28 day notice period) | 60.00 | 60.00 | 0.0% | | |
| Registrars | Notices | RG's Licence | 15.00 | 15.00 | 0.0% | | |

Environmental Services Fees and Charge 2018-19

Exceptions to the inflationary 3.9% increase

| Directorate | Service | Fee Description | Sub Category | 2017-18 Fee (£) | 2018-19 Fee (£) | % Change | Reason for exception to inflationary increase |
|-------------|------------|--|---|--|--|----------|---|
| | Registrars | Conversion of a Civil Partnership into Marriage | At Register Office | 45.00 | 45.00 | 0.0% | |
| | Registrars | Conversion of a Civil Partnership into Marriage | Completing the declaration | 27.00 | 27.00 | 0.0% | |
| | Registrars | Conversion of a Civil Partnership into Marriage | Signing the declaration in a religious building registered for same sex couples | 91.00 | 91.00 | 0.0% | |
| | Registrars | Civil Marriage/Civil Partnership/Naming Ceremonies/Vow Renewals (including rehearsals) | Attendance at the Register Office | 46.00 | 46.00 | 0.0% | |
| | Registrars | Civil Marriage/Civil Partnership/Naming Ceremonies/Vow Renewals (including rehearsals) | Marble Gallery - Saturdays | 650.00 | 650.00 | 0.0% | Increased last year. Current fee is competitive |
| | Registrars | Fee for attendance at places of Worship | | 86.00 | 86.00 | 0.0% | |
| | Registrars | Copy certificates | Copy certificate at time of registration | 4.00 | 4.00 | 0.0% | |
| | Registrars | Copy certificates | Copy certificate in current register | 7.00 | 7.00 | 0.0% | Statutory fees, no increase |
| | Registrars | Copy certificates | Copy certificate from historical records | 10.00 | 10.00 | 0.0% | |
| | Registrars | Copy certificates | Copy certificate from historical records - administration fee | 5.00 | 5.00 | 0.0% | |
| | Registrars | Copy certificates | While You Wait service for copy certificates - Price on application | 40.00 | 40.00 | 0.0% | Current fee is competitive |
| | Registrars | Copy certificates | 24hr service for copy certificates - Price on application | 30.00 | 30.00 | 0.0% | |
| | Registrars | Fees for Changes to Initial Registration | Consideration of Space 17 | 40.00 | 40.00 | 0.0% | |
| | Registrars | Fees for Changes to Initial Registration | Consideration of Corrections by LRS | 75.00 | 75.00 | 0.0% | Statutory fees, no increase |
| | Registrars | Fees for Changes to Initial Registration | Consideration of Corrections by GRO | 90.00 | 90.00 | 0.0% | |
| | Registrars | Cancellation & Booking Changes | Non-refundable deposit per notice | 35.00 | 35.00 | 0.0% | |
| | Registrars | Cancellation & Booking Changes | Non-refundable deposit for ceremony bookings | 100.00 | 100.00 | 0.0% | Current fee is competitive |
| | Registrars | Cancellation & Booking Changes | Amendment administration fee for ceremony bookings | 35.00 | 35.00 | 0.0% | |
| | Transport | Parts | | Cost + 10.5% | Cost + 10.5% | 0.0% | |
| | Transport | Fuel - Diesel / Petrol / LPG | | Cost + 8.5 to 10.5% | Cost + 8.5 to 10.5% | 0.0% | |
| | Transport | Ad Hoc Vehicle Hire | | Cost + 10.5% | Cost + 10.5% | 0.0% | |
| | Transport | Management and Administration Charge | | Total Cost (excluding Fuel and NSEs) + 10.5% | Total Cost (excluding Fuel and NSEs) + 10.5% | 0.0% | Current charging methodology is competitive |
| | Transport | Labour Rate per hour (prices starting at) | | from £45 | from £45 | 0.0% | |

| Fee Description | 2017/18 Charge (£) | 2018/19 Charge (£) | Proposed Variation (%) | Total Estimated Income Stream for 2017/18 | Total Estimated Income Stream for 2018/19 | Reason For Variation Not At Standard Rate |
|---|--------------------------------|--------------------------------|---|---|---|---|
| Private Sector Leasing | | | | | | |
| Private Sector Leasing Water Charges | Varies | Varies | Subject to water company increase, expected in January 2018 | Nil | Nil | The charge is determined by the annual increase set by the water companies. |
| Private Sector Leasing Rent (average per week) | £276.96 as at 1st October 2016 | £257.04 as at 22 November 2017 | na | £10.8m (2017/18 Estimates, based on 782 units with 4% void at the weekly rent of £276.96) | £11.8m (2018/19 Estimates, based on 921 units with 4% void at the weekly rent of £257.04) | Since April 2012, the PSL rent threshold has been based on the January 2011 Local Housing Allowance (LHA). The LHA varies according to changes in market rents, the location of the property and its bedroom size. The threshold formula was 90% of LHA plus £40 and subject to a cap of £500 on Inner London and Outer South West London Broad Rental Market Areas (BRMA) and a cap of £375 on other BRMAs. From April 2017, the £40 was removed from the formula, the new threshold is 90% of January 2011 LHA and subject to a cap of £460 on Inner London and Outer South West London BRMA and a cap of £335 on the other BRMAs. PSL tenants living in a Universal Credit Implementation Area will have their rent threshold based on 100% of the April 2015 LHA. By October 2017, 10% of the Council's PSL tenants were subject to the April 2015 LHA. |
| Bed and Breakfast Temporary Accommodation | | | | | | |
| B & B Rent Single/Family (Average per week) | £213.46 as at 1st October 2016 | £204.64 as at 1st October 2017 | na | £1.5m (2017/18 Estimates, based on 134 tenants at a weekly rent of £213.46) | £2.0m (2018/19 Estimates, based on 190 tenants at a weekly rent of £204.64) | Since April 2012, the B&B rent threshold has been based on the January 2011 Local Housing Allowance (LHA). From April 2017, the B&B rent threshold will be based on the April 2015 LHA to reflect the implementation of Universal Credit. The LHA varies according to changes in market rents, the location of the property and its bedroom size. This fee is the LHA threshold for one bedroom properties. |
| B & B Amenity Charges - Single Adult | £10.56 | £10.56 | ⇒ 0.0% | £257.04 as at 22 November 2017 | £104,300 (2018/19 Estimates, based on 190 tenants) | From the 7th November 2016, the benefits caps were reduced from £26,000 per annum to £23,000 for Lone parents and Couples households and from £18,200 to £15,410 for Singles, in London. Any increase in fees is likely to be irrecoverable. |
| B & B Amenity Charges - Two Adults | £13.51 | £13.51 | ⇒ 0.0% | | | |
| B & B Amenity Charges - Single Adult & Children | £11.14 | £11.14 | ⇒ 0.0% | | | |
| B & B Amenity Charges - Two Adults and Children | £14.07 | £14.07 | ⇒ 0.0% | | | |
| B & B Amenity Charges - Three Adults and Children | £17.12 | £17.12 | ⇒ 0.0% | | | |
| B & B Amenity Charges - Four Adults and Children | £19.94 | £19.94 | ⇒ 0.0% | | | |
| B & B Amenity Charges - any additional adult | £2.92 | £2.92 | ⇒ 0.0% | | | |

Appendix F - Fees Charges Exceptions

| Fee Description | 2017/18 Charge (£) | 2018/19 Charge (£) | Proposed Variation (%) | Total Estimated Income Stream for 2017/18 | Total Estimated Income Stream for 2018/19 | Reason For Variation Not At Standard Rate |
|--|--------------------|--------------------|------------------------|---|---|---|
| A4 black and white - self service | £0.10 | £0.10 | → 0.0% | 9,800 | 9,800 | All are in long term decline as customers switch to downloads and other digital formats and an increase would be counter-productive, and likely to lead to lower use and further reduced income |
| A3 black and white - self service | £0.20 | £0.20 | → 0.0% | | | |
| A4 black and white - assisted service | £0.20 | £0.20 | → 0.0% | | | |
| A3 black and white - assisted service | £0.40 | £0.40 | → 0.0% | | | |
| A4 colour - self service | £0.80 | £0.80 | → 0.0% | | | |
| A3 colour - self service | £1.50 | £1.50 | → 0.0% | | | |
| A4 colour - assisted | £1.50 | £1.50 | → 0.0% | | | |
| A3 colour - assisted | £2.00 | £2.00 | → 0.0% | | | |
| Community Resources (Ext) | various | various | → 0.0% | 7,800 | 7,800 | All are in long term decline as customers switch to downloads and other digital formats and an increase would be counter-productive, and likely to lead to lower use and further reduced income |
| Miscellaneous Sales | various | various | → 0.0% | 4,300 | 4,300 | |
| Internet Income | £0.50 | £0.50 | → 0.0% | 31,700 | 31,700 | |
| Library Fines | various | various | → 0.0% | 50,200 | 50,200 | |
| Lost / Damaged Charges | various | various | → 0.0% | 2,400 | 2,400 | |
| Video / DVD Hire Income | various | various | → 0.0% | 35,700 | 35,700 | |
| Hall Lets / Room Hire | per hour | per hour | → 0.0% | 15,000 | 15,000 | |
| Property Rent | Annual | Annual | → 0.0% | 10,000 | 10,000 | |
| Sale Items - guide prices - No VAT Charged - Withdrawn items | per hour | per hour | → 0.0% | 3,600 | 3,600 | |

Equality Impact Analysis (EIA) of main budget proposals for 2018/19

1. Overview and Summary

The Council is obliged to set a balanced budget and Council Tax charge in accordance with the Local Government Finance Act 1992. The purpose of this EIA is to assess the main items in the budget that will be proposed to Full Council on 21 February 2018.

For 2018/2019, a balanced budget is proposed, based on various growth areas, efficiency savings, fees and reserves. On the basis of that budget, the Council proposes to freeze Council Tax. Further information is set out in the accompanying Report.

A public authority must, in the exercise of its functions, comply with the requirements of the Equality Act 2010 and in particular section 149 (the Public Sector Equality Duty). This EIA is intended to assist the Council in fulfilling its public sector equality duty ("PSED"). It assesses, so far as is possible on the information currently available, the equality impact of the budget, including the proposal to freeze Council Tax. The requirements of the PSED and case law principles are explained in the Legal Implications section of the report to Full Council. The Equality Implications section of that report is informed by this analysis.

2. Methodology

The analysis looks, first, at the impact of Council Tax remaining at the current level and, secondly, at the budget on which that decision is based. It is not, however, feasible or appropriate to carry out detailed EIAs of all the individual proposed policy decisions on which the budget is based at this stage. Detailed EIAs will be carried out of policy decisions that have particular relevance to the protected groups prior to any final decision being taken to implement those policy decisions. This will happen throughout 2018/19 as part of the Council's decision-making process, and changes will be made where appropriate.

The aim in this document is to identify the elements of the budget that may have a particular adverse or a particular positive impact on any protected group so that these can be taken into account by the Council when taking a final decision on the budget and the level of Council Tax. Generally, it is not possible at this stage, and prior to any detailed EIA, to identify measures that will mitigate the adverse effects of any particular policy decision, although where this is possible mitigating measures are identified at the appropriate point in this document.

3. Analysis of the impact of Council Tax remaining at current level

It is proposed that council tax remains at its current level for 2018/19 which means that there is no new impact resulting from the setting of council tax for this budgetary year, either positive or negative.

Council tax has remained frozen in Hammersmith & Fulham for 3 years.

The government allows local authorities to raise council tax by up to 5.99% of which 3% would have to be ring fenced for spending on social care ("the social care precept"). Beyond 5.99%, with 3% ring-fenced, then a referendum would need to be held. This means that the Council needs to assess the impact of not taking the option of an additional precept. Were the Council to do so up to the 3% maximum allowed for 2018/19, it would mean that the Council would have £1.7m additional income ring-fenced for spending on adult social care (ASC).

People who use Adult Social Care services comprise individuals with physical support, learning disability and mental health needs and their carers. Based on the latest population data (please see Appendix 1), 20% of the Borough population have a long-term health condition or disability and nearly 11% of the population are 65 or over.

Data from Short and Long Term Care (SALT) returns shows that 44% of those receiving long term services at end of March 2017 were in the 18-64 age range and 56% were 65 or over. The corresponding figures for those receiving short term services were 28% and 72%. Across both long-term and short-term services, 39% of customers were aged 18-64 and 61% aged 65+.

70% of carers assessed by the Council are female carers (compared to 51% of the population as a whole), so carers are disproportionately more likely to be female. For ASC residential and nursing placements and for community based services, 38% of customers are from Black, Asian, mixed or other ethnicity groups, 58% of customers are White and 4% remain unclassified. This is based on published information in the SALT return. In contrast, data from the 2011 Census indicates that the proportion of Black, Asian, mixed or other ethnicity groups in the Borough population as a whole was 32%, so these groups are marginally over-represented among service users (as BAME groups tend to have poorer health than those from the White ethnic groups, after accounting for age differences). Given that the provision of ASC services in general promotes equality of opportunity for these groups, a decision not to use the social care precept is potentially a decision to forego a chance to promote equality of opportunity for these groups and/or a decision not to avoid a negative impact on these groups.

However, the equality impact analysis of the currently proposed ASC budget, later in this document, shows that the savings that it is proposed to make from the social care services budget are unlikely to have any significant adverse impact on any individual service user or carer and the council will continue to meet its statutory duties on the basis of the current budget. The additional £1.7 million which could be raised through the social care precept is not therefore necessary to address any significant adverse impact of the present ASC budget since no such impact has been identified. ASC's proposed budget also incorporates growth and increasing of Improved Better Care funding totalling of £2.250m, details of which are set out in paragraph 4.1.6 of this EIA. That growth, which is assessed below to have positive impacts, is achievable without the need to use the social care precept.

An additional £1.7m income could, though, be used for: (i) providing further additional discretionary ASC services; and/or (ii) meeting any non-anticipated ASC budget pressures, e.g., if demand for social care services is greater than expected in any area. Of those, option (i) would be capable of contributing further to the promotion of equality of opportunity for some users of ASC services and their carers. Option (ii) might also have such an effect, though if there were a shortfall in the Council's provision of services to meet its statutory duties, the Council would in any event find that money from reserves if there were insufficient money in the social care budget.

The Council must give due weight to these impacts when determining council tax and the budget for 2018/19. The Council will need to balance the impact of not using the social care precept against the wider benefits of not raising council tax or implementing the social care precept this year.

In considering this decision, the Council will also need to take into account what the equalities impact would be of introducing the social care precept of 3%. A detailed equality impact analysis of the effect of reducing council tax was undertaken for the purposes of the 2015/16 Budget. It is possible to draw on that analysis in order to consider the potential impact of introducing the social care precept, which would essentially produce the inverse picture to the 2015/16 reduction. In other words:

- those who are eligible for full Local Council Tax Support ("LCTS") would not be affected;
- those who are not eligible for LCTS would bear the bulk of the increase (likely to amount to about £30.00 per year for a Band D Council Tax payer);
- those who are eligible for partial LCTS would bear a smaller increase.

Appendix 2 provides details of LCTS claimant data. In terms of equality impact, the group that will be most significantly affected by any increase in council tax and/or the introduction of the social care precept will be those with low incomes that are just above the threshold for LCTS or who qualify for partial LCTS for whom the increase will represent a larger proportion of their disposable income. No specific data is held for this group, but the profile is likely to be similar to that of those who are eligible for LCTS. Of the 15,408 LCTS claimants, approximately 55% are female (higher than the proportion of females in the borough population, which was 51.3% according to the 2011 Census). Pensioners are also disproportionately represented (35% of LCTS claimants, but only 11% of Borough residents). Based on ONS data on low income groups, it is also likely that disabled residents, ethnic minority groups, women on maternity leave, single parents (who are normally women) and families with young children will be disproportionately represented in the affected group. Any children present in such households may be indirectly affected by the decrease in household income. Further, in line with social trends, there is likely to be a group of pensioners who are asset rich but cash poor who occupy some of the more expensive properties in the borough and will thus be subject to a greater negative financial impact as a proportion of their disposable income. For example, a

3% increase on a property banded at G would result in an increase of about £51 per year.

As such, introducing the social care precept by 3% would likely have a disproportionate negative impact on pensioners, women, the disabled, ethnic minority groups and (indirectly) on children. The Council will need to weigh this negative impact against the potential positive impact of raising an additional £1.7m ring-fenced income for ASC services.

4. Analysis of overall impact of the proposed budget

4.1 Adult Social Care

Adult Social Care has a number of financial challenges, both locally and nationally. Since 2010/11, there has been a significant reduction in funding. Meanwhile, people are living longer and residents are being discharged from hospital much earlier. Both of these are very positive, however people are living longer with more complex needs, and those leaving hospital earlier have a greater acuity of need. Both cases require more intensive social care support for longer which has substantial financial implications.

4.1.1 Efficiencies, Growth and Fees and Charges

The 2018/19 proposals are detailed in this report. They are grouped departmentally into Front door & demand management, Strategic Commissioning, Whole system integration and other efficiencies. ASC delivered a number of efficiencies in 2017/18 totalling £1.9m. The proposals in 2018/19 of £2.9m are an extension of existing proposals without any anticipated adverse impact on people who use the services.

4.1.2 The Front Door and Demand Management Programme -Savings of £0.897m

Promoting independence through social work practice. Careful and creative facilitation of care and support planning. Forensic assessment of where payments are not aligned to services provided and/or residents £0.747m

This project relates to the consistency, quality, and creativity of social work practice so that the potential for independence is at the front and centre of assessments and reviews and associated care and support costs are avoided.

As delivery of savings is increasingly challenging, the continuing approach is being supported by a range of additional provisions including the Front Door and Demand Management Programme, a strengthened approach to annual reviews, a review of the capability of the Learning Disabilities service to undertake this work and the extension of housing allocation and adaptations provisions.

Savings associated with this proposal are counterbalanced by growth plans so that unavoidable market and demographic cost increases are provided for. The changes are therefore considered to have a neutral impact.

Improved targeting of prevention services and increased emphasis on using community assets to deliver savings £0.150m

The Front Door and Demand Management Programme was established in July 2016 to join up and digitalise services and integrate commissioning budgets for front door and prevention services. Savings will be delivered through a combination of digital development, re-commissioning and contract management.

4.1.3 The Commissioning Strategy Programme – Savings of £1.219m

Major re-commissioning projects in the areas of Learning Disabilities and Mental Health Accommodation and Support; Day Care Services and Extra Care Housing £0.505m

The re-commissions will go to the market to seek re-designed services that better promote independence and personalised services moving away from the rigid and fixed approaches to providing care and support. Services will also be re-commissioned within the context of a wider review of care pathways. Co-production with key partners and residents will drive the process. There will also be continuing work to manage down costs with block contract and high-volume spot contract providers. This work is on track, although delivery of savings is dependent on the market response and cannot be assured until later stages of the retender process.

The procurement framework requires ASC to consider EIA implications of re-commissions in a proportionate way which will be done in due course. Savings for the recommission programme are counterbalanced by growth plans so that unavoidable market and demographic cost increases are provided for and a neutral impact is therefore expected.

Remodel In-House Service Portfolio £0.075m

In-depth value for money assessment of the Council's in-house care and support service portfolio of seven services including day care, respite and home visiting services.

The review will be undertaken to assess any remaining opportunities for improving efficiency and the long-term market position of in-house services. In year one, limited efficiency reductions which have no impact on the service offer were undertaken. An options paper for more substantive changes is currently in draft form.

Once a steer has been provided, associated EIA implications can be considered further.

Dynamic Purchasing System (DPS) £0.100m

The project focusses on the procurement and implementation of a DPS, an electronic mini tendering system for regular purchases of residential care placements. This improves access to a wider market and the best price in an automated way. Residents will be provided with a placement that will clearly support their assessed needs and agreed outcomes. This will be provided in a more transparent process as quotes will be provided electronically rather than being telephone based.

The proposal will have a neutral impact in terms of equalities regarding access, choice and control for a resident's care placement. It is hoped that the system will allow the Council to reach out to a greater number of homes than previously.

Review of Supporting Housing Programme £0.130m

Commissioners are currently exploring options to transfer the commissioning and contracting responsibilities and/or procure contracts.

Overall, the impact on vulnerable groups is adjudged as neutral or positive as service continuity will be maintained and there will be additional types of support available for people to access.

Improved Transition and Promote Independence £0.310m

It is essential that the process for young disabled people transitioning into adulthood is improved through the development of an integrated transition service between children's and adult's services and a more co-ordinated response. Early, multi-disciplinary co-ordinated planning from age 14 and improved case tracking will enable young disabled people to reach their life goals and aspirations locally, within a value for money framework.

This work considers diverse needs through all the key stages. Savings associated with this proposal are counterbalanced by growth plans so that unavoidable market and demographic cost increases are provided for resulting in a neutral impact.

Asset Based Approach to Transport £0.099m

This piece of work will review the transport provision and policy across care type and consider opportunities to promote independence wherever possible.

4.1.4 The Whole Systems Integration Programme – Savings of £0.700m

A joint commissioning and review of services with the NHS including people with a Learning Disability, Mental Health issue and intermediate care. Work to provide details of options to achieve savings is now being facilitated with a shared benefits delivery map that caters for 2018/19 requirements on both sides. Any potential equalities impact will be considered as part of this process.

4.1.5 Other - Review of workforce costs £0.99m

A complete review of cost management will be undertaken, particularly agency and interim provisions. Work is on target to finalise the savings plan as the service moves into a single borough.

We anticipate that there would be a neutral impact on our staff as there will be no staff reductions.

4.1.6 Growth

4.1.6.1 Improved Better Care Fund (IBCF) £7.051m in 2018/19 (£1.001m increase from 2017/18)

In the 2017 spring budget, new money was announced for Adult Social Care through the Improved Better Care Fund totalling £7.051m. The purpose of the grant is to meet Adult Social Care needs and reduce pressures on the NHS.

The Improved Better Care Fund will have a positive impact on all Adult Social Care residents as:

- It will enable the Department to continue to implement the out of hospital strategy and this will impact residents positively as they are able to live independently for longer.
- It will enable the service to manage and meet increased demand and acuity of needs.
- It will help providers with staff retention and therefore ensure continuity of care for residents which will have a positive impact on their wellbeing.
- The additional budget received will be used to fund eligible young adults who transition into social care services.

4.1.6.2 Council Funded Growth for contract inflation- £1.249m

There are further contractual inflation pressures of at least 3% for a range of ASC services. This has led to an increase in prices from the market providers. Headroom funding is required to bring ASC budgets in line with the anticipated 2018/19 contract prices.

The additional funding will enable the service to manage this demand and continue to provide free Homecare services. It will also help providers with staff retention and therefore ensure continuity of care for people who use adult social care services, this will have a positive impact on their wellbeing. This will also enable the Department to stay competitive in the placement procurement market.

4.1.7 Fees and Charges

Meals on Wheels: No change in charge proposed

LBHF provides a meal service for residents of the borough and charges a flat rate contribution towards the service (£2 per meal). 59% of those receiving meals are female and BAME groups account for 26%.

Meals services are provided to residents by the contractor Sodexo Ltd. This is part of a contract framework agreement with Sodexo Ltd and Hammersmith and Fulham Council is the lead authority. The contract commenced on 8th April 2013 and covers a five-year period. There is now six months remaining on this contract and the service is proposed to extend for a further 12 months to allow time to development of a new model for April 2019.

Our procurement framework requires us to consider EIA implications of re-commissions in a proportionate way and this will happen in due course.

Maintaining the current price is expected to have a positive impact on BAME user groups as well as other users as a price freeze will improve their financial position and overall wellbeing.

Careline: No change in charge proposed

There is no change proposed in the Careline charge for 2018/19, this will be the second year the carline charges will remain unchanged. This will have a positive impact as it will improve the financial position of residents in real terms.

4.2 Public Health

The impact of 2018-19 efficiencies proposals is detailed in this report. They are grouped into transformation projects, procurement and contract efficiencies, reconfiguration of services and other efficiencies. With reconfiguration and procurement activity, detailed EIAs will be carried out at the time the proposals are in development when the potential impact can be fully assessed. For transformation projects, the savings will be re-invested into other council departments where Public Health outcomes are achieved. All expenditure and savings will be contained within the ring-fenced Public Health Grant Budget and earmarked reserves.

4.2.1 Sexual Health Services

| 2017-18 Budget | 2018-19 Budget | Proposed | 2018-19 Savings |
|----------------|----------------|----------|-----------------|
| £5,554k | £4,803k | | (£751k) |

The majority of the saving is gained from the re-design and re-procurement of the genito-urinary medicine (GUM) contract, which will promote channel shift to online and postal sampling rather than clinical sampling. This will commence on 1st April 2018 with the savings arising from the channel-shift activity, in addition to lower tariff costs for testing.

The re-designed service will continue to offer open access and ensure that the services are accessible to all, therefore there should be no changes for those groups who hold protected characteristics.

4.2.2 Substance Misuse Services

| 2017-18 Budget | 2018-19 Budget | Proposed | 2018-19 Savings |
|----------------|----------------|----------|-----------------|
| £4,570k | £3,761k | | (£809k) |

The newly procured detox placement contracts have coped with the levels of demand in the borough. Therefore, the £116K allocated from the risk and transformation fund (held to address any pressures from new contracts) is not required.

The remaining savings arise from redesigned services and elimination of service duplications, in addition to planned contract savings. The redesigned services provided the opportunity to strive for disabled friendly premises and will enable

disabled friendly refurbishment: inclusion of ramps, wide door frames, info in braille, U-loop, lifts or wheelchair friendly design.

The most common age of service users is 30-40, with many having been in treatment for long periods of time. Re-commissioned services have renewed focus on engaging older drinkers, which is shown to be cost effective by avoiding long term care and health interventions later on.

The prevalence of substance misuse issues amongst some of the more marginalised ethnic groups, accompanied by cultural stigma and shame associated with substance misuse, has led to commissioned services which focus on engaging BAME substance misusers into treatment. Services are provided on an in-reach basis at venues best suited to meet the needs of this group and staff members will be knowledgeable in the cultures individuals are from. Service information and advice is available in a wide range of languages.

4.2.3 Behaviour Change

| 2017-18 Budget | 2018-19 Budget | Proposed | 2018-19 Savings |
|----------------|----------------|----------|-----------------|
| £2,396k | £1,596k | | (£800k) |

Within Behaviour Change, an element of activity is for Health Checks, which are aimed at older residents within the borough. As part of efficiency proposals, the Health Trainers element of Health Checks has ended. This activity was operating below the levels anticipated and so a decision was taken to not renew the activity when the original contract ceased.

There is also a reduction to the funding of the nicotine replacement therapy within smoking cessation. This is open access and residents can access support and guidance through the successful Kick It smoking cessation programme,

There will be no adverse impact and residents accessing the service will not notice any difference.

4.2.4 Families and Children

| 2017-18 Budget | 2018-19 Budget | Proposed | 2018-19 Savings |
|----------------|----------------|----------|-----------------|
| £6,216k | £5,300k | | (£916k) |

The majority of services within Families and Children's provide universal services to families with children. The efficiency proposals are related to Childhood Obesity contracts.

The proposal to not renew the contracts was made as the activity is delivered in schools by other services, therefore a more efficient approach to delivering obesity prevention activity in schools can be found.

4.3 Children's Services

4.3.1 Savings Proposals

Key Protected Characteristics: Disability, Maternity and Pregnancy, Age, Race, Religion, Gender.

There remains an aim within the Council to ensure required savings take place alongside innovative and improved service delivery wherever possible. Where individual savings relate to staffing efficiencies, re-procurements or other major programmes, appropriate procedures will ensure equality impacts are assessed and responded to. A number of the developments described have already been subject to a detailed EIA or will be carried out at a point at which these implications can be fully assessed.

4.3.2 Family Services. £1.969m

Key Protected Characteristics: Disability, Age, Race, Religion, Gender.

| Family Services and Cross Cutting Savings | H&F 2018/19 Savings |
|---|---------------------|
| Maximising Social Care Effectiveness | £0.644m |
| Integrated Family Support Services | £1.000m |
| Securing social housing placements for vulnerable young people | £0.200m |
| Efficiencies to Legal Costs | £0.050m |
| Reduced need for adoption placements due to keeping families together | £0.075m |

Family Services continue to improve services with an increasing focus on family preservation approaches which enable more children to remain with their families. This has a significant and positive impact upon overall outcomes for children and the cost of supporting them. This complements the wide ranging Focus on Practice programme which is providing the workforce with additional skills to maximise their potential to secure effective and sustainable change, reducing re-referrals and escalating children through the system where required. This will build upon a locally developed approach to intensive working with families which has demonstrated its effectiveness in diverting children from care.

Work undertaken in relation to housing for vulnerable young people, aims to provide an increased and improved range of cost effective local accommodation options closer to their families, community and support services, and includes those with key protected characteristics and some of the most marginalised and stigmatised young people e.g. complex needs and disabilities, Care Leavers and young mothers. A number of potential properties have been identified for development with good quality low cost semi-independent living accommodation for Care Leavers becoming available from early 2018.

A number of initiatives under the Children's Social Care Effectiveness programme (e.g. edge of care resource, specialist adolescent service, increasing time for social

work practice, early identification) are ensuring that the quality and timeliness of interventions are not unduly and adversely disrupting the family lives of already economically disadvantaged and vulnerable residents, and by a ‘right service right time’ approach avoiding unnecessary escalation of need and cost. This helps improve the lives and outcomes of individuals spanning a diverse range of protected characteristics including a marked comparative prevalence of single mother households in the referral profile to Children’s Social Care and outlier national and London-wide performance in relation to adolescents who are excluded from school, enter the Criminal Justice System and become Looked After. Impact to date includes a reduced rate of 10-17 year olds entering care, a decreased spend on placements of 670k from 16/17, and as at end of Q2, pro-rata savings targets being met.

In addition, there will be further exploration of opportunities to reduce spend on legal costs associated with proceedings in the Family Courts, changing the balance of which services are provided and when to avoid unnecessary costs. Because of ongoing strategies to reduce the number of children entering care, there are already robust monitoring processes in place which will track the impact upon relevant protected characteristics. It is known that 72% of the borough’s current looked after children are from BAME backgrounds so it will be important to monitor whether children in this cohort equally benefit from the positive impact of being supported to remain with or return to their birth families where appropriate. Baselines are available and it is anticipated that the demand management programme will have a positive impact upon older children who are also currently overrepresented.

Family Services and Children’s Commissioning are in the process of redesigning universal and targeted services as part of a whole system service strategy with specialist services. This will lead to integration of practice and workforces across a range of family and health services, budgets and the different thresholds of support provided.

Alongside this a number of savings are planned to existing early help services from 2017/18 as part of the first stage of Integrated Family Support. Management savings have been identified and efficiencies in the management of youth provision made through better systems and processes rather than through reducing levels of services to local children and families (and hence with no equality impacts expected).

An EQIA was completed for the Family Support Services as part of the March 2017 Cabinet paper. Further service design work has been completed for Phase 1 which continues to focus on strengthening existing service provision and realising savings through service integration and reduced duplication. Following transfer, an updated EQIA will be completed as a collaborative process with the new FSS management team, ahead of further savings being realised.

4.3.3 Education and Schools. £0.117m

Key Protected Characteristics: Disability, Age, Race, Religion, Gender.

| | |
|---|--------------------------------|
| Education and Disability Savings | H&F 2018/19 Savings |
|---|--------------------------------|

| | |
|---|---------|
| Travel Care and Support – Travel Training | £0.067m |
| Traded Income to Schools – Education Psychology | £0.050m |

The need to make further savings has been lessened by income generation from Educational Psychology traded services. These actions have been assessed against the equality impact criteria and it has been concluded that there will be a neutral impact on equalities.

Development of an independent travel training programme will provide some young people who have special educational needs (some of whom will have the protected characteristic of disability) with the confidence to travel alone, enhancing their independence and access to opportunities while reducing the costs which result from specialist travel arrangements. It is therefore anticipated that the equality impact of this will be positive.

4.3.4 Growth Proposals. £1.861m

| Children’s Services Budget Growth 2018/19 Proposed | H&F 2018/19 Growth |
|---|-------------------------------|
| Queens Manor Resource Centre - develop the service in co-production with partners and families. | £0.450m |
| SEN Service Enhancement | £0.290m |
| Travel Care and Support Service Arrangements - Change the existing delivery arrangements to improve service standards and sovereign accountability. | £0.507m |
| Council tax allowance for care leavers (allowed for within council tax base report) | £0.058m |
| Care Leavers Support | £0.105m |
| DUBs | £0.239m |
| Contact and Assessment Team Management | £0.212m |

Planned growth will impact upon two cohorts of children, young people with disabilities and those who are looked after children or care leavers. The development of The Queens Manor resource centre for children with disabilities will provide a new, specialist service offer including additional early intervention and targeted provision. The centre will contribute to plans to avoid unnecessarily placing children who have the protected characteristic of disability away from their families out of borough and support better transitions to adulthood and relevant local services where required.

The creation of a sovereign Special Education Needs and Disability Service as a result of the Moving On agenda delivers the opportunity to transform the delivery of services for children and young people with Special Educational Needs, most of

whom are disabled. The Children and Families Act requires whole life pathway planning from effective early intervention (to improve support to families and improve outcomes as point of diagnosis in turn to reduce the need for expensive longer term interventions), inclusion and timely support in education provision, co-production with parents and young people (a key finding of the Hammersmith and Fulham Disability Commission), effective planning for adulthood with a focus on planning for independence and employment with reduced reliance on support from adult social care for many and effective transition into adult services when necessary. The service enhancements build on the Early Support and Early Intervention model to deliver longer term benefits and improved outcomes. These service enhancements will deliver significant improvements to children and young adults with disabilities and their carers whose rights are also protected.

The Council is committed to improving travel care and support which is a statutory service provided to the most vulnerable children, young people and adults in the borough. It introduced the London Living Wage, disaggregating from shared services and improving quality elements of the specification. The result of this commitment has had a direct and beneficial impact on outcomes and services for children and young people as retention rates have increased, schools and day services have given consistent positive feedback, and the service to parents and carers has been continuous.

A new department is being created – Public Services Reform. This will encompass all transformation, innovation, commissioning and strategy development across Adult Social Care, Children’s Services, Public Health and corporate transformation. This new department will support, reform and revitalise services for residents in our borough. Through a whole-system model, we will deliver outcomes, lead service and corporate transformation, and improve efficiency and financial value across the council.

Meanwhile there are planned developments of services for looked after children and care leavers including improvements to services for unaccompanied asylum seeking children, provision of support until the age of 25 and introduction of a council tax allowance for care leavers who are resident in the borough. All of these will contribute to an enhanced service offer for a group of young people within which the protected characteristics of race and disability are overrepresented.

4.4 Environmental Services

4.4.1 Environmental Services is targeting efficiencies of £1.9m from 2018/19. The majority of the savings proposed are concerned with generating new commercial income, reducing contract spend, and efficiencies in supplies and services spend. As such, there are no adverse equality implications for any particular groups with protected characteristics. Where there are staff changes leading to savings, Equality Impact Assessments are carried out as part of the reorganisation process.

4.4.2 Environmental Services is seeking budget growth of £0.4m from 2018/19. This will largely fund increased accommodation costs, as well as address

existing budget pressures. There are no associated equalities implications. Additional investment is requested for the Corporate Health and Safety service. This funding is intended to strengthen public and staff assurance that the Council provides legally compliant and safe services.

4.5 Corporate Services

Corporate Services intends to achieve savings of £6.108m from 2018/19. The majority of these savings relate to generating new commercial income, managing and procuring contracts more effectively and efficiencies relating to back office staff and functions. As such there are no adverse equality implications for any particular groups with protected characteristics. Where there are staff changes leading to savings, Equality Impact Assessments are carried out as part of the reorganisation process.

The proposals which are being developed to deliver these savings will result in more efficient delivery of services to our residents and frontline services or increased revenue to the council. When these transformational initiatives are being finalised full Equality Impact Assessments will be reviewed before completion.

| Efficiency | Amount £m |
|--|----------------|
| Business Intelligence (external income) | (1,249) |
| Information Technology - New contract arrangements | (1,100) |
| Savings from better contract management | (1,000) |
| Ethical Debt Joint Venture - income from partners | (600) |
| Roll out of automated processes and call centre improvements in H&F Direct | (395) |
| Reduction in back office staff and supplies and services budgets | (460) |
| Recognition of historical underspends | (165) |
| Business Intelligence (internal savings) | (410) |
| Increase recharge to the HRA for Corporate Investigation Group | (275) |
| Review of expenditure on agency costs across the council | (200) |
| Review of recharges | (104) |
| Contact Channel Improvements | (150) |
| Grand Total | (6,108) |

Growth of £0.310m has been awarded for anticipated increases in IT licensing costs (£0.095m) and salary costs for the Commercial Directorate (£0.215m). The growth awarded for increased salary costs has been offset by an increased income budget for Business Intelligence external income.

4.6 Regeneration, Planning & Housing Services

Growth

Increase in client numbers: £400k

The Council increasingly finds itself in a challenging position to balance costs associated with Temporary Accommodation (TA) procurement and management while acquiring an affordable supply of accommodation to meet the growing demand for housing.

The forecast average number of clients in PSL and B&B temporary accommodation for 17/18 is 1,058. This compares with the budgeted figure of 916. The additional cost of providing accommodation and managing these additional numbers is £400k.

In addition to the 1,058, there are a further 309 clients in hostels, Temporary on Licence and Housing Association as Landlord schemes giving a total of 1,367 clients. Given the forecast total number of clients in temporary accommodation for future years is expected to increase to 1,419 (March 18), 1,501 (March 19) and 1,582 (March 20), there is a risk of further costs in excess of the budget. This could mean a further £810k in 18/19, £857k in 19/20 and £903k in 20/21.

This growth will help ensure that the current number of homeless clients can be supported in temporary accommodation. It does not take into consideration any further increase in client numbers nor does it take account of the introduction of the Homelessness Reduction Act in April 2018.

This growth will help to protect our most vulnerable residents in temporary accommodation and prevents potential homelessness which would result from the impact of Welfare Reform.

The effect on clients is expected to be positive as the Council will be in a better position to maintain its ongoing duty to provide temporary accommodation to qualifying households.

Temporary Accommodation – cost of procuring homes: £956k

Multiple schemes and initiatives have been explored with different housing providers from the voluntary and commercial sector but it's not been possible to deliver the saving originally envisaged in 2017/18.

There has been little change to the current mix of property within the Temporary Accommodation portfolio so the equality impact on individuals or client groups will be neutral.

Efficiency Savings

Repurposing of One Place: £60k

This relates to realigning the One Place team with the new Industrial Strategy to deliver work and skills outreach in the community, linking people directly with jobs and training opportunities. There is no reduction in resource as the funding will be drawn from Section 106 and Payment by Results income sources. The equality impact on individuals or client groups is expected to be neutral.

Additional income from commercial units: £28k

This relates to improved commercial portfolio management leading to an increase in income. No significant equalities impact is expected.

Additional income from Planning enforcement fees: £18k

This involves following other boroughs in increasing charging for development which takes place outside of permission. This is not expected to have any negative equality impacts.

New courses in ALSS: £20k

This relates to expanding the range of courses as part of the Council's adult learning offer. This is not expected to have any negative equality impacts.

4.7 Libraries

4.7.1 Savings

There is a savings target for Libraries of £100k for 2018/19.

Reduce running costs while maintaining or increasing hours through better use of technology - £100k

The Council is committed to keeping its four libraries open for long hours and supporting the community-run libraries. Front-line services have been made more sustainable by improving efficiency, creating sustainable revenue streams, working in partnership with other services and increasing community involvement.

The Council wishes to maintain its current library provision, maintaining or extending the long opening hours that make them accessible and useful to all communities in Hammersmith and Fulham.

To achieve the savings required in 2018/19, we propose to introduce new technology in libraries which will enable us to continue to have our libraries open for longer hours while reducing running costs. The technology (called "smart open") can enable safe and secure libraries whilst requiring fewer staff to be present at some times of the day. It would build on self-service technology already in place in the borough's libraries.

We would emphasise that this is not aimed at reducing library opening hours—indeed there is an ambition to increase opening hours—or making staff redundant, and any savings would be achieved through natural turnover of staff. We would also engage widely with staff and library users to ensure that any changes reflect the needs of our users and are supported by fully trained staff.

To allow for full engagement and consultation, we are planning that the new technology will not be introduced until the autumn of 2018 at the earliest. The concept is widely used in UK academic libraries and has been in place in public libraries in Scandinavia and Ireland for some years. It has been or will be introduced in a number of UK public library services including Barnet, Camden and Brighton & Hove. We are learning from their experience in planning any changes.

Further work on this proposal will be required, which will include analysing what times of the day require higher levels of customer support, managing customer

reaction, staff engagement and ensuring that safeguarding, security and support for vulnerable residents are fully considered and addressed before any proposal is trialled, but this technology has potential to both extend hours and cut costs. Further analysis will be required before the full nature of the impact of this technology can be assessed, and will be dependent on how widely the technology is used. A detailed EIA will be prepared for this proposal as work progresses.

Fees & Charges

It is proposed that there are no increases to fees within Libraries. It is considered that although there is a general decline in income streams across Libraries, with areas such as fines already high compared with most other authorities, any further increases could be a barrier to customers using the service.

5. Conclusion on impact on the budget

5.1 Adult Social Care

Consideration of the Public Sector Equality Duty and the equalities implications of any proposed decision is an inherent part of the department's decision making since most ASC customers will have physical support, and/or learning disability and/or mental health needs.

The proposed efficiencies and savings do not have any negative equalities impacts on individuals or groups with protected characteristics. Whereas a number of the planned initiatives will have a positive impact on those with protected characteristics, such as the Independence First project and the growth to meet underlying budget pressures which will enable the department to continue to implement the out of hospital strategy, enabling those with protected characteristics to live independently for longer. As well as enabling the service to meet increased demand and acuity of needs the growth will help providers with staff retention, with resulting continuity of care for service users, plus the additional budget available to fund transitional clients.

The department will carry out full EIA assessments on specific initiatives in line with the decision-making and governance processes before final decisions are taken on proposals.

5.2 Public Health

The vast majority of the efficiencies proposals have a neutral equalities impact. The substance misuse services continuing to focus on greater engagement with BAME substance misusers has a positive equalities impact.

5.3 Children's Services

The majority of the savings proposals have a neutral equalities impact. The focus on family preservation and reducing the number of children entering care is likely to have a positive equalities impact as 72% of the borough's looked after children are from BAME backgrounds.

There are no predicted negative equalities impacts arising from changes proposed for schools. It is likely that the independent travel programme will continue to have a positive equalities impact.

The department's growth proposals are likely, primarily, to have either a positive equalities impact, with a few instances of neutral equalities impact. The continued development of the Queens Manor Resource centre, the SEN service enhancement, the improvement to travel care and support and the enhanced service offer for care leavers will all have a positive equalities impact.

5.4 Environmental Services

The department has not identified any negative equalities implications arising from its budget proposals.

5.5 Corporate Services

The majority of proposed departmental savings are concerned with back office staff and functions and will have no equalities impact on front line service users. Any proposals affecting staff will be informed by full EIAs before the relevant decision is made.

The proposed savings from generating new commercial income, more effective procurement and other initiatives will have a positive effect on all adults in the borough who pay Council Tax and the additional funding generated will support front line services

5.6 Regeneration, Planning & Housing Services

The department has not identified any negative equalities implications arising from its budget proposals.

5.7 Libraries

The department has not identified any negative equalities implications arising from its budget proposals. A detailed EIA will be prepared in respect of the introduction of SmartOpen technology as the work progresses.

5.8 Conclusion

Overall the collective budget proposals are likely to have a neutral equalities impact although identified above are some proposals which are likely to have positive equalities impacts.

In some cases detailed EIAs will be required before the full nature of any impact can be assessed, or mitigating measures identified.

Ultimately if, on further analysis, it is decided that any particular proposed policy would have an unreasonable detrimental impact on any protected group then H&F could, if it considered it appropriate, use reserves or virements to subsidise those services in 2018/19.

Appendix 1

Population Data

The data in this Appendix is from the Borough Profile 2010, from the Census 2001, from the Census 2011 F, or, where information for H&F is not available, from other sources which are given below. The most up to date is given in each case and used in the analysis above.

Data

- Tables of data from the Office of National Statistics (ONS) Crown Copyright Reserved [from NOMIS December 2016]
- Live Births by Usual Area of Residence: ONS 2012 (e.g. for pregnancy and maternity) Crown Copyright Reserved [from NOMIS December 2016]
 - H&F Framework-i
 - Kairos in Soho, London's LGBT Voluntary Sector Infrastructure Project,2007

Table 4: Age

| QS103EW ONS | | |
|-------------|---------|------|
| Age (2016) | Numbers | % |
| 0-4 | 11,571 | 6.4 |
| 5-10 | 12,544 | 7.0 |
| 11-16 | 9,408 | 5.2 |
| 17-24 | 17,573 | 9.8 |
| 25-39 | 56,913 | 31.7 |
| 40-49 | 26,604 | 14.8 |
| 50-64 | 26,135 | 14.6 |
| 65-74 | 10,602 | 5.9 |
| 75+ | 8,304 | 4.6 |

Table 5: Age and disability

Adults not in employment and dependent children and persons with long-term health problems or disability for all

| KS106EW, ONS | | |
|--------------------------------------|--------|-------|
| Household Composition | 2011 | |
| | Number | % |
| Count of Household; All households | 80,590 | 100.0 |
| No adults in employment in household | 21,192 | 26.3 |

| | | |
|--|--------|------|
| No adults in employment in household: With dependent children | 3,897 | 4.8 |
| No adults in employment in household: No children dependent | 17,295 | 21.5 |
| Dependent children in household: All ages | 18,479 | 22.9 |
| Dependent children in household: Age 0 to 4 | 9,083 | 11.3 |
| One person in household with a long-term health problem or disability | 15,999 | 19.9 |
| One person in household with a long-term health problem or disability: With dependent children | 2,809 | 3.5 |
| One person in household with a long-term health problem or disability: No dependent children | 13,190 | 16.4 |

Table 6: Disability

| Framework-i / Mosaic | |
|--|--|
| Rate of physical disability registrations for H&F | 38.7 registrations per 1000 people |
| Rate of physical disability registrations for Wormholt & White City | 56.6 registrations per 1000 people the highest |
| Rate of blind/visual impairment registrations for H&F: | 5.9 registrations per 1000 people aged 18+ |
| Rate of blind/visual impairment registrations for Ravenscourt Park: | 14.1 registrations per 1000 people the highest |
| Rate of deaf/hard of hearing registrations for H&F: | 2.0 registrations per 1000 people |
| Rate of deaf/hard of hearing registrations for She herds Bush Green: | 4.0 registrations per 1000 people the highest |

Table 7: Sex
Usual resident population

| KSIOIEW ONS | | |
|---------------------|---------|-------|
| Variable | 2016 | |
| | number | % |
| All usual residents | 179,654 | 100.0 |
| Males | 88,783 | 49.4 |
| Females | 90,871 | 50.6 |

Table 8: Race / Ethnicity

| KS201EW ONS | | |
|---|---------|-------|
| Ethnic Group | 2011 | |
| | number | % |
| All usual residents | 182,493 | 100.0 |
| White | 124,222 | 68.1 |
| White: English/Welsh/Scottish/Northern Irish/British | 81,989 | 44.9 |
| White: Irish | 6,321 | 3.5 |
| White: Gypsy or Irish Traveller | 217 | 0.1 |
| White: Other White | 35,695 | 19.6 |
| Mixed/multiple ethnic groups | 10,044 | 5.5 |
| Mixed/multiple ethnic groups: White and Black Caribbean | 2,769 | 1.5 |
| Mixed/multiple ethnic groups: White and Black African | 1,495 | 0.8 |
| Mixed/multiple ethnic groups: White and Asian | 2,649 | 1.5 |
| Mixed/multiple ethnic groups: Other Mixed | 3,131 | 1.7 |
| Asian/Asian British | 16,635 | 9.1 |
| Asian/Asian British: Indian | 3,451 | 1.9 |
| Asian/Asian British: Pakistani | 1,612 | 0.9 |
| Asian/Asian British: Bangladeshi | 1,056 | 0.6 |
| Asian/Asian British: Chinese | 3,140 | 1.7 |
| Asian/Asian British: Other Asian | 7,376 | 4.0 |
| Black/African/Caribbean/Black British | 21,534 | 11.8 |
| Black/African/Caribbean/Black British: African | 10,552 | 5.8 |
| Black/African/Caribbean/Black British: Caribbean | 7,111 | 3.9 |
| Black/African/Caribbean/Black British: Other Black | 3,842 | 2.1 |
| Other ethnic group | 10,087 | 5.5 |
| Other ethnic group: Arab | 5,228 | 2.9 |
| Other ethnic group: Any other ethnic group | 4,859 | 2.7 |

Table 9: Religion and Belief (including non-belief)

| KS209EW, ONS | | |
|--------------------------|---------|-------|
| Religion | 2011 | |
| | number | % |
| All categories: Religion | 182,493 | 100.0 |
| Has religion | 123,667 | 67.8 |
| Christian | 98,808 | 54.1 |

| | | |
|---------------------|--------|------|
| Buddhist | 2,060 | 1.1 |
| Hindu | 2,097 | 1.1 |
| Jewish | 1,161 | 0.6 |
| Muslim | 18,242 | 10.0 |
| Sikh | 442 | 0.2 |
| Other religion | 857 | 0.5 |
| No religion | 43,487 | 23.8 |
| Religion not stated | 15,339 | 8.4 |

Table 10: Pregnancy and maternity
Live births (numbers and rates): age of mother and administrative area
of usual residence England and Wales

| | | | | | | | | |
|------------------------|----------|----------|-------|-------|-------|-------|-------|-----|
| ONS 2012 | | | | | | | | |
| Age of mother at birth | | | | | | | | |
| All ages | Under 18 | Under 20 | 20-24 | 25-29 | 30-34 | 35-39 | 40-44 | 45+ |
| 2,646 | 15 | 45 | 238 | 491 | 970 | 689 | 200 | 13 |
| Age of mother at birth | | | | | | | | |
| All Ages | Under 18 | Under 20 | 20-24 | 25-29 | 30-34 | 35-39 | 40-44 | |
| 52.5 | 6.7 | 12.3 | 31.1 | 37.6 | 88.6 | 84.1 | 29.0 | 2.2 |

Table 11: Marriage and Civil Partnership Status

| | | |
|--|---------|-------|
| KS103EW ONS | | |
| Marital Status | 2011 | |
| | number | % |
| All usual residents aged 16+ | 152,863 | 100.0 |
| Single (never married or never registered a same-sex civil partnership) | 85,433 | 55.9 |
| Married | 45,248 | 29.6 |
| In a registered same-sex civil partnership | 743 | 0.5 |
| Separated (but still legally married or still legally in a same-sex civil partnership) | 4,425 | 2.9 |

| | | |
|---|---------|-----|
| Divorced or formerly in a same-sex civil partnership which is now legally dissolved | 11 ,386 | 7.4 |
| Widowed or surviving partner from a same-sex civil partnership | 5,628 | 3.7 |

Table 12: Living arrangements

| QS108EW, ONS | | |
|--|---------|------|
| Living Arrangement | 2011 | |
| All categories: Living arrangements | 151,028 | |
| Living in a couple: Total | 60,569 | 40.1 |
| Living in a couple: Married | 40,917 | 27.1 |
| Living in a couple: Cohabiting (opposite-sex) | 17,046 | 11.3 |
| Living in a couple: In a registered same-sex civil partnership or cohabiting same-sex | 2,606 | 1.7 |
| Not living in a couple: Total | 90,459 | 59.9 |
| Not living in a couple: Single (never married or never registered a same-sex civil partnership) | 68,170 | 45.1 |
| Not living in a couple: Married or in a registered same-sex civil partnership | 3,820 | 2.5 |
| Not living in a couple: Separated (but still legally married or still legally in a same-sex civil partnership) | 3,698 | 2.4 |
| Not living in a couple: Divorced or formerly in a same-sex civil partnership which is now legally dissolved | 9,517 | 6.3 |
| Not living in a couple: Widowed or surviving partner from a same-sex civil partnership | 5,254 | 3.5 |

Information set 13: Gender Reassignment and Lesbian, Gay, Bisexual and Heterosexual People

'In 2005 the Department for Trade and Industry published a figure of 6% as the percentage of LGBT people in the general population. The number of LGBT people in London is thought to be anywhere between 6% and 10% of the total population, increased by disproportionate levels of migration.

The 2011 census recorded 17,046 people (or 11.3% of couples), aged 16 and over, living as same sex couples in Hammersmith and Fulham. The same census recorded 2,606 (or 1.7% of couples) as a registered same-sex civil partnership or cohabiting (same-sex). Data on heterosexuality as such is also not collated although given the estimated numbers of LGBT people, it appears that the majority of the population is heterosexual. Data on transgendered or transitioning people was not available.

Appendix 2

LCTS Claimant Data

Table 1: Composition of LCTS claimants in LBHF

| | Level of benefit | | Weekly payment | | | |
|--|------------------|--------------|----------------|--------------------|-------------------|--------------------|
| | Full | Partial | Total | Full | Partial | Total |
| Pensioners | 3,966 | 1,367 | 5,333 | £61,293.34 | £9,485.12 | £70,778.46 |
| | 74% | 26% | 100% | | | |
| Non-Pensioners | 7,888 | 2187 | 10,075 | £120,274.04 | £21,228.03 | £141,502.07 |
| | 78% | 22% | 100% | | | |
| Households with children | 2,801 | 1,136 | 3,397 | £46,270.49 | £11,554.20 | £57,824.69 |
| | 71% | 29% | 100% | | | |
| Households with disabled adult | 3,517 | 231 | 3,748 | £53,450.62 | £1,272.27 | £54,721.89 |
| | 97% | 3% | 100% | | | |
| Households with children and disabled adult | 512 | 53 | 565 | £6,190.45 | £1,060.94 | £7,251.39 |
| | 91 | 9 | 100 | | | |
| Households without children and disabled adult | 6,053 | 3,324 | 9,277 | £91,173.65 | £60,086.94 | £151,260.59 |
| | 65% | 35% | 100% | | | |
| Overall Totals | 11,854 | 3,554 | 15,408 | £181,567.38 | £30,713.15 | £212,280.53 |

Table 2: the composition of I-CTS claimants by pensioner and non-pensioner claims where households have a disabled adult and the disability premium has been awarded, by male and female only, and by couple.

| | | | | |
|--|--------|---|---|---|
| Total number of claims | 15,408 | | | |
| Total number of pensioner claims (includes households with a disabled adult where the disability premium has been awarded) | 5,333 | Number of female only claimants = 2963 or 56% | Number of male only claimants = 1675 or 31% | Number of claiming couples = 695 or 13% |
| Total number of non-pensioner claims (includes households with a disabled adult where the disability premium has been awarded) | 10,075 | Number of female only claimants = 5,519 or 55% | Number of male only claimants = 3,037 or 30% | Number of claiming couples = 1519 or 15% |
| Households with a disabled adult (where the disability premium has been awarded) as a standalone group of the total number of claims | 4,188 | Number of female only claimants = 2,077 or 49% | Number of male only claimants = 1,701 or 41% | Number of claiming couples = 410 or 10% |

Appendix 3

Council Tax Exemptions

Further information can be found on our website and a summary of exemptions is given here:

Exemptions and empty property discounts

Some properties are exempt from council tax. The different classes of exemption are listed below.

Properties occupied by:

full time students (they must complete an application form and return it to us with a council tax certificate from their place of study); severely mentally impaired people; a foreign diplomat who would normally have to pay council tax; people who are under 18; members of a visiting force who would normally have to pay council tax; or elderly or disabled relatives of a family who live in the main property, in certain annexes and self-contained accommodation.

Unoccupied properties that:

are owned by a charity, are exempt for up to six months; are left empty by someone who has moved to receive care in a hospital or home elsewhere; are left empty by someone who has gone into prison; are left empty by someone who has moved so they can care for someone else; are waiting for probate to be granted, and for six months after probate is granted; have been repossessed; are the responsibility of a bankrupt's trustee; are waiting for a minister of religion to move in, are left empty by a student whose term-time address is elsewhere, are empty because it is against the law to live there, including from 1st April 2007 where a planning condition prevents occupation; form part of another property and may not be let separately

A pitch or mooring that doesn't have a caravan or boat on it is also exempt.

Note: Those who feel they are entitled to an exemption are encouraged to contact the Council and information on how to do that is in the following link: <https://www.lbhf.gov.uk/council-tax/contact-us>

Appendix H

The Business Rates Retention Scheme for Hammersmith and Fulham

| | | 2018/19 £'000 |
|--------|--|------------------|
| Step 1 | Notification from the government of the Settlement Funding Assessment (SFA). This combines formula funding (effectively what formula grant would have been had it continued) and a number of rolled in grants. | 89,298 |
| Step 2 | For 2018/19 Revenue Support Grant is rolled into the Business Rates Funding Baseline as part of the pilot London 100% business rates retention scheme | |
| | - Revenue Support Grant payable by the government - Business Rates Funding Baseline. | 0 89,298 |
| Step 3 | Agreement of the localised element of non-domestic rates. This is the amount of business rates income that Hammersmith and Fulham actually expects to collect. | tbc |
| Step 4 | Payment of a tariff to the government. For Hammersmith and Fulham the government expects this authority to collect in business rates (step 3) which exceeds the funding identified through the SFA (step 2) a tariff is payable to the government. The tariff is a charge to the revenue budget. Most authorities receive a top-up rather than pay a tariff. | -74,836 |
| Step 5 | Other adjustments – Impact of small business rate relief and discretionary reliefs (grant from government). | tbc |
| Step 6 | Locally Retained Business rates (Step 3 less step 4 add step 5). | tbc |
| Step 7 | The difference between what Hammersmith and Fulham expects to retain in (step 6) and the government target (step 2) | |

Spending Power Reduction

The Provisional 2018/19 Local Government Finance Settlement (LGFS)

1. The key Hammersmith and Fulham figures from the provisional settlement are summarised in Table 1 and Table 2.

Table 1 – Unringfenced Government Funding

| | 2017/18 | 2018/19 |
|------------------------------------|---------------|---------------|
| Confirmed Allocations | £'000s | £'000s |
| Revenue Support Grant ¹ | 29,499 | 23,427 |
| New Homes Bonus Grant | 7,831 | 6,747 |
| Other Unringfenced Grants | 3,923 | 3,394 |
| Total | 42,175 | 33,568 |
| Grant fall - cash | | -8,607 |
| Grant fall – cash terms % | | -20% |

Table 2 - Ring-fenced Funding Allocations

| | 2017/18 | 2018/19 |
|-------------------------------------|---------------|---------------|
| | £000s | £'000s |
| Public Health Grant | 22,338 | 21,764 |
| Improved Better Care Fund | 5,128 | 7,055 |
| Flexible Homelessness Support Grant | 3,527 | 3,381 |
| Other | 267 | 247 |
| | 31,260 | 32,447 |

- 2 The government place restrictions on how Public Health Grant and better care funding are used. These grants are allocated to Departmental Budgets before the calculation of the Council budget requirement.

2018/19 Spending Power

- 3 In the settlement announcement the government state their view of the cut in local authority spending power. As well as government funding this includes their assumption on what local authorities will collect through council tax and business rates. The figures are set out in Table 3. The Hammersmith and Fulham increase is lower than the London and national average..

¹ In 2018/19 the RSG is receivable as part of business rates. It is shown within Table 1 to enable a like for like comparison

Table 3 – Government Spending Power Calculation.


| | 2017/18 | 2018/19 |
|----------------|---------|---------|
| LBHF | -1.6% | +0.7% |
| London Average | -1.5% | +1.0% |
| National | -1.3% | +1.5% |

5. The Government spending power calculation is questionable:
- It takes no account of inflation or demographic pressures.
 - It assumes that authorities that have social care responsibilities will levy a 3% social care precept. Hammersmith and Fulham will not make this levy.
 - It assumes that authorities will increase council tax by 3%. Hammersmith and Fulham has a council tax freeze.
- 6 As set out in Table 4 when account is taken of the above factors the local spending power reduction for Hammersmith and Fulham is estimated at 6.3%.

Table 4 – LBHF Spending Power Reduction

| | £'m |
|---|--------------|
| Government Spending Power Calculation 2017/18 | 157.2 |
| Government Spending Power Calculation 2018/19 | 158.2 |
| Less: | |
| Council Tax Freeze | (1.7) |
| No Use of the Adult Social Care Precept | (1.7) |
| Inflation Provision | (5.2) |
| Increase in Demographic Pressure | (1.7) |
| Adjusted LBHF Spending Power Calculation 2018/19 | 147.9 |
| Adjusted Reduction | 9.3 |
| | -6.3% |

Agenda Item 5

| | |
|---|--|
| London Borough of Hammersmith & Fulham Cabinet 5 February 2018 |  hammersmith & fulham |
| FOUR YEAR CAPITAL PROGRAMME 2018/19 | |
| Report of the Cabinet Member for Finance – Councillor Max Schmid | |
| Open Report | |
| Classification: For Decision 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 presents the Council's four-year Capital Programme for the period 2018-22. The programme for this period totals £282.5m.
- 1.2. The gross programme for 2018/19 totals £113.4m. This comprises the General Fund Programme of £37.3m and the Housing Programme of £76.1m.
- 1.3. The report updates the Minimum Revenue Provision (MRP) Policy for the Council. The CIPFA Prudential Indicators have been updated to meet statutory requirements for 2018/19 and are detailed in the Treasury Management Strategy Statement 2018/19 due to be presented to Political Cabinet in January 2018.
- 1.4. The programme includes a proposal for the annual rolling programme of £0.5m for Parks to be met from Section 106 resources. The Section 106 funding has been agreed to 2019/20. For 2020/21 and beyond this is subject to future confirmation.
- 1.5. The Government's new Flexible Use of Capital Receipts provisions came into force in April 2016 (detailed guidance in Appendix 5) and mean the Council can opt to make use of up to £7.1m of capital receipts to fund Invest to Save schemes. However, this would come at revenue cost of £32k per £1m capitalised. A final decision on whether or not to make use of this flexibility will be

delegated to the Strategic Finance Director, in consultation with the Cabinet Member for Finance, as part of the closure of the 2017/18 Accounts process.

2. RECOMMENDATIONS

2.1. To approve the General Fund Capital Programme budget at £37.3m for 2018/19 (paragraph 5.1, Table 2 and Appendix 1).

2.2. To approve the continuation of the Council's rolling programmes and the continued use of internal funding for 2018/19 General Fund 'Mainstream' Programme as set out in Table 3 (paragraph 5.2) and specifically as follows:

- Capital receipts and internal borrowing amounting to £4.98m to fund the Council's rolling programmes as follows:

| | £m |
|---|-------------|
| Disabled Facilities Grant [RPHS] | 0.45 |
| Planned Maintenance/DDA Programme [ENV] | 2.50 |
| Footways and Carriageways [ENV] | 2.03 |
| Total | 4.98 |

- Contributions from revenue amounting to £0.521m to fund the Council's rolling programmes as follows:

| | £m |
|--------------------------------|--------------|
| Controlled Parking Zones [ENV] | 0.275 |
| Column Replacement [ENV] | 0.246 |
| Total | 0.521 |

- Section 106 funding amounting to £0.5m to fund the Council's rolling programmes as follows:

| | £m |
|-------------------------------|-------------|
| Parks Capital Programme [ENV] | 0.50 |
| Total | 0.50 |

2.3. To note existing capital receipts funded schemes previously approved, but now scheduled for 2018/19 (paragraph 5.2, Table 3):

One off schemes:

- Schools' Organisation Strategy - £0.03m
- Carnwath Road - £ 3.07m

Rolling programmes:

- Planned Maintenance/DDA Programme – £6.96m

2.4. To approve the Housing Programme at £76.1m for 2018/19 as set out in Table 5 (paragraph 7.3) and Appendix 1.

- 2.5. To delegate the potential application of 2017/18 capital receipts (totalling £7.1m) under the Government's new Flexible Use of Capital Receipts provisions to fund Invest to Save schemes in 2017/18 and 2018/19 (as identified in Appendix 5). The final decision on whether to make use of any of this flexibility is delegated to the Strategic Finance Director, in consultation with the Cabinet Member for Finance, as part of the closure of the 2017/18 Accounts process.
- 2.6. To approve the revised annual Minimum Revenue Provision policy statement for 2018/19 in Appendix 4.

3. REASONS FOR DECISION

- 3.1. The reason for the recommendations is to comply with the Council's Financial Regulations which form part of the Council's Constitution. It is also necessary to comply with statutory accounting requirements and the CIPFA Prudential Code.

4. INTRODUCTION AND BACKGROUND

- 4.1. This report sets out an updated four-year capital expenditure and resource forecast and a capital programme for 2018/19 to 2021/22, as summarised in Table 1 below. A detailed analysis of specific schemes by service is included in Appendix 1.

Table 1 - Capital Programme 2018/19 to 2021/22

| | Indicative Budgets | | | | Total Budget (All years) £'000 |
|---|--------------------|------------------|------------------|------------------|--------------------------------------|
| | 2018/19 £'000 | 2019/20 £'000 | 2020/21 £'000 | 2021/22 £'000 | |
| CAPITAL EXPENDITURE | | | | | |
| Children's Services | 19,800 | 300 | - | - | 20,100 |
| Adult Social Care | 20 | 937 | - | - | 957 |
| Environmental Services | 15,417 | 10,778 | 7,208 | 7,208 | 40,611 |
| General Fund Schemes under Housing Management | 2,050 | 950 | 450 | 450 | 3,900 |
| Sub-total (Non-Housing) | 37,287 | 12,965 | 7,658 | 7,658 | 65,568 |
| HRA Programme | 45,540 | 34,126 | 34,065 | 25,390 | 139,121 |
| Decent Neighbourhoods Programme | 30,583 | 23,676 | 16,875 | 6,632 | 77,766 |
| Sub-total (Housing) | 76,123 | 57,802 | 50,940 | 32,022 | 216,887 |
| Total Expenditure | 113,410 | 70,767 | 58,598 | 39,680 | 282,455 |
| CAPITAL FINANCING | | | | | |
| Specific/External Financing: | | | | | |
| Government/Public Body Grants | 8,061 | 3,464 | 2,157 | 2,447 | 16,129 |
| Developers Contributions (S106) | 9,285 | 1,200 | 16,950 | - | 27,435 |
| Leaseholder Contributions (Housing) | 4,390 | 3,860 | 4,048 | 3,460 | 15,758 |
| Sub-total - Specific Financing | 21,736 | 8,524 | 23,155 | 5,907 | 59,322 |
| Mainstream Financing (Internal): | | | | | |
| Capital Receipts - General Fund | 1,920 | 8,050 | 1,920 | 1,920 | 13,810 |
| Capital Receipts - Housing* | 24,538 | 13,024 | 8,965 | 4,495 | 51,022 |
| Revenue funding - General Fund | 521 | 521 | 521 | 521 | 2,084 |
| Revenue Funding - HRA | 4,563 | 9,700 | 5,172 | 5,000 | 24,435 |
| Major Repairs Reserve (MRR) [Housing] | 16,165 | 15,797 | 15,805 | 16,546 | 64,313 |
| Sub-total - Mainstream Funding | 47,707 | 47,092 | 32,383 | 28,482 | 155,664 |
| Internal Borrowing | 43,967 | 15,151 | 3,060 | 5,291 | 67,469 |
| Total Capital Financing | 113,410 | 70,767 | 58,598 | 39,680 | 282,455 |

*Includes use of brought-forward receipts

- 4.2. The forecast above for specific and external resource is based on known allocations at December 2017. The resource forecasts for both external and internal financing will be updated over the forthcoming months in accordance with

relevant government, and other public and private, spending announcements. This will include a review of Children's Services allocations. At present schools' funding is not confirmed by Government beyond 2018/19. Once this is confirmed, General Fund capital expenditure is likely to increase. In addition, the capital receipts figures will be updated as they become known.

5. THE GENERAL FUND CAPITAL PROGRAMME

5.1 The General Fund programme is summarised in Table 2, below. Detail for each service is included at Appendix 1. The programme includes:

- The continuation of the School's Organisation Strategy (within Children's Services) which is committed to increasing school places in the Borough;
- The continuation of the Council's rolling programmes for Disabled Facilities Grants, Planned Building Maintenance, Parks and Footways and Carriageways;
- The planned refurbishment of Hammersmith Town Hall (within existing resources from the rolling Planned Building Maintenance programme).

Table 2 – General Fund Capital Programme 2018-22

| | Indicative Budgets | | | | Total Budget (All years) £'000 |
|---|--------------------|---------------|--------------|--------------|--------------------------------------|
| | 2018/19 | 2019/20 | 2020/21 | 2021/22 | |
| | £'000 | £'000 | £'000 | £'000 | |
| CAPITAL EXPENDITURE | | | | | |
| Children's Services | 19,800 | 300 | - | - | 20,100 |
| Adult Social Care | 20 | 937 | - | - | 957 |
| Environmental Services | 15,417 | 10,778 | 7,208 | 7,208 | 40,611 |
| General Fund Schemes under Housing Management | 2,050 | 950 | 450 | 450 | 3,900 |
| Total Expenditure | 37,287 | 12,965 | 7,658 | 7,658 | 65,568 |
| CAPITAL FINANCING | | | | | |
| Specific/External Financing: | | | | | |
| Government/Public Body Grants | 8,061 | 3,194 | 2,157 | 2,157 | 15,569 |
| Developers Contributions (S106) | 3,651 | 1,200 | - | - | 4,851 |
| Sub-total - Specific Financing | 11,712 | 4,394 | 2,157 | 2,157 | 20,420 |
| Mainstream Financing (Internal): | | | | | |
| Capital Receipts - General Fund | 1,920 | 8,050 | 1,920 | 1,920 | 13,810 |
| Revenue funding - General Fund | 521 | 521 | 521 | 521 | 2,084 |
| Sub-total - Mainstream Funding | 2,441 | 8,571 | 2,441 | 2,441 | 15,894 |
| Internal Borrowing | 23,134 | - | 3,060 | 3,060 | 29,254 |
| Total Capital Financing | 37,287 | 12,965 | 7,658 | 7,658 | 65,568 |

5.2 Table 3 below shows the projects funded from internal resource and comprises the completion of existing schemes and the continuation of rolling programmes.

Table 3 – General Fund Mainstream Programme 2018-22

| | Indicative Budgets | | | | Total Budget (All years) £'000 |
|---|--------------------|----------------|----------------|----------------|-----------------------------------|
| | Budget 2018/19 | Budget 2019/20 | Budget 2020/21 | Budget 2021/22 | |
| | £'000 | £'000 | £'000 | £'000 | |
| Approved Expenditure | | | | | |
| Ad Hoc Schemes: | | | | | |
| Schools Organisation Strategy [CHS] (mainstream element) | 25 | - | - | - | 25 |
| Hammersmith Town Hall Refurbishment (Mainstream Element/CPMP) [ENV] | 6,274 | 1,000 | - | - | 7,274 |
| Carnwath Road [ENV] | - | 3,070 | - | - | 3,070 |
| Rolling Programmes: | | | | | |
| Disabled Facilities Grant [Housing] | 450 | 450 | 450 | 450 | 1,800 |
| Planned Maintenance/DDA Programme [ENV] | 3,190 | 1,500 | 2,500 | 2,500 | 9,690 |
| Footways and Carriageways [ENV] | 2,030 | 2,030 | 2,030 | 2,030 | 8,120 |
| Controlled Parking Zones [ENV] | 275 | 275 | 275 | 275 | 1,100 |
| Column Replacement [ENV] | 246 | 246 | 246 | 246 | 984 |
| Total Mainstream Programmes | 12,490 | 8,571 | 5,501 | 5,501 | 32,063 |
| Financing | | | | | |
| Capital Receipts | 1,920 | 9,120 | 1,920 | 1,920 | 14,880 |
| General Fund Revenue Account | 521 | 521 | 521 | 521 | 2,084 |
| Increase/(Decrease) in Internal Borrowing | 10,049 | (1,070) | 3,060 | 3,060 | 15,099 |
| Total Financing | 12,490 | 8,571 | 5,501 | 5,501 | 32,063 |

5.3 The Secretary of State for Communities and Local Government issued guidance in March 2016, which gives local authorities greater freedom on how they can use capital receipts. For the period 2016/17 to 2018/19 they can be used to fund any expenditure on projects that are designed to generate revenue savings and/or transform service delivery. This freedom has been extended for a further 3 years as part of the 2018 Local Government Finance Settlement. For 2017/18 forecast capital receipts are £7.1m. These could be applied to fund some of the existing commitments of £8.4m that are due to be met from the Efficiency Projects Reserve. For each £1m drawn down the future MRP charge will increase by £0.032m. A decision on whether receipts are used for this purpose will be made at the financial year end by the Strategic Finance Director in consultation with the Cabinet Member for Finance. Further details on this are set out in Appendix 5. Use of receipts for this purpose is not included in the current mainstream forecast (Table 3).

5.4 A summary of forecast General Fund capital receipts is included in Appendix 2. The actual level, and timing, of sales is subject to certain risks – most notably a dependence on the wider property market, appropriate consultation and planning considerations. Sales are also at risk of slipping or not being achieved. An additional risk is that significant costs of disposals of assets may be incurred, which can be difficult to predict in some cases. Where capital receipts are not available, the mainstream programme will be funded from temporary increases in internal borrowing.

6. GENERAL FUND CAPITAL FINANCE REQUIREMENT (CFR)

6.1 General Fund debt is measured by the Capital Finance Requirement (CFR). The Council is required to make an annual provision from revenue, known as the Minimum Revenue Provision (MRP), which set-asides resource to repay debt and in so doing reduces the CFR. The CFR is explained in more detail in Appendix 3 and the Council's 2018/19 MRP policy is set-out in Appendix 4.

- 6.2 The current MRP calculations are becoming increasingly complex and require detailed tracking of past financial decisions. It is proposed that a simplified methodology be adopted for 2017/18 onwards that is based on the weighted useful life of all General Fund assets. Advantages of the new methodology are:
- It provides more accurate and simplified MRP calculations whilst still retaining a prudent provision
 - Enables easier profiling of MRP costs to support revenue budget setting
 - Supports good practice and follows recommended statutory guidance
 - May be updated should asset lives change significantly
- 6.3 The change in the methodology will reduce the MRP charge from 4% to 3.24%.
- 6.4 The General Fund CFR is stated with and without schools' windows in the table below. This is because the Dedicated Schools Grant (DSG) will compensate the Council for any cost of borrowing associated with the Schools' Windows programme. The forecast General Fund CFR excluding school windows at the end of 2018/19 is £56.98m. This is due to the need to fund the mainstream programme of £10.049m from internal borrowing, as set out in Table 3, less the in-year MRP payment. The largest sum is the £6.724m that has been accumulated over recent years from the rolling planned maintenance budget for the refurbishment of Hammersmith Town Hall. Any capital receipts received during the year may be applied to lower the closing CFR. In addition, the council may opt to apply additional Section 106 or CIL identified during the year to fund elements of the capital programme to reduce the closing CFR.
- 6.5 The current forecast for the General Fund CFR is shown in Table 4 below. The calculation of the gross CFR also requires adjustments to be made regarding Finance Lease and PFI liabilities. This is also shown in Table 4 .

Table 4 - Forecast General Fund Capital Financing Requirement (CFR)

| General Fund CFR Forecast | 2017/18 Forecast £m | 2018/19 Forecast £m | 2019/20 Forecast £m | 2020/21 Forecast £m | 2021/22 Forecast £m |
|--|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Closing CFR (Excluding DSG-funded Schools Windows borrowing) | 47.06 | 56.98 | 55.47 | 58.13 | 60.70 |
| Closing CFR (DSG-funded Schools Windows borrowing) | 6.73 | 19.55 | 18.76 | 18.01 | 17.29 |
| Other Items (PFIs, Finance Leases etc) | 10.85 | 10.65 | 10.45 | 10.25 | 10.05 |
| Total Closing CFR | 64.64 | 87.18 | 84.68 | 86.39 | 88.05 |

7. THE HOUSING CAPITAL PROGRAMME

- 7.1 The Housing Capital Programme is based on the Financial Plan for Council Homes which is being submitted to Cabinet for approval in February 2018. It includes £124m over four years for major works to be carried out on existing properties and £15m for Fire Safety Plus¹. It also includes approved plans to deliver new affordable homes as well as the costs relating to Earls Court.

¹ Part of the £20m budget agreed by Full Council on 18 October 2017, the remaining £5m being forecast to be spent in 2017/18

- 7.2 The programme is primarily funded by Internal Borrowing, Revenue Contributions appropriated to the Major Repairs Reserve, S106, capital receipts from both Right-to-Buy (RTB) and sales of surplus non-dwelling sites and revenue contributions to capital from the general Housing Revenue Account reserves. The overall Housing Programme expenditure and resource forecast is summarised in Table 5, below. The detailed programme is included at Appendix 1.

Table 5 – Housing Expenditure and Resource Forecast 2018-22

| Housing Programme - Resource Summary | | Indicative Budgets | | | |
|---|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| | | 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 Budget £'000 |
| Approved Expenditure | | | | | |
| Decent Neighbourhood Schemes | | 30,583 | 23,676 | 16,875 | 6,632 |
| HRA Schemes | | 45,540 | 34,126 | 34,065 | 25,390 |
| Total Housing Programme - Approved Expenditure | | 76,123 | 57,802 | 50,940 | 32,022 |
| Available and Approved Resource | | | | | |
| Capital Receipts - Unrestricted | | 6,903 | 4,617 | 4,741 | 4,495 |
| Capital Receipts - RTB (141) | | 17,635 | 8,408 | 4,224 | - |
| Housing Revenue Account (revenue funding) | | 4,563 | 9,700 | 5,172 | 5,000 |
| Major Repairs Reserve (MRR) | | 16,165 | 15,797 | 15,805 | 16,546 |
| Contributions Developers (S106) | | 5,634 | - | 16,950 | - |
| Repayment of NHHT loan | | - | 270 | - | 290 |
| Contributions from leaseholders | | 4,390 | 3,860 | 4,048 | 3,460 |
| Internal Borrowing | | 20,833 | 15,151 | - | 2,231 |
| Total Funding | | 76,123 | 57,802 | 50,940 | 32,022 |
| Housing Capital Resource Balances | | Indicative Budgets | | | |
| | | 2018/19 £'000 | 2019/20 £'000 | 2020/21 £'000 | 2021/22 £'000 |
| Usable Capital Receipts | | | | | |
| Capital Receipts B/f | | 31,683 | 16,345 | 13,137 | 14,413 |
| Generated in year | | 9,200 | 10,086 | 10,242 | 4,495 |
| Used in Year | | (24,538) | (13,294) | (8,965) | (4,495) |
| Capital Receipts C/f | | 16,345 | 13,137 | 14,414 | 14,413 |
| <i>Of Which '141' Restricted</i> | | <i>16,345</i> | <i>13,137</i> | <i>14,413</i> | <i>14,413</i> |
| <i>Associated deferred costs</i> | | <i>399</i> | <i>399</i> | <i>399</i> | <i>399</i> |
| Deferred Capital Receipts (Earl's Court) | | | | | |
| Balance B/f | | 59,700 | 74,600 | 89,500 | 89,500 |
| Receipts in Year | | 14,900 | 14,900 | | |
| Balance C/f | | 74,600 | 89,500 | 89,500 | 89,500 |
| <i>Associated deferred costs</i> | | <i>6,978</i> | <i>7,865</i> | <i>8,769</i> | <i>9,839</i> |

Under the 1-4-1 scheme, Right to Buy (RTB) receipts can be retained by the authority on the proviso that they are recycled into the provision of a replacement dwelling. Accordingly, these receipts must be ring-fenced until they can be matched to qualifying expenditure.

- 7.4 For the period 2018-22 the Housing programme will be borrowing against internal resources (as shown against 'internal borrowing' in Table 5). This is principally achieved through the use of cash associated with Earls Court deferred capital receipts from land sales (capital receipts received in advance of the transfer of the land title). Use of this money is classed as borrowing as, although cash is

received from the purchaser, the receipt is only deemed usable for capital funding purposes as land transfers to the purchaser. This does not prevent the Council from spending the cash it receives. This borrowing unwinds when the receipt becomes usable (i.e. when land transfers).

7.5 The forecast Housing Capital Finance Requirement (HRA CFR) is shown in Table 6, below.

Table 6 – Housing CFR Forecast 2018-22

| HRA CFR Forecast | 2017/18 Forecast £m | 2018/19 Forecast £m | 2019/20 Forecast £m | 2020/21 Forecast £m | 2021/22 Forecast £m |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Closing Forecast HRA CFR (excluding deferred costs of disposal) | 204.84 | 225.68 | 240.83 | 240.83 | 243.06 |
| Deferred Costs of Disposal | 6.47 | 7.38 | 8.26 | 9.17 | 10.24 |
| Closing Forecast HRA CFR (including deferred costs of disposal) | 211.31 | 233.05 | 249.09 | 250.00 | 253.30 |

7.6 The HRA CFR is required to remain within a ‘Debt Cap’ which has been individually set for all housing authorities by the Department for Communities and Local Government. This cap was introduced as part of the transition to HRA self-financing. The Council’s debt cap is currently set at £254.617m.

8. MAJOR PROJECTS

8.1 The Council is currently progressing a number of major projects that are likely to impact on the capital programme over the next four years. An update is provided in this section on current progress. As these projects are progressed, appropriate amendments will be made to capital and revenue estimates subject to the required member approval.

8.2 King Street Regeneration/Hammersmith Town Hall Refurbishment

In November 2017, the Council announced new plans for major regeneration of the King Street area which will also include redevelopment of Hammersmith Town Hall. The Council’s development partner is not-for-profit housing provider A2 Dominion. Rogers Stirk Harbour + Partners, one of the world’s leading firms of architects, have been commissioned to work up a new scheme. The proposals include:

- A modern new cinema
- At least 50 per cent genuinely-affordable housing for local residents
- Demolishing the Town Hall extension
- A new public space in front of a restored Town Hall
- Staying within the massing and height of the former scheme
- New affordable, flexible office space for business start-ups
- A new arts quarter alongside new cafes, shops and restaurants
- Improved green spaces to help link King Street to the riverside
- Inclusive design to ensure excellent disability access

- Measures to green the environment and minimise the buildings' carbon footprint.

Following public consultation held in November 2017, a planning application will be submitted in the new year.

8.3 Earl's Court

The Council entered into a Conditional Land Sale agreement (CLSA), on 23 January 2013, with the developer Capital & Counties Properties Plc (CapCo), to include Council owned land including the West Kensington and Gibbs Green Estates. Full details can be found in the 3 September 2012 Cabinet Report. The trigger notice for the CLSA was served in November 2013 however, the administration continues to work for a better deal for local residents and the programme has been rephased to reflect those renegotiations.

8.4 Housing Development Programme

On 6 July 2015, Cabinet approved Phase 1 of the Housing Development Programme, to deliver 31 units of residential accommodation over 4 sites, financed by £10.8m Right-to-Buy and Section 106 receipts. The Phase 1 tendering process has been re-run as the originally selected bidder failed to meet contract performance standards. This has resulted in slippage of development expenditure.

The Council's retained Right -to -Buy receipts must be spent within a specified time frame and can only fund up to 30% of the costs of developing or acquiring properties. To ensure that the Council does not have to return these receipts to MHCLG, but uses those to enable the delivery of affordable rented housing in the borough, future housing programmes will be delivered via the Affordable Housing Framework that has been approved by Cabinet on 6 February 2017. Although the Affordable Housing Framework report does not specify the cost of the scheme, £15m provision has been made in the Capital Programme (£12m in 2018/19 and £3m in 2019/20). Full financial appraisals and appropriate Cabinet reports and decisions will need to be completed for each individual site as it comes forward.

8.5 Schools' Capital Programme

The Council continues to implement its Schools Organisation Strategy with the Schools' Capital programme expected to exceed £5.6m in 2018/19. The strategy continues to focus on expanding school places in light of increasing demand.

8.6 Old Oak and Park Royal Opportunity Area

As part of developing the business case for a High Speed 2 / Crossrail interchange at Old Oak Common the London Boroughs of Brent, Ealing and Hammersmith & Fulham and the GLA published a joint Vision for the Old Oak area to encourage appropriate development and to maximise regeneration benefits in the area. Since then the Old Oak and Park Royal Mayoral Development Corporation (OPDC) was established in April 2015 and is now the

planning authority for the Old Oak and Park Royal Opportunity Area. More detailed information about the project can be found on the OPDC's website at: <https://www.london.gov.uk/about-us/organisations-we-work/old-oak-and-park-royal-development-corporation-opdc>

The Council remains responsible for all other services such as waste collection, highways enforcement, car parking, parks management and maintenance etc. within the OPDC boundary.

8.7 ARK Swift

The Council in discussions over with ARK schools' charity, who lease the ARK Swift primary school in White City from the Council, over proposals for the redevelopment of the site to include improved replacement facilities and new homes. The Council is considering its role in the ownership and management of the homes.

8.8 Hammersmith Bridge

The Council, in partnership with Transport for London (TfL), is currently looking at options to strengthen Hammersmith Bridge to allow double decker buses to use the bridge. The precise scope of the works will be assessed in the coming months. Timescales and costs for the refurbishment will be confirmed once this assessment work has been completed. The refurbishment work will include overall strengthening of the structure and an improved road surface, benefitting motorists and cyclists. Ahead of this work, two week-long sets of interim repairs were completed in February and October 2017. It is anticipated that the project will be funded by TfL.

8.9 Community Infrastructure Levy (CIL)

The Council has adopted its own CIL, which took effect on 1 September 2015. This is a levy that local authorities can choose to charge on new developments in their area and in part replaces the use of Section 106 Agreements to support the provision of infrastructure.

To date the Council has received £1.96m of Borough CIL with estimated £1.12m due to be received by the end of 2017/18. Due to the current economic circumstances, it is harder to predict the future CIL receipts, however based on current performance, it is considered prudent to assume that in excess of £4m will be collected in the next financial year with the figure increasing in following years.

Council CIL can be used for the delivery, operation, maintenance and repair of infrastructure to support development in the borough. There are obligations to spend 15% on projects agreed with the community (or 25% where there is a neighbourhood plan in place). There is no legislative framework to define how this is done. To achieve this agreement, the Council has implemented a CIL page on Spacehive to enable community groups to put forward projects and the members of the public to contribute to, as a mechanism of achieving agreement.

9. EQUALITY IMPLICATIONS

- 9.1 The private sector disabled facilities scheme which comprises a Council funded contribution of £450k is unchanged from previous years and is forecast to remain unchanged in future years. This funding helps to facilitate disabled people's participation in public life. In addition to Council funding, a grant allocation is expected from government in support of this scheme for 2018/19.
- 9.2 It should be noted that there are some major projects, for example those discussed in section 8, which are subject to other decision-making processes where due regard to the PSED (public sector equality duty) has been, and continues to be given (because it is a continuing duty) in order to determine the relevance to equality groups and any mitigating measures that are possible. This does not seek to change those decisions.
- 9.3 Implications verified by: Peter Smith, Head of Policy & Strategy, Tel. 020 8753 2206.

10. LEGAL IMPLICATIONS

- 10.1 There are no direct legal implications in relation to this report.
- 10.2 Implications verified by: David Walker, Principal Solicitor, Commercial and Corporate Property, Tel:020 7361 2211.

11. FINANCIAL AND RESOURCES IMPLICATIONS

- 11.1 This report is of a wholly financial nature and financial and resource implications are considered throughout, however the following supplementary comments should also be noted:
- 11.2 The Council's mainstream capital programme is largely restricted to core rolling programmes but it is looking to regenerate a number of priority areas through a number of initiatives. These may have a major impact, both in terms of expenditure and resources, on the capital forecast over the next four years. Amendments will be made in line with Member approval, amendments over £5m requiring approval by Full Council. The Council will also explore use of capital investments to secure future efficiencies.
- 11.3 In accordance with the requirements of the Prudential Code for Capital Finance local authorities are required to maintain a number of prudential indicators. These are set out in the Treasury Management Strategy Statement 2018/19. The indicator used to reflect the underlying need of an authority to borrow for a capital purpose is the Capital Financing Requirement (CFR).
- 11.4 Each year local authorities are required to set aside some of their revenues as provision for debt repayment. This is commonly termed the Minimum Revenue Provision (MRP). Before the start of each financial year, Full Council is required

to approve a statement of its policy on making MRP in respect of that financial year. Appendix 4 sets out the LBHF MRP Statement for 2018/19.

- 11.5 With regard to all major capital schemes and disposals, the Council will need to give careful consideration to its VAT partial exemption threshold. Ordinarily, entities cannot reclaim VAT incurred in the provision of VAT exempt activities, however special provision for Local Authorities means that Council can reclaim such costs, providing these do not exceed 5% of the Council's overall VAT liability in any one year. If this threshold is breached without HMRC mitigation, then all VAT incurred in support of exempt activities, in that year, can no longer be reclaimed from HM Revenue and Customs (HMRC) and becomes payable by the Council. This would represent a cost of approximately £2m to £3m per year of breach.

Capital transactions represent a significant portion of the Council's VAT-exempt activity and accordingly pose the biggest risk to the partial exemption threshold. The Council monitors the partial exemption position closely; however unanticipated receipts, expense or slippages can frustrate this process. The Cabinet has adopted the following VAT policy to aid the management of the Partial Exemption position:

- Projects should be 'opted-to-tax' where this option is available and is of no financial disadvantage to the Council.
- If an option-to tax is unavailable it is advised that any avoidable, new projects incurring exempt VAT are deferred for the present time.
- There is only limited room in the future years partial exemption forecasts. Therefore, new or re-profiled projects incurring exempt VAT will need to be agreed with the Corporate VAT team.
- In all cases the VAT team should be consulted in advance in order that the forecasts can be updated and re-checked against limits.

- 11.6 VAT Implications verified/completed by: Christopher Harris, Chief Accountant, Corporate Finance, Tel: 020 8753 6440.

12. RISK MANAGEMENT

- 12.1 The report content presents a balanced and measured profile of the main aspects, risks and issues relating to the Capital Programme and its deliverables. The exposure to property market conditions, consultation requirements, potential delays due to legal challenge, gaining planning consent, protracted negotiations, or exchange of contracts with potential purchasers are known risks and these are outlined in the report. Each may affect the likelihood or timeliness of expenditure meeting projected receipts. Mitigation is undertaken on a case by case basis and it is the responsibility of departments to capture risks that may affect the successful delivery of capital projects contained in their programme in their departmental registers. A number of significant opportunity risks to regenerate areas of the borough have previously been considered on the Council's risk and register which has been reviewed by the Strategic Leadership Team. These are covered in Section 8 of the report. Exposure to risks such as the potential for Fraud and Bribery in relation to its property and asset dealings are covered through the councils existing Anti-Fraud and Bribery policies. The service

maintains a register of key risks, where there may become significant they may be escalated onto the Corporate risk register.

- 12.2 Implications verified/completed by: Michael Sloniowski, Shared Services Risk Manager, Tel: 020 8753 2587.

13. COMMERCIAL IMPLICATIONS

- 13.1 There are no direct procurement implications in relation to this report. Advice in relation to procurement and commercial considerations will be given as and when projects start.
- 13.2 Implications verified/completed by: Alan Parry, Interim Head of Procurement (Job-share). Tel: 020 8753 2581

14. IMPLICATIONS FOR BUSINESS

- 14.1 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.
- 14.2. Projects contained in the capital programme are approved on individual basis and the business implications for each of them are considered in more detail in their specific reports.
- 14.3 Implications completed by: Prema Gurunathan, Economic Development Manager, Regeneration, Planning and Housing Services Dept. Tel: 020 8753 3111

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

None.

LIST OF APPENDICES:

Capital Budget Monitoring and Financing Information:

Appendix 1 - Council Capital Programme by Service Area

Appendix 2 - General Fund Anticipated Capital Receipts

Appendix 3 - The Capital Financing Requirement (CFR) and Pooling of Housing Capital Receipts

Appendix 4 - Minimum Revenue Provision (MRP) Statement 2018/19

Appendix 5 - Flexible Use of Capital Receipts Guidance

APPENDIX 1 – Detailed Analysis by Service

Children's Services

Indicative Budgets

| 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 Budget £'000 | Total Budget (All years) £'000 |
|-------------------------|-------------------------|-------------------------|-------------------------|-----------------------------------|
|-------------------------|-------------------------|-------------------------|-------------------------|-----------------------------------|

Scheme Expenditure Summary

| | | | | | |
|------------------------------------|---------------|------------|----------|----------|---------------|
| Lyric Theatre Development | 1,100 | - | - | - | 1,100 |
| Schools Organisational Strategy | 5,615 | 300 | - | - | 5,915 |
| Schools Window Replacement Project | 13,085 | - | - | - | 13,085 |
| Total Expenditure | 19,800 | 300 | - | - | 20,100 |

Capital Financing Summary

| Specific/External or Other Financing | | | | | |
|--|---------------|------------|----------|----------|---------------|
| Capital Grants from Central Government | 4,184 | - | - | - | 4,184 |
| Grants and Contributions from Private Developers (includes S106) | 1,406 | 300 | - | - | 1,706 |
| Capital Grants/Contributions from Non-departmental public bodies | 1,100 | - | - | - | 1,100 |
| Sub-total - Specific or Other Financing | 6,690 | 300 | - | - | 6,990 |
| Mainstream Financing (Internal Council Resource) | | | | | |
| Capital Receipts | 25 | - | - | - | 25 |
| Sub-total - Mainstream Funding | 25 | - | - | - | 25 |
| Borrowing - non school windows | - | - | - | - | - |
| Borrowing - school windows | 13,085 | - | - | - | 13,085 |
| Total Capital Financing | 19,800 | 300 | - | - | 20,100 |

Adult Social Care Services

Indicative Budgets

| 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 Budget £'000 | Total Budget (All years) £'000 |
|-------------------------|-------------------------|-------------------------|-------------------------|-----------------------------------|
|-------------------------|-------------------------|-------------------------|-------------------------|-----------------------------------|

Scheme Expenditure Summary

| | | | | | |
|---|-----------|------------|----------|----------|------------|
| Extra Care New Build project (Adults' Personal Social Services Grant) | 20 | 937 | - | - | 957 |
| Total Expenditure | 20 | 937 | - | - | 957 |

Capital Financing Summary

| Specific/External or Other Financing | | | | | |
|--|-----------|------------|----------|----------|------------|
| Capital Grants from Central Government | 20 | 937 | - | - | 957 |
| Sub-total - Specific or Other Financing | 20 | 937 | - | - | 957 |
| Total Capital Financing | 20 | 937 | - | - | 957 |

APPENDIX 1 – Detailed Analysis by Service /cont.

Environmental Services

Indicative Budgets

| 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 Budget £'000 | Total Budget (All years) £'000 |
|----------------------------|----------------------------|----------------------------|----------------------------|--------------------------------------|
|----------------------------|----------------------------|----------------------------|----------------------------|--------------------------------------|

Scheme Expenditure Summary

| | | | | | |
|--------------------------------------|---------------|---------------|--------------|--------------|---------------|
| Planned Maintenance/DDA Programme | 3,190 | 1,500 | 2,500 | 2,500 | 9,690 |
| King Street -Town Hall Redevelopment | 6,274 | 1,000 | - | - | 7,274 |
| Footways and Carriageways | 2,030 | 2,030 | 2,030 | 2,030 | 8,120 |
| Transport For London Schemes | 2,157 | 2,157 | 2,157 | 2,157 | 8,628 |
| Controlled Parking Zones | 275 | 275 | 275 | 275 | 1,100 |
| Column Replacement | 246 | 246 | 246 | 246 | 984 |
| Carnwath Road | - | 3,070 | - | - | 3,070 |
| Shepherds Bush Common Improvements | 400 | - | - | - | 400 |
| Parks Expenditure | 845 | 500 | - | - | 1,345 |
| Total Expenditure | 15,417 | 10,778 | 7,208 | 7,208 | 40,611 |

Capital Financing Summary

| | | | | | |
|--|---------------|---------------|--------------|--------------|---------------|
| Specific/External or Other Financing | | | | | |
| Grants and Contributions from Private Developers (includes S106) | 1,245 | 500 | - | - | 1,745 |
| Capital Grants and Contributions from GLA Bodies | 2,157 | 2,157 | 2,157 | 2,157 | 8,628 |
| Sub-total - Specific or Other Financing | 3,402 | 2,657 | 2,157 | 2,157 | 10,373 |
| Mainstream Financing (Internal Council Resource) | | | | | |
| Capital Receipts | 1,445 | 7,600 | 1,470 | 1,470 | 11,985 |
| General Fund Revenue Account (revenue funding) | 521 | 521 | 521 | 521 | 2,084 |
| Sub-total - Mainstream Funding | 1,966 | 8,121 | 1,991 | 1,991 | 14,069 |
| Borrowing | 10,049 | - | 3,060 | 3,060 | 16,169 |
| Total Capital Financing | 15,417 | 10,778 | 7,208 | 7,208 | 40,611 |

APPENDIX 1 – Detailed Analysis by Service /cont.

General Fund Schemes under Housing management

Indicative Future Years Analysis

| 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 Budget £'000 | Total Budget (All years) £'000 |
|-------------------------|-------------------------|-------------------------|-------------------------|-----------------------------------|
|-------------------------|-------------------------|-------------------------|-------------------------|-----------------------------------|

Scheme Expenditure Summary

General Fund Schemes under Housing management:

| | | | | | |
|----------------------------|--------------|------------|------------|------------|--------------|
| Disabled Facilities Grant | 450 | 450 | 450 | 450 | 1,800 |
| Sands End Community Centre | 1,600 | 500 | - | - | 2,100 |
| Total Expenditure | 2,050 | 950 | 450 | 450 | 3,900 |

Capital Financing Summary

Specific/External or Other Financing

| | | | | | |
|--|--------------|------------|----------|----------|--------------|
| Grants and Contributions from Private Developers (includes S106) | 1,000 | 400 | - | - | 1,400 |
| Capital Grants/Contributions from Non-departmental public bodies | 600 | 100 | - | - | 700 |
| Sub-total - Specific or Other Financing | 1,600 | 500 | - | - | 2,100 |

Mainstream Financing (Internal Council Resource)

| | | | | | |
|---------------------------------------|------------|------------|------------|------------|--------------|
| Capital Receipts (GF) | 450 | 450 | 450 | 450 | 1,800 |
| Sub-total - Mainstream Funding | 450 | 450 | 450 | 450 | 1,800 |

Total Capital Financing

| | | | | |
|--------------|------------|------------|------------|--------------|
| 2,050 | 950 | 450 | 450 | 3,900 |
|--------------|------------|------------|------------|--------------|

APPENDIX 1 – Detailed Analysis by Service /cont.

Housing Capital Programme

Indicative Budgets

| 2018/19 Budget | 2019/20 Budget | 2020/21 Budget | 2021/22 Budget | Total Budget (All years) |
|----------------|----------------|----------------|----------------|--------------------------|
| £'000 | £'000 | £'000 | £'000 | £'000 |

Scheme Expenditure Summary

HRA Schemes:

| | | | | | |
|----------------------------------|---------------|---------------|---------------|---------------|----------------|
| Supply Initiatives (Major Voids) | 447 | - | - | - | 447 |
| Energy Schemes | 3,597 | 2,350 | 1,725 | 2,150 | 9,822 |
| Lift Schemes | 4,100 | 4,250 | 1,650 | 500 | 10,500 |
| Internal Modernisation | 250 | 500 | 1,750 | 2,000 | 4,500 |
| Major Refurbishments | 12,407 | 17,686 | 20,000 | 12,000 | 62,093 |
| Minor Programmes | 8,759 | 8,340 | 7,940 | 7,640 | 32,679 |
| ASC/ELRS Managed | 980 | 1,000 | 1,000 | 1,100 | 4,080 |
| Fire Safety Plus | 15,000 | - | - | - | 15,000 |
| Subtotal HRA | 45,540 | 34,126 | 34,065 | 25,390 | 139,121 |

Decent Neighbourhood Schemes:

| | | | | | |
|---------------------------------------|---------------|---------------|---------------|---------------|----------------|
| Earls Court Buy Back Costs | 4,062 | 2,665 | 2,797 | 6,632 | 16,156 |
| Earls Court Project Team Costs | 926 | 907 | 925 | 1,095 | 3,853 |
| Housing Development Project | 8,554 | 2,675 | - | - | 11,229 |
| Other HRA | 375 | 6 | - | - | 381 |
| Stanhope Joint Venture | 5,592 | 15,330 | 14,078 | - | 35,000 |
| Affordable Housing Delivery Framework | 12,000 | 3,000 | - | - | 15,000 |
| Subtotal Decent Neighbourhoods | 31,509 | 24,583 | 17,800 | 7,727 | 81,619 |
| Total Expenditure | 77,049 | 58,709 | 51,865 | 33,117 | 220,740 |

Adjustment for deferred costs

| | | | | |
|-------|-------|-------|---------|---------|
| (926) | (907) | (925) | (1,095) | (3,853) |
|-------|-------|-------|---------|---------|

Total Net Expenditure

| | | | | |
|--------|--------|--------|--------|---------|
| 76,123 | 57,802 | 50,940 | 32,022 | 216,887 |
|--------|--------|--------|--------|---------|

Capital Financing Summary

Specific/External or Other Financing

| | | | | | |
|--|---------------|--------------|---------------|--------------|---------------|
| Contributions from leaseholders | 4,390 | 3,860 | 4,048 | 3,460 | 15,758 |
| Grants and Contributions from Private Developers (includes S106) | 5,634 | - | 16,950 | - | 22,584 |
| Capital Grants/Contributions from Non-departmental public bodies | - | 270 | - | 290 | 560 |
| Sub-total - Specific or Other Financing | 10,024 | 4,130 | 20,998 | 3,750 | 38,902 |

Mainstream Financing (Internal Council Resource)

| | | | | | |
|---|---------------|---------------|---------------|---------------|----------------|
| Capital Receipts | 24,538 | 13,024 | 8,965 | 4,495 | 51,022 |
| Housing Revenue Account (revenue funding) | 4,563 | 9,700 | 5,172 | 5,000 | 24,435 |
| Major Repairs Reserve (MRR) / Major Repairs | 16,165 | 15,797 | 15,805 | 16,546 | 64,313 |
| Sub-total - Mainstream Funding | 45,266 | 38,521 | 29,942 | 26,041 | 139,770 |

Borrowing (Internal Borrowing)

| | | | | |
|--------|--------|---|-------|--------|
| 20,833 | 15,151 | - | 2,231 | 38,215 |
|--------|--------|---|-------|--------|

Total Capital Financing

| | | | | |
|--------|--------|--------|--------|---------|
| 76,123 | 57,802 | 50,940 | 32,022 | 216,887 |
|--------|--------|--------|--------|---------|

APPENDIX 2 – Anticipated General Fund Capital Receipts

| Year/Property | Forecast Receipts £'000s | Deferred Costs of Disposal reserved £'000s |
|------------------------|-------------------------------------|---|
| 2018/19 | | |
| Total 2018/19 | 1,920 | - |
| | | |
| 2019/20 | | |
| Total 2019/20 | 9,120 | 566 |
| | | |
| 2020/21 | | |
| Total 2019/20 | 1,920 | - |
| | | |
| 2021/22 | | |
| Total 2020/21 | 1,920 | - |
| Total All Years | 14,880 | 566 |

APPENDIX 3 - THE CAPITAL FINANCING REQUIREMENT (CFR) AND POOLING OF HOUSING CAPITAL RECEIPTS

The Capital Financing Requirement (CFR)

The CFR measures an authority's underlying need to borrow for a capital purpose. It is considered by the Chartered Institute of Public Finance Accountancy (CIPFA) as the best measure of Council debt as it reflects both external and internal borrowing.

It was introduced by the Government in 2004 and replaced the 'credit ceiling' as the Council's measure of debt.

The CFR is the difference between capital expenditure incurred and the resources set aside to pay for this expenditure. Put simply it can be thought of as capital expenditure incurred but not yet paid for in-full and serves as a measure of an authority's indebtedness.

An important caveat is that the CFR does not necessarily equal the outstanding loans of the authority. A council may be 'cash rich' and pay for a new asset in full without entering into new loans. However, unless the council simultaneously funds these from grants, capital receipts or sets aside reserves (either through recognising a revenue cost or transferring existing reserves from 'usable' to 'unusable' in the bottom half of the balance sheet) the CFR will increase it has effectively borrowed internally. **The CFR should therefore be thought of as the total of internal and external borrowing.**

Pooling and Types of Receipt

The Council is required to hand-over a proportion of housing-related capital receipts to the Government.

1. Right to Buy (RTB) - 75% of capital receipts arising from the disposal of a dwelling through Right to Buy are paid over to the Government (pooled). This applies to disposals and to the principal element of repayments on loans (usually mortgages) granted by the authority for RTB or other purchases of HRA properties. The Council can retain an RTB receipt where it is recycled into new social or affordable housing (known as the 1-4-1 scheme) once certain baselines have been met.

2. Non-RTB Disposals - these include non-dwellings (such as shops or bare land), non-RTB dwellings (for example vacant property) and other receipts, such as disposal of mortgage portfolios. These items do not need to be pooled but must be used for housing business purposes.

A recent change in regulations now also allows Councils to retain non-RTB receipts if they are directed to the reduction of Housing debt.

APPENDIX 4 - MINIMUM REVENUE PROVISION (MRP) STATEMENT 2018/19

1. This statement covers the minimum revenue provision (MRP) that Hammersmith and Fulham Council will set-aside from revenue to reduce borrowing and credit liabilities arising from capital expenditure.
2. Regulations 27 and 28 in the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 [SI 3146, as amended] require local authorities to make a prudent amount of minimum revenue provision (MRP). The Secretary of State (Department for Communities and Local Government) issued statutory guidance on determining the “prudent” level of MRP, to which this Council is required to have regard, in February 2012. There is a consultation on the statutory guidance to be applied in 2018/19. The MRP will, over time, reduce the CFR.
3. The statutory guidance lists a number of options for calculating MRP. In addition to MRP, authorities are able to make voluntary provisions to reduce the CFR. These provisions can be made from capital or revenue resources. Voluntary reduction of the CFR delivers a benefit to revenue in the subsequent year as it reduces the mandatory MRP charge.
4. No MRP is required in respect of the Housing Revenue Account (HRA).

Annual MRP Statement – frequency of update and approval

5. The Secretary of State recommends that before the start of each financial year, Hammersmith and Fulham prepares a statement of its policy on making MRP in respect of that financial year and submits it to the Full Council. The statement should indicate how it is proposed to discharge the duty to make prudent MRP in the financial year. If it is ever proposed to vary the terms of the original statement during the year, a revised statement should be put to the Council at that time.

Meaning of “Prudent Provision”

6. The broad aim of prudent provision is to ensure that debt is repaid over a period that is either reasonably commensurate with that over which the capital expenditure provides benefits, or, in the case of borrowing supported by Government Revenue Support Grant, reasonably commensurate with the period implicit in the determination of that grant.

Supported Capital Expenditure or Capital Expenditure incurred before 1 April 2008:

7. MRP is calculated using Option 1 - Regulatory Method. The MRP formula contains a ‘floor’ - known as ‘**Adjustment A**’ - which has been individually fixed for all authorities. When the CFR drops below this level, MRP is no longer payable. For Hammersmith and Fulham, the floor has been set at £43.2m. In short, there is no revenue incentive to reduce the CFR below this level. For the expenditure above Adjustment A, the MRP rate will be calculated based on useful asset lives .

Capital Expenditure incurred after 1 April 2008 (unsupported borrowing):

8. The guidance states for all capitalised expenditure incurred on or after 1 April 2008, which is (a) financed by borrowing or credit arrangements; and (b) treated as capital expenditure by virtue of either a direction under section 16(2)(b) of the 2003 Act or regulation 25(1) of the 2003 Regulations, the authority should make MRP in accordance with Option 3 Asset Life Method. This method spreads the cost over the estimated life of an asset.
9. The determination as to which scheme is funded from borrowing and which from other sources shall be made by the Strategic Finance Director. Where an asset is only temporarily funded from borrowing in any one financial year and it is intended that its funding be replaced with other sources by the following year, no MRP shall apply.
10. MRP commencement: When borrowing to provide an asset, the authority may treat the asset life as commencing in the year in which the asset first becomes operational. The Council's policy is to postpone beginning to make MRP until the financial year following the one in which the asset becomes operational. "Operational" here has its standard accounting definition. Investment properties should be regarded as becoming operational when they begin to generate revenues.
11. Finance leases and PFI: In the case of finance leases and on-balance sheet PFI contracts, the MRP requirement would be regarded as met by a charge equal to the element of the rent/charge that goes to write down the balance sheet liability. Where a lease (or part of a lease) or PFI contract is brought onto the balance sheet, having previously been accounted for off-balance sheet, the MRP requirement would be regarded as having been met by the inclusion in the charge, for the year in which the restatement occurs, of an amount equal to the write-down for that year plus retrospective writing down of the balance sheet liability that arises from the restatement.
12. The Strategic Finance Director is responsible for implementing the Annual Minimum Revenue Provision Statement and has managerial, operational and financial discretion necessary to ensure that MRP is calculated in accordance with this Statement and with regulatory and financial requirements and resolve any practical interpretation issues.

APPENDIX 5 – FLEXIBLE USE OF CAPITAL RECEIPTS GUIDANCE

1. The Secretary of State for Communities and Local Government issued guidance in March 2016, giving local authorities a greater freedom with how capital receipts can be used to finance expenditure. This Direction allows for the following expenditure to be treated as capital:

“Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility.”


2. There is a wide range of projects that could generate qualifying expenditure and the list below is not prescriptive. Examples of projects include:
 - Sharing back-office and administrative services with one or more other council or public sector bodies;
 - Investment in service reform feasibility work, e.g. setting up pilot schemes;
 - Funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation;
 - Driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;
 - Improving systems and processes to tackle fraud and corruption in line with the Local Government Fraud and Corruption Strategy – this could include an element of staff training;
 - Setting up commercial or alternative delivery models to deliver services more efficiently and bring in revenue (for example, through selling services to others).
3. Expenditure is only eligible if it has been incurred in the period between 0 April 2016 - 31 March 2019 and it can be funded from capital receipts generated only during this period. The proposal to extend this period for another three years was announced in the Local Government Settlement on 19th December 2017.
4. In order to comply with this Direction, the Council must consider the Statutory Guidance issued by the Secretary of State. This Guidance requires authorities to prepare, publish and maintain a Flexible Use of Capital Receipts Strategy with the initial strategy being effective from 1st April 2016 with future Strategies included within future Annual Budget documents.
5. There is no prescribed format for the Strategy, the underlying principle is to support local authorities to deliver more efficient and sustainable services by extending the use of capital receipts to support the revenue costs of reform projects
6. The Statutory Guidance for the Flexible Use of Capital Receipts states that the Strategy should include a list of each project which plans to make use of the capital receipts flexibility, together with the expected savings that the project will

realise. The Strategy should also include the impact of this flexibility on the affordability of borrowing by including updated Prudential Indicators.

7. The Council has reviewed the Flexible Use of Capital Receipts guidance and identified the following schemes as meeting the eligibility criteria laid out in the guidance document, in that they are forecast to generate on-going revenue savings through reducing costs of service delivery:

| Efficiency Projects delivering Savings that May be Capitalised | | | |
|--|--------------------------|---|--|
| Business Case | Amount £'000s | Annual Savings when Fully Implemented £000's | Notes |
| ASC Shared Services Strategic Business Case | 841 | 5,571 | The restructuring of the ASC service is forecast to deliver Cumulative savings of £18m over 4 years. The approval for this spend was taken by Cabinet on 6th of July 2015 |
| Focus on Practice - Innovation Fund Grant | 330 | 4,200 | Focus on practice will deliver savings of up to £4.2m per annum by 2019/20. Approval for this spend was made by Cabinet on 3rd December 2014 |
| Integrated Family Support Service (IFSS) | 1,465 | 1,500 | The Integrated Family Support Service is expected to deliver savings of £1.5m per annum. Approval for this funding was given by Cabinet on 10th October 2016 |
| Maximising Children's Social Care Effectiveness | 1,612 | 1,500 | Maximising Children's Social Care effectiveness will deliver savings of £1.5m per annum. This business case was approved by Cabinet on 7th of November 2016 |
| Approval of Business Case 4: Transforming Services for Children and Young People with Special Educational Needs (SEN) & Disabilities | 563 | 224 | This business case is forecast to deliver savings of £1,500k by 2018/19. Cabinet approved this business case on 7th November 2016 |
| Creation of H&F Social Letting Agency | 200 | 180 | The creation of a social letting agency will deliver savings of up to £180k per annum through cost avoidance. This was approved by Cabinet on 7th November 2016 |
| Business Intelligence Infrastructure | 784 | 1,200 | Business Intelligence initiatives continue to deliver savings from freedom passes to single person discounts. This funding will be used to continue to deliver these savings and additional savings of £1.2m per annum. The business case was approved by Cabinet on the 6th of Feb 2017 |
| ICT Desktop Strategy | 2,150 | 4,700 | The desktop strategy will contribute to the ICT savings of over £4.7m per annum. The business case was approved by Cabinet on 6th Feb 2017 |
| Funding Of Commercial Management Initiative | 450 | 3,600 | The implementation of Commercial Management initiatives will lead to £13m of savings by end of 2022/23. The business case was approved by Cabinet on 6th of November 2017 |
| Total Funding Required for Savings Projects | 8,395 | | |

8. The capital programme is reviewed annually and approved by Full Council in the budget setting cycle in February each year. Any new eligible schemes will be included in this report, with clear indication that they will be fully or part-funded by the flexible use of eligible capital receipts.
9. Any changes to this programme during the year will be presented back to Cabinet, and notified to the DCLG, as per the requirements of the guidance.

| | | |
|---|--|--|
| London Borough of Hammersmith & Fulham Cabinet 5 February 2018 | |  hammersmith & fulham |
| CAPITAL PROGRAMME MONITOR & BUDGET VARIATIONS, 2017/18 (THIRD QUARTER) | | |
| Report of the Cabinet Member for Finance – Councillor Max Schmid | | |
| Open Report | | |
| Classification: FOR DECISION 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 third quarter, amounting to a net decrease of **£22.8m**. This decrease is primarily due to expenditure slippage to future years.
- 1.2. The programme includes the following changes:
- £4.7m of Section 106 (S106) contributions be used to fund expenditure on Street Lighting (LED replacement) and Parking (phone payment and pay and display replacement). This would replace funding from the Efficiency Project Reserve.
 - The annual rolling programme of £0.5m for Parks be met from S106 resources to reduce internal or external borrowing which would otherwise be needed to fund this expenditure.
- 1.3. These proposals have been reflected in the Capital Programme Monitor (third quarter) report.
- 1.4. The Government's new Flexible Use of Capital receipts provisions came into force in April 2016 (detailed guidance in Appendix 5) and mean that the Council can opt to make use of up to £7.1m of capital receipts to fund Invest to Save schemes. However, this would come at revenue cost of £32k per £1m capitalised. A final decision on whether or not to make use of this flexibility will be delegated to the Strategic Finance Director, in

consultation with the Cabinet Member for Finance, as part of the closure of the 2017/18 Accounts process.

2. RECOMMENDATIONS

- 2.1. To approve the proposed budget variations to the capital programme totalling **£22.8m** (summarised in Table 1 and detailed in Appendix 2).
- 2.2. To approve use of S106 contributions to fund £4.7m expenditure on Street Lighting (LED replacement) and Parking (phone payment and pay and display replacement) which would be otherwise funded from the Efficiency Project Reserve.
- 2.3. To approve use of S106 contributions to fund £0.5m Parks 2017/18 rolling programme.
- 2.4. To note the option to apply capital receipts under the new Flexible Use of Capital Receipts provisions to fund £7.1m of Invest to Save schemes (as identified in Appendix 5).

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 – Q3 OVERVIEW

- 4.1. The Council's capital programme as at the end of the third 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 2017-22 with proposed 2017/18 Q3 Variations

| | Analysis of Movements (Revised budget to Q3) | | | | | | Indicative Future Years Analysis | | | | |
|---|--|----------------------------------|----------------------|----------------|-----------------------|-----------------------------|----------------------------------|---------------|---------------|---------------|--------------------------|
| | 2017/18 Revised Budget (Q2) | Slippages from/(to) future years | Addition/(Reduction) | Transfers | Total Variations (Q3) | Revised Budget 2017/18 (Q3) | 2018/19 | 2019/20 | 2020/21 | 2021/22 | Total Budget (All years) |
| | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 |
| CAPITAL EXPENDITURE | | | | | | | | | | | |
| Children's Services | 29,415 | 250 | (8,207) | - | (7,957) | 21,458 | 19,800 | 300 | - | - | 41,558 |
| Adult Social Care | 1,782 | (20) | - | - | (20) | 1,762 | 20 | 937 | - | - | 2,719 |
| Environmental Services | 22,444 | (3,960) | 359 | - | (3,601) | 18,843 | 15,417 | 10,778 | 7,208 | 7,208 | 59,454 |
| Libraries | 285 | - | (285) | - | (285) | - | - | - | - | - | - |
| General Fund Schemes under Housing management | 1,782 | - | - | - | - | 1,782 | 2,050 | 950 | 450 | 450 | 5,682 |
| Sub-total (Non-Housing) | 55,708 | (3,730) | (8,133) | - | (11,863) | 43,845 | 37,287 | 12,965 | 7,658 | 7,658 | 109,413 |
| HRA Programme | 40,130 | (6,967) | - | - | (6,967) | 33,163 | 45,540 | 34,126 | 34,065 | 25,390 | 172,284 |
| Decent Neighbourhoods Programme | 20,048 | (3,700) | (247) | - | (3,947) | 16,101 | 30,583 | 23,676 | 16,875 | 6,632 | 93,867 |
| Sub-total (Housing) | 60,178 | (10,667) | (247) | - | (10,914) | 49,264 | 76,123 | 57,802 | 50,940 | 32,022 | 266,151 |
| Total Expenditure | 115,886 | (14,397) | (8,380) | - | (22,777) | 93,109 | 113,410 | 70,767 | 58,598 | 39,680 | 375,564 |
| CAPITAL FINANCING | | | | | | | | | | | |
| Specific/External Financing: | | | | | | | | | | | |
| Government/Public Body Grants | 22,390 | 299 | (8,110) | 83 | (7,728) | 14,662 | 8,061 | 3,464 | 2,157 | 2,447 | 30,791 |
| Developers Contributions (S106) | 15,834 | (545) | 329 | 5,158 | 4,942 | 20,776 | 9,285 | 1,200 | 16,950 | - | 48,211 |
| Leaseholder Contributions (Housing) | 7,385 | - | (741) | - | (741) | 6,644 | 4,390 | 3,860 | 4,048 | 3,460 | 22,402 |
| Sub-total - Specific Financing | 45,609 | (246) | (8,522) | 5,241 | (3,527) | 42,082 | 21,736 | 8,524 | 23,155 | 5,907 | 101,404 |
| Mainstream Financing (Internal): | | | | | | | | | | | |
| Capital Receipts - General Fund | 7,071 | - | - | (54) | (54) | 7,017 | 1,920 | 8,050 | 1,920 | 1,920 | 20,827 |
| Capital Receipts - Housing* | 20,111 | (2,227) | 792 | - | (1,435) | 18,676 | 24,538 | 13,024 | 8,965 | 4,495 | 69,698 |
| Revenue funding - General Fund | 468 | (69) | - | (83) | (152) | 316 | 521 | 521 | 521 | 521 | 2,400 |
| Revenue Funding - HRA | 4,564 | - | (4,464) | - | (4,464) | 100 | 4,563 | 9,700 | 5,172 | 5,000 | 24,535 |
| Major Repairs Reserve (MRR) [Housing] | 17,716 | - | 3,814 | - | 3,814 | 21,530 | 16,165 | 15,797 | 15,805 | 16,546 | 85,843 |
| Earmarked Reserves (Revenue) | 4,747 | - | - | (4,658) | (4,658) | 89 | - | - | - | - | 89 |
| Sub-total - Mainstream Funding | 54,677 | (2,296) | 142 | (4,795) | (6,949) | 47,728 | 47,707 | 47,092 | 32,383 | 28,482 | 203,392 |
| Internal Borrowing | 15,600 | (11,855) | - | (446) | (12,301) | 3,299 | 43,967 | 15,151 | 3,060 | 5,291 | 70,768 |
| Total Capital Financing | 115,886 | (14,397) | (8,380) | - | (22,777) | 93,109 | 113,410 | 70,767 | 58,598 | 39,680 | 375,564 |

*Capital Receipts include use of brought forward Housing receipts

- 4.2. A net variation to the 2017/18 programme of **(£22.8m)** is proposed, decreasing total budgeted expenditure from £115.9m to £93.1m. This is made up of:
- Expenditure slippage of £14.4m to later years (largest schemes being Hammersmith Town Hall Refurbishment £1.5m, Corporate Planned Maintenance Schemes £1.9m and Housing schemes £10.7m)
 - Reduction of £8.2m in Schools Organisation Strategy budgets in relation to external funding received but not yet devolved to any specific capital projects

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

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 (excluding Schools Windows borrowing) is £0.19m lower than at the start of the year.
- 5.3. As part of the 2018/19 Capital Programme Report it will be proposed that the MRP calculations will be changed to better reflect the asset life of the Council's assets. This will reduce MRP charge from 4% to 3.24% and will be applied from 2017/18 onwards. The estimated revenue savings through decreased Minimum Revenue Provision (MRP) payments will be £0.35m over the next five years. The forecast increase in the CFR to 2021/22 is £13.5m. This may create a general fund revenue pressure of up to £0.48m.

Table 2 – General Fund CFR at Q3 2017-18 (including future years forecast)

| General Fund CFR Forecast | 2016/17 Actual £m | 2017/18 Forecast £m | 2018/19 Forecast £m | 2019/20 Forecast £m | 2020/21 Forecast £m | 2021/22 Forecast £m |
|--|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Closing CFR (Including DSG-funded Schools Windows borrowing) | 50.82 | 53.79 | 76.53 | 74.23 | 76.14 | 78.00 |
| Closing CFR (Excluding DSG-funded Schools Windows borrowing) | 47.25 | 47.06 | 56.98 | 55.47 | 58.13 | 60.70 |

Table 3 – HRA CFR at Q3 2017-18 (including future years forecast)

| HRA CFR Forecast | 2016/17 Actual £m | 2017/18 Forecast £m | 2018/19 Forecast £m | 2019/20 Forecast £m | 2020/21 Forecast £m | 2021/22 Forecast £m |
|---|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Closing Forecast HRA CFR (excluding deferred costs of disposal) | 204.84 | 204.84 | 225.68 | 240.83 | 240.83 | 243.06 |
| Deferred Costs of Disposal | 5.83 | 6.47 | 7.38 | 8.26 | 9.17 | 10.24 |
| Closing Forecast HRA CFR (including deferred costs of disposal) | 210.68 | 211.31 | 233.05 | 249.09 | 250.00 | 253.30 |

- 5.4. 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').
- 5.5. The Council is also reviewing how it can most effectively deliver the future efficiency programme and meet challenges such as the Managed Services replacement.
- 5.6. Housing CFR contains deferred costs of disposals mainly related to Earls Court project.

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

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. The mainstream programme is summarised in Table 4 below.

Table 4 – General Fund Mainstream Programme 2017-22 with proposed 2017/18 Q3 Variations

| | Revised Budget (Q2) 2017/18 £'000 | Variations (Q3) £'000 | Revised Budget 2017/18 (Q3) £'000 | Indicative Budget 2018/19 £'000 | Indicative Budget 2019/20 £'000 | Indicative Budget 2020/21 £'000 | Indicative Budget 2021/22 £'000 | Total Budget (All years) £'000 |
|---|-----------------------------------|-----------------------|-----------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|--------------------------------|
| Approved Expenditure | | | | | | | | |
| Ad Hoc Schemes: | | | | | | | | |
| Schools Organisation Strategy [CHS] (mainstream element) | 765 | - | 765 | 25 | - | - | - | 790 |
| Hammersmith Town Hall Refurbishment (Mainstream Element/CPMP) [ENV] | 2,000 | (1,500) | 500 | 6,274 | 1,000 | - | - | 7,774 |
| Other Capital Schemes [ENV] | 4,658 | | 4,658 | - | - | - | - | 4,658 |
| Carnwath Road [ENV] | - | - | - | - | 3,070 | - | - | 3,070 |
| Rolling Programmes: | | | | | | | | |
| Disabled Facilities Grant [Housing] | 673 | - | 673 | 450 | 450 | 450 | 450 | 2,473 |
| Planned Maintenance/DDA Programme [ENV] | 3,600 | (1,915) | 1,685 | 3,190 | 1,500 | 2,500 | 2,500 | 11,375 |
| Footways and Carriageways [ENV] | 2,762 | - | 2,762 | 2,030 | 2,030 | 2,030 | 2,030 | 10,882 |
| Controlled Parking Zones [ENV] | 38 | - | 38 | 275 | 275 | 275 | 275 | 1,138 |
| Column Replacement [ENV] | 278 | - | 278 | 246 | 246 | 246 | 246 | 1,262 |
| Parks Programme [ENV] | 1,219 | (500) | 719 | - | - | - | - | 719 |
| Total Mainstream Programmes | 15,993 | (3,915) | 12,078 | 12,490 | 8,571 | 5,501 | 5,501 | 44,141 |
| Financing | | | | | | | | |
| Capital Receipts | 7,069 | - | 7,069 | 1,920 | 9,120 | 1,920 | 1,920 | 21,949 |
| General Fund Revenue Account | 5,063 | | 5,063 | 521 | 521 | 521 | 521 | 7,147 |
| Increase/(Decrease) in Internal Borrowing | 3,861 | (3,915) | (54) | 10,049 | (1,070) | 3,060 | 3,060 | 15,045 |
| Total Financing | 15,993 | (3,915) | 12,078 | 12,490 | 8,571 | 5,501 | 5,501 | 44,141 |

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 third 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.

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 2017-22 with proposed 2017/18 Q3 Variations

| Housing Programme - Resource Summary | Current Year Programme | | | Indicative Future Years | | | |
|---|-----------------------------|-----------------------|-----------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| | Revised Budget 2017/18 (Q2) | Total Variations (Q3) | Revised Budget 2017/18 (Q3) | Indicative 2018/19 Budget | Indicative 2019/20 Budget | Indicative 2020/21 Budget | Indicative 2021/22 Budget |
| | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 |
| Approved Expenditure | | | | | | | |
| Decent Neighbourhood Schemes | 20,048 | (3,947) | 16,101 | 30,583 | 23,676 | 16,875 | 6,632 |
| HRA Schemes | 40,130 | (6,967) | 33,163 | 45,540 | 34,126 | 34,065 | 25,390 |
| Total Housing Programme - Approved Expenditure | 60,178 | (10,914) | 49,264 | 76,123 | 57,802 | 50,940 | 32,022 |
| Available and Approved Resource | | | | | | | |
| Capital Receipts - Unrestricted | 11,176 | 2,571 | 13,747 | 6,902 | 4,616 | 4,741 | 4,495 |
| Capital Receipts - RTB (141) | 8,520 | (4,257) | 4,263 | 17,635 | 8,408 | 4,224 | - |
| Capital Receipts - Sale of new build homes | 414 | | 414 | - | - | - | - |
| Housing Revenue Account (revenue funding) | 4,464 | 171 | 4,635 | 4,563 | 9,700 | 5,172 | 5,000 |
| Major Repairs Reserve (MRR) | 17,716 | (769) | 16,947 | 16,165 | 15,797 | 15,805 | 16,546 |
| Contributions Developers (S106) | 1,643 | 350 | 1,993 | 5,634 | - | 16,950 | - |
| Repayment of NHHT loan | 270 | | 270 | - | 270 | - | 290 |
| Contributions from leaseholders | 7,385 | (540) | 6,845 | 4,390 | 3,860 | 4,048 | 3,460 |
| Insurance Claims | 150 | | 150 | - | - | - | - |
| Internal Borrowing-HRA | 8,440 | (8,440) | - | 20,834 | 15,151 | - | 2,231 |
| Total Funding | 60,178 | (10,914) | 49,264 | 76,123 | 57,802 | 50,940 | 32,022 |

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

| Decent Neighbourhoods Programme Capital Monitoring - 2017/18 HRA Capital Programme: Specific Compliance and Health & Safety Spend April-October 2017 | | | | | |
|--|---------------------------------|----------------|--|--|-----------------------|
| Health and Safety related spend included in the minor works programme plus E state CCTV | 2017-18 as at 31st October 2017 | | | | |
| | Original Full Year Budget | Revised Budget | 2017/18 Full year forecast at October-17 | Forecasted Variance to original budget | Spend to October 2017 |
| | £'000 | £'000 | £'000 | £'000 | £'000 |
| APPROVED SCHEMES | | | | | |
| Fire safety Improvements* | 1,500 | 1,730 | 1,330 | (170) | 318 |
| Warden Call System Upgrade | 1,032 | 516 | 150 | (882) | 10 |
| Roseford, Woodford, Shepherds extract systems | | 26 | 26 | 26 | |
| Edward Woods communal extract system | | 250 | 100 | 100 | |
| Estate CCTV | 250 | 280 | 350 | 100 | 134 |
| Melrose Terrace controlled access | | 35 | 35 | 35 | |
| Controlled Access continuing programme | 500 | 20 | 100 | (400) | |
| Fire Safety Plus Capital Works | | 10,000 | 5,000 | 5,000 | |
| Total | 3,282 | 12,857 | 7,091 | 3,809 | 461 |

| Decent Neighbourhoods Programme Capital Monitoring - 2017/18 HRA Capital Programme: Health & Safety Related Spend in other sections of the HRA Capital Programme April-October 2017 | | | | | | |
|---|------------------------------------|-------------------------|---|---|--------------------------------------|---|
| Health & Safety Related Spend in various sections of the HRA Capital Programme | 2017-18 as at 31st October 2017 | | | | | Comments |
| | Original Full Year Budget £'000 | Revised Budget £'000 | 2017/18 Full year forecast at Oct 17 £'000 | Forecasted variance to original budget £'000 | Apr - Oct 2017 Actual Spend £'000 | |
| APPROVED SCHEMES | | | | | | |
| Kitchen and Bathroom modernisation | 250 | 500 | 500 | 250 | 111 | 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 | 1,050 | | 530 | 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 | 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 | 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 | 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. |
| Landlord's electrical installations | 750 | 750 | 250 | (500) | 69 | Programme reviewed: timeframe estimates revised on account of planned procurement exercise. Electrical installations have implications for fire and other risks. |
| Estate Lighting | 150 | 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 | 2,588 | 2,038 | (1,032) | 746 | |

7.3. The Decent Neighbourhoods Fund contains the Council's Housing Capital Receipts which must be used for Housing or Regeneration purposes and shows how the Council plans to reinvest those receipts in Housing and Regeneration.

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.

8.2. Implications verified by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206.

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, Tel: 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. Projects contained in the capital programme are approved on individual basis and the business implications for each of them are considered in more detail in their specific reports.

11.3. 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 excellent programme that provides residents with assurance on safety.

12.3. Implications completed by: Michael Sloniowski, Shared Services Risk Manager, Tel: 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), Tel: 020 7361 2581.

14. VAT IMPLICATIONS

14.1. The Council needs to carefully consider its VAT partial exemption 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.

14.2. The current forecast indicates the calculation in 2017/18 will be a breach if mitigating action is not taken. The breach is primarily associated with the coincidence of a number of VAT-exempt capital projects (following slippages in earlier years) and ongoing queries concerning the Bridge Academy and other schools' major projects which may present a partial exemption risk (and has therefore been assumed in the monitor pending confirmation otherwise). In addition, the bringing back in house of a number of functions previously delivered by the Hammersmith and Fulham Bridge

Partnership (HFBP) has meant that the Council's input tax has fallen – this reduces the base used in the partial exemption (PE) calculation and therefore reduces the threshold. The current forecast is shown below:

VAT PE estimate £ms

| | | Actual | | | | Projection | | |
|-------------------------|--|------------|---------|---------|---------|------------|----------|----------|
| | | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 |
| | | Actual | Actual | Actual | Actual | Forecast | Forecast | Forecast |
| A | Total Input Tax | (£m) 36.9 | 46.4 | 44 | 43.5 | 44.5 | 44 | 44 |
| Exempt Supplies: | | | | | | | | |
| B | Revenue Related Exempt Input Tax | (£m) 0.416 | 0.283 | 0.193 | 0.333 | 0.333 | 0.333 | 0.333 |
| C | Capital Related Exempt Input Tax | (£m) 1.790 | 1.945 | 0.257 | 0.919 | 1.968 | 1.694 | 1.086 |
| D (B+C) | Total Exempt Input Tax | (£m) 2.206 | 2.228 | 0.450 | 1.252 | 2.301 | 2.027 | 1.419 |
| E (A*5%) | Partial Exemption Limit (5% of total input tax) | (£m) 1.845 | 2.320 | 2.200 | 2.175 | 2.225 | 2.200 | 2.200 |
| F (D/A) | Actual Partial Exemption % | 6.0% | 4.8% | 1.0% | 2.9% | 5.2% | 4.6% | 3.2% |
| G (5%-F) | Margin of Safety | -0.98% | 0.20% | 3.98% | 2.12% | -0.17% | 0.39% | 1.78% |
| H | 7 Year Input Tax (Current Year, minus 4, plus 2) | (£m) | | | | 303.3 | | |
| I | 7 Year Exempt Supplies | (£m) | | | | 11.883 | | |
| J (I/H) | Partial Exemption using 7 Year Average | | | | | 3.92% | | |

14.3. The ongoing and proposed mitigating actions are as follows:

- Corporate Finance, in concert with Children's Services, are securing external advice to ensure that schools' capital projects are structured as efficiently as possible and to ensure that the Council's position is protected as much as possible.
- Corporate Finance will undertake a thorough review of VAT-exempt capital projects. For these projects, it is critical that a realistic forecast of the certainty and timing of expenditure is determined. Service finance colleagues are requested to co-operate with this review.
- Where services are considering major projects or complex new ventures, particularly where they are commercially orientated, they should consult with Corporate Finance as early as possible to determine the tax implications.

14.4. Further detail on the Council's Partial Exemption is included in Appendix 4.

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

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

None.

LIST OF APPENDICES:

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

Appendix 2 - Analysis of Budget Variations

Appendix 3 – Summary of Capital Receipts Forecast

Appendix 4 - VAT Partial Exemption

Appendix 5 - Flexible Use of Capital Receipts Guidance

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 Q3) | | | | | Revised Budget 2017/18 (Q3) | 2018/19 Budget | 2019/20 Budget | 2020/21 Budget | 2021/22 Budget | Total Budget (All years) |
| | 2017/18 Revised Budget (Q2) | Slippages from/(to) future years | Additions/ (Reductions) | Transfers | Total Transfers/ Virements | | | | | | |
| Scheme Expenditure Summary | | | | | | | | | | | |
| Lyric Theatre Development | 350 | 250 | - | - | 250 | 600 | 1,100 | - | - | - | 1,700 |
| Schools Organisational Strategy | 25,388 | - | (8,207) | - | (8,207) | 17,181 | 5,615 | 300 | - | - | 23,096 |
| Schools Window Replacement Project | 3,299 | - | - | - | - | 3,299 | 13,085 | - | - | - | 16,384 |
| Other Capital Schemes | 378 | - | - | - | - | 378 | - | - | - | - | 378 |
| Total Expenditure | 29,415 | 250 | (8,207) | - | (7,957) | 21,458 | 19,800 | 300 | - | - | 41,558 |
| Capital Financing Summary | | | | | | | | | | | |
| Specific/External or Other Financing | | | | | | | | | | | |
| Capital Grants from Central Government | 16,828 | - | (8,207) | - | (8,207) | 8,621 | 4,184 | - | - | - | 12,805 |
| Grants and Contributions from Private Developers (includes S106) | 8,173 | - | - | - | - | 8,173 | 1,406 | 300 | - | - | 9,879 |
| Capital Grants/Contributions from Non-departmental public bodies | 198 | 319 | - | 83 | 402 | 600 | 1,100 | - | - | - | 1,700 |
| Sub-total - Specific or Other Financing | 25,199 | 319 | (8,207) | 83 | (7,805) | 17,394 | 6,690 | 300 | - | - | 24,384 |
| Mainstream Financing (Internal Council Resource) | | | | | | | | | | | |
| Capital Receipts | 765 | - | - | - | - | 765 | 25 | - | - | - | 790 |
| General Fund Revenue Account (revenue funding) | 152 | (69) | - | (83) | (152) | - | - | - | - | - | - |
| Use of Reserves | - | - | - | - | - | - | - | - | - | - | - |
| Sub-total - Mainstream Funding | 917 | (69) | - | (83) | (152) | 765 | 25 | - | - | - | 790 |
| Borrowing - non school windows | - | - | - | - | - | - | - | - | - | - | 0 |
| Borrowing - school windows | 3,299 | - | - | - | - | 3,299 | 13,085 | - | - | - | 16,384 |
| Funding to be identified/agreed | - | - | - | - | - | - | - | - | - | - | - |
| Total Capital Financing | 29,415 | 250 | (8,207) | - | (7,957) | 21,458 | 19,800 | 300 | - | - | 41,558 |

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 Q3)

| 2017/18 Revised Budget (Q2) £'000 | Slippages from/(to) future years £'000 | Additions/ (Reductions) £'000 | Transfers £'000 | Total Transfers/ Virements £'000 | Revised Budget 2017/18 (Q3) £'000 | 2018/19 Budget | 2019/20 Budget | 2020/21 Budget | 2021/22 Budget | Total Budget (All years) £'000 | |
|---|---|----------------------------------|--------------------|-------------------------------------|--------------------------------------|----------------|----------------|----------------|----------------|-----------------------------------|--------------|
| | | | | | | £'000 | £'000 | £'000 | £'000 | £'000 | |
| Scheme Expenditure Summary | | | | | | | | | | | |
| Extra Care New Build project (Adults' Personal Social Services Grant) | 20 | (20) | - | - | (20) | - | 20 | 937 | - | - | 957 |
| Community Capacity Grant | 2 | - | - | - | - | 2 | - | - | - | - | 2 |
| Transforming Care (Winterbourne Grant) | 300 | - | - | - | - | 300 | - | - | - | - | 300 |
| Social Care Capital Grant | 1,460 | - | - | - | - | 1,460 | - | - | - | - | 1,460 |
| Total Expenditure | 1,782 | (20) | - | - | (20) | 1,762 | 20 | 937 | - | - | 2,719 |
| Capital Financing Summary | | | | | | | | | | | |
| Specific/External or Other Financing | | | | | | | | | | | |
| Capital Grants from Central Government | 1,482 | (20) | - | - | (20) | 1,462 | 20 | 937 | - | - | 2,419 |
| Capital Grants/Contributions from Non-departmental public bodies | 300 | - | - | - | - | 300 | - | - | - | - | 300 |
| Sub-total - Specific or Other Financing | 1,782 | (20) | - | - | (20) | 1,762 | 20 | 937 | - | - | 2,719 |
| Mainstream Financing (Internal Council Resource) | | | | | | | | | | | |
| Capital Receipts | - | - | - | - | - | - | - | - | - | - | - |
| Sub-total - Mainstream Funding | - | - | - | - | - | - | - | - | - | - | - |
| Borrowing | - | - | - | - | - | - | - | - | - | - | - |
| Total Capital Financing | 1,782 | (20) | - | - | (20) | 1,762 | 20 | 937 | - | - | 2,719 |

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

Environmental Services

Current Year Programme

Indicative Future Years Analysis

Analysis of Movements (Revised budget to Q3)

| 2017/18 Revised Budget (Q2) £'000 | Slippages from/(to) future years £'000 | Additions/ (Reductions) £'000 | Transfers £'000 | Total Transfers/ Virements £'000 | Revised Budget 2017/18 (Q3) £'000 | 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 Budget £'000 | Total Budget (All years) £'000 | |
|--|---|----------------------------------|--------------------|-------------------------------------|--------------------------------------|-------------------------|-------------------------|-------------------------|-------------------------|-----------------------------------|---------------|
| | | | | | | | | | | | |
| Scheme Expenditure Summary | | | | | | | | | | | |
| Planned Maintenance/DDA Programme | 3,615 | (1,915) | - | - | (1,915) | 1,700 | 3,190 | 1,500 | 2,500 | 2,500 | 11,390 |
| King Street-Town Hall Redevelopment | 2,000 | (1,500) | - | - | (1,500) | 500 | 6,274 | 1,000 | - | - | 7,774 |
| Footways and Carriageways | 2,748 | - | - | - | - | 2,748 | 2,030 | 2,030 | 2,030 | 2,030 | 10,868 |
| Transport For London Schemes | 2,254 | - | 147 | - | 147 | 2,401 | 2,157 | 2,157 | 2,157 | 2,157 | 11,029 |
| Controlled Parking Zones | 38 | - | - | - | - | 38 | 275 | 275 | 275 | 275 | 1,138 |
| Column Replacement | 278 | - | - | - | - | 278 | 246 | 246 | 246 | 246 | 1,262 |
| 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 | 3,440 | - | 139 | - | 139 | 3,579 | - | - | - | - | 3,579 |
| Parks Expenditure | 2,612 | (345) | 73 | 79 | (193) | 2,419 | 845 | 500 | - | - | 3,764 |
| Alternative Weed Treatment | 100 | - | - | - | - | 100 | - | - | - | - | 100 |
| Phoenix Centre Capital Improvements | 79 | - | - | (79) | (79) | - | - | - | - | - | - |
| Shepherds Bush Common Improvements | 383 | (200) | - | - | (200) | 183 | 400 | - | - | - | 583 |
| Recycling | 19 | - | - | - | - | 19 | - | - | - | - | 19 |
| CCTV | 52 | - | - | - | - | 52 | - | - | - | - | 52 |
| Total Expenditure | 22,444 | (3,960) | 359 | - | (3,601) | 18,843 | 15,417 | 10,778 | 7,208 | 7,208 | 59,454 |
| Capital Financing Summary | | | | | | | | | | | |
| Specific/External or Other Financing | | | | | | | | | | | |
| Grants and Contributions from Private Developers (includes S106) | 5,534 | (545) | 262 | 5,158 | 4,875 | 10,409 | 1,245 | 500 | - | - | 12,154 |
| Capital Grants and Contributions from GLA Bodies | 2,253 | - | 97 | - | 97 | 2,350 | 2,157 | 2,157 | 2,157 | 2,157 | 10,978 |
| Sub-total - Specific or Other Financing | 7,787 | (545) | 359 | 5,158 | 4,972 | 12,759 | 3,402 | 2,657 | 2,157 | 2,157 | 23,132 |
| Mainstream Financing (Internal Council Resource) | | | | | | | | | | | |
| Capital Receipts | 5,633 | - | - | (54) | (54) | 5,579 | 1,445 | 7,600 | 1,470 | 1,470 | 17,564 |
| Housing Revenue Account (revenue funding) | 100 | - | - | - | - | 100 | - | - | - | - | 100 |
| General Fund Revenue Account (revenue funding) | 316 | - | - | - | - | 316 | 521 | 521 | 521 | 521 | 2,400 |
| Use of Reserves | 4,747 | - | - | (4,658) | (4,658) | 89 | - | - | - | - | 89 |
| Sub-total - Mainstream Funding | 10,796 | - | - | (4,712) | (4,712) | 6,084 | 1,966 | 8,121 | 1,991 | 1,991 | 20,153 |
| Borrowing | 3,861 | (3,415) | - | (446) | (3,861) | - | 10,049 | - | 3,060 | 3,060 | 16,169 |
| Total Capital Financing | 22,444 | (3,960) | 359 | - | (3,601) | 18,843 | 15,417 | 10,778 | 7,208 | 7,208 | 59,454 |

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 Q3)

| 2017/18 Revised Budget (Q2) £'000 | Slippages from/(to) future years £'000 | Additions/ (Reductions) £'000 | Transfers £'000 | Total Transfers/ Virements £'000 | Revised Budget 2017/18 (Q3) £'000 | 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 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.

| General Fund Schemes under Housing management | Current Year Programme | | | | | | Indicative Future Years Analysis | | | | | |
|--|--|----------------------------------|-------------------------|-----------|----------------------------|-----------------------------|----------------------------------|----------------|----------------|----------------|--------------------------|-------|
| | Analysis of Movements (Revised budget to Q3) | | | | | | 2018/19 Budget | 2019/20 Budget | 2020/21 Budget | 2021/22 Budget | Total Budget (All years) | |
| | 2017/18 Revised Budget (Q2) | Slippages from/(to) future years | Additions/ (Reductions) | Transfers | Total Transfers/ Virements | Revised Budget 2017/18 (Q3) | | | | | | £'000 |
| Scheme Expenditure Summary | | | | | | | | | | | | |
| <i>General Fund Schemes under Housing management:</i> | | | | | | | | | | | | |
| Disabled Facilities Grant | 1,282 | - | - | - | - | 1,282 | 450 | 450 | 450 | 450 | 3,082 | |
| Sands End Community Centre | 500 | - | - | - | - | 500 | 1,600 | 500 | - | - | 2,600 | |
| Total Expenditure | 1,782 | - | - | - | - | 1,782 | 2,050 | 950 | 450 | 450 | 5,682 | |
| Capital Financing Summary | | | | | | | | | | | | |
| Specific/External or Other Financing | | | | | | | | | | | | |
| Capital Grants from Central Government | 609 | - | - | - | - | 609 | - | - | - | - | 609 | |
| Grants and Contributions from Private Developers (includes S106) | 200 | - | - | - | - | 200 | 1,000 | 400 | - | - | 1,600 | |
| Capital Grants/Contributions from Non-departmental public bodies | 300 | - | - | - | - | 300 | 600 | 100 | - | - | 1,000 | |
| Sub-total - Specific or Other Financing | 1,109 | - | - | - | - | 1,109 | 1,600 | 500 | - | - | 3,209 | |
| Mainstream Financing (Internal Council Resource) | | | | | | | | | | | | |
| Capital Receipts (GF) | 673 | - | - | - | - | 673 | 450 | 450 | 450 | 450 | 2,473 | |
| Sub-total - Mainstream Funding | 673 | - | - | - | - | 673 | 450 | 450 | 450 | 450 | 2,473 | |
| Borrowing (Internal Borrowing-GF) | | | | | | | | | | | | |
| | - | - | - | - | - | - | - | - | - | - | 0 | |
| Total Capital Financing | 1,782 | - | - | - | - | 1,782 | 2,050 | 950 | 450 | 450 | 5,682 | |

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 (Q2) £'000 | Analysis of Movements (Revised budget to Q3) | | | | Revised Budget 2017/18 (Q3) £'000 | 2018/19 Budget £'000 | 2019/20 Budget £'000 | 2020/21 Budget £'000 | 2021/22 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 | (447) | - | - | (447) | 500 | 447 | - | - | - | 947 |
| Energy Schemes | 1,633 | (400) | - | - | (400) | 1,233 | 3,597 | 2,350 | 1,725 | 2,150 | 11,055 |
| Lift Schemes | 2,950 | - | - | - | - | 2,950 | 4,100 | 4,250 | 1,650 | 500 | 13,450 |
| Internal Modernisation | 500 | - | - | - | - | 500 | 250 | 500 | 1,750 | 2,000 | 5,000 |
| Major Refurbishments | 18,245 | (5,030) | - | - | (5,030) | 13,215 | 12,407 | 17,686 | 20,000 | 12,000 | 75,308 |
| Planned Maintenance Framework | 644 | - | - | - | - | 644 | - | - | - | - | 644 |
| Minor Programmes | 9,061 | (1,090) | - | - | (1,090) | 7,971 | 8,759 | 8,340 | 7,940 | 7,640 | 40,650 |
| ASC/ELRS Managed | 1,150 | - | - | - | - | 1,150 | 980 | 1,000 | 1,000 | 1,100 | 5,230 |
| Fire Safety Plus | 5,000 | - | - | - | - | 5,000 | 15,000 | - | - | - | 20,000 |
| Subtotal HRA | 40,130 | (6,967) | - | - | (6,967) | 33,163 | 45,540 | 34,126 | 34,065 | 25,390 | 172,284 |
| Decent Neighbourhood Schemes: | | | | | | | | | | | |
| Earls Court Buy Back Costs | 7,788 | (1,650) | - | - | (1,650) | 6,138 | 4,062 | 2,665 | 2,797 | 6,632 | 22,294 |
| Earls Court Project Team Costs | 804 | (124) | - | - | (124) | 680 | 926 | 907 | 925 | 1,095 | 4,533 |
| Housing Development Project | 786 | (350) | - | - | (350) | 436 | 8,554 | 2,675 | - | - | 11,665 |
| Stanhope Joint Venture | 4,749 | (1,456) | (371) | - | (1,827) | 2,922 | 5,592 | 15,330 | 14,078 | - | 37,922 |
| Other HRA | 6,725 | (120) | - | - | (120) | 6,605 | 375 | 6 | - | - | 6,986 |
| Affordable Housing Delivery Framework | - | - | - | - | - | - | 12,000 | 3,000 | - | - | 15,000 |
| Subtotal Decent Neighbourhoods | 20,852 | (3,700) | (371) | - | (4,071) | 16,781 | 31,509 | 24,583 | 17,800 | 7,727 | 98,400 |
| Total Expenditure | 60,982 | (10,667) | (371) | - | (11,038) | 49,944 | 77,049 | 58,709 | 51,865 | 33,117 | 270,684 |
| Adjustment for deferred costs | (804) | - | 124 | - | 124 | (680) | (926) | (907) | (925) | (1,095) | (4,533) |
| Total Net Expenditure | 60,178 | (10,667) | (247) | - | (10,914) | 49,264 | 76,123 | 57,802 | 50,940 | 32,022 | 266,151 |
| Capital Financing Summary | | | | | | | | | | | |
| Specific/External or Other Financing | | | | | | | | | | | |
| Contributions from leaseholders | 7,385 | - | (741) | - | (741) | 6,644 | 4,390 | 3,860 | 4,048 | 3,460 | 22,402 |
| Grants and Contributions from Private Developers (includes S106) | 1,642 | - | 352 | - | 352 | 1,994 | 5,634 | - | 16,950 | - | 24,578 |
| Capital Grants/Contributions from Non-departmental public bodies | 270 | - | - | - | - | 270 | - | 270 | - | 290 | 830 |
| Insurance claims | 150 | - | - | - | - | 150 | - | - | - | - | 150 |
| Sub-total - Specific or Other Financing | 9,447 | - | (389) | - | (389) | 9,058 | 10,024 | 4,130 | 20,998 | 3,750 | 47,960 |
| Mainstream Financing (Internal Council Resource) | | | | | | | | | | | |
| Capital Receipts (HRA) | 20,111 | (2,227) | 792 | - | (1,435) | 18,676 | 24,538 | 13,024 | 8,965 | 4,495 | 69,698 |
| Housing Revenue Account (revenue funding) | 4,464 | - | (4,464) | - | (4,464) | - | 4,563 | 9,700 | 5,172 | 5,000 | 24,435 |
| Major Repairs Reserve (MRR) / Major Repairs | 17,716 | - | 3,814 | - | 3,814 | 21,530 | 16,165 | 15,797 | 15,805 | 16,546 | 85,843 |
| Sub-total - Mainstream Funding | 42,291 | (2,227) | 142 | - | (2,085) | 40,206 | 45,266 | 38,521 | 29,942 | 26,041 | 179,976 |
| Borrowing (Internal Borrowing-HRA) | 8,440 | (8,440) | - | - | (8,440) | - | 20,833 | 15,151 | - | 2,231 | 38,215 |
| Total Capital Financing | 60,178 | (10,667) | (247) | - | (10,914) | 49,264 | 76,123 | 57,802 | 50,940 | 32,022 | 266,151 |

Appendix 2 – Analysis of Budget Variations

| Variation by Service | Amount £'000 |
|--|-----------------|
| Children's Services (CHS) | |
| Schools' Organisation Strategy – reduction in budgets related to external funding received but not yet devolved to any specific capital projects | (8,207) |
| Lyric Theatre - Slippage from future years to reflect cost of final charges payable in 2017/18 in relation to project completion | 250 |
| Total CHS variations | (7,957) |
| Adult Social Care (ASC) | |
| Extra Care New Build project (Adults' Personal Social Services Grant) - slippage to 2018/19 due to project delays | (20) |
| Total ASC variations | (20) |
| Libraries Services | |
| Hammersmith Library Refurbishment Project - reduction in budget as project completed | (285) |
| Total Libraries | (285) |
| Environmental Services (ENV) | |
| TFL funded schemes – additional budget to reflect adjustment in external funding (TFL grant) received | 147 |
| King Street - Town Hall Redevelopment - slippage to future years due to project delays | (1,500) |
| Planned Maintenance/DDA Programme-slippage to future years due to project delays related to Amey contract works | (1,915) |
| Other Capital Schemes - budget adjustment to reflect actual external funding (S106) received | 139 |
| Shepherds Bush Common Improvements - slippage to 2018/19 due to project delays | (200) |
| Parks Programme – slippage of £(345k) to future years as result of project delays and £73k of additional budget to reflect actual external funding received | (272) |
| Total ENV variations | (3,601) |
| Housing Capital Programme | |
| HRA schemes - net slippage from/(to) future years as a result of budget re-profiling | (6,967) |
| Earls Court Buyback Costs - slippage to future years due to project delays | (1,650) |
| Other HRA schemes - slippage to future years due to project delays | (120) |
| Housing Development Project – slippage to future years due to project delays | (350) |
| Stanhope Joint Venture - net movement consists of £1,456k of slippages to future years due to the project delays and £351k of reduction in the budget as a result of the project cost review | (1,827) |
| Total Housing variations | (10,914) |
| Grand Total 2017-18 Q3 Variations | (22,777) |

Appendix 3 – General Fund – Forecast Capital Receipts

| Financial Year | Previous Forecast £'000s | Movement/ Slippage £'000s | Forecast Outturn at Quarter 3 £'000s | Full sales proceeds @ Q3 £'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 | (6,299) | 1,920 | - | - |
| 2019/20 | | | | | |
| Total 2019/20 | - | 9,120 | 9,120 | - | 566 |
| 2020/21 | | | | | |
| Total 2020/21 | - | 1,920 | 1,920 | - | - |
| 2021/22 | | | | | |
| Total 2021/22 | - | 1,920 | 1,920 | - | - |
| Total All Years | 15,288 | 6,661 | 21,949 | 6,720 | 566 |

Appendix 4 – VAT Partial Exemption

1. Partial Exemption Overview

- 1.1. In general, businesses cannot recover the VAT incurred on purchases made in connection with VAT exempt activities, for example, capital expenditure on properties which are let or leased are exempt from VAT. However, under Section 33 of the VAT Act 1994, local authorities are able to recover this VAT so long as it forms “an insignificant proportion” of the total VAT incurred (input tax) in any year. This insignificant proportion is taken to be 5% or less. Crucially however, the de minimis limit is not an allowance; if the 5% figure is exceeded then all the exempt input tax is lost, not just that which is in excess of the limit. The cost to the Council of non-allowable breach would therefore be in excess of £2m.
- 1.2. If councils breach their partial exemption limit in a single year, they can apply to the HMRC and ask for their 7-year average partial exemption to be considered for that particular year for their calculation instead. Such mitigation can only be invoked as a one-off.

2. LBHF Partial Exemption

- 2.1 The Council’s input tax forecast for 2017/18 (across all expenditure) is £44.5m and it is projected to remain at a similar level in the medium term. This means it would likely cost the Council £2.25m (being 5% of £44.5m) of exempt input tax before it breaches its partial exemption limit.
- 2.2 When calculating the exempt input tax incurred annually, the Council considers its revenue and capital activities separately. Revenue activities are more constant, their contribution to exempt input tax is projected to remain at £2.3m. Exempt input tax relating to capital activities is more volatile as each project must be considered and judged individually and can have significant associated costs.
- 2.3 Land and lease transactions give rise to exempt supply. Capital projects involving these usually give rise to exempt input tax, although wherever possible the Council uses its VAT policy (see section 3) to mitigate this.
- 2.4 The Council has a number of capital projects, both in train and in the pipeline, which could have significant partial exemption implications.

3. VAT Policy

- 3.1 Following a mitigated breach of the partial exemption threshold in 2013/14, the following policy was approved by Cabinet on 6th October 2014 to better manage the Partial Exemption position:
 - Projects should be 'opted-to-tax' where this option is available and is of no financial disadvantage to the Council.
 - If an option-to tax is unavailable it is advised that any avoidable, new projects in 2017/18 incurring exempt VAT are deferred for the present time.
 - In addition there is only limited room in the 2018/19 (and future years) partial exemption forecasts. Therefore, new or re-profiled projects for future years incurring exempt VAT will need to be agreed with the Corporate VAT team.
 - In all cases the VAT team should be consulted in advance in order that the forecasts can be updated and re-checked against limits.

Appendix 5 - Flexible Use of Capital Receipts Guidance

1. The Secretary of State for Communities and Local Government issued guidance in March 2016, giving local authorities a greater freedom with how capital receipts can be used to finance expenditure. This Direction allows for the following expenditure to be treated as capital:

“Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility.”

2. There is a wide range of projects that could generate qualifying expenditure and the list below is not prescriptive. Examples of projects include:
 - Sharing back-office and administrative services with one or more other council or public sector bodies;
 - Investment in service reform feasibility work, e.g. setting up pilot schemes;
 - Funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation;
 - Driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;
 - Improving systems and processes to tackle fraud and corruption in line with the Local Government Fraud and Corruption Strategy – this could include an element of staff training;
 - Setting up commercial or alternative delivery models to deliver services more efficiently and bring in revenue (for example, through selling services to others).
3. Expenditure is only eligible if it has been incurred in the period between 01 April 2016 - 31 March 2019 and it can be funded from capital receipts generated only during this period. The proposal to extend this period for another three years was announced in the Local Government Settlement on 19 December 2017.
4. In order to comply with this Direction, the Council must consider the Statutory Guidance issued by the Secretary of State. This guidance requires authorities to prepare, publish and maintain a Flexible Use of Capital Receipts Strategy with the initial strategy being effective from 1st April 2016 with future Strategies included within future Annual Budget documents.
5. There is no prescribed format for the Strategy, the underlying principle is to support local authorities to deliver more efficient and sustainable services by extending the use of capital receipts to support the revenue costs of reform projects
6. The Statutory Guidance for the Flexible Use of Capital Receipts Strategy states that the Strategy should include a list of each project which plans to make use of the capital receipts flexibility, together with the expected savings that the project will realise. The Strategy should also include the impact of this flexibility on the affordability of borrowing by including updated Prudential Indicators.


7. The Council has reviewed the Flexible Use of Capital Receipts guidance and identified the following schemes as meeting the eligibility criteria laid out in the guidance document, in that they are forecast to generate on-going revenue savings through reducing costs of service delivery:

| Efficiency Projects delivering Savings that May be Capitalised | | | |
|--|--------------------------|---|--|
| Business Case | Amount £'000s | Annual Savings when Fully Implemented £000's | Notes |
| ASC Shared Services Strategic Business Case | 841 | 5,571 | The restructuring of the ASC service is forecast to deliver Cumulative savings of £18m over 4 years. The approval for this spend was taken by Cabinet on 6th of July 2015 |
| Focus on Practice - Innovation Fund Grant | 330 | 4,200 | Focus on practice will deliver savings of up to £4.2m per annum by 2019/20. Approval for this spend was made by Cabinet on 3rd December 2014 |
| Integrated Family Support Service (IFSS) | 1,465 | 1,500 | The Integrated Family Support Service is expected to deliver savings of £1.5m per annum. Approval for this funding was given by Cabinet on 10th October 2016 |
| Maximising Children's Social Care Effectiveness | 1,612 | 1,500 | Maximising Children's Social Care effectiveness will deliver savings of £1.5m per annum. This business case was approved by Cabinet on 7th of November 2016 |
| Approval of Business Case 4: Transforming Services for Children and Young People with Special Educational Needs (SEN) & Disabilities | 563 | 224 | This business case is forecast to deliver savings of £1,500k by 2018/19. Cabinet approved this business case on 7th November 2016 |
| Creation of H&F Social Letting Agency | 200 | 180 | The creation of a social letting agency will deliver savings of up to £180k per annum through cost avoidance. This was approved by Cabinet on 7th November 2016 |
| Business Intelligence Infrastructure | 784 | 1,200 | Business Intelligence initiatives continue to deliver savings from freedom passes to single person discounts. This funding will be used to continue to deliver these savings and additional savings of £1.2m per annum. The business case was approved by Cabinet on the 6th of Feb 2017 |
| ICT Desktop Strategy | 2,150 | 4,700 | The desktop strategy will contribute to the ICT savings of over £4.7m per annum. The business case was approved by Cabinet on 6th Feb 2017 |
| Funding Of Commercial Management Initiative | 450 | 3,600 | The implementation of Commercial Management initiatives will lead to £13m of savings by end of 2022/23. The business case was approved by Cabinet on 6th of November 2017 |
| Total Funding Required for Savings Projects | 8,395 | | |

8. The capital programme is reviewed annually and approved by Full Council in the budget setting cycle in February each year. Any new eligible schemes will be included in this report, with clear indication that they will be fully or part-funded by the flexible use of eligible capital receipts.

9. Any changes to this programme during the year will be presented back to Cabinet, and notified to the DCLG, as per the requirements of the guidance.

Agenda Item 7

| | |
|--|---|
| <p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>5 February 2018</p> |  <p>h&f hammersmith & fulham</p> |
| TREASURY MANAGEMENT STRATEGY STATEMENT 2018/19 | |
| Report of the Cabinet Member for Finance – Councillor Max Schmid | |
| Open Report | |
| Classification: For Decision Key Decision: Yes | |
| Wards Affected: All | |
| Accountable Director: Hitesh Jolapara, Strategic Finance Director | |
| Report Author: Phil Triggs, Director of Treasury and Pensions | Contact Details: Tel: 0207 641 4136 E-mail: ptriggs@westminster.gov.uk |

1. EXECUTIVE SUMMARY

1.1 The Local Government Act 2003 requires the Council to:

- set out a statement of its treasury management strategy for borrowing, having regard to the Prudential Code and setting out Prudential Indicators for the next three years to ensure that the Council's capital investment plans are affordable, prudent and sustainable.
- prepare an Annual Investment Strategy, setting out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.

The Treasury Management Strategy Statement and Annual Investment Strategy must both have regard to guidance issued by the Department of Communities and Local Government (DCLG) and must be approved by the full Council.

1.2 This report sets out the Council's proposed Treasury Management Strategy and Annual Investment Strategy for 2018/19, and authorises the Strategic Finance Director to deliver the treasury management activities set out in the report.

- 1.3 The report is also designed to demonstrate compliance with the Local Government Act 2003, other regulations and statutory guidance for ensuring that the Council's borrowing and investment plans are prudent, affordable and sustainable, and comply with statutory requirements.

2. RECOMMENDATIONS

- 2.1 That approval is given to the future borrowing and investment strategies as outlined in this report and that the Strategic Finance Director, in consultation with the Cabinet Member for Finance, be authorised to manage the Council's cash flow, borrowing and investments in 2018/19 in line with this report.
- 2.2 In relation to the Council's overall borrowing for the financial year, to note the comments and the Prudential Indicators as set out in this report and the revised Annual Investment Strategy set out in Appendix E.

3. BACKGROUND

- 3.1 The Council is required to set a balanced budget, which means that income raised during the year is budgeted to meet expenditure. Part of the treasury management operation is to ensure that:
- The Council's capital programme and corporate investment plans are adequately funded;
 - Cash flow is adequately planned, with cash being available when needed to discharge the Council's legal obligations and to deliver Council services;
 - Surplus monies are invested wisely, in counterparties or financial instruments commensurate with the Council's low risk appetite, providing security of capital and adequate liquidity before considering investment return.
- 3.2 Treasury Management Strategies provide a guide to the borrowing needs of the Council, essentially longer term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer term cash may involve arranging long or short term loans, using cash flow surpluses, or restructuring any debts previously entered into to meet Council risk or cost objectives.
- 3.3 The Council has formally adopted CIPFA's Code of Practice on Treasury Management. The Code of Practice and Cross Sectoral Guidance Notes issued in 2009 and 2011 require that each Local Authority has a Treasury Management Policy Statement that is approved by the Full Council, and this is set out in Appendix A.
- 3.4 The Council also follows other key requirements of the Code as set out in Appendix B.

3.5 Prospects for interest rate changes and investment returns have been considered in developing and updating the Council's Treasury Management Strategies. Market commentators are forecasting an increase in interest rates across all maturities, but a limited increase rather than a material change. The Council's treasury management advisors, Link Asset Services (formerly Capita Asset Services), are currently forecasting a modest increase in rates to 0.75% by the end of 2018 from the current 0.50% base rate (see Appendix C for more details).

3.6 The importance of external economic factors is also a key driver in external parties setting rates and also availability of instruments in which to invest and borrow. Appendix D sets out the present views of our Treasury Consultants, Link Asset Services.

3.7 Sections 4 to 6 of this report comprise the Council's Treasury Management Strategy which covers three main areas as summarised below:

1. Borrowing

- Overall borrowing strategy
- Limits on external borrowing
- Maturity structure of borrowing
- CFR projections
- Affordability
- The Minimum Revenue Provision (MRP) policy
- Policy on borrowing in advance of need
- Debt rescheduling

2. Capital spending plans

- Capital spending plans
- Housing Revenue Account borrowing needs.
- Other investment opportunities

3. Managing cash balances and investments

- The current cash position
- Cash flow forecast
- Prospects for investment returns
- Council policy on investing and managing risk

- Balancing short and longer term investments
- Annual Investment Strategy

3.8 Section 7 of the report summarises the key prudential indicators. These provide a reference point or “dashboard” so that senior officers and Members can easily identify whether approved treasury management policies are being applied correctly in practice and take corrective action as required.

3.9 The Annual Investment Strategy in Appendix E provides more detail on how the Council’s surplus cash investments are to be managed in 2018/19. Approved schedules of specified and non-specified investments will be updated following consideration by Members and finalisation of 2018/19 budget plans. Changes from the previous year are summarised below:

| Limit | Changes proposed | Rationale |
|-----------------------------|--|--|
| UK Local Authorities | Increase individual loan limit from £20m to £30m and the overall cap from £100m to £200m | Local authorities are good credit quality as they are tax-backed, and subject to a strong regulatory financial regime. All loans to authorities are subject to a balance sheet check and review of their accounts to ensure capacity to repay, and all need to be approved by the Director of Treasury and Pensions and the Strategic Director of Finance. |
| Rated UK Building Societies | Increase limit from £20m to £30m and extend duration from 1 to 3 years | Five UK building societies are credit rated. Using credit rated building societies ensures that the Council is only investing in investment grade entities. Through the longer duration the Council will be able to generate improved yield. |

| Limit | Changes proposed | Rationale |
|----------------------|--|--|
| Enhanced Money Funds | Individual limit increase from £20m to £25m and the overall limit from £60m to £100m | These are regulated funds with a high degree of liquidity and strong credit rating. The returns are on average 20-25 bps above standard money market fund rates. |
| Green Energy Bonds | Increase duration from 5 to 10 years | The return comes from holding the bond for a longer duration. When the Green Energy Bonds were included in the TMSS for 2017/18, the limit was an estimate. Preliminary work on these bonds during the year indicates that duration would typically be around 7 years. |

- 3.10 These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, the CIPFA Treasury Management Code and CLG Investment Guidance.

BORROWING

Overall borrowing strategy

- 4.1 The General Fund has a debt strategy of no new borrowing and where borrowing has fallen due for repayment it has not been replaced. This means that the capital borrowing need (the Capital Financing Requirement) has not been fully funded with borrowing, as cash balances and cash flow has been used as a temporary measure instead. This strategy is prudent as investment returns are very low and counterparty risk is high. The HRA's funding requirements differ from the General Fund's and internal borrowing in the HRA may be required in the future.
- 4.2 The Council's main objective when borrowing money is to strike an appropriate balance between securing low interest costs and achieving cost certainty over the period for which funds are required.
- 4.3 Given the significant cuts to public expenditure and, in particular, to local government funding, the Council's borrowing strategy continues to address the key issue of affordability without compromising the long-term stability of the debt portfolio. The key factors influencing the 2018/19 strategy are:
- forecast borrowing requirements;
 - the current economic and market environment; and
 - interest rate forecasts.
- 4.4 The Council is currently maintaining an under-borrowed position. This means that capital expenditure has not been fully funded from loan debt as other funding streams (such as government grants and third party contributions, use of Council reserves and cash balances and capital receipts) have been employed where available. This policy has served the Council well over the last few years while investment returns have been low and counterparty risk has been relatively high.

Limits on external borrowing

- 4.5 The Prudential Code requires the Council to set two limits on its total external debt, as set out in Table 1 below. The limits have remained at the same level compared with the 2017/18 Treasury Management Strategy Statement (TMSS) to reflect slippage in the capital programme from previous years. The limits are:
- **Authorised Limit for External Debt (Prudential Indicator 7a):** This is the limit prescribed by section 3(1) of the Local Government Act 2003, representing the maximum level of borrowing which the Council may

incur. It reflects the level of external debt which, while not desired, could be afforded in the short term, but may not be sustainable in the longer term.

- **Operational Boundary (Prudential Indicator 7b):** This is the limit which external debt is not normally expected to exceed. The boundary is based on current debt plus anticipated net financing need for future years.

Table 1: Overall borrowing limits

| 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|---|------------|------------|------------|------------|------------|
| Actual | Forecast | Estimate | Estimate | Estimate | Estimate |
| £ | £ | £ | £ | £ | £ |
| Authorised Limit for External: | | | | | |
| 345 Borrowing and other long term liabilities | 345 | 345 | 345 | 345 | 345 |
| Operational Boundary for: | | | | | |
| 275 Borrowing | 275 | 275 | 275 | 275 | 275 |
| 15 Other long term liabilities | 15 | 15 | 15 | 15 | 15 |
| 290 | 290 | 290 | 290 | 290 | 290 |
| Total | | | | | |

Maturity structure of borrowing

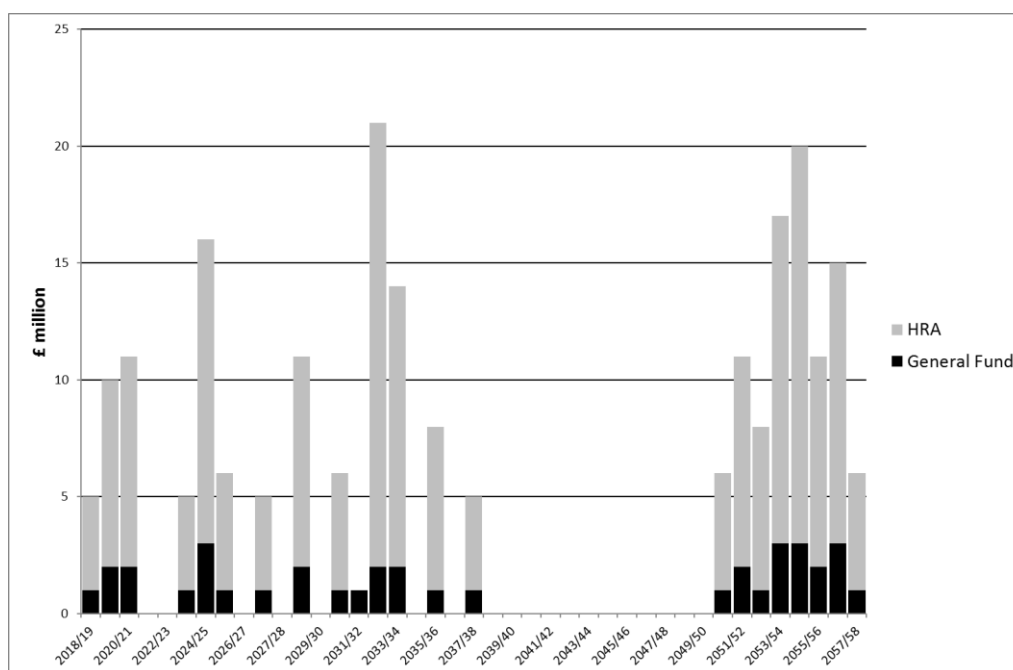
- 4.6 Managing the profile of when debt matures is essential for ensuring that the Council is not exposed to large fixed rate sums falling due for refinancing within a short period, and thus potentially exposing the Council to additional cost. Table 2 below sets out current upper and lower limits for debt maturity which are unchanged from 2017/18.

Table 2: Debt maturity profile limits

| Actual Maturity at 30 Sep 2017 | | Lower Limit | Upper Limit |
|--------------------------------|--------------------------------|-------------|-------------|
| % | | % | % |
| 0 | Under 12 months | 0 | 15 |
| 2 | 12 Months and within 24 Months | 0 | 15 |
| 10 | 24 Months and within 5 years | 0 | 60 |
| 14 | 5 Years and Within 10 Years | 0 | 75 |
| 74 | 10 Years and Above | 0 | 100 |

Maturity profile of long-term borrowing

- 4.7 The chart below shows that the principal repayment profile for current council borrowing remains within these limits.



Capital Financing Requirement (CFR)

4.8 The CFR measures the extent to which capital expenditure has not yet been financed from either revenue or capital resources. Essentially, it measures the Council's underlying borrowing need. Each year, the CFR will increase by the amounts of new capital expenditure not immediately financed.

4.9 Table 3 shows that the CFR will increase over the medium term. Consequently, the capital financing charge to revenue will increase, reflecting the capital spending plans.

Table 3a: Capital Financing Requirement forecast

| 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|---|--------------|------------|------------|------------|------------|
| Actual | Forecast | Estimate | Estimate | Estimate | Estimate |
| £m | £m | £m | £m | £m | £m |
| CFR as at 31 March | | | | | |
| 62 General Fund Closing CFR (detail in Table 3b) | 65 | 89 | 87 | 91 | 94 |
| 211 Closing Forecast HRA CFR (including deferred costs of disposal) | 211 | 233 | 249 | 250 | 253 |
| 273 | TOTAL | 276 | 322 | 336 | 347 |
| Annual Change | | | | | |
| 51 General Fund | 3 | 24 | (2) | 4 | 3 |
| 11 HRA | 0 | 22 | 16 | 1 | 3 |
| 62 | TOTAL | 3 | 46 | 14 | 6 |

4.10 A more detailed analysis of the closing Forecast CFR is shown below:

Table 3b: General Fund Capital Financing Requirement forecast (detailed)

| 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|--|--------------|-----------|-----------|-----------|-----------|
| Actual | Forecast | Estimate | Estimate | Estimate | Estimate |
| £m | £m | £m | £m | £m | £m |
| 47 General Fund CFR excluding DSG funded borrowing | 47 | 59 | 58 | 63 | 67 |
| 4 DSG funded borrowing for schools windows | 7 | 19 | 19 | 18 | 17 |
| 11 PFI and Finance lease liabilities | 11 | 11 | 10 | 10 | 10 |
| 62 | TOTAL | 65 | 89 | 87 | 94 |

4.11 The schools window replacement programme is a £20m programme. The increase in MRP arising from this spend is to be met by top-slicing the schools DSG allocation.

4.12 The current capital programme does not include provision for the King Street Regeneration and Town Hall refurbishment developments and therefore the CFR forecasts above exclude the impact of these schemes.

4.13 Table 4 below confirms that the Council's gross debt does not exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for current year and the following two financial years. This allows some flexibility for limited early borrowing for future years, but ensures that borrowing is not undertaken for revenue purposes.

Table 4: Borrowing compared to the Capital Financing Requirement

| 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|------------------------------------|-----------|------------|------------|------------|------------|
| Actual | Forecast | Estimate | Estimate | Estimate | Estimate |
| £m | £m | £m | £m | £m | £m |
| 225 Gross Projected Debt | 217 | 213 | 203 | 192 | 192 |
| 255 Capital Financing Requirement | 276 | 322 | 336 | 341 | 347 |
| 30 Under / (over) borrowing | 59 | 109 | 133 | 149 | 155 |

Affordability

4.14 The objective of the affordability indicators is to ensure that the level of investment in capital assets proposed remains within sustainable limits and, in particular, the impact on the Council's "bottom line" as reflected in the impact on council tax and rent levels. Table 5 below sets out the expected ratio of capital financing costs to income for both General Fund and HRA activities:

Table 5: Ratio of capital financing costs to income

| 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|-------------------|----------|----------|----------|----------|----------|
| Actual | Forecast | Estimate | Estimate | Estimate | Estimate |
| % | % | % | % | % | % |
| 0.56 General Fund | 0.10 | 0.14 | 0.45 | 0.41 | 0.50 |
| 31.25 HRA | 30.93 | 29.25 | 27.05 | 26.17 | 25.65 |

4.15 For 2017/18 and 2018/19, gross capital financing charges (loan interest, MRP and finance and PFI payments) for the General Fund capital programme are largely outweighed or balanced by income from investments and the commercial property portfolio. However, in future years, the Council will begin to incur increasing capital financing charges in line with the forecast increase in the General Fund CFR in Table 3.

4.16 The capital financing charges arising from the HRA capital programme increase in line with the forecast increased income, hence capital charges as a proportion of the HRA net revenue stream will remain fairly steady.

4.17 Table 6 below sets out the incremental impact of the capital programme on the council tax requirement and housing rents.

Table 6: Impact of capital investment decisions on council tax requirement and housing rents

| 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|--|----------|----------|----------|----------|----------|
| Actual | Forecast | Estimate | Estimate | Estimate | Estimate |
| £ | £ | £ | £ | £ | £ |
| (13.63) Increase / (Decrease) in Council Tax(band D) per annum | 8.43 | 12.33 | 0.00 | 5.87 | 5.73 |
| (1.19) Increase / (Decrease) in housing rent per week | (0.01) | 0.00 | 0.00 | 0.00 | 0.00 |

4.18 For the General Fund capital programme, the ratio of capital financing costs to income is relatively low as shown in Table 6 above, and there is a limited impact on council tax reflecting the relatively modest capital programme.

4.19 Similarly, there is limited impact on housing rents from the HRA capital programme as shown in Table 6.

Minimum Revenue Provision (MRP) Policy

4.20 Capital expenditure is generally defined as expenditure on assets that have a life expectancy of more than one year. The accounting approach is to spread the cost over the estimated useful life of the asset. The mechanism for spreading these costs is through an annual MRP. The MRP is the means by which capital expenditure, which is financed by borrowing or credit arrangements, is funded by Council Tax.

4.21 Regulation 28 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, as amended (Statutory Instrument (SI) 3146/2003) requires full Council to approve a Minimum Revenue Provision (MRP) Statement setting out the policy for making MRP and the amount of MRP to be calculated which the Council considers to be prudent. In setting a level which the Council considers to be prudent, the Guidance states that the

broad aim is to ensure that debt is repaid over a period reasonably commensurate with that over which the capital expenditure provides benefits to the Council.

- 4.22 The Council's proposed MRP policy for 2018/19 is reported at Appendix 4 of the Four Year Capital Programme 2018/19 – 2021/22.

Borrowing in advance of need

- 4.23 The Council has the power to borrow in advance of need in line with its future borrowing requirements under the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, as amended. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated, and that the Council can ensure the security of such funds. Currently, there are no plans to incur any additional external borrowing in the medium term.
- 4.24 Risks associated with any borrowing in advance of activity will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

Debt rescheduling

- 4.25 As short term borrowing rates will be considerably cheaper than longer term fixed interest rates, there may be opportunities to generate savings by switching from long term debt to short term debt. However, these savings will need to be considered in the light of the current treasury position and the cost of debt repayment (premiums incurred).
- 4.26 The reasons for any rescheduling to take place will include:
- generating cash savings and / or discounted cash flow savings;
 - helping to fulfil the treasury strategy; and
 - enhancing the balance of the portfolio by amending the maturity profile and/or the balance of volatility.
- 4.27 Consideration will also be given to identifying the potential for making savings by running down investment balances to repay debt prematurely as short term rates on investments are likely to be lower than rates paid on current debt.
- 4.28 Any rescheduling will be reported to the Strategic Finance Director and the lead cabinet Member.

CAPITAL

Capital spending plans

- 5.1 The Prudential Code requires that any borrowing and investment decisions are taken in the light of capital spending plans and consideration of how that proposed capital expenditure will be purchased. The Council's capital expenditure plans have been reported in the Four-Year Capital Programme 2018/19-2021/22 reported elsewhere on the Committee's agenda, both in terms of those agreed previously, and those forming part of the current budget cycle. This section will be updated as the capital programme plans are firmed up during the budget cycle.
- 5.2 Any slippage against the capital programme will impact on the figures reported throughout this report.

Housing revenue account

- 5.3 Borrowing for the HRA has to remain within the HRA Debt Limit (prescribed in the HRA Self Financing Determinations 2012) as detailed in the table below. Borrowing for the HRA is measured by the HRA CFR.

Table 7: HRA borrowing

| 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 | 2021/22 |
|--------------------|-----------------|------------|-----------|-----------|-----------|
| Actual | Forecast | Estimate | Estimate | Estimate | Estimate |
| £ | £ | £ | £ | £ | £ |
| 334 HRA Debt Limit | 334 | 334 | 334 | 334 | 334 |
| 211 HRA CFR | 211 | 233 | 249 | 250 | 253 |
| 123 | 123 | 101 | 85 | 84 | 81 |
| | Headroom | | | | |

- 5.4 For the period 2017/18 to 2020/21, based on the planned four-year capital programme and other sources of capital resources, borrowing will be funded principally from internal resources.
- 5.5 The availability of internal borrowing is achieved through the use of monies received classed as capital receipts. Use of this money is classed as borrowing as, although cash is received from developers on a phased basis, receipts are only deemed usable for funding purposes as assets transfer to the purchaser. This does not prevent the Council from spending the cash it receives but, until such time that assets transfer, any such use is classed as borrowing. This borrowing unwinds when the receipt becomes usable.
- 5.6 The total available to the HRA for the purposes of internal borrowing (headroom) is the difference between the HRA CFR and the debt limit each year. This is shown in Table 7 above.
- 5.7 Full details of the Housing Revenue Account's likely borrowing requirements is set out in the Financial Plan for Council Homes approved by Cabinet on the 6th February 2017.

Other investment opportunities

- 5.8 As well as investing in assets owned by the Council and used in the delivery of services, the Council also invests, or may invest, where appropriate, in:

- Infrastructure projects, such as green energy;
- Loans to third parties;
- Shareholdings in limited companies and joint ventures.

5.9 Such investments are treated as expenditure for treasury management and prudential borrowing purposes, even though they do not create physical assets in the Council's accounts. Appropriate budgets in respect of these activities will be agreed as part of the Council's budget setting and ongoing monitoring processes and considered as part of the Investment Strategy.

MANAGING CASH BALANCES

Current position and cash flow forecast

6.1 Table 8 below shows that cash balances have increased by £27m in the past six months which is mainly due to income such as council tax, business rates and grants received in advance. The cash largely comprises the Council's usable reserves, capital receipts and unspent grants. Whilst the level of cash has increased during the current financial year, it is expected to decline to £330m by the year-end.

Table 8: Cash position at 30 September 2017

| As at 31 March 2017 | | | As at 30 September 2017 | | |
|---------------------|--------------|-------------------------|-------------------------|--------------|--|
| Principal | Average Rate | | Principal | Average Rate | |
| £m | % | | £m | % | |
| Investments | | | | | |
| 327 | 0.45 | Specified | 354 | 0.43 | |
| 0 | 0.00 | Non-Specified | 0 | 0.00 | |
| 327 | | Total | 354 | | |
| Borrowing | | | | | |
| 225 | 5.01 | Public Works Loan Board | 217 | 4.86 | |
| 225 | | Total | 217 | | |

6.2 The Council aims to manage daily cash flow peaks and troughs to achieve a nil current account balance throughout the year. As such the average yearly surplus cash balances should be fully invested throughout. The medium-term cash flow forecast shows that the Council has a substantial positive cashflow position with an average cash position fluctuating around £270m for the medium term.

Prospects for Investment Returns

6.3 Investment returns on cash based deposits are likely to remain low during 2018/19 and beyond. Borrowing interest rates were on a downward trend

during most of 2016; they fell sharply to historically low levels after the EU referendum and then even further after the MPC meeting of August 2016 when a new package of quantitative easing purchasing of UK gilts was announced. In November 2017, the MPC raised rates from 0.25% to 0.50%.

- 6.4 Gilt yields have since been volatile due to a rise in concerns around a ‘hard Brexit’, the fall in the value of sterling, and an increase in inflation expectations. The Council is therefore committed to investigating and pursuing alternatives to cash-based investments where it is considered prudent to do so.

Council policy on investing and managing risk

- 6.5 The aim is to manage risk and reduce the impact of any adverse movement in interest rates on the one hand but, at the same time, not setting the limits to be so restrictive that they impair opportunities to reduce costs or improve performance.

Balancing short and longer term investments

- 6.6 During the first half of 2017/18, there have been no investments of surplus funds for more than 364 days. The 2017/18 Annual Investment Strategy permits investing for more than 365 days. Using longer term maturity investments should improve yields.

Table 9: Investment limits

| 2016/17 | | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
|---|---|----------|----------|----------|----------|
| Actual | | Forecast | Estimate | Estimate | Estimate |
| £m | | £m | £m | £m | £m |
| Upper limit for fixed interest rate exposure | | | | | |
| 217 | Net principal re fixed rate borrowing | 217 | 213 | 203 | 192 |
| Upper Limit for variable rate exposure | | | | | |
| 0 | Net Principal for variable rate borrowing | 0 | 0 | 0 | 0 |
| 0 | Upper Limit for principal sums invested for more the 364 days | 120 | 120 | 120 | 120 |

Annual Investment Strategy

- 6.7 The Council holds significant invested funds, representing income received in advance of expenditure, balances and reserves. During the first half of the current year, the Council’s average investment balance has been around £346m and the cash flow projections show this pattern is expected to continue in the coming year.
- 6.8 The Local Government Act 2003 requires the Council to prepare an Annual Investment Strategy, setting out the Council’s policies for managing its

investments and for giving priority to the security and liquidity of those investments. This strategy is set out in Appendix E.

6.9 Investments are made with reference to the core balance, future cash flow requirements and the outlook for interest rates. The Council's investment priorities will always be security first, liquidity second, then return.

SUMMARY OF PRUDENTIAL INDICATORS (PIs)

7.1 The purpose of prudential indicators (PIs) is to provide a reference point or "dashboard" so that senior officers and Members can:

- easily identify whether approved treasury management policies are being applied correctly in practice; and
- take corrective action as required.

7.2 As the Council's S151 officer, the Strategic Finance Director has a responsibility to ensure that appropriate PIs are set and monitored and that any breaches are reported to Members.

7.3 The Strategic Finance Director has confirmed that the PIs set out below are all expected to be complied with in 2017/18 and he does not envisage at this stage that there will be any difficulty in achieving compliance with the suggested indicators for 2018/19.

| PI ref | Para ref | | 2016/17 actual | 2017/18 forecast | 2018/19 proposed |
|--------|----------|---|--|---|--|
| 1 | 5.1 | Capital expenditure | £71m | £100m | £113m |
| 2 | 4.9 | Capital Financing Requirement (CFR) | £273m | £276m | £322m |
| 3 | 4.13 | Net debt vs CFR | £30m underborrowing | £59m underborrowing | £109m underborrowing |
| 4 | 4.14 | Ratio of financing costs to revenue stream | GF 0.56% HRA 31.25% | GF 0.10% HRA 30.93% | GF 0.14% HRA 29.25% |
| 5 | 4.17 | Incremental impact of new capital investment decisions on council tax | £13.63 decrease in Band D council tax charge per annum | £8.43 increase in Band D council tax charge per annum | £12.33 increase in Band D council tax charge per annum |
| 6 | 4.17 | Impact of new capital investment decisions on housing rents | £1.19 decrease in average rent per week | £0.01 decrease in average rent per week | £0.00 increase in average rent per week |
| 7a | 4.5 | Authorised limit for external debt | £345m | £345m | £345m |
| 7b | 4.5 | Operational debt boundary | £290m | £290m | £290m |
| 7c | 5.3 | HRA debt limit | £255m | £255m | £255m |
| 8 | 6.2 | Working capital balance | £0m | £0m | £0m |

| | | | | | |
|----|-----|---|--|--|--|
| 9 | 6.6 | Limit on surplus funds invested for more than 364 days (i.e. non-specified investments) | £120m | £120m | £120m |
| 10 | 4.6 | Maturity structure of borrowing | Upper limit under 12 months - 15% Lower limit 10 years and above - 100% | Upper limit under 12 months - 15% Lower limit 10 years and above - 100% | Upper limit under 12 months - 15% Lower limit 10 years and above - 100% |

7.4 CIPFA is currently updating the Prudential Code and Treasury Management Code to take effect for 2018/19. This TMSS has been prepared based on the current versions of these Codes and will be updated when the revised Codes are published.

FINANCIAL IMPLICATIONS

8.1 The comments of the Strategic Finance Director and the Head of Corporate Accountancy and Capital are contained within this report.

8.2 This report is wholly of a financial nature.

LEGAL IMPLICATIONS

9.1 The legal implications are contained within the body of the report.

9.2 Implications completed by Joyce Golder, Principal Solicitor, 020 7361 2181

10. EQUALITY IMPLICATIONS

10.1 There will be no negative implications for protected groups arising from the Treasury Management Strategy.

10.2 Implications completed by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206.

11. IT IMPLICATIONS

11.1 There are no IT technical implications for the council.

11.2 Implications verified by: Veronica Barella, interim Chief Information officer, Tel 020 8753 2927

IMPLICATIONS FOR BUSINESS

12. There are no business implications for the council.

12.1 Implications for Business completed by: David Burns, Interim Head of Economic Development (Regeneration, Planning and Housing Services)

Appendices

Appendix A: Treasury Management Policy Statement

Appendix B: Meeting CIPFA requirements

Appendix C: Interest Rate Prospects

Appendix D: Economic Update

Appendix E: Annual Investment Strategy

Appendix F: Credit Ratings

Appendix G: Approved countries investment list

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

Treasury Management Strategy Statement 2017/18 (approved by Council February 2017)

Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, as amended

DCLG guidance on minimum revenue provision 2003

DCLG guidance on local government investments March 2010

CIPFA Prudential Code for capital finance in local authorities 2011

CIPFA Treasury Management Code of Practice 2011

If you have any queries about this report or wish to inspect any of the background papers please contact:

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THE TREASURY MANAGEMENT POLICY STATEMENT

The CIPFA recommendations contained in the Code of Practice and Cross Sectoral Guidance Notes issued as a revised version in 2009 and 2011 for Treasury Management in the Public Services require that each Local Authority has a Treasury Management Policy Statement that is approved by the Full Council.

CIPFA recommends that the Council's treasury management policy statement adopts the following form of words below to define the policies and objectives of its treasury management activities.

This Council defines its Treasury Management activities as:

- The management of the Council's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
- This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of Treasury Management activities will focus on their risk implications for the organisation, and any financial instruments entered into to manage these risks.

This Council acknowledges that effective Treasury Management will provide support towards the achievement of its business and service objectives. It is therefore committed to the principles of achieving value for money in treasury management, and to employing suitable comprehensive performance.

MEETING CIPFA REQUIREMENTS

The Council has formally adopted CIPFA's Code of Practice on Treasury Management (updated November 2011) and complies with the requirements of the Code as detailed below:

- Maintaining a Treasury Management Policy Statement setting out the policies and objectives of the Council's treasury management activities
- Maintaining a statement of Treasury Management Practices that sets out the manner in which the Council will seek to achieve these policies and objectives
- Presenting the Full Council with an annual Treasury Management Strategy Statement, including an annual investment strategy and Minimum Revenue Provision policy for the year ahead (this report), a half year review report and an annual report (stewardship report) covering compliance during the previous year
- A statement of delegation for treasury management functions and for the execution and administration of treasury management decisions (see below).
- Delegation of the role of scrutiny of treasury management activities and reports to a specific named body. At the London Borough of Hammersmith and Fulham, this role is undertaken by the Audit, Pensions and Standards Committee.

Treasury Management Delegations and Responsibilities

The respective roles of the Council, Cabinet, Audit, Pensions and Standards Committee, and of the Section 151 officer and the Director of Treasury and Pensions are summarised below. Further details are set out in the Statement of Treasury Management Practices.

Council

Council will approve the annual treasury management strategy statement, including borrowing and investment strategies. In doing so, Council will establish and communicate its appetite for risk within treasury management having regard to the Prudential Code.

Cabinet

Cabinet will recommend to Council the annual treasury strategy, including borrowing and investment strategies and receive a half-year report and annual outturn report on treasury activities. Cabinet also approves revenue budgets, including those for treasury activities.

Audit, Pensions and Standards Committee

This committee is responsible for ensuring effective scrutiny of treasury strategy and policies.

Section 151 Officer

The role of the Section 151 officer is delegated to the Strategic Director of Finance (the S151 Officer), pursuant to Section 101 of the Local Government Act 1972 and by the Executive under Section 15 of the Local Government Act 2000.

The S151 Officer may authorise officers to exercise on their behalf functions delegated to them. Any decisions taken under this authority shall remain the responsibility of the S151 Officer and must be taken within the guidelines of the Treasury Management Strategy.

The S151 Officer has full delegated powers from the Council and is responsible for the following activities:

- Investment management arrangements and strategy;
- Borrowing and debt strategy;
- Monitoring investment activity and performance;
- Overseeing administrative activities;
- Ensuring compliance with relevant laws and regulations;
- Provision of guidance to officers and members in exercising delegated powers.

Director of Treasury and Pension Fund

Has responsibility for the execution and administration of treasury management decisions, acting in accordance with the Council's Treasury Policy Statement and CIPFA's 'Standard of Professional Practice on Treasury Management'.

Treasury Team

Undertakes day-to-day treasury investment and borrowing activity in accordance with strategy, policy, practices and procedures.

Training

The CIPFA code requires the S151 officer to ensure that Members with responsibility for making treasury management decisions and for scrutinising treasury functions to receive adequate training. The training needs of all officers are reviewed periodically as part of the Learning and Development programme. Officers attend various seminars, training sessions and conferences during the year and appropriate Member training is offered as and when needs and suitable opportunities are identified.

Monitoring and Reporting

The Treasury Management activities during the year will be included in the monitoring reports to the Audit, Pensions and Standards Committee.

The Council's Treasury Management Strategy will be approved annually by full Council and there will also be a mid-year report. The aim of these reporting arrangements is to ensure that those with the responsibility for treasury management policies and activities and those implementing policies and executing transactions have properly fulfilled their responsibilities with regard to delegation and reporting.

The Council will adopt the following reporting arrangements in accordance with the requirements of the revised code:

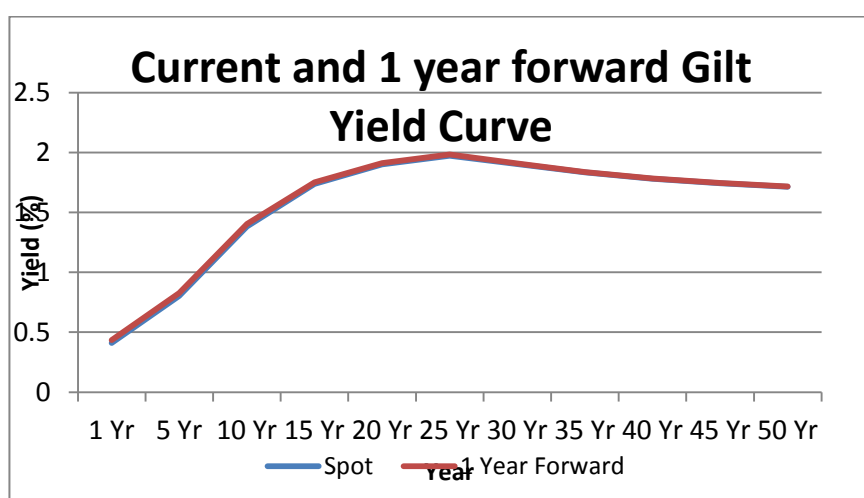
| Area of Responsibility | Council / Committee / Officer | Frequency |
|--|--|---|
| Treasury Management Strategy | Full Council | Annually at meeting before the start of the financial year. |
| Scrutiny of Treasury Management Strategy | Audit, Pensions and Standards Committee | Annually |
| Treasury Management Strategy: Mid-year report | 1. Audit, Pensions and Standards Committee | Annually after the first half of the financial year |
| Treasury Management Strategy: Updates / revisions at other times | 1. Audit, Pensions and Standards Committee 2. Full Council | As and when required |
| Treasury Outturn Report | 1. Audit, Pensions and Standards Committee 2. Full Council | Annually after year-end |
| Treasury Management Monitoring Reports | Strategic Finance Director and Lead Cabinet Member for Finance | Monthly |

PROSPECTS FOR INTEREST RATES

- The Council has appointed Link Asset Services as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The following table gives our central view.

| | NOW | Dec-17 | Mar-18 | Jun-18 | Sep-18 | Dec-18 | Mar-19 | Jun-19 | Sep-19 | Dec-19 | Mar-20 | Jun-20 | Sep-20 | Dec-20 | Mar-21 |
|----------------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| BANK RATE | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 | 0.75 | 0.75 | 0.75 | 0.75 | 1.00 | 1.00 | 1.00 | 1.25 | 1.25 | 1.25 |
| 3 month LIBID | 0.40 | 0.40 | 0.40 | 0.40 | 0.40 | 0.60 | 0.60 | 0.60 | 0.70 | 0.90 | 0.90 | 1.00 | 1.20 | 1.20 | 1.20 |
| 6 month LIBID | 0.45 | 0.50 | 0.50 | 0.50 | 0.60 | 0.80 | 0.80 | 0.80 | 0.90 | 1.00 | 1.00 | 1.10 | 1.30 | 1.30 | 1.40 |
| 12 month LIBID | 0.65 | 0.70 | 0.80 | 0.80 | 0.90 | 1.00 | 1.00 | 1.10 | 1.10 | 1.30 | 1.30 | 1.40 | 1.50 | 1.50 | 1.60 |
| 5 yr PWLB | 1.50 | 1.50 | 1.60 | 1.60 | 1.70 | 1.80 | 1.80 | 1.90 | 1.90 | 2.00 | 2.10 | 2.10 | 2.20 | 2.30 | 2.30 |
| 10 yr PWLB | 2.10 | 2.10 | 2.20 | 2.30 | 2.40 | 2.40 | 2.50 | 2.60 | 2.60 | 2.70 | 2.70 | 2.80 | 2.90 | 2.90 | 3.00 |
| 25 yr PWLB | 2.70 | 2.80 | 2.90 | 3.00 | 3.00 | 3.10 | 3.10 | 3.20 | 3.20 | 3.30 | 3.40 | 3.50 | 3.50 | 3.60 | 3.60 |
| 50 yr PWLB | 2.40 | 2.50 | 2.60 | 2.70 | 2.80 | 2.90 | 2.90 | 3.00 | 3.00 | 3.10 | 3.20 | 3.30 | 3.30 | 3.40 | 3.40 |

- Link Asset Services undertook its last review of interest rate forecasts on 9 August 2017 after the quarterly Bank of England Inflation Report. There was no change in MPC policy at that meeting. However, the MPC meeting of 14 September 2017 revealed a sharp change in sentiment whereby a majority of MPC members said they would be voting for an increase in Bank Rate “over the coming months”.
- The November 2017 MPC meeting increased the Base Rate from 0.25% to 0.50%. Link Asset services have suggested that interest rates may increase by a further 0.25% in the last quarter of 2018.
- The graph below shows the current UK Gilt curve, together with the one-year forward Gilt curve (i.e. current market expectations for the Gilt rates in twelve months’ time).



Source: Bloomberg 20 October 2017

5. Against this background and the risks within the economic forecast, caution will be adopted with the 2018/19 treasury operations. The Treasury Management team will continue to monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances (within their approved remit).
6. If it were considered that there was a significant risk of a sharp fall in long and short term rates (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), long term borrowings will be postponed, and potential rescheduling from fixed rate funding into short term borrowing will be considered.
7. Because the council existing borrowing is on fixed interest terms the Council is protected from future interest rate raises. However, any new borrowing would reflect current market rates which may fluctuate.

ECONOMIC UPDATE

UK: After the UK economy surprised on the upside with strong growth in 2016, growth in 2017 has been disappointingly weak: quarter 1 came in at only +0.3% (+1.7% y/y) and quarter 2 was +0.3% (+1.5% y/y) which meant that growth in the first half of 2017 was the slowest for the first half of any year since 2012. The main reason for this has been the sharp increase in inflation, caused by the devaluation of sterling after the referendum, feeding increases in the cost of imports into the economy. This has caused, in turn, a reduction in consumer disposable income and spending power and so the services sector of the economy, accounting for around 75% of GDP, has seen weak growth as consumers cut back on their expenditure. However, more recently there have been encouraging statistics from the manufacturing sector which is seeing strong growth, particularly as a result of increased demand for exports. It has helped that growth in the EU, our main trading partner, has improved significantly over the last year. However, this sector only accounts for around 11% of GDP so expansion in this sector will have a much more muted effect on the average total GDP growth figure for the UK economy as a whole.

The Monetary Policy Committee (MPC) meeting of 14 September 2017 surprised markets and forecasters by suddenly switching to a much more aggressive tone in terms of its words around warning that Bank Rate will need to rise. The Bank of England Inflation Reports during 2017 have clearly flagged up that they expected CPI inflation to peak at just under 3% in 2017, before falling back to near to its target rate of 2% in two years' time. Inflation actually came in at 2.9% in August 2017, (this data was released on 12 September 2017), and so the Bank revised its forecast for the peak to over 3% at the 14 September 2017 meeting MPC. This marginal revision can hardly justify why the MPC became so aggressive with its wording; rather, the focus was on an emerging view that with unemployment falling to 4.3%, the lowest level since 1975, and improvements in productivity being so weak, that the amount of spare capacity in the economy was significantly diminishing towards a point at which they now needed to take action. In addition, the MPC took a more tolerant view of low wage inflation as this now looks like a common factor in nearly all western economies as a result of increasing globalisation. This effectively means that the UK labour faces competition from overseas labour, e.g., in outsourcing work to third world countries, and this therefore depresses the negotiating power of UK labour. However, the Bank was also concerned that the withdrawal of the UK from the EU would effectively lead to a decrease in such globalisation pressures in the UK, and so would be inflationary over the next few years.

At the 2 November meeting 2017, the MPC duly delivered a 0.25% increase in Bank Rate. It also gave forward guidance that they expected to increase the Bank Rate only twice more in the next three years to reach 1.0% by 2020. This is, therefore, not quite the 'one and done' scenario but is, nevertheless, a very relaxed rate of increase prediction in the Bank Rate in line with previous statements that the Bank Rate would only go up very gradually and to a limited extent. However, some forecasters are flagging up that they expect growth to accelerate significantly towards the end of 2017 and then into 2018. This view is based primarily on the coming fall in inflation, (as the effect of the effective devaluation of sterling after the EU referendum drops out of the CPI statistics), which will bring to an end the negative impact on consumer spending power. In addition, a strong export performance will compensate for weak services sector growth. If this

scenario was indeed to materialise, then the MPC would be likely to accelerate its pace of increases in Bank Rate during 2018 and onwards.

EU: Economic growth in the EU, (the UK's biggest trading partner), has been lacklustre for several years after the financial crisis, despite the ECB eventually cutting its main bank rate to -0.4% and embarking on a massive programme of QE. However, growth picked up in 2016 and now looks to have gathered ongoing substantial strength and momentum thanks to this stimulus. GDP growth was 0.5% in quarter 1 (2.0% y/y) and 0.6% in quarter 2 (2.3% y/y). However, despite providing massive monetary stimulus, the European Central Bank is still struggling to get inflation up to its 2% target and in August 2017 inflation was 1.5%. It is therefore unlikely to start on an upswing in rates until possibly 2019.

USA: Growth in the American economy has been volatile in 2015 and 2016. 2017 is following that path again with quarter 1 coming in at only 1.2% but quarter 2 rebounded to 3.1%, resulting in an overall annualised figure of 2.1% for the first half year. Unemployment in the US has also fallen to the lowest level for many years, reaching 4.4%, while wage inflation pressures and inflationary pressures in general have been building. The Fed has started on a gradual upswing in rates with three increases since December 2016 and there could be one more rate rise in 2017 which would then lift the central rate to 1.25 to 1.50%. There could then be another four more increases in 2018. At its June meeting, the Fed strongly hinted that it would soon begin to unwind its \$4.5 trillion balance sheet holdings of bonds and mortgage backed securities by reducing its reinvestment of maturing holdings.

China: Economic growth has been weakening over successive years and, despite repeated rounds of central bank stimulus, medium term risks are increasing. Major progress still needs to be made to eliminate excess industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems.

Japan: Struggles to stimulate consistent significant growth and to get inflation up to its target of 2% continue, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

ANNUAL INVESTMENT STRATEGY

1. The Council holds significant invested funds, representing income received in advance of expenditure, balances and reserves. During the first half of the current year, the Council's average investment balance has been around £346m and the cash flow projections shows this pattern is expected to continue in the forthcoming year. Investments are made with reference to the core balance, future cash flow requirements and the outlook for interest rates.
2. The Council's investment policy has regard to the DCLG's Guidance on Local Government Investments ("the Investment Guidance") and the CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("the CIPFA TM Code"). The Council's investment priorities will be security first, liquidity second, then return.
3. In accordance with the above guidance and to minimise the risk to investments, the Council applies minimum acceptable credit criteria to generate a list of highly creditworthy counterparties, which will provide security of investments, enable diversification and minimise risk. The key ratings used to monitor counterparties are the Short Term and Long Term ratings.

Investment returns and time limits

4. The Bank Rate was increased in November 2017 from 0.25% to 0.50%. The question then remains as to whether or not they will stop at this point for a lengthy pause, or will launch into a series of further rate increases in 2018 and beyond. The Bank Rate forecasts for financial year ends (March) are:

2018/19: 0.50%

2019/20: 0.75%

2020/21: 1.00%

2021/22: 1.25%

2022/23: 1.50%

5. The suggested budgeted investment earnings rates for returns on investments placed for periods up to 100 days during each financial year are as follows

2018/19: 0.50%

2019/20: 0.75%

2020/21: 1.00%

2021/22: 1.25%

2022/23: 1.50%

Source: Link Asset Services

Investment time limits

6. This limit is set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment. For the year 2018/19, the proposed limit of investments for over 364 days is £120m as set out in table 11 of the TMSS.

Investment Policy

7. The Council's officers recognise that ratings should not be the sole determinant of the quality of an institution and that it is important to assess continually and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To this end the Council will engage with its advisors to maintain a monitor on market pricing such as "credit default swaps" and overlay that information on top of the credit ratings.
8. Other information sources used will include the financial press, share price and other such information pertaining to the banking sector to establish the most robust scrutiny process on the suitability of potential investment counterparties.

Creditworthiness Policy

9. The primary principle governing the Council's investment criteria is the security of its investments, although the yield or return on the investment is also a key consideration. After this main principle, the Council will ensure that:
 - It maintains a policy covering both the categories of investment types it will invest in, criteria for choosing investment counterparties with adequate security and monitoring their security; and
 - It has sufficient liquidity in its investments. For this purpose it will set out procedures for determining the maximum periods for which funds may prudently be committed. These procedures also apply to the Council's prudential indicators covering the maximum principal sums invested.
10. The Strategic Finance Director will maintain a counterparty list in compliance with the following criteria and will revise the criteria and submit them to Council for approval as necessary. These criteria are separate to those which determine which types of investment instrument are either specified or non-specified as they provide an overall pool of counterparties considered high quality which the Council may use, rather than defining what types of investment instruments are to be used.
11. The Council takes into account the following relevant matters when proposing counterparties:
 - the financial position and jurisdiction of the institution;
 - the market pricing of credit default swaps¹ for the institution;

¹ Credit Default Swaps (CDS) are tradable instruments where the buyer receives a pay-out from the seller if the party to whom the CDS refers (often a financial institution) has a "credit event" (e.g. default, bankruptcy, etc.). The price of the CDS gives an indication to the market's view of likelihood: the higher the price the more likely the credit event.

- any implicit or explicit Government support for the institution;
 - Standard & Poors, Moodys and Fitch short and long term credit ratings;
 - Sovereign ratings to select counterparties from only the most creditworthy countries; and
 - Core Tier 1 capital ratios ².
12. Changes to the credit rating will be monitored and, in the event that a counterparty is downgraded and does not meet the minimum criteria specified in Appendix E, the following action will be taken immediately:
- no new investments will be made;
 - existing investments will be recalled if there are no penalties; and
 - full consideration will be given to recall or sale existing investments which would be liable to penalty clause.

Specified and Non-specified investments

13. The DCLG Guidance on Local Government Investments made under section 15(1) of the Local Government Act 2003, places restrictions on Local authorities around the use of specified and non-specified investments. A specified investment is defined as an investment which satisfies all of the conditions below:
- The investment and any associated cash flows are denominated in sterling;
 - The investment has a maximum maturity of one year;
 - The investment is not defined as capital expenditure; and
 - The investment is made with a body or in an investment scheme of high credit quality; or with the UK Government, a UK Local Authority or parish/community council.
14. Investments with UK local authorities are deemed to be high credit quality because of the strong regulatory financial framework within which local authorities are required to operate and which mitigates against the risk of default, summarised below:
- The requirement to set a balanced budget annually under sections 31A and 42A of the Local Government Finance Act 1992;
 - The requirement to budget for a minimum level of reserves including risk under the Local Government Act 2003;
 - The requirement for the S151 officer to issue a statutory report in the event that the authority intends to not set an adequate level of reserves or intends to undertake a course of action which he considers to be unlawful;
 - The requirement for long-term borrowing to be solely for capital expenditure;

² The Tier 1 capital ratio is the ratio of a bank's core equity capital to its total risk-weighted assets (RWA). Risk-weighted assets are the total of all assets held by the bank weighted by credit risk according to a formula determined by the Regulator (usually the country's central bank). Most central banks follow the Basel Committee on Banking Supervision (BCBS) guidelines in setting formulae for asset risk weights. The Core Tier 1 ratios for the four UK banks that the Council uses are: Barclays: 10.2%, HSBC: 11.2%, Lloyds: 12.0% and RBS: 10.8%.

- The cap on excessive borrowing through the operation of the limits in the Prudential Code;
- All borrowing has to be secured on revenues of a local authority rather than assets.

15. A non-specified investment is any investment that does not meet all the conditions above. In addition to the long-term investments listed in the table at the end of Appendix E, the following non-specified investments that the Council may make include:

- **Green Energy Bonds:** Investments in solar farms are a form of Green Energy Bonds that provide a secure enhanced yield. The investments are structured as unrated bonds and secured on the assets and contracts of solar and wind farms. Before proceeding with any such investment, internal and external due diligence will be undertaken in advance of investments covering the financial, planning and legal aspects.
- **Loans:** The Council may consider advancing loans (as a form of investment) to organisations delivering services for the Council where this will lead to the enhancement of services to Council Stakeholders. The Council will undertake due diligence checks to confirm the borrower's creditworthiness before any sums are advanced and will obtain appropriate levels of security or third party guarantees for loans advanced. The Council would expect a return commensurate with the type and duration of the loan. All loans would need to be in line with the Council's Scheme of Delegation and Key Decision thresholds levels.
- **Shareholdings in limited companies and joint ventures:** The Council may invest in three forms of company:
 - Small scale businesses aimed at promoting economic growth in the area. Individual investments are no more than £0.5m and the aim is for these to be self-financing over the medium term. Any such loans will be subject to due diligence and the Council's Scheme of Delegation and Key Decision thresholds levels..
 - Trading vehicles which the Council has set up to undertake particular functions. Currently the Council has interests in the following companies: Lyric Theatre Hammersmith Ltd, Hammersmith and Fulham Urban Studies Centre, Hammersmith and Fulham Bridge Partnership, HFS Developments LLP, HFS Developments 2 LLP, LBHF Ventures Ltd, LBHF Joint Ventures Ltd and LBHF Family Support Services Ltd. These are not held primarily as investments but to fulfil Council service objectives. Any new proposals will be subject to due diligence as part of the initial business case. As these are not to be held primarily as investment vehicles, then there is an expectation that they will break even.
 - Trading vehicles held for a commercial purpose where the Council is obliged to undertake transactions via a company vehicle. These will be wholly owned subsidiaries of the Council with the aim of diversifying the investment portfolio risk.

16. For any such investments, specific proposals will be considered by the Director of Treasury and Pensions, and the Strategic Finance Director in consultation with the lead Cabinet Member for Finance and approvals to be in accordance with the Council's Constitution and governance processes, after taking into account:
- cash flow requirements
 - investment period
 - expected return
 - the general outlook for short to medium term interest rates
 - creditworthiness of the proposed investment counterparty
 - other investment risks
 - due diligence review
17. The value of non-specified investments will not exceed their investment allocation.
18. All investments with local authorities will be subject to due diligence review of their accounts and financial health by the Director of Treasury and Pensions.

Country of Domicile

19. The current TMSS allows deposits / investments with financial entities domiciled in the following countries: Australia, Canada, Denmark, Finland, France, Germany, Hong Kong, Luxembourg, Netherlands, Norway, Singapore, Sweden, Switzerland, UK and USA. This list will be kept under review and any proposed changes to the policy reported to the next meeting

Schedule of investments

20. The current criteria for providing a pool of high quality short, medium and long-term, cash-based investment counterparties along with the time and monetary limits for institutions on the Council's counterparty list are in the table below:
21. The counterparties and specific limits, have been reviewed and updated.

All investments listed below must be sterling denominated

| Investments | Minimum Credit Rating Required | Maximum Individual Counterparty Investment Limit | Maximum tenor | Changes from the 2017/18 TMSS |
|--|--|--|--------------------|--|
| | (S&P/Moody's/Fitch) | £m | | |
| DMO Deposits | Government Backed | Unlimited | 6 months | No change |
| UK Government (Gilts/T-Bills/Repos) | Government Backed | Unlimited | Unlimited | No change |
| Supra-national Banks, European Agencies | LT: AA-/Aa3/AA- | £100m | 5 years | No change |
| Covered Bonds* | LT: AA+/Aa1/AA+ | £100m | 5 years | No change |
| Network Rail | Government guarantee | unlimited | Oct-52 | £200m maximum |
| TfL | LT: AA/Aa/AA | £100m | 3 years | No change |
| GLA | | GLA : £100M | 3 years | No change |
| UK Local Authorities (LA) | N/A | LA : £30m per LA, per criteria £100m in aggregate | 3 years | Increased from £20m to £30m per LA and aggregate from £100m to £200m |
| Commercial Paper issued by and European Corporates | LT: AA-/Aa3/AA- ST: F2/P-2/A-3 | £20m per name £80m in aggregate | 1 year | No change |
| Money Market Funds (MMF) | LT: AAA By at least one of the main credit agencies | £30m per Fund Manager £200m in aggregate | 3 day notice | No change |
| Enhanced Money Funds (EMF) | LT: AAA By at least one of the credit agencies | £25m per fund manager, £100m in aggregate | Up to 7 day notice | Increased from £20m to £25m per fund manager and aggregate from £60m to £100m |
| | ST: F2/P-2/A-3 | | | |
| | ST: F2/P-2/A-3 | | | |

| Investments | Minimum Credit Rating Required | Maximum Individual Counterparty Investment Limit | Maximum tenor | Changes from the 2017/18 TMSS |
|---|--|---|---------------|---|
| | S&P/Moody's/Fitch | £m | | |
| UK Bank (Deposit/Certificate Deposit/Short Dated Bonds) | LT: AA-/Aa3/AA- (UK Government Ownership greater than 25%) | £70m | 5 years | No change |
| UK Bank (Deposit/Certificate Deposit/Short Dated Bonds) | LT: A-/A3/A | £50m | 3 years | No change |
| Non UK Bank (Deposit/Certificates of Deposit/Short Dated Bonds) | LT: AA-/Aa2/AA- | £50m | 3 years | No change |
| | ST: F2/P-2/A-3 | | | |
| | LT: A/A2/A ST: F2/P-2/A-3 | £30m | 1 years | No change |
| Green Energy Bonds | Internal and External due diligence | Less than 25% of the total project investment or maximum of £20m per bond. £50m in aggregate | 10 years | Increase from 5 to 10 years |
| Rated UK Building Societies | LT: A-/A3/A ST: F2/P-2/A-3 | £30m | 3 year | Increased from £20m to £30m per Building Society Extension of duration from 1 to 3 years |
| Approved countries investments list: | See Appendix G | | | |

UK T-Bills: UK Government Treasury Bills (T-Bills) are short term promissory notes issued by the UK Government at a discount to par, for tenors of up to one year. T-Bills provide a greater yield than cash deposits with the DMO and can be bought at the primary sale (by market makers), or in the secondary market.

UK Gilts: UK Government Gilts provide a greater yield than cash deposits with the DMO. At present, there are a limited number of gilts that will mature in the next two years, and as the shorter dated gilts were issued in a higher interest rate environment than at present, the coupons on these gilts are higher than current interest rates.

UK Government repurchase agreements (Repos): UK Government repurchase agreements are the purchase of UK Government securities with an agreement to resell them back at a higher price at a specific future date. By their nature, repos are short term secured investments in UK Government bonds which provide a greater return than cash deposits with the DMO. Ownership of the UK Government bond is temporarily transferred to the Council, thereby providing security over the funds invested.

Commercial Paper (CP) is similar to a very short term bond issue (up to one year), issued to investors on a discounted basis, and with the interest rate based on prevailing rates at the time of pricing.

Supra-national institutions are those that sovereign backed or supported institutions that span more than one country, such as the European Investment Bank, the European Bank of Reconstruction and Development, the World Bank, etc.

Network Rail: All Network Rail infrastructure debt is directly and explicitly backed by a financial indemnity from the Secretary of State for Transport acting for and on behalf of the government of the United Kingdom of Great Britain. The financial indemnity is a direct UK sovereign obligation of the crown and cannot be cancelled for any reason (prior to its termination date in October 2052). Propose to change TMS limit to unlimited and set the maximum maturity to Oct 2052.

CREDIT RATINGS

| Long term ratings | Fitch | Moody's | S&P |
|---|-------|---------|------|
| <i>Investment Grade</i> Focuses on liquidity and ability to meet payment obligations on time | AAA | Aaa | AAA |
| | AA+ | Aa1 | AA+ |
| | AA | Aa2 | AA |
| | AA- | Aa3 | AA- |
| | A+ | A1 | A+ |
| | A | A2 | A |
| | A- | A3 | A- |
| | BBB+ | Baa1 | BBB+ |
| | BBB | Baa2 | BBB |
| | BBB- | Baa3 | BBB- |
| <i>Non-investment grade (junk)</i> Focus on recovery percentage in the event of partial or total default | BB+ | Ba1 | BB+ |
| | BB | Ba2 | BB |
| | BB- | Ba3 | BB- |
| | B+ | B1 | B+ |
| | B | B2 | B |
| | B- | B3 | B- |
| | CCC | Caa | CCC |
| | CC | Ca | CC |
| | C | C | C |
| | D | | D |


| Short term ratings | Fitch | Moody's | S&P |
|----------------------|-------|-----------|------|
| Investment Grade | F1+ | Prime-1 | A-1+ |
| | F1 | Prime-2 | A-1 |
| | F2 | Prime-3 | A-2 |
| | F3 | | A-3 |
| Non-investment grade | B | Not Prime | B |
| | C | | C |
| | D | | D |

APPROVED COUNTRIES FOR INVESTMENTS

The list of approved countries set out below is based on the credit ratings as at 1 December 2017. Countries included on the approved list are those whose lowest rating, from Moodys, Fitch and Standard & Poors, meet or exceed the UK's credit rating of AA.

| Country | Lowest rating |
|-------------|---------------|
| Australia | AAA |
| Canada | AAA |
| Denmark | AAA |
| Germany | AAA |
| Finland | AA+ |
| France | AA |
| Hong Kong | AA+ |
| Luxembourg | AAA |
| Netherlands | AAA |
| Norway | AAA |
| Singapore | AAA |
| Sweden | AAA |
| Switzerland | AAA |
| UK | AA |
| USA | AA+ |

The change from the 2017/18 list of approved countries is the inclusion of France.

| | |
|--|--|
| <p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET</p> <p style="text-align: center;">5 February 2018</p> |  |
| <p>FINANCIAL PLAN FOR COUNCIL HOMES: THE HOUSING REVENUE ACCOUNT FINANCIAL STRATEGY, 2018/19 HOUSING REVENUE ACCOUNT BUDGET AND 2018/19 RENT REDUCTION</p> | |
| <p>Report of the Cabinet Member for Housing – Councillor Lisa Homan</p> | |
| <p>Open Report</p> | |
| <p>Classification - For Decision Key Decision: Yes</p> | |
| <p>Other services consulted: N/A</p> | |
| <p>Wards Affected: All</p> | |
| <p>Accountable Director: Kathleen Corbett, Director of Finance and Resources (Regeneration, Planning & Housing Services)</p> | |
| <p>Report Author: Danny Rochford, Head of Finance (Regeneration, Planning & Housing Services)</p> | <p>Contact Details: Tel: 020 8753 4023 E-mail: Danny.Rochford@lbhf.gov.uk</p> |

1. EXECUTIVE SUMMARY

- 1.1 This report covers the 2018/19 budget for the Council's homes (also known as the annual Housing Revenue Account (HRA) budget). This includes a reduction in rents for Council homes of 1% for 2018/19.
- 1.2 The 2018/19 budget also takes account of the Council's £20m Fire Safety Plus Programme capital works to make fire safety improvements to the Council's housing stock above and beyond current legal minimum standards. The Council has allocated £14m of HRA reserves to help fund this and it's been incorporated within a balanced 40 year financial plan for the Council's homes. We now expect reserves levels to drop to £4.7m in 2024/25 and HRA borrowing to peak in 2019/20.

2. RECOMMENDATIONS

- 2.1 To endorse the revised long term 40 Year Financial Plan for Council Homes as set out in paragraphs 4.19 – 4.22 of this report.
- 2.2 To approve the Housing Revenue Account 2018/19 budget for Council homes as set out in Appendix 1.
- 2.3 To note the 1% reduction in rents.
- 2.4 To approve an increase to equity share rents, which fall outside the Government's requirement to reduce social housing rents by 1% each year, of CPI (3.0% as at September 2017).
- 2.5 To approve an increase in tenant service charges of CPI (3.0% as at September 2017).
- 2.6 To endorse the HRA Medium Term Financial Strategy which plans to deliver further on-going annual revenue savings of £0.70million per annum from 2019/20, rising to £0.8million per annum by 2021/22, with savings coming principally from better stock condition and better customer service.
- 2.7 To note that Thames Water Authority is not due to confirm the increase in tenants' water charges until the end of January 2018, and therefore to delegate authority to the Director of Finance & Resources (Regeneration, Planning & Housing Services) in conjunction with the Cabinet Member for Housing to agree the average increase in water charges.
- 2.8 To approve a freeze in the communal heating charges.
- 2.9 To freeze the rates for parking charges on council estates.
- 2.10 To freeze garage charges for council tenants and resident leaseholders and to increase them for others in line with inflation (3.9% in line with the August 2017 retail price index).
- 2.11 To note the risks outlined in Appendix 6: Key Risks, of this report.

3. REASONS FOR DECISION

- 3.1. Section 76 (1)-(4) of the Local Government & Housing Act 1989 requires that the Council formulates the annual budget for the Housing Revenue Account during the months of January and February immediately preceding the year the budget is for. This budget must not result in a debit balance on the Council's HRA.

4. PROPOSAL

Background

- 4.1. The decision by the Chancellor of the Exchequer to reduce social housing rents by 1% each year for four years from April 2016, without any accompanying compensation to the HRA, means that while lower rents may appear to benefit tenants in the short term, there is a lot less money available to pay for the maintenance of Council homes.
- 4.2. In July, the Council announced the introduction of the Fire Safety Plus Programme to make sure the Council's homes and other properties meet higher standards. This has an estimated cost in the region of £20m. Although these are mainly capital costs, the programme has resulted in revenue growth in the HRA of £0.606m¹ (of which £0.499m is temporary). In addition, the HRA will be making a revenue contribution of £14m to fund capital investment costs². This will mainly be funded from the HRA general reserve.
- 4.3. It is not possible to fund the loss of rent or the additional costs by additional borrowing, as the Council is not permitted to borrow above the level of the debt cap.
- 4.4. The Council has therefore looked for other ways to offset the impact of the 1% rent cut on repairs, the increase in the costs of providing the housing management and maintenance service and the additional costs of the Fire Safety Plus Programme to help safeguard Council homes for the future and ensure the long term financial sustainability of the HRA.

Opportunities for Additional Income and Savings

- 4.5. Officers continue to look for opportunities to generate additional income and savings on both the revenue and capital budgets. A detailed analysis and review of the budgets has again been conducted.
- 4.6. For example the council is expecting increased income of £89k because of better management of commercial property, this has included reducing the expected void rent loss on commercial property from 11% to 3%. The council is also expecting £520k of income from advertising hoardings located on Housing land and has improved the management of garages which has resulted in more garages being let and reduced the void rent loss expected next year to 16% as compared to 35% in October 2015 and 22.5% as at December 17.
- 4.7. The opportunity to get more money in is restricted as most of the income received in the HRA is from tenants' rents and rent reductions for the next two years are set by legislation.

¹ Includes concierge service growth

² Movements in the phasing of other elements of the housing capital programme means that the revenue contributions to the housing capital programme are now in 2018/19 and 2019/20

- 4.8. Cumulative on-going annual savings to meet financial pressures in the HRA and ensure a balanced budget and business plan delivered in the seven years to 31st March 2018 in the HRA were £12.4m. The current savings programme is already set to deliver on-going additional savings in the HRA of £0.7m from 2019/20 rising to £0.8m by 2021/22 (i.e. £13.2m cumulative annual savings since the return of management to the Council in 2011). This means there is little scope for further savings without compromising service delivery, although the Council will of course continue to seek additional opportunities, including through the contract management initiative approved by cabinet earlier in the current financial year.
- 4.9. It has been possible to generate other income in the HRA for 2018/19. The budgeted income for 2018/19 from commercial rents and garages is currently forecast at £2.41m. This is £170,000 (7.0%) higher than for 2017/18 and is mostly due to the garage refurbishment programme and better management of void units.
- 4.10. Managers have focussed on controlling inflationary pressures, identifying mitigating actions to prevent budget growth where possible and identifying savings through zero-based budgeting and identifying additional income and savings opportunities. This has resulted in savings of £0.374m for 2018/19, partially offsetting the total growth of £2.548m. The net growth of £2.174m is mainly due to the additional costs arising from the Fire Safety Plus Programme of £0.606m, additional staffing costs of £0.533m following a reorganisation of the service and additional services provided through the Council's repairs and maintenance and caretaking contracts of £1.142m. The growth and savings are listed in detail in Appendix 5

Risks

- 4.11. The Government's programme of Welfare Reform is expected to have a significant impact on the Council's ability to collect rental income and will result in increased bad debt charges to the HRA. All new benefit claims are subject to Universal Credit and it is anticipated that from 2019 the Government will begin migrating all remaining existing benefit claimants to the Universal Credit. Due to the difficulty in estimating the financial impact, both an allowance for an additional bad debt provision and a risk is included in the 2018/19 budget. A bad debt charge of £1.0m has been included for 2018/19 plus an additional allowance of £1.7m to provide for the financial impact of the Government's plans under Welfare Reform as outlined above. This gives a total budgetary provision for bad debt of £2.7m. There is a small risk that the migration of tenants to Universal Credit moves at a faster pace than initially expected.
- 4.12. The Housing and Planning Act 2016 which enforced the rent decrease also provided for the enforced sale of high value voids with the sale proceeds being paid over to central Government. Government have been largely silent on when the Council may have to make any payment for high value void sales and have not yet published the detailed regulations so we do not know the

size of the payments we may have to make. They have however recently announced there will be no payment for the 2018/19 financial year. Therefore, given the uncertainty, the long term HRA financial plan still excludes the impact of the high value voids policy; this Government policy represents a significant risk to the HRA financial plan.

- 4.13. In addition to this, there are several other financial risks and these are set out in detail in Appendix 6.

Reserves

- 4.14. The risks facing the HRA must be viewed in conjunction with the level of HRA general reserves held. A prudent level of reserves is important to support long term investment planning in the context of a property portfolio of 17,000 properties with an existing use value of £1.1billion³.
- 4.15. As shown in the table below HRA reserves had fallen to £3.1m as at 31st March 2011, but following the implementation of the HRA financial strategy in January 2012, significant progress has been made with HRA reserves as at 31st March 2018 projected to stand at £19.2m before drawdowns to pay for the fire safety plus programme.

| HRA General Reserves as at 31st March | |
|--|--------|
| 2010 | £3.2m |
| 2011 | £3.1m |
| 2012 | £5.0m |
| 2013 | £4.3m |
| 2014 | £7.5m |
| 2015 | £13.1m |
| 2016 | £18.5m |
| 2017 | £20.1m |
| 2018 (predicted) | £19.2m |

- 4.16. Ideally, this level of reserves would be maintained to provide sufficient cover against unanticipated events such as those that might arise from the risks noted above. However, sometimes it's necessary to draw on reserves for specific programmes; the Fire Safety Plus Programme will draw up to £14m from HRA general reserves during 2018/19 and 2019/20

Asset Management

- 4.17. The £20m Fire Safety Plus programme has been incorporated within the HRA capital programme for the four years from 2018/19 to 2021/22 inclusive. It's been possible to do this and still produce a balanced financial plan mainly because the Council has allocated funding of £14m from HRA reserves.

³ Based on the CIPFA methodology and not on a rental stream basis which would yield a considerably lower Existing Use Valuation

- 4.18. However, the HRA asset management strategy is being updated to ensure the emerging fire safety and compliance priorities are incorporated into the HRA capital programme to protect tenants' and residents' homes. Although it is expected that where possible, existing capital investment plans can be delivered to a higher safety standard, there is a risk that any additional works or requirements arising from ongoing fire risk assessments and the outcome of the Grenfell Public Enquiry may not be absorbed within the existing planned budget envelope. This could result in the need to delay or change the specification of other works and projects within the capital programme.
- 4.19. The financial plan includes funding to enable the delivery of new affordable housing. This will allow the Council to house more people and contribute to keeping people out of temporary accommodation where possible and contribute to the much-needed containment of costs in the Council's General Fund.

Financial Strategy

- 4.20. The strategic financial objectives for the HRA are as follows:
- to enable the financing of a viable on-going repairs programme that focusses ensuring that all health and safety requirements are met and on maintaining the basic fabric of the Council's homes. The repairs programme will be prioritised to provide safe and weather-proof homes.
 - to fund this by undertaking a programme of prudential borrowing whilst financing both the annual interest of new and existing debt and repayments of the principal debt on maturity (£186.4m as at 1st April 2017);
 - to continue to seek opportunities to raise additional income and to find further efficiencies which do not impact on service delivery;
 - to ensure tenants only receive affordable increases in rent and other charges that are lower than those included in the February 2014 HRA Business Plan;
 - to rebuild HRA reserves balance to protect against future shocks or unanticipated events to £15m by 2029/30;
 - to continue to endeavour to free resources for investment in new initiatives including new housing supply whilst improving service standards.
- 4.21. The 40 year time span is used because the Council borrows from the Public Works Loans Board for up to 50 years and a substantial proportion (44%) of the Council's current housing debt is not due for repayment until after 30 years with 3% of the Council's current housing debt not being due for repayment for over 40 years.

- 4.22. The business plan is sensitive to both the differential between CPI and RPI and to increases in both indices and to fluctuations in the income and costs associated with the Land Sale Agreement for the West Kensington and Gibbs Green Estates.
- 4.23. The effect of the revised financial strategy including the 1% decrease in rents for Council Homes can be seen in the 5 year Income and Expenditure account presented at Appendix 2.

Rents

- 4.24. The rent reduction will result in average rents being nearly £17.67 less per week after four years (from 2019/20) than the average rent predicted in the financial plan approved in January 2015. The average rent for our Council Homes of £107.67⁴ per week is already lower than that of most other central London boroughs (see Appendix 9 for a comparison of average rents in other central London boroughs).
- 4.25. The draft budget for Council homes for 2018/19 shown in Appendix 1 assumes that tenant rents reduce in line with the enforced rent reduction of 1% and that tenant service charges increase by CPI (at September 2017) as most of our contract costs increase each year by CPI. The combined effect will be a decrease in average tenants rent and service charges of 0.75%. Together with a few adjustments, this will reduce gross rental income in the HRA by £0.4m in 2018/19.

Capital Charges

- 4.26. The two main components of capital charges are the cost to the HRA of borrowing that has taken place to fund the capital programme, including the Decent Homes Programme, and the cost to the HRA of depreciation charges. Further detail is contained within Appendix 10.

Fees, Charges and Other Income

- 4.27 The changes to charges for communal heating schemes, garage and parking space rents, water and sewerage charges, and income from advertising hoardings and commercial properties are set out in Appendix 11.

5. Consultation

- 5.1 Tenants and residents were consulted on the plans at the Economic Regeneration, Housing and the Arts Policy & Accountability Committee on 16th January 2018 in order that the committee could comment on the implications in advance of any formal decision being taken by Cabinet on 5th February 2018.

⁴ 2017/18 budgeted average rent is £107.65 per week for Hammersmith & Fulham

6. Equality Implications

- 6.1 The Equalities Impact Assessment (EIA) shows that the rent reduction is expected to be positive or neutral for protected groups. But some groups are over represented in Council homes so proportionately they will be more impacted. However, the Council considers that the main driver of the change in the plan for major works is due to the reduction in rents and the Fire Safety Plus programme. The former is largely outside of the Council's control. The latter will benefit all groups of tenants.
- 6.2 It is not possible for the Council to fully mitigate the effects by funding the shortfall in rental income from other resources as the Council needs to maintain a viable financial plan. However, the Council plans to take into account the views expressed by tenants on detailed estate plans of major works for their area. Officers will also be on hand to help tenants and their households in ensuring that tenants' homes are safe, warm and weather-proof.
- 6.3 Implications verified by Peter Smith, Head of Policy and Strategy, tel. 020 8753 2206.

7. Legal Implications

- 7.1. The HRA was established by statute to ensure that council tax payers cannot subsidise council rents and nor can council rents subsidise council tax. Failure to adhere to this statutory guidance can render the council's annual report and accounts subject to challenge and/ or qualification by the District Auditor.
- 7.2. The HRA ring-fence was introduced in Part IV of the Local Government and Housing Act 1989, and was designed to ensure that rents paid by local authority tenants accurately reflect the cost of associated services. This act specifies that expenditure and income relating to property listed in section 74 of the Local Government and Housing Act 1989 (that is houses and buildings provided for the provision of accommodation including the land on which they sit, excluding leases taken out for less than 10 years to provide temporary accommodation) must be accounted for in the HRA. Schedule 4 of the Act (as amended by section 127 of the Leasehold Reform, Housing and Urban Development Act 1993) specifies the allowable debits and credits. The Housing (Welfare Services) Order 1994 further specifies more detail on the welfare services which must be accounted for outside the HRA.
- 7.3. The Local Government and Housing Act 1989 also specified that it is unlawful to approve a budget which will result in a debit position on HRA reserves.
- 7.4. The Local Government and Housing Act 1989 requires the Council to maintain a Housing Revenue Account (HRA). Section 76 of this Act imposes "ring-fencing" arrangements in respect of a the HRA and places a duty on the Council to prevent a debit balance arising in HRA. The sums which can be debited from and credited to the HRA are prescribed by law. It is not possible for a local housing authority to subsidise rents from its General Fund.

- 7.5. As set out in the report the Welfare Reform and Work Bill requires that registered providers of social housing must reduce the amount of rent payable by a tenant of social housing by at least 1% per annum over 4 years, commencing in 2016. This statutory provision will restrict the ability of the Council to set rents.
- 7.6. Other legal implications have been referred to within the report including the need to comply with OFWAT regulations in relation to the supply of water.
- 7.7. In implementing the Fire Safety Plus programme which advocates the reduction in service charges or not charging for works completed in the council's leasehold properties. The council has and should also continue to consider its fiduciary duty to recover all service charges from leaseholders save for the exceptions as set out in the discretionary directions of 1997 and Social Landlords Discretionary Reduction of Service Charges (England) Directions 2014 which allow the council to consider reducing any service charge in respect of works of repair, maintenance, or improvement by an amount which they consider reasonable or to waive it altogether.
- 7.8. Implications completed by: Angus Everett, Principal Solicitor (Housing Litigation), Finance & Corporate Services.

8. Financial Implications

- 8.1. Comments are contained within the body of the report.
- 8.2. Implications completed by: Hitesh Jolapara, Strategic Finance Director, 020 8753 2501.

9. Commercial Implications

- 9.1 This report formulates the annual budget for the Housing Revenue Account (HRA) which includes a reduction in rents for Council homes of 1% for 2018/19.
- 9.2. The 1% rent reduction is a statutory requirement. While this leads to less money available for the maintenance of Council homes, it is not commercially feasible to fund the loss in rent by additional borrowing.
- 9.3. The report highlights the increase in the commercial rents such as garages. This could be used to offset the reduction in Council homes rents.
- 9.4. It is recommended that the Council continues to create opportunities to generate additional income and savings on both revenue and capital budget.
- 9.5. Implications completed by: Andra Ulianov, Procurement Consultant, 020 8753 2284

10. Risk Management

- 10.1. The principal risks are detailed in section 4 of this report and in appendix 6. These are included in the departmental risk register.
- 10.2. Implications completed by: Michael Sloniowski.

11. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

LIST OF APPENDICES:

Appendix 1 Housing Revenue Account 2018/19 budget
Appendix 2 5 Year Business Plan
Appendix 3 5 Year Savings Plan
Appendix 4 Efficiencies & Income Movements
Appendix 5 Growth & Savings from changes to service delivery
Appendix 6 Key Risks
Appendix 7 Housing Authorities General Reserves
Appendix 8 Borrowing Plans
Appendix 9 Local Housing Authorities Weekly Rents
Appendix 10 Capital Charges
Appendix 11 Fees, Charges & Other Income

**Appendix 1:
2018/19 Draft Housing Revenue Account Budget**

| Division | 2017/18 Revised Budget | 2017/18 Forecast Outturn¹ | 2018/19 Proposed Budget |
|--|---------------------------------------|---|--|
| | £000s | £000s | £000s |
| Housing Income | (76,284) | (76,700) | (76,846) |
| Housing Services | 11,161 | 10,853 | 11,100 |
| Safer Neighbourhoods | 622 | 622 | 622 |
| Adult Social Care | 48 | 48 | 48 |
| Voids & Repairs | 13,769 | 15,022 | 14,820 |
| Property Services | 2,005 | 2,960 | 2,932 |
| Development & Regeneration | 355 | 551 | 362 |
| Housing Solutions | 114 | 233 | 250 |
| Finance & Resources | 8,645 | 8,302 | 9,351 |
| Housing Strategy | 256 | 256 | 264 |
| Business & Programme Management | 2,964 | 2,964 | 2,629 |
| Corporate Service Level Agreement Charges | 6,307 | 6,307 | 6,384 |
| Capital Charges | 29,248 | 29,441 | 29,919 |
| (Contribution to)/ Appropriation from HRA General Reserve | (790) | 859 | 1,835 |
| Opening Balance on HRA General Reserve | (20,129) | (20,129) | (19,270) |
| Closing Balance on HRA General Reserve | (20,919) | (19,270) | (17,435) |

¹As per Corporate Revenue Monitor for month 7

Appendix 2

5 Year Business Plan for Housing Revenue Account 2018/19 - 2022/23

| HRA revenue projections | 2018/19 Projection £000s | 2019/20 Projection £000s | 2020/21 Projection £000s | 2021/22 Projection £000s | 2022/23 Projection £000s |
|---|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Income | (76,846) | (79,240) | (80,134) | (82,292) | (84,699) |
| Expenditure before savings and growth | 71,944 | 72,333 | 73,002 | 73,858 | 74,907 |
| Base HRA (surplus) / deficit for the year | (4,902) | (6,907) | (7,132) | (8,434) | (9,792) |
| Efficiencies* | (374) | (712) | (829) | (844) | (860) |
| Growth | 2,548 | 2,097 | 2,139 | 2,180 | 2,221 |
| (Surplus) / deficit before additional capital programme contribution | (2,728) | (5,522) | (5,822) | (7,098) | (8,431) |
| Revenue Contribution to Capital Outlay | 4,563 | 9,700 | 12,862 | 5,000 | 9,623 |
| (Surplus) / deficit for the year after additional capital programme contribution | 1,835 | 4,178 | 7,040 | (2,098) | 1,192 |
| HRA balance at year end | (17,435) | (13,257) | (6,217) | (8,315) | (7,123) |

* Note that all figures including efficiencies are inflated in line with business planning assumptions

| Appendix 3: | | | | | |
|---|-------------------------|--------------|--------------|--------------|--------------|
| Housing Revenue Account 5 year Savings Plan | Risk to Delivery | 18/19 | 19/20 | 20/21 | 21/22 |
| | | £000s | £000s | £000s | £000s |
| Additional savings programme focused primarily on reducing corporate overheads for IT and premises. | | 0 | 200 | 300 | 300 |
| Additional savings on core costs resulting from better stock condition and better customer service. | | 0 | 500 | 500 | 500 |
| | | | | | |
| Base savings programme | | 0 | 700 | 800 | 800 |

Appendix 4: Income Movements

| Item | Housing Income £ |
|---|---------------------------------|
| 2017/18 Base Budget | (76,284) |
| Other Adjustments | |
| Decrease in dwelling rents | 520 |
| Additional garages income | (180) |
| Additional commercial properties income | (89) |
| Increase in Leaseholder Service Charges (Equivalent increase in cost) | (462) |
| Increase in Tenant's Service Charges | (132) |
| Other Adjustments | (235) |
| 2018/19 Base Budget | (76,862) |

NB: Leaseholders can only be charged for costs actually incurred.

Appendix 5: Growth & Savings from changes to service delivery

| Growth | | |
|---|---|-------------------------|
| Division | Description | Amount £000s |
| Property Services | Fire Safety Programme (Temporary) | 419 |
| | | 419 |
| Business & Prog Mgmt | Fire Safety Programme (Temporary) | 80 |
| | | 80 |
| Housing Repairs | MITIE Contract | 621 |
| | | 621 |
| Housing Services | Concierge Service | 107 |
| | Pinnacle Caretaking Contract | 521 |
| | | 628 |
| Housing Solutions | Realignment of Housing Assessments staff between General Fund and HRA | 54 |
| | | 54 |
| Finance & Resources | Increase in Corporate Service Level Agreement charges | 267 |
| | | 267 |
| All | RPHS Temporary Structure | 479 |
| | | 479 |
| Total Growth | | 2,548 |
| Less: Savings from changes in service delivery | | |
| Division | Description | Amount £000s |
| Finance & Resources | Reduction in Past Pension Deficit Contribution | 93 |
| | | 93 |
| Housing Services | Reduction in Estate Parking project costs | 100 |
| | Reduced take up of downsizing incentives | 131 |
| | Reduction in decant costs | 50 |
| | | 281 |
| Total Savings from changes in service delivery | | 374 |
| Net Growth | | 2,174 |

| Appendix 6: Key Risks 2017/18 | Lower Limit £000s | Upper Limit £000s | Worst Case £000s | Future Risk £000s |
|---|------------------------------|------------------------------|-----------------------------|------------------------------|
| Quantifiable Risks | | | | |
| <p>Welfare Reform - the budgeted bad debt provision provides some protection against the impact on rent collection rates as a result of the various strands of the Government's Welfare Reform programme. However, there remains some risk.</p> <p>Though the Council has made provision for the inevitability that arrears will increase, it is very difficult to quantify the level of risk for direct payments. Given that the households involved are on very low income levels it is likely that the majority of this increase in arrears would be uncollectable and the annual exposure is estimated in the region of between £1.6m and £6.5m per annum for 2018/19, assuming mitigating actions are in place. The maximum level of exposure is far higher; the total annual rent paid directly to the Council for HRA properties by Housing Benefit is approximately £30.7m (31st March 2017, £33.6m). In terms of mitigation the Council continues to actively promote payment by direct debit/ standing order to tenants and has achieved "trusted partner" status with the Department of Work & Pensions (DWP) as part of a detailed rent collection strategy, as well as having in place arrangements to support tenants in managing their money. Under the "trusted partner" scheme, the Council can apply directly to the DWP for "alternative payment arrangements" (APAs) for individual tenants before they fall into significant arrears. The APA means that benefits for housing costs can be paid directly to the Council.</p> | 0 | 6,500 | 30,700 | ? |
| <p>Right to Buy Disposals - a level of Right to Buy disposals (40 per annum from 2018/19 for four years and then falling back to 20 per annum from 2021/22) has been assumed within the business plan. There is a risk that unbudgeted levels beyond the Council's control could impact on the net income due to the HRA. The upper limit and worst case risks set out here are based on an assumption that the level of applications currently projected (168) all progress to RTB sales. The future risk assumes that there are 80 or more additional RTB sales each year.</p> | 0 | 666 | 666 | 416 |
| Total Quantifiable Risks | 0 | 7,166 | 31,366 | ? |

Appendix 6: Key Risks 2017/18

Unquantifiable Risks

Accounting for impairment and revaluation losses / gains - changes in accounting rules following self-financing regarding impairment and revaluation losses / gains mean that any adverse movements resulting from changes in the property market that cannot be funded by revaluation reserves will be an actual charge to the HRA bottom line. The current level of revaluation reserves of £199m represents 15.3% of the current stock valuation of £1,304m, so an impairment / revaluation loss of 15.3% would have to be suffered on an individual asset before the HRA would be affected. The Government is currently consulting on implementing changes that may remove this risk.

Housing Repairs - unpredicted events may result in some additional expenditure (for example, following new health and safety directives, legislation, potential insurance claims from storm damage) on housing repairs. The HRA general reserves provide a financial provision that mitigate against this risk.

Appendix 6: Key Risks 2017/18

Unquantifiable Risks

Continuation of social housing rent reductions beyond 2025 – There is a risk that the Government will set requirements for rent levels that are different from those assumed in the 40 year plan.

Service Level Agreements - any review of corporate SLA costs may impact adversely on the HRA particularly if contracts are retained in house resulting in higher than expected FTE⁵ numbers. There is a risk that corporate services may not pass on savings as the proportion charged to the HRA changes because of changes elsewhere in the Council. For example: increases in FTE's in the HRA and decreases in General Fund FTE's would mean the HRA attracts a higher portion of central costs or; legislative burdens could increase costs.

Market Risk on Re-Procurement and Recruitment – There is a risk especially under better economic conditions that it will become harder to re-procure contracts or recruit staff at the predicted rates

⁵ Full time equivalents

Other changes in central Government policy towards social housing

Land Sale Agreement for the West Kensington and Gibbs Green Estates - the current HRA business plan is very sensitive to fluctuations in the income and costs associated with the Land Sale Agreement for the West Kensington and Gibbs Green Estates. This includes the timing of land transfers as income cannot be realised in accounting terms until land is transferred.

Additional Fire Safety Costs - following the fire at the Grenfell housing tower block in Kensington and Chelsea, the Council has put in place the Fire Safety Plus Programme to make fire safety improvements to the housing stock above and beyond the current legal minimum standards. There remains a risk that more work may be needed following the outcome of the Grenfell Public Enquiry.

Additional compliance costs and other repairs risks such as uninsured events

Forced Sale of High Value Voids - the Government's plan to force the sale of high value empty council homes with the proceeds being paid over to central Government. This is likely to have an adverse impact on the availability of social housing in the borough putting pressure on the General Fund budgets even if a one for one affordable rented replacement is provided in borough, simply because a home is lost and it normally takes a few years to build a new one which might not be in the HRA. The loss of stock will reduce economies of scale in the HRA and, depending on the exact nature of the regulations and the properties sold, result in a net loss and constrain proper asset management within the HRA.

The implementation of Managed Services and its impact on service delivery - most notably in terms of risks to income collection, arrears management and the associated bad debt risk, financial and management reporting, systems assurance and reconciliation reporting, the time taken to resolve payment issues, the opportunity cost of officer time in managing issues arising and other factors

Medium Term Financial Strategy - a risk to future savings expected to be delivered in accordance with the HRA five-year savings plan, especially in relation to savings focussed on reducing corporate overheads for IT and premises.

Depreciation - a risk that the depreciation charge could change as a result of CIPFA's current review of the regulations governing componentisation of HRA assets. While any increase in the depreciation charge would provide more ringfenced funding for the capital programme it would result in lower revenue reserves. Revenue reserves can be used to cover revenue or capital risks so any movement in funds from revenue to capital restricts flexibility.

| Appendix 7 | | | |
|---|-----------------------------|---|---|
| London Local Housing Authorities | | | |
| General Reserves as a % of Turnover | | | |
| Local Housing Authority | Turnover 2016/17 | General Reserve at 31st March 2017 | General Reserve as a % of Turnover |
| | £m | £m | % |
| H&F | 82.6 | 20.1 | 24% |
| London Local Housing Authorities | | | |
| RBKC | 58.6 | 21.4 | 37% |
| Westminster | 112.8 | 53.9 | 48% |
| Brent | 54.7 | 4.7 | 9% |
| Ealing | 68 | 4.9 | 7% |
| Harrow | 32.4 | 6.9 | 21% |
| Hounslow | 83.7 | 35.3 | 42% |
| Hillingdon | 62 | 45.8 | 74% |
| Wandsworth | 141.1 | 130.9 | 93% |
| Barking & Dagenham | 113.3 | 10.7 | 9% |
| Camden | 203.7 | 38.3 | 19% |
| Croydon | 93.6 | 12.5 | 13% |
| Enfield | 64.4 | 9.1 | 14% |
| Greenwich | 121.6 | 12 | 10% |
| Hackney | 140.3 | 10.2 | 7% |
| Haringey | 111.5 | 39.3 | 35% |
| Islington | 190.6 | 17.5 | 9% |
| Lambeth | 176.2 | 10.7 | 6% |
| Lewisham | 87.9 | 57.1 | 65% |
| Newham | 110.3 | 55.7 | 50% |
| Redbridge | 28.1 | 7.3 | 26% |
| Southwark | 299.1 | 14.3 | 5% |
| Waltham Forest | 64.7 | 4.7 | 7% |
| Barnet | 63.2 | 12.4 | 20% |
| Kingston upon Thames | 31.7 | 5.4 | 17% |
| Sutton | 38.4 | 1.8 | 5% |
| Tower Hamlets | 92.7 | 39 | 42% |
| Major Metropolitan Housing Authorities | | | |
| Manchester | 65.2 | 100 | 153% |
| Birmingham | 298.8 | 4.7 | 2% |
| Sheffield | 157.8 | 9.1 | 6% |
| Newcastle Upon Tyne | 113.6 | 8.9 | 8% |
| Leeds | 228.2 | 28.1 | 12% |
| Average of Neighbouring Authorities | | | 39% |
| Average of all 27 London Local Housing Authorities | | | 26% |
| Average of all 27 London Local Housing Authorities and all Major Metropolitan Housing Authorities | | | 28% |

**Appendix 8:
Housing Revenue Account Borrowing Plans 2017/18 -2022/23**

| Year | Borrowing Opening Balance £000s pa | Debt Repayments £000s pa | Additional Required Borrowing £000s pa | Borrowing Bal/Cfwd £000s pa | Housing Capital Financing Requirement £000s pa | Internal Borrowing £000s pa |
|-----------|---|--------------------------------|---|-----------------------------------|--|-----------------------------------|
| 1 2017.18 | 186,416 | 6,150 | 0 | 180,267 | 216,020 | 35,754 |
| 2 2018.19 | 180,267 | 3,784 | 0 | 176,482 | 235,155 | 58,673 |
| 3 2019.20 | 176,482 | 8,042 | 0 | 168,440 | 251,068 | 82,628 |
| 4 2020.21 | 168,440 | 9,461 | 0 | 158,979 | 244,184 | 85,205 |
| 5 2021.22 | 158,979 | 0 | 0 | 158,979 | 247,667 | 88,688 |
| 6 2022.23 | 158,979 | 9,623 | 0 | 149,355 | 238,015 | 88,659 |

| Appendix 9: | |
|---|----------------------------|
| Central London Local Housing Authorities | |
| Weekly Rents: 2017/18 | |
| | |
| Local Housing Authority | Weekly Rent 2017/18 |
| Lewisham | 96.61 |
| Southwark | 99.48 |
| Hackney | 100.54 |
| Greenwich | 102.44 |
| Hammersmith & Fulham | 107.67 |
| Lambeth | 108.47 |
| Islington | 109.56 |
| Tower Hamlets | 110.26 |
| Kensington & Chelsea | 121.78 |
| Westminster | 122.78 |
| Wandsworth | 126.82 |
| Average | 109.67 |

Appendix 10 Capital Charges

Interest Payable

In line with the latest revised 40 year HRA business plan, it is planned to repay £3.8m of debt due to mature in 2018/19. This reduction in debt means that the annual interest cost in 2018/19 will reduce to £8.7m (from £8.9m in 2017/18). The level of borrowing proposed within the Financial Plan for Council Homes is predicted to remain close to the debt cap for the next four years before falling back over the term of the business plan. The plan for the next 10 years' borrowing is set out in Appendix 8.

Depreciation

The Council's policy has previously been to use the Major Repairs Allowance (MRA) as a proxy for depreciation in the HRA for housing properties. CLG's Settlement Payments Determination includes a five-year transitional period during which time Councils may use the uplifted MRA. The Council subscribed to the transitional period which ended in 2016/17.

The Council now charges actual depreciation to the HRA. This has resulted in a reduction in the depreciation charge for dwellings in 2018/19 of £1.8m to £16.2m.

There is a risk that the depreciation charge in the HRA could increase depending on the outcome of a review of CIPFA's regulations governing componentisation of HRA assets and this is included in the risks schedule in Appendix 6.

The charge for non-dwellings depreciation for 2018/19 is £0.2m has not changed significantly since 2017/18.

Appendix 11 – Fees, Charges & Other Income

Heating Charges

Tenants and leaseholders who receive communal heating (around 2,025 properties in total) pay a weekly charge towards the energy costs of the scheme. The Council meets the costs of heating in the year, and recharges tenants and leaseholders based on an estimated cost and usage.

The Council is part of the LASER energy procurement group, which purchases energy on behalf of 48 local authorities. A system of flexible procurement is used which should ensure that LASER tenders for new energy contracts on a rolling basis, so that it can purchase when rates are low.

As the new energy contract rates are not expected to be received until after this report is published, an estimate has been prepared in consultation with the Council's Utilities management function who have provided an indication of the new contract rate the Council can expect to achieve. Based on this estimate, combined with the need to balance the heating account for the year, no increase in charges is proposed for 2017/18.

Garage Rents

Garages are currently let on a weekly basis at a flat rate of £23.08 for a car garage and £17.31 for a motorcycle garage to customers who live in Hammersmith and Fulham. Customers who do not live in Hammersmith and Fulham pay £50 per week. Residents in Council blocks with secure underground parking spaces pay £3.07 per week, where these are let to customers who do not live in the block the charge is £23.08 per week. There are a number of concessionary charges available to local residents.

It is proposed to freeze garage charges for council tenants and resident leaseholders and to increase them for others in line with inflation (3.9% in line with the August 2017 retail price index).

The level of charges among other neighbouring London Councils vary. For example, equivalent weekly charges for garages are between £19 and £57 in Kensington and Chelsea, £12 and £36 in Camden, £22 in Wandsworth. Prices for garages rented privately within Hammersmith & Fulham range from £1,800 to £2,500 per annum.

Parking Permits

Parking permits are issued at a flat rate of £119 per year. There are also concessionary rates for second or low emission cars.

Following changes in law that limit the Council's powers to enforce parking on housing estates by private contractors, the Council is undertaking a review of parking on all housing estates in the borough with a view to introducing enforceable parking controls. Following a consultation process with estate residents, Traffic Management Orders have been implemented on a number of estates. This process is ongoing and is expected to conclude in 2018/19. The level of income assumed for parking charges for 2018/19 takes account of the changes in law and on-going review of parking.

It is proposed to freeze this £119 flat rate for vehicles on council estates that opt for a Traffic Management Order. Any concessions that reduce this rate on streets outside council estates for low emission cars will also be applied in estates covered by Traffic Management Orders. No fees or surcharges above this flat rate are proposed for vehicles in estates.

Water Charges

The Council collects income from tenants on behalf of Thames Water.

The annual review of charges involves comparing the amount paid to the Council by tenants for water and sewerage during the previous financial year with the amount the Council paid to Thames Water. For communally metered homes this involves working closely with Thames Water to ensure that the charges are in line with the actual water used.

The increase advised by Thames Water for 2018/19 will need to be overlaid on top of the adjusted charges. It is expected that Thames Water will confirm the agreed changes to water and sewerage service charges for 2018/19 in January 2018. It is therefore proposed that any change to the water charges be agreed following Thames Water's confirmation in January 2018 and it is recommended that, as in previous years, authority be delegated to the Director of Finance & Resources to approve the increase in water charges. This will ensure that the Council fulfils its legal obligation to recover the water charges.

Advertising Income


The budget for income generated from advertising hoardings located on Housing land has been reduced by £318k to £520k. This is due to contracts not yielding the expected returns during 2017/18 partly due to lower demand and the current economic climate. Opportunities for identifying new hoardings sites are being investigated on an on-going phased basis.

Legal and accounting advice previously has confirmed that the income and expenditure associated with advertising hoardings on HRA land should be accounted for within the HRA.

Rents on Shops

The budget for commercial property rents for 2018/19 has been increased to £1.472m, an increase of £89k. The increase in income is due to improvements in void management and better maintenance of the property portfolio. The budget set for HRA commercial property incorporates a forecast void rate of 3%, based on informed assumptions from the Council's Valuation & Property Services team, to allow for economic conditions. Additionally, the budgeted charge for the bad debt provision has been set at £98k for 2018/19.

Agenda Item 9

| | |
|--|---|
| <p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>5 February 2018</p> |  <p>h&f hammersmith & fulham</p> |
| THIRD SECTOR INVESTMENT FUND RENEWAL | |
| Report of the Deputy Leader – Councillor Sue Fennimore | |
| Open Report | |
| Classification - For Decision Cabinet Decision: Yes | |
| Wards Affected: All | |
| Accountable Director: Rachael Wright-Turner, Director of Public Services Reform | |
| Report Author: Katharina Herrmann, Principal Community Investment Officer | Contact Details: Tel: 020 8753 2482 Katharina.Herrmann@lbhf.gov.uk |

1. EXECUTIVE SUMMARY

- 1.1. This report seeks authority to renew 45 funding agreements under the corporate grants programme, the Third Sector Investment Fund (3SIF) for a three-year period, until 31 March 2021. The agreements are held with 36 different service providers.

2. RECOMMENDATIONS

- 2.1. That Cabinet reviews the recommendations for each individual service and agrees the renewal proposals as set out in Appendix 1.

3. REASONS FOR DECISION

- 3.1. The council views the third sector as a key community partner in improving the health and wellbeing of residents and creating a more inclusive, prosperous, and resilient borough. The council is fully committed to supporting the third sector in Hammersmith & Fulham and understands the significant contribution that these diverse services make to the social fabric of our borough. Therefore, strengthening this vital partnership and working closely with the sector is a priority.

- 3.2. This report seeks to provide the funding stability that is fundamental to enabling third sector organisations to plan improvements, build relationships and retain experienced staff. It recognises the ability of the third sector often to provide more responsive, better-value services than either the private or public sector.

4. BACKGROUND

- 4.1. The 3SIF budget was last tendered in 2013-14. The allocations agreed by Cabinet in September 2014 offered an initial term of 18 months.
- 4.2. Since then, the Deputy Leader has agreed further services for support from the Third Sector Investment Fund under delegated authority secured from Cabinet in September 2014. In total, 53 services are currently funded from this budget.
- 4.3. In May 2016 and February 2017, Cabinet Member Decisions agreed to renew funding agreements for 45 organisations until March 2018. This report seeks approval to renew the majority of those funding arrangements, as set out in appendix 1.

5. PROPOSAL AND ISSUES

- 5.1. Since tendering the Third Sector Investment Fund in 2014, new service priorities have been set:
- Improving health and adult social care
 - Everything we do – delivering social inclusion
 - A stronger local economy with more jobs for local people
 - Ensuring a safer, cleaner borough
 - Providing the best start for young people
 - Empowering and enabling local communities.
- 5.2. The creation of a new Public Services Reform directorate as part of the council's Moving On programme provides a further opportunity to bolster the role of third sector organisations in meeting local needs. Management of the community investment team and 3SIF will transfer to the new directorate shortly, enabling the council to develop a more strategic approach to supporting the third sector and to re-focus the remaining unallocated 3SIF funding to current and looming priorities, particularly in meeting the additional demand for services arising from Universal Credit and other pressures.
- 5.3. Three currently-funded legal and advice agencies are not included in this report because their future funding is the subject of a separate procurement process. These are the H&F Law Centre, H&F CAB and Action on Disability.
- 5.4. In addition, as a result of their failure to meet monitoring requirements, CASH are not recommended for grant renewal as part of this report.
- 5.5. In order to facilitate a wider review of volunteering in the borough, it is proposed to extend the grant for H&F Volunteer Centre to one year only at this stage. This

will be reviewed once a clear strategy has been agreed for improving volunteering services in the borough.

- 5.6. It is also proposed, in the light of continuing pressures on local people caused by Universal Credit difficulties, to increase the annual grant to Hammersmith & Fulham Foodbank to £50,000 per year.
- 5.7. This report therefore seeks agreement to renew funding as set out in appendix 1 for a further three years to 31 March 2021, in order to provide these organisations with the stability they need to develop and improve the vital services they provide to the residents of H&F.
- 5.8. Detailed information on the rationale for funding extensions, and, where appropriate, reasons to not renew funding, is provided in Appendix 1.
- 5.6 A further Cabinet Report will be presented during 2020, making recommendations for re-tendering of grant-funded services beyond March 2021.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. Recommendations are based on the information gathered through quarterly performance monitoring and annual visits to funded organisations, carried out by the community investment team. The recommended renewal of funding will significantly contribute to the council's work and partnerships to deliver services which meet council priorities.
- 6.2. All proposed service renewals depend on council funds being available as budgeted for and all service level agreements include that clause.

7. CONSULTATION

- 7.1. Individual service performance is regularly discussed with providers, who are aware that their performance reports are the key information resource used as part of this review. User feedback and surveys conducted by organisations are included in the annual performance report submitted by all providers.

8. EQUALITY IMPLICATIONS

- 8.1. Part of our ongoing monitoring of each services' performance has included monitoring the take up of services and the outcomes they are achieving.
- 8.2. We know that the majority of services are achieving a good reach – with monitoring information providing evidence of the profile of service users by age, ethnicity, gender and disability. All services are required to contribute towards the council's social inclusion objectives in their renewed funding agreement – with expectations of each service.
- 8.3. Implications completed by Peter Smith, Head of Policy and Strategy, 020 8753 2206.

9. LEGAL IMPLICATIONS

- 9.1 The Council has power to award funding under section 1 of the Localism Act 2011 which allows the council to do anything that individuals generally may do, in particular if it is carried out for the benefit of the council, its areas or persons, resident or present in its area. The council should ensure that the aid falls under the De Minimus Regulations or one of the General Block Exemption Regulations. However, if there were a successful challenge to the arrangements on the grounds that the funding (or any part of it) provided by the council constituted unlawful State Aid the council would be required to recover from grant recipient the amount of the unlawful aid plus interest.
- 9.2 It is noted that it is proposed to extend the funding agreements listed in Appendix 1 for 3 years. It is understood that the agreements provide for an extension for one year.
- 9.3 Contractually (and disregarding any requirements under EU procurement rules) it is open to the parties (the Council and the funded third sector organisation) to agree any variations to the funding agreements. Unconditional grants are not subject to the Public Contracts Regulations 2015 (Regulations). Therefore, provided that the funding is properly classified as the award of a grant (rather than a service contract) it is open to the Council to agree to funding for a further 3 years.
- 9.4 It should be noted that to be classified as a grant there should not be an obligation on the funded party to deliver any goods or services to the funder (although any funds may be clawed back if they aren't used for the purposes set out in the funding agreement).
- 9.5 If the funding is held not to be the award of a grant, then it would be considered to be the award of a contract for the provision of services. It seems likely that any services would be classified as "social or other specific services" under the Regulations which are subject to the "light touch regime" where they exceed the financial threshold of £615,278. None of the proposed funding exceeds this threshold. There is therefore no obligation on the Council under the Regulations to advertise these contracts.
- 9.6 Implications Implications completed by Cath Tempest, Senior Solicitor (Contracts), Legal Services, 020 8753 2772.

10. FINANCIAL IMPLICATIONS

- 10.1 The proposed awards for 2018/19 to 2020/21 are detailed in Appendix 1. These total £2,959,434 in 2018/19 excluding several organisations whose funding arrangements are yet to be agreed. Under proposals in this report, the council will award grants which total £8,603,305 over a 3-year period
- 10.2 In 2018/19 £1,007,000 of grant awards will be funded by Public Health contributions, with the balance funded from the Third Sector Investment Fund. Ringfenced Public Health grant has only been confirmed as available until March 2019 and may be at risk of changes in the Local Government finance regime.

- 10.3 It is important to note that a 3-year funding commitment is likely to reduce the council's ability to deliver savings. Balanced against this, is the need to consider provision for services to vulnerable groups, and the potential that these grant awards can reduce demand on existing Council services
- 10.4 Implications verified/completed by: Danielle Wragg, Finance Business Partner, 020 8753 4287.

11. IMPLICATIONS FOR BUSINESS

- 11.1 The renewal of funding agreements allows for local third sector organisations to deliver services that engage with other local businesses and providers to strengthen local networks and thereby positive impacts for local residents. All providers are strongly encouraged to recruit local staff and volunteers to deliver the services provided.
- 11.2 With few exceptions, all services funded are delivered expressly within the borough boundaries and make effective links with other local services and organisations, ensuring that benefits and economic gains from this programme stays local.
- 11.3 The economic development team will work with funded providers to link with our supply chain development programme, enabling local businesses to tender for any packages of work that result from these contracts. Projects that focus on employment and training will also have close links with Workzone and Adult Education Teams.
- 11.4 Implications verified/completed by David Burns, Interim Head of Economic Development. 020 8753 6090.

12. RISK MANAGEMENT

- 12.1 The council has always worked with and supported the voluntary and community sector and recognises the contribution the sector makes both to maintain and improve the quality of life for the community within the area. The council ensures that grant funds are administered in line with recommended best practice, ensuring some stability to the funded organisations during the ever-changing funding landscape and austerity measures impacting on them from National Government. Furthermore the Service ensures value for money and outcomes are achieved and that the funding is allocated in line with the council's priorities. All services are funded under a service level agreement, which sets out the detail of the service to be provided, with targets and outcomes measures forming part of that agreement. Quarterly monitoring information provides a degree of assurance that the service is being delivered as intended, with annual performance reports provided which provide information on the impact the service has made.
- 12.2 All organisations will be visited at least once a year, where officers meet with service staff, trustees, volunteers and service users – this visit is often a more reliable way of testing the quality of the service being provided.

- 12.3 These two activities provide good opportunities to provide an early indication of any issues with performance, and allow for appropriate steps to be taken to work with organisations to address and mitigate any risks.
- 12.4 3SIF contractual compliance is included in the Delivery & Value risk register.
- 12.5 Implications verified by: Michael Sloniowski, Risk Manager, telephone 020 8753 2587.

13. COMMERCIAL AND PROCUREMENT IMPLICATIONS

- 13.1 Unconditional grants are not subject to the Public Contracts Regulations 2015 (Regulations) and the implied statutory requirements for competition. Therefore, given the fact that the funding is classified as the award of a grant it is the Council's decision to agree to funding for a further 3 years. There are no procurement implications for the awarding of specifically defined grant funding
- 13.2 Implications verified by Andra Ulianov, Corporate Procurement, Tel: 020 8753 2584.

14. IT STRATEGY IMPLICATIONS

- 14.1 There are no implications to Information or Technology with regard to the specific funding proposal outlined in this report. However, there may be information implications with regard to some of the H&F supported services delivered by the voluntary sector. As with all such work, privacy impact assessments are required to ensure compliance with current data protection law and the GDPR moving forward.
- 14.2 Implications verified by: Ciara Shimidzu, Head of Information and Strategy, telephone 020 8753 3895

LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

LIST OF APPENDICES:

Appendix 1 - Detail on each proposed funding agreement renewal

THIRD SECTOR INVESTMENT FUND RENEWAL – Appendix 1


| Organisation | Service | 2017-18 funding | Proposed 2018- 19 funding | Proposed 2019-20 funding | Proposed 2020-21 funding |
|-----------------------------|--|-----------------|------------------------------|--------------------------|--------------------------|
| Action on Disability | <p>Welfare Benefits Project for Adults: The service provides benefit advice and support to ill and disabled clients and carers who live or work in the borough. This means full casework up to, and including, tribunals, telephone advice, seminars and talks on different aspects of welfare benefits to organisations in Hammersmith & Fulham, and help completing PIP, ESA, DLA and other benefit forms. Last year, it supported 78 individual residents and three organisations with the help of six volunteers.</p> <p>Welfare Benefits Service for Children: A welfare benefits service for children, providing advice on all social security benefits to parents and carers of disabled children up to and including first-tier tribunal representation. The aim is to maximise the income of H&F families with disabled children up to age 18. Last year, 6 volunteers advised 265 residents. The help has generated many one-off backdated payments of benefits, with support for 133 parents and carers of disabled children.</p> | £48,220 | Subject to a separate report | | |
| Age UK Hammersmith & Fulham | The Connect Project: The service includes a lunch club café, IT training for older people, information and advice, a weekly programme of physical and mental activities, talks and workshops, befriending and other services, from shopping to light gardening. The service is provided with the help of over 400 volunteers and reaches over 1000 residents each year. It also attracts income from other sources to the borough. | £160,000 | £160,000 | £160,000 | £160,000 |
| Alzheimer's Society | Dementia Support Worker & DFC: Provides support and information for people facing problems with dementia, and their carers. Includes a regular service for people with dementia living in the community and a Saturday dementia café. Last year, the service supported 139 residents, with the help of 5 volunteers. | £15,000 | £15,000 | £15,000 | £15,000 |
| Barnardo's (SEone Service) | Pan London Child Sex Exploitation (CSE) Service: The CSE, Missing and Trafficking Service, provides one-to-one work to children and young people; support and advice to parents and carers; training for professionals and advice and consultancy. Last year, trained volunteers provided support to 17 young people, and 700 pupils at 6 local schools. | £40,000 | £40,000 | £40,000 | £40,000 |
| Barons Court Project | Barons Court Project: Day centre for local people who are vulnerable to mental health problems and homelessness. Activities include advocacy, group support, one-to-one help, access to shower and laundry facilities, social events, meals, IT sessions and a life skills programme. Supported 230 people last year, about 150 volunteers are involved and the organisation raised considerable amounts of funding from other sources. | £45,000 | £45,000 | £45,000 | £45,000 |
| Bishop Creighton House | Homeline: A telephone befriending service including casework, home visiting, monthly lunches, Christmas parties and other social events for older people, also digital inclusion classes. Very popular service, benefitted 168 isolated older people last year and supported by 88 volunteers. | £65,000 | £65,000 | £65,000 | £65,000 |
| | Care & Repair and Safer Homes: Service offers child & adult safety, security and fire safety check at people's homes, followed by small repairs and adjustments if needed, such as fitting smoke alarms. Focus on older people and vulnerable families with young children. It helped 336 residents last year, 13 volunteers contributed. | £50,000 | £50,000 | £50,000 | £50,000 |
| | BCH Community Centre: Funding supports the running of a community centre at BCH in Lillie Road, offering space to local groups to provide education, arts and crafts, health and wellbeing and other activities. Last year, 29 organisations and 580 residents have been supported. | £19,000 | £19,000 | £19,000 | £19,000 |
| | Keep Active: 9-12 week support programme helping people to regain mobility following a fall and hospital stay. Use Tai Chi. Service works with trained volunteers and supports around 100 people per year. This service started in 2017. | £40,000 | £40,000 | £40,000 | £40,000 |

| Organisation | Service | 2017-18 funding | Proposed 2018- 19 funding | Proposed 2019-20 funding | Proposed 2020-21 funding |
|-------------------------------|---|-----------------|-------------------------------------|--------------------------|--------------------------|
| Brunswick Club, The | Brunswick Juniors: Provides holiday activity schemes for up to 40 children a day. And twice weekly open access after school club for children years 2-6, primary. 41 volunteers contributed and over 100 children used the holiday schemes last year. | £35,000 | £35,000 | £35,000 | £35,000 |
| deafPLUS | Living with Hearing Loss: Free courses and support to people experiencing hearing loss, helping them to manage their lives and relationships. The service includes home visits and outreach to day centres, sheltered housing and residential homes. Also offers workshops to other service providers. | £12,000 | £12,000 | £12,000 | £12,000 |
| Doorstep Library Network, The | The Doorstep Library Network: A home visiting library and reading support to low income families with children aged 1-12. Operate on several housing estates across the borough. Last year, over 70 volunteers supported over 600 children, improving their reading. The service also helps signposting families to services and information. | £32,000 | £32,000 | £32,000 | £32,000 |
| Fulham Good Neighbour Service | Fulham Good Neighbour Service: Practical neighbourly support to mostly older people in the Fulham area. Last year 76 volunteers supported 241 residents with befriending, DIY and gardening, transport, escorting and social events. | £45,000 | £45,000 | £45,000 | £45,000 |
| Groundwork London | Greener Living, Better Places: Funded to improve communal areas on estates and in public open spaces. This work included contributions from 132 volunteers last year and benefitted many residents across the whole borough. Groundwork also supported the Council in the delivery of the Summer Roadshow 'Love Where You Live' with information about services provided in the borough, specific consultations on projects across the relevant estates and information, Advice and Guidance on healthy eating and community participation projects. They engaged with residents across 12 estates providing information and activities. | £45,000 | £45,000 | £45,000 | £45,000 |
| H&F CAB | Advice Plus: Citizens Advice Hammersmith & Fulham's Advice+ service delivers individual legal advice, information, financial and digital capability advice, supporting residents towards self-empowerment and independence, helping them exercise their rights and responsibilities, and encouraging a move towards economic independence and employment. Last year, more than 10,000 residents have been supported, thanks to the work of 171 volunteers. | £330,000 | Subject to a separate report | | |
| | ROOF+ Project: ROOF+ stands for Renters, Owners, Occupiers & Families + Advocacy. It funded to inform, educate and advises residents on rents rights and responsibilities. It aims to prevent homelessness by targeting residents with housing issues, and runs in partnership with H&F Community Law Centre, which provides advocacy and legal representation. Last year, 41 volunteers supported 1,441 residents with advice on housing benefit, rent arrears, homelessness, council tax tenancy issues, repairs and evictions. | £85,000 | | | |
| | More than a Library: The running of the Avonmore Library and Neighbourhood Centre by Citizens Advice H&F is a model of integrated services, with library clients also receiving advice. Last year, the library has held events to develop skills, promote independence and celebrate diversity. The 38 volunteers, have supervised 64,085 visits to the library. | £71,500 | | | |
| | Foodbank Advice: This service is delivered by Citizens Advice Hammersmith & Fulham. Volunteers train to advise on money, benefits, budgeting, employment and housing matters, and assess further support needs. An adviser specialising in welfare benefits is based at the foodbank to support volunteers, address underlying issues and tackle future food poverty. Last year, 30 volunteers have supported more than 200 residents, with 67 more volunteers recruited. More than half the volunteers went into paid work or full-time study. | £60,000 | | | |
| H&F Foodbank | Foodbank at Bloemfontein Road: Using a voucher referral system, Foodbank provides emergency food parcels to residents in need. They also operate an advice service in co-operation with HF CAB, providing debt and | £36,958 | £50,000 | £50,000 | £50,000 |

| Organisation | Service | 2017-18 funding | Proposed 2018- 19 funding | Proposed 2019-20 funding | Proposed 2020-21 funding |
|---|---|-----------------|-------------------------------------|--------------------------|--------------------------|
| | other financial advice to people most in need. Last year, 41 volunteers helped over 1400 residents and demand is rising rapidly. | | | | |
| H&F Law Centre | Advice Station: The service is giving residents legal help on housing issues, co-ordinating advice services, managing the advice forum and supporting and training others to give advice. Last Year, the Law Centre gave advice to 679 residents and 95 different local organisations. It also provided casework to 33 residents, and represented 20 at court. The organisation recently moved to Hammersmith Library, giving residents a more central access point. | £102,451 | Subject to a separate report | | |
| H&F Mencap | H&F Children's Services – Parentsactive: A co-ordinator provides a network, forum, training and workshops for parents and carers of disabled children. HF Mencap also provides advocacy for these parents and carers. Last year, 119 parents and 104 children and young people received this support., assisted by 31 volunteers. | £40,000 | £40,000 | £40,000 | £40,000 |
| | Safety Net People First (SNPF) Self Advocacy Project: Funding supports a self-advocacy group run by and for disabled people, to improve access to services and training, support representatives at meetings and deliver disability awareness workshops. Over 60 residents were supported last year. | £45,000 | £45,000 | £45,000 | £45,000 |
| | Community Inclusion Project: This service supports users with learning disabilities, autism or complex needs to access mainstream community facilities. Last year, 41 volunteers held social, educational, cultural and sporting activities supporting 112 residents. 10 people with learning difficulties were trained as volunteers, boosting their confidence and self-esteem. | £20,000 | £20,000 | £20,000 | £20,000 |
| Urbanwise London | Active Local Learning: An active local learning service, enabling young people to learn about their environment by supporting schools. Includes local studies, outdoor learning, workshops to promote healthy living. Last year, 8 volunteers worked at 12 school with nearly 1300 children. | £11,612 | £11,612 | £11,612 | £11,612 |
| H&F Volunteer Centre | HFVC Gateway Service: Trains and supports volunteers, placing them with third sector organisations in the borough. Last year, 16 volunteers made 2656 referrals for 1621 people. 399 training places were delivered. | £100,000 | £100,000 | £0 | £0 |
| Hammersmith Community Gardens Association | Growing Communities: The service maintains and develops 4 sites in the North of the borough and also delivers community environmental events and training opportunities. Last year, 300 corporate volunteers contributed. The service worked with 11 schools and supported over 2300 residents. | £35,000 | £35,000 | £35,000 | £35,000 |
| Lido Foundation, The | Lido Foundation: Funding for this service started in 2017. It provides information and advice, supplementary school services and access to sports and physical activities to people from BME communities. | £29,000 | £29,000 | £29,000 | £29,000 |
| London Sports Trust | Game Plan: Weekly sports sessions for children and young people held at 6 estates across the borough. Last year, 302 children and young people took part, supported by 51 volunteers. This includes 97 young people with learning disabilities or special educational needs, and 17 young people with those special needs volunteered. | £35,000 | £35,000 | £35,000 | £35,000 |
| Lyric | Lyric Hammersmith: A programme of theatre and creative activities for young people, including programmes targeting disadvantaged young people. Also, free first night theatre tickets for people living or working in H&F, local schools and community groups. Last year, 79 volunteers supported this service. Over 3,000 free tickets were issued to local residents and 5,875 young people accessed the services. | £230,000 | £230,000 | £230,000 | £230,000 |
| Only Connect UK | OC West: Service provides employability training and coaching to people with an offending background. Also deliver events to strengthen community spirit in the White City area. Work with 25 people across a year. | £32,425 | £32,425 | £32,425 | £32,425 |
| Open Age | Linked In and Active Programme: This service supports older people who are isolated to access a wide range of activities. Last year, the service helped 31 residents, supported by 8 volunteers. | £38,000 | £38,000 | £38,000 | £38,000 |

| Organisation | Service | 2017-18 funding | Proposed 2018- 19 funding | Proposed 2019-20 funding | Proposed 2020-21 funding |
|---|---|-----------------|---------------------------|--------------------------|--------------------------|
| Outside Chance | It's Your Choice - 'I didn't know that!' : Service delivers anti-crime, anti-gang-culture workshops in local schools, youth and community groups. And early intervention module is aimed at year 6, before children transition to secondary school. The version for older children focuses on the consequences of arrest, having a criminal record and the realities of prison life. Last year, the service delivered 20 workshops to over 1000 young people across 11 schools, community centres and youth clubs. | £18,000 | £18,000 | £18,000 | £18,000 |
| Ray's Playhouse | 'It's all about me' : Creche and support sessions for parents and carers, offering advice and support on how prepare children for school and parents for future work and development. Last year, 5 volunteers supported 75 residents; this included safe guarding sessions on safety in the home. | £19,500 | £19,500 | £19,500 | £19,500 |
| Resurgo Trust | SPEAR : A year-long coaching programme for 16-24 year olds who are not in employment, training or education. Last year, the programme involved 169 volunteers who helped 79 young people. The organisation raised substantial match funding, and 74% of the young people who complete the programme are in work, education or training one year later. | £60,000 | £60,000 | £60,000 | £60,000 |
| Sand End Associated Project in Action | Adventure Playground Service : The service delivers the Adventure Project which provides a welcoming, stimulating and challenging environment for 8 to 13 year olds. 213 Children aged 8-13 year olds made use of the service in 2017. | £14,500 | £14,500 | £14,500 | £14,500 |
| Shepherds Bush Families Project & Children's Centre | Shepherds Bush Families Project : Support sessions for parents, children and young people who are homeless or living under housing stress (i.e. overcrowding). Drop in, after school club, and parent child relation sessions. Across a year, over 200 families receive support, with assistance from 25 volunteers. | £35,000 | £35,000 | £35,000 | £35,000 |
| SOBUS (formerly CaVSA) | SOBUS : Provide capacity building services to third sector organisations across the borough. The organisation also runs the Dawes Road Hub, an important resource, offers support with funding applications, distributes information such as the Funding Newsletter and promotes social enterprise. In contact with over 500 local third sector organisations, helped by 25 volunteers. | £110,000 | £110,000 | £110,000 | £110,000 |
| St Giles Trust | SOS Hammersmith & Fulham : The service engages high risk young people, in co-ordination with Safer Communities' agenda, Police and Youth Offending Team. Support up to 25 people per year. | £38,000 | £38,000 | £38,000 | £38,000 |
| Staying First Services | Furnish : This service is a furniture and appliance re-use enterprise. Low income and disadvantaged housed can access recycled item at low cost and landfill is being reduced. The service supports over 10,000 residents and is assisted by 25 volunteers. | £15,000 | £15,000 | £15,000 | £15,000 |
| The Sulgrave Club | Youth Club : This youth development and mentoring service aims to increase young people's engagement and participation, opening up opportunities as they move from school or college. Youth club sessions are delivered 3 times a week. Over 500 residents received support last year, 5 volunteers contributed. | £16,000 | £16,000 | £16,000 | £16,000 |
| Urban Partnership Group | Edward Woods Community Centre: This funding supports the asset transfer decision report and is committed until 31 st March 2021. | £115,660 | £115,660 | £115,660 | £115,660 |
| | 49 Brook Green: This funding supports the asset transfer report decision and is committed until 31 st March 2021. | £50,566 | £50,566 | £50,566 | £50,566 |
| | Invest-at- Masbro : This funding supports the Masbro Community Centre, providing a wide range of activities, volunteering opportunities for local people, and help with DBS check for 3 rd sector organisations. Last year, the centre recorded over 47,000 visits and 32 organisations used the safeguarding/DBS services. | £50,000 | £50,000 | £50,000 | £50,000 |
| | Parents-at-Masbro : A Positive Parenting and Strengthening Families, Strengthening Communities programme, offering support to 140 parents last year. Supported by 6 volunteers. | £40,000 | £40,000 | £40,000 | £40,000 |

| Organisation | Service | 2017-18 funding | Proposed 2018- 19 funding | Proposed 2019-20 funding | Proposed 2020-21 funding |
|--|--|-------------------|---------------------------|--------------------------|--------------------------|
| | Masbro Older People Access Service: The service offers befriending, home support, social events and recreational activities to older people. Last year, 169 residents were supported by 59 volunteers. | £43,000 | £43,000 | £43,000 | £43,000 |
| West London Action for Children | Children and Parenting Programme: The service offers counselling, individual and group therapy to children, families and in schools. Last year, the service helped 142 residents to improve their well-being and resilience. 68 children took part in counselling sessions last year. | £43,000 | £43,000 | £43,000 | £43,000 |
| Westway Community Transport | Community Transport Project: Service provides subsidised community transport and training to local third sector organisations. Last year, 30 volunteers supported 42 local organisations. | £30,000 | £30,000 | £30,000 | £30,000 |
| White City Residents Association | The Play Partnership: The service provides year-round play for children and young people in the White City and Wormholt area. Last year, 13 volunteers contributed and supported 251 residents. | £40,000 | £40,000 | £40,000 | £40,000 |
| William Morris Society & Kelmscott Fellowship | William Morris Society and Museum: Creative and innovative events, outreach and educational programmes run for adults, families and schools. Last year, over 3,200 residents visited, supported by 28 volunteers. The organisation raised substantial amounts of funding from other sources. | £15,000 | £15,000 | £15,000 | £15,000 |
| Violence against Women and Girls | Services are shared with Safer Communities Dept. This is part funding the VAWG co-ordination service and the VAWG Integrated Support Service, which provides support to victims. | £125,000 | £125,000 | £125,000 | £125,000 |
| Young H&F Foundation | Young H&F Foundation will support collaborative working amongst local providers of children's and young people's services. This organisation was established in 2017 and received start-up funding. It would be advisable to bring this in line with the 3-year funding secured from other sources (£50k pa from John Lyon's Charity). | £75,000 | £75,000 | £75,000 | £0 |
| Separate legal and advice services procurement | | | £737,172 | £737,172 | £737,172 |
| Total Funding | | £2,946,393 | £2,959,434 | £2,859,435 | £2,784,435 |

| | |
|---|--|
| <p style="text-align: center;">London Borough of Hammersmith & Fulham</p> <p style="text-align: center;">CABINET REPORT</p> <p style="text-align: center;">5 February 2018</p> |  |
| <p>AWARD OF THE COMMUNITY ADVICE AND LEGAL SUPPORT SERVICES CONTRACTS</p> | |
| <p>Report of the Deputy Leader - Councillor Sue Fennimore</p> | |
| <p>Open Report</p> <p>A separate report on the exempt part of the agenda provides exempt information in connection with this report.</p> | |
| <p>Classification - For Decision Key Decision: Yes</p> | |
| <p>Other services consulted: Adult Social Care, Children’s Services, Housing, Libraries, Public Health</p> | |
| <p>Wards Affected: All</p> | |
| <p>Accountable Director: Rachael Wright-Turner, Director of Public Services Reform</p> | |
| <p>Report Author: Louise Raisey, Strategic Head of Communications and Communities</p> | <p>Contact Details: Tel: 020 8753 2012 E-mail: louise.raisey@lbhf.gov.uk</p> |

1. EXECUTIVE SUMMARY

- 1.1 This report outlines the outcome of the open procurement process to award 10-year contracts for the delivery of Community Advice and Legal Support Services for the residents of Hammersmith & Fulham. This follows a decision by Cabinet on 27 March 2017 which reads:

“that Cabinet agrees the approach for funding sustainable community advice services and the procurement strategy attached as appendix 1 to this report.”

- 1.2 This decision report seeks approval to award three contracts as detailed in the recommendations below. The total contract value is included in the exempt report.

2. RECOMMENDATIONS

- 2.1 That 10-year contracts are awarded for the following:
- 2.2 Lot 1: Generalist Community Advice and Information and Management Community Library and Neighbourhood Centre, [exempt information], be awarded to Hammersmith & Fulham Citizens' Advice.
- 2.3 Lot 2: Specialist Community Legal Advice, Casework, and Representation, [exempt information], be awarded to Hammersmith & Fulham Law Centre.
- 2.4 Lot 3: Specialist Community Advice for disabled people (Adults and Children), [exempt information], be awarded to Action on Disability.
- 2.5 All three contracts to start on 1 April 2018 and run for a 10-year period until 31 March 2028.

3. REASONS FOR DECISION

- 3.1. The recommendations are made following a fully compliant, evaluated and moderated procurement process. The recommended providers offered the best overall value for money and quality of service against the council's specification.
- 3.2. To ensure providers have sufficient time to mobilise for a contract start date of 1 April 2018, the contract decision will need to be taken as soon as possible. There will then be the usual Council's call in period. There is a very tight timescale to meet.

4. INTRODUCTION AND BACKGROUND

- 4.1 Authority to proceed with this procurement was given by Cabinet in March 2017.
- 4.2. A fully compliant procurement process was undertaken.

5. PROCUREMENT PROCESS OVERVIEW

- 5.1 The procurement is subject to the Public Contract Regulations 2015. The tender opportunity made available to providers via capitalE-sourcing, the council's e-sourcing system.
- 5.2 Potential providers were invited to submit tenders as part of the process. The Invitation to Tender included three envelopes: Qualification (whether an organisation meets eligibility criteria), Technical (Quality) and Commercial.

5.3 The award of the contract took into account both quality and price with the following weighting:

| Award Criteria | Weighting |
|----------------|-----------|
| Quality | 70% |
| Price | 30% |
| Total | 100% |

5.4 Evaluation against the 70% quality envelope has been based on meeting the specification and service requirements to ensure that the service provision is of the highest quality.

5.5 **Contract Arrangements**

- The contracts will be for a 10-year term, with a commencement date of 1 April 2018.
- Contract management will be undertaken by an appointed officer within the Public Sector Reform team, under the direction of the Director of Public Service Reform.

6. **TENDER EVALUATION AND MODERATION**

6.1 A summary analysis of the outcome of the procurement process is shown below.

6.1.1 **Tenders Received**

Lot 1: One tender received – Hammersmith & Fulham Citizens Advice (current provider)

Lot 2: One tender received – Hammersmith & Fulham Law Centre (current provider)

Lot 3: One tender received – Action on Disability (current provider)

6.1.2 **Technical (Quality) envelope evaluation**

The quality factors were weighted according to their importance, with a greater percentage of the allocated 70% being based on meeting the specification and service.

Tenders for the contract were evaluated by a panel of officers from:

- Communications (SRO)
- Children's Health
- Adult Social Care
- Community Investment

All evaluators scored the questions individually on the capitalEsourcing portal. Moderations were then facilitated by an officer in the procurement team and a final score for the quality envelope was agreed.

6.1.3 Commercial envelope evaluation

6.1.3.1 The evaluation for the commercial envelope was undertaken via the submission of a pricing schedule of the delivery of the project.

6.1.3.2 Tenderers were requested to quote within an affordability envelope. as follows:

| LOT | Description of Service | Affordability Envelope |
|-----|---|------------------------|
| 1 | Generalist Community Advice and Information and Management Community Library and Neighbourhood Centre | £5,390,000. |
| 2 | Specialist Community Legal Advice, Casework, and Representation, | £1,024,510. |
| 3 | Specialist Community Advice for disabled people (Adults and Children) | £882,200. |

6.1.3.3 Both Hammersmith & Fulham Citizens Advice (LOT 1) and Action on Disability (LOT 3) submitted qualified bids and both companies were informed that if they did not withdraw their qualifications by 3 January 2018 that their tender may not be considered. In the event that the tenderers did not withdraw their qualifications, Legal Services advised that the council could switch the procurement procedure from the open procedure to the negotiated procedure without prior notification.

6.1.3.4 Hammersmith & Fulham Citizens Advice and Action on Disability provided a response stating that they withdrew their qualification on 22 December 2017 and 1 January 2018 respectively. Therefore, with these tenders fully compliant and acceptable, the council does not need to switch procedures and can proceed to the award stage.

7. CONSULTATION

7.1 Face-to-face meetings were held with the three incumbent providers to inform the production of a detailed service profile.

7.2 The three incumbent providers undertook a client survey, created by the council, in August 2017.

7.3 A further survey was run in September 2017 via the H&F website and e-newsletter and again these results were analysed and circulated to the project team.

7.4 Based on the very small number of responses received, areas for inclusion in the creation of a community advice and legal support services development and training 10-year plan would be:

- Referrals protocol to eliminate delays and confusion when referring or signposting to another agency (this has been included as a specific requirement in the specification)
- A review of marketing materials and media to explore how the providers and the council could work together to promote the services
- Focus on opening hours and ease of access for residents
- Review of how clients are received and welcomed, reception and waiting areas and availability of confidential discussion/meeting spaces.

8. EQUALITY IMPLICATIONS

8.1 There are no adverse equality implications for protected groups. The terms of the contract clearly specify that services must be provided to all residents of Hammersmith & Fulham and provision is made in the specification for providers to offer outreach services to enable harder to reach groups to have easy access

8.2 The contracts are re-commissioning the same level of provision as the previous grant arrangements.

8.3 Implications verified by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206.

9. BUSINESS IMPLICATIONS

9.1 In relation to business and volunteering, the procurement process engaged interest from local third sector organisations. Providers have been assessed as part of the procurement process for evidence of ‘delivering added value in the borough, including extensive use of volunteers, local employment opportunities and additional funding levered into the local economy.’

9.2 The economic and community benefits will be clearly identified and detailed in any new contracts and will be monitored by the client management team for these contracts.

9.3 Implications provided by Louise Raisey, Strategic Head of Communications and Communities, tel. 020 8753 2012.

10. LEGAL IMPLICATIONS

10.1 This report recommends the award of a contract of total value £7,296,710 (the “Total Value”) for the provision of community advice and legal support to H&F residents for a period of ten years. The contract has been split into three lots in accordance with Regulation 46(1) of the Public Contracts Regulations (the “Regulations”), which govern the procurement and award of public services contracts in England and Wales. The award decision of this

contract must be taken by the Cabinet in accordance with H&F's Contract Standing Order (CSO) 17.4.

- 10.2 The services in question fall within the scope of the so-called 'Light-Touch Regime' ("LTR") set out within section 7 and Schedule 3 of the Regulations. As the Total Value exceeds the LTR threshold (£615, 278) above which a full procurement process is required, H&F must have advertised the contract in the Official Journal of the European Union (OJEU) by way of a Prior Information Notice (PIN) or contract notice and must have undertaken a competitive procurement **exercise** in compliance with the LTR. From the information set out in this report, this requirement appears to have been satisfied.
- 10.3 A contract award notice must be sent to each of the bidders communicating H&F's decision to award the contract in accordance with Regulation 86. Since there is only one bidder for each Lot, there is no need to observe Alcatel period.
- 10.4 The terms of each agreement under the three lots must be on the H&F's standard terms as advertised with the tender documents and each agreement must be executed as a deed (i.e. under seal) in accordance with CSO 19.2 and 19.5. H&F must retain copies of the concluded agreements with each of the providers for at least the duration of the contract under Regulation 83, and must draw up a written report in respect of this procurement containing the information stipulated in Regulation 84. Information regarding the award contract must be published on Contracts Finder in accordance with Regulation 108. The awarded contract must be published in H&F's Contracts Register in accordance with CSO 18.6. These actions will be progressed by the Director for Public Services Reform.
- 10.5 Legal implications verified by: Raj Shah (Solicitor seconded to Shared Legal Services) – tel: 07584 706577.

11. FINANCIAL IMPLICATIONS

- 11.1 The total value of current funding for community advice services from the borough's corporate grants programme, the Third Sector Investment Fund is £737,171 for 2017/18. At present £302,441 of this is funded from Public Health Funds. There are currently no plans to change the level of contribution from Public Health.
- 11.2 Under proposals in this report, the council will award contracts which total £7,296,710 over a 10-year period.
- 11.3 The annual cost is £729,671. This is a small decrease of £7,500 when compared to the current annual cost of this service. Funding at this level represents approximately 24% of the current overall annual grants budget and will need to be earmarked for the provision of these services for the contract life.

- 11.4 It is important to note that a 10-year funding commitment is likely to reduce the council's ability to deliver savings. Balanced against this, is the need to consider provision for community advice services, and the potential which good quality advice services offer to reduce demand on existing council services.
- 11.5 Financial Implications verified/completed by: Danielle Wragg, Finance Business Partner, Tel: (020) 8753 4287

12 PROCUREMENT IMPLICATIONS

- 12.1 The corporate procurement team has offered support and guidance throughout the procurement process.
- 12.2 The author has demonstrated full compliance with the regulations, including the requirements with regards to publicising the opportunity in OJEU and Contracts Finder.
- 12.3 Although the tendering process has resulted in the submission of only one bid for each Lot the competition has been fair, transparent, and robust. The qualified bids as referred to in the report (section 7.1.3) were retracted and are considered as representing value for money and capable of acceptance.
- 12.4 Procurement Implications verified by: Joanna Angelides, Procurement Consultant. Tel: 0208 753 2586.

13. RISK IMPLICATIONS


- 13.1 Provision of community advice and legal support to local residents are essential particularly for those struggling financially. Proposals therefore contribute positively to the management of peoples' needs, expectations and preferences risk. Residents use the knowledge of the service to help people save their homes, keep their jobs and protect their families. This is a fundamentally important part of service provision.
- 13.2 Implications verified by: Michael Sloniowski, Principal Consultant (Risk Management). Tel. (020) 8753 2587

14. IT IMPLICATIONS

- 14.1 There are no IT implications for the council, as providers will be using their own IT systems, platforms, hardware and software, and will not interact directly with the council's IT infrastructure. However, there may be information implications. IT advise that the mandatory privacy impact assessments are undertaken by the department to accurately assess whether information sharing agreements and privacy notices need to be implemented or revised, and whether security checklists need to be completed for the three organisations awarded the contracts outlined in the report and Procurement Strategy. This will ensure compliance with current data protection legislation and the GDPR (General Data Protection Regulation).

14.2 Implications verified by: Ciara Shimidzu, Head of Information and Strategy,
020 8753 3895

15. **LIST OF BACKGROUND PAPERS** None.

| | | |
|--|---|---|
| <p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>5 FEBRUARY 2018</p> | |  |
| PROCUREMENT STRATEGY FOR MOBILE TELEPHONY SERVICES | | |
| 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 | | |
| Wards Affected: All | | |
| Accountable Executive Director: Veronica Barella, Chief Information Officer | | |
| Report Author: Howell Huws, Head of Contracts and Operations | Contact Details: Tel: 020 8753 5025 Email: howell.huws@lbhf.gov.uk | |

1. EXECUTIVE SUMMARY

1.1. The council last renewed its mobile telephony contract in 2015 via a Public Services Network (PSN) Services agreement (Ref: RM1498) between the then incumbent ICT supplier The Hammersmith and Fulham Bridge Partnership (HFBP) and Vodafone Limited. As part of the HFBP exit, this contract was novated to the council in October 2016 and the provision of this service will end on the 28th February 2018.

1.2. This paper proposes that the council:

1. Access a framework agreement through the Crown Commercial Services (CCS) Network Services Framework (NSF) Lot 6 agreement (RM1045).

2. Award a contract for mobile telephony services to Vodafone (an approved supplier on the framework) for a period of three years from 1st March 2018 to 28th February 2021.

2. RECOMMENDATIONS

2.1. That the Cabinet approves:

a) The procurement strategy for mobile telephony services to access the framework agreement through the CCS NSF Lot 6 arrangement.

- b) To award a contract for mobile telephony services to Vodafone Ltd or a period of three years from 1st March 2018 to 28th February covering the 3 years in total.

3. REASONS FOR DECISION

- 3.1. Accessing the framework agreement and awarding the new mobile telephony contract arrangement to Vodafone will
 - a) Enable a significant saving on operational costs
 - b) Rationalise the existing mobile data bundles to a data allowance pooled across all phones, leading to lower costs.
 - c) Enable a later move to Mobile extension services (Mobex), which supports stronger business continuity in line with H&F ICT strategy.
 - d) Future proof the council's mobile telephony service delivery for the next 3 years, assuring the critical continuity of services to council and residents.

4. PROPOSAL AND ISSUES

Background

- 4.1. The existing mobile telephony contract is for the provision of mobile telephone connections including calls/minutes and data bundles, and the provision of handsets and SIM cards. This causes significant elements of the allowance to be under-used, and other parts over used, resulting in increased costs.
- 4.2. These current charges and matched requirements have been reviewed against the Information Technology and Communications (ITC) Framework contract for CCS NSF RM1045 Lot 6, and significant savings can be achieved. The ITC Framework contract under CCS NSF RM1045 Lot 6 includes provision for direct award for a period of up to three years, for a contract meeting the council's needs.

Proposal

- 4.3. Compared to the existing contract, the requirement for all providers was to offer:
 - An increased data allowance. In addition, this allowance will be provided as 'Pooled Data' to provide a more efficient way compared against the existing approach of a per user allowance.
 - Improved management reporting of both incoming and outgoing calls with usage statistics available. On outgoing calls, H&F will have access to better statistics and billing data.
 - A platform for a Mobile Voice Virtual Private Network (VPN) solution capable of being adopted by H&F to support the 'Smart Working II'

programme. This Mobex solution will enable mobiles to be used as extensions to a telephony switch, by using Virtual Fixed Link technology which is included as part of this proposal. This means H&F's current telephony system can convey its telephone calls between its deskphones and landlines and the Vodafone system internally; by using short-code dialling plans. These calls made `on-net` within the council will be cheaper than traditional calls routed externally.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. The procurement strategy is set out in Appendix I. This outlines two options, both relate to call-offs from two different framework agreements:
 - **Option 1** award to BT/EE through the existing ICT Services Lot 4 agreement (Call Off Contract – Relating to Information and Technology Services).
 - **Option 2** access the framework agreement through the CCS NSF RM1045 Lot 6 arrangement.
- 5.2. Option 2 identifies four suppliers, of which one is the same as Option 1 and provides the same prices as through Option 1.
- 5.3. This suggests that accessing the framework agreement through the CCS NSF Lot 6 arrangement and issuing direct award to Vodafone represents the best value for money for the council for the duration of the contract.

6. CONSULTATION

- 6.1. H&F's IT Operational Group has been consulted on the contract requirements. The IT Departmental Leadership Team was consulted on the procurement process and outcome.

7. EQUALITY IMPLICATIONS

- 7.1. The proposed procurement strategy for mobile telephony services will have no negative impact on protected groups.
- 7.2. Implications completed by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206.

8. LEGAL IMPLICATIONS

- 8.1. This report seeks approval to make a direct award of supplies/services to Vodafone Limited ("**Vodafone**") through Lot 6 of Crown Commercial Service (CCS) framework agreement RM1045 (the "**Framework**") for the three-year period commencing 1 March 2018 and ending 28 February 2021 for the sum stated in paragraph 3 above.
- 8.2. LBHF is entitled to call off from the Framework. Calling off from a CCS framework for a contract of this value is also permitted under Contract Standing Orders 8.3 and 10.2.
- 8.3. The Framework permits the direct award of contracts for periods of up to 36 months to named suppliers under Lot 6, of which Vodafone is one (Legal Services have not provided any advice in respect of the suitability of Lot 6 for this procurement). A direct award to Vodafone Ltd is compliant with the Public Contracts Regulations 2015 (the "**PCR**"), provided this is undertaken in accordance with the provisions of paragraph 2 of Schedule 5 to the Framework. This requires LBHF to have identified all service offers from the Framework's Catalogue that meets its Statement of Requirements and to have applied the appropriate direct award criteria to those service offers in order to establish which of them provides the most economically advantageous solution. This was undertaken according to Appendix II to this report.
- 8.4. The call-off contract documentation will consist of the direct award order form, the direct award call-off terms, and, if applicable, the completed call-off Schedule 4, Annex 2. The terms of the call-off contract must not entail any substantial modifications to those laid down in the Framework. However, it should be noted that the direct award call-off terms do not take into account the entry into force in May 2018 of the EU General Data Protection Regulation (GDPR), which supersedes the Data Protection Act 1998 and requires any contract under which personal data is processed to include certain provisions (as set out in Article 28 of the GDPR). To the extent personal data is processed under this contract, it is recommended that Legal Services be

consulted on adapting the terms so that they are GDPR-compliant prior to entering into the contract with Vodafone.

- 8.5. Within a reasonable time of the award, LBHF is required under Regulation 112 of the PCR to publish on Contracts Finder the name of the supplier, the date on which the call-off contract was entered into, the contract value, and whether the contractor is an SME (small or medium-sized enterprise) or a VCSE (voluntary, community and social enterprise).
- 8.6. Implications initially provided on 6 December 2017 and updated on 3 January 2018 by: Raj Shah, Solicitor seconded to Tri-Borough Shared Legal Services (Contracts) – raj.shah@rbkc.gov.uk (tel: 0758 4706577).

9. FINANCIAL COSTS

- 9.1. Expenditure for the operational costs of mobile telephony is managed by departments. This includes ensuring there is adequate budget provision. Any savings made from re-procurement will be passed onto users via the current recharging mechanism.
- 9.2. Implications completed by: Andre Mark, Finance Manager (020 8753 6729).

10. IMPLICATIONS FOR BUSINESS

- 10.1. There are no business implications.
- 10.2. Completed by: David Burns, 020 020 8753 6090 Interim Head of Economic Development (Regeneration, Planning and Housing Services)

11. COMMERCIAL IMPLICATIONS

- 11.1. The Council's Contracts Standing Orders require directors and heads of service to develop a procurement strategy for the Cabinet to consider prior to going out to the market and the award of a contract. The only exception being when, as part of the soft-market testing, a suitable framework agreement is identified as offering the Council the most economic, efficient and effective solution. The procurement strategy proposes that the Council call off from a suitable pre-existing framework agreement.
- 11.2. It was established that the requirement is within the scope of the relevant CCS framework agreement RM1045 lot and that an appropriate service offer exists in the Catalogue. The service department has been able to demonstrate through the report and appendices that a direct award through the Crown Commercial Services framework for mobile phone services is permissible. In accordance with the framework agreement a desktop evaluation has been undertaken by ICT. The template direct award call-off terms do not require amendment beyond what is permitted in the direct award Order Form.

- 11.3. The client department has identified that Vodafone, a provider under the Crown Commercial Services framework agreement offers substantial saving as detailed in 3.2 of this report over the three years. The Director therefore supports the recommendations of the intention to use the Framework Agreement which was subject to an open and transparent competitive tendering process.
- 11.4. Implications completed by: Joanna Angelides, Procurement Consultant, Telephone 0208 753 2581.

12. IT IMPLICATIONS

- 12.1. The report is aligned with the current IT strategic vision of converging software and infrastructure, facilitating mobile working, whilst enabling better collaboration and productivity amongst staff.
- 12.2. A privacy impact assessment (PIA) needs to be completed so any information risks mitigated or accepted. For example, signed information sharing agreements between client and provider. If no personal data is exchanged then only the first page of the PIA needs to be completed and signed off by the SRO.
- 12.3. Where phone devices are to be procured, these need to be capable of adopting the council's information security policies. For example, comply with information security requirements for managed devices, such as centrally administrated encryption as per CESG and PSN requirements.

Verified by: Ciara Shimidzu, Head of Information and Strategy, 020 8753 3895.

13. RISK MANAGEMENT

- 13.1. Mobile technology enhances business continuity, improves resilience and most importantly helps maintain service delivery and communications to the people and businesses in the Borough in times of crisis. Business continuity that responds to events or disasters will need to be mobile, so that Officers can pick up and carry on from any place. Modern mobile technology has been at the forefront of Business Continuity plans. Smartphones enable critical information and decisions to be available immediately and throughout a crisis. Deployment of Council apps and mobile devices will speed up recovery, reassure the public and may even save lives by providing this availability. Business continuity is a corporate risk, number 6 on the Council's Corporate risk register.

Verified by: Michael Sloniowski, Shared Services Risk Manager, 0208 753 2587

14. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

LIST OF APPENDICES: contained in the exempt part of this report.

Appendix I Procurement strategy and options analysis

Appendix II Mobile telephony service options analysis detail

Agenda Item 12

| | | |
|--|---|---|
| London Borough of Hammersmith & Fulham | |  hammersmith & fulham |
| CABINET 5 February 2018 | | |
| PLANNING GUIDANCE SPD: ADOPTION OF DOCUMENT | | |
| Report of the Cabinet Member for Economic Development and Regeneration – Councillor Andrew Jones - and the Cabinet Member for Environment, Transport and Residents’ Services – Councillor Wesley Harcourt | | |
| Open Report | | |
| Classification: For decision Key Decision: Yes | | |
| Consultation: <i>Legal and Finance</i> | | |
| Wards Affected: All | | |
| Accountable Director: Jo Rowlands, Lead Director of Regeneration, Planning and Housing Services | | |
| Report Author: Matt Butler, Head of Policy & Spatial Planning | Contact Details: Tel: 020 (8753 3943) matt.butler@lbhf.gov.uk | |

1. EXECUTIVE SUMMARY

- 1.1. This report seeks approval for the adoption of the council's Planning Guidance Supplementary Planning Document (SPD), to take effect from 28th February 2018. The Planning SPD includes policies that supplement the council's Local Plan, which in turn sets out the Council's vision 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. The SPD establishes more detailed guidance on the application of policies that are concerned with managing development proposals within the borough.

2. RECOMMENDATIONS

- 2.1. That approval be given for the Planning Guidance SPD to be adopted by Cabinet (proposed adoption version at Appendix 1) incorporating the

amendments outlined in the schedule of representations at Appendix 2. The adoption to take effect from 28th February 2018.

3. REASONS FOR DECISION

- 3.1. To progress the Planning Guidance SPD to adoption in accordance with the current Local Development Scheme, to ensure that up-to-date guidance is in place to support the Local Plan and to comply with regulatory requirements. A new Local Plan is proposed for adoption and publishing on 28th February 2018.
- 3.2. The adoption of the Planning Guidance SPD will provide more detail on the application of the strategic and boroughwide policies in the Local Plan. The SPD will be a material consideration in planning decisions although it will not be part of the development plan.

4. PROPOSAL AND ISSUES

- 4.1. The SPD provides guidance on a variety of topics (see proposed adoption version at Appendix 1). It contains a brief identification of the overarching policy context, including national and London wide policy for each topic. Additionally, for each topic area there is a description of the local context. Each section then includes key principles that the council will apply when considering development proposals.
- 4.2. The topics included in the SPD relate to those issues that are of particular importance to Hammersmith and Fulham. A separate SPD is planned specifically promoting Employment and Economic Growth. This SPD covers topics that frequently need to be addressed when considering proposals and applications for development, eg design, flood risk and contaminated land. The topics are set out in 13 sections, namely:

1. Housing Standards
2. Design and Conservation
 - i. Conservation Area Guidelines
 - ii. Basements and Lightwells
 - iii. Buildings of Merit
 - iv. Accessible and Inclusive Design
 - v. Shopfront Design
 - vi. Archaeology and Heritage Assets
3. Noise and Nuisance
4. Air Quality
5. Energy
6. Contamination
7. Sustainable Drainage Systems
8. Food Risk and Water Efficiency
9. Biodiversity
10. Sustainable Design and Construction
11. Transport
12. Waste Management

13. Residential Moorings

4.3 The main revisions to the SPD prior to the public consultation are listed below:

- General updates and technical changes throughout the document to reflect changes in national, regional & local policy.
- New section on residential moorings
- Inclusion of new National internal space standards for new housing development.
- Updates to the design & access section to include signposting to the Building Regulations Part M4 (3) for wheelchair user dwellings.
- Further guidance and key principles added on air quality.
- Improvements to the layout and presentation throughout the document to make it more concise and user friendly.

Post adoption requirements

4.4 After adoption, it will be necessary under the Town and Country Planning (Local Planning) (England) Regulations 2012 to make the Planning Guidance, available for inspection and to publish 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.

4.5 The Council were not required to carry out a sustainability appraisal for the SPD (this now only applying to development plan documents) pursuant to the Planning and Compulsory Purchase Act 2004. However, the policies were considered against the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 and a draft screening statement was made available and relevant statutory consultation bodies were asked to make representations.

4.6 There were no objections to the council's view that the SPD was not likely to have significant environmental effects. As a consequence, the decision was taken that a Strategic Environmental Assessment was not required because, amongst other things, the SPD is a guidance document among the suite of council planning policy documents; it supplements adopted policy and does not introduce new policy; and it supplements adopted planning policies that have been subjected to Sustainability Appraisals.

5 OPTIONS AND ANALYSIS OF OPTIONS

5.1 The Options available to the Council are as follows:

- I. To adopt the Planning Guidance SPD incorporating amendments following the public consultation, as set out at Appendix 2;
- II. To adopt the Planning Guidance SPD without the amendments at Appendix 2; or

III. To withdraw the proposed Planning Guidance SPD.

- 5.2 The recommendation is Option one above, that the Council adopt the Planning Guidance SPD incorporating the amendments following the public consultation set out at Appendix 2. Option two and three are not considered appropriate, option two would fail to respond to the comments received during the consultation and option three would leave a gap in planning guidance for the borough.

6 CONSULTATION

- 6.1 Public consultation on the draft SPD began in November 2017 and ended on 15th December 2017 (4-weeks).
- 6.2 The SPD was made available in the Hammersmith Town Hall Extension and at the borough reference libraries. The SPD was also put on the council's website. In addition, the council wrote to specific consultation bodies outlined in the Regulations and to general consultation bodies, such as amenity groups, residents associations, businesses and others.
- 6.3 The council received representations from 20 organisations and individuals. A brief summary of the consultation responses is set out below. Full details of the representations and how these have been addressed is at Appendix 2.
- 6.4 Responses to the consultation were received from a number of key stakeholders including the Environment Agency, Historic England, Natural England, Thames Water & Transport for London as well as active resident & amenity groups in the borough including the Hammersmith Society, the Fulham society, the H&F Historic Buildings Group, the H&F Disability Forum & the H&F Biodiversity Commission.
- 6.5 Overall, positive comments were received on the improved layout of and presentation of the document. However, changes were suggested to improve the design and conservation section. Many also commented on how the guidance prepared in the SPD would prove beneficial and useful to applicants.
- 6.6 A number of comments were received from both developers and residents' groups on Key Principle HS1 on amenity space. This was in relation to the minimum standards for outdoor amenity space outlined in the Mayor's Housing SPG which provides a lower standard for outdoor amenity space than that set out in the Council's SPD. Strong support was received from residents' groups to Key Principle HS1, whilst one developer requested for this principle to be more flexible and less prescriptive to reflect the guidance in the Mayor's Housing SPG.
- 6.7 Approximately 40 representations were submitted to the design and conservation section of the SPD, with helpful comments from Historic England and amenity groups including the H&F Historic Buildings Group & the Hammersmith Society. These primarily focused on shop front design,

archaeological priority areas (Ravenscourt Manor House) and detailed comments from the H&F Disability Forum on accessible and inclusive design principles for wheelchair accessible & adaptable dwellings, public spaces and commercial uses.

- 6.8 The biodiversity and residential moorings chapter of the SPD received representations, primarily from residents' groups including the West London River Group and the H&F Biodiversity Commission with approximately 25 representations received to both sections in total. Overall comments were supportive of the aims of both sections, but changes were suggested to improve and strengthen the wording of some of the Key Principles. Alongside this, the Port of London Authority gave broad support for the new section on residential moorings, but provided some specific comments for the Council to consider. The Canal & River Trust also raised comments in relation to the Grand Union Canal and its relationship with OPDC.
- 6.9 Recommendations and wording changes were suggested by TfL to both the air quality and transport chapter of the SPD. They requested that reference should be made to key policies in the new draft London Plan (2017) and suggested that reference to a number of other Mayoral guidance documents should be included. The H&F Biodiversity Commission also provided useful comments to these sections and highlighted the importance of the recommendations set out in the H&F Biodiversity Commission Report and the H&F Air Quality Commission Report.
- 6.10 A number of comments were received to the sections of the SPD on sustainable design & construction (1 representation), land contamination (1 representation), waste management (8 representations), energy (1 representation) and noise (5 representations). Within the noise section, the Port of London Authority raised some useful comments in relation to noise and safeguarded wharves in the borough which they requested should be referenced.

7 EQUALITY IMPLICATIONS

- 7.1 An Equalities Impact Assessment (EQIA) has been carried out, in relation to the Planning Guidance SPD, and it shows only neutral or positive impacts of the planning guidance on protected groups.
- 7.2 The EQIA assists the Council in demonstrating compliance with its public sector equality duty under Section 149 of the Equality Act 2010.
- 7.3 **EQIA implications verified by Peter Smith, Head of Policy & Strategy (Tel. 020 8753 2206)**

8 LEGAL IMPLICATIONS

- 8.1 The preparation and adoption of the Planning Guidance SPD is governed primarily by the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as

amended). They require that the SPD be in general conformity with the London Plan and not conflict with the adopted development plan.

8.2 The adopted SPD will be a material consideration to which regard will have to be had when considering any planning application.

8.3 Legal implications verified by Christopher Todman, Solicitor (Tel. 07834 339846)

9 FINANCIAL IMPLICATIONS

9.1 It is expected that the costs of adopting the Planning Guidance SPD 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 Financial implications completed by Daniel Rochford, Head of Finance (Tel. 020 8753 4023).

10 IMPLICATIONS FOR BUSINESS

10.1 The Planning Guidance SPD contains guidance to support the Local Plan which includes 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.

10.2 Business Implications verified by Dave Burns, Interim Head of Economic Development (Tel. 020 8753 6090)

11 COMMERCIAL IMPLICATIONS

11.1 None.

12 ICT IMPLICATIONS

12.1 None.

13 RISK MANAGEMENT

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 completed by David Gawthorpe, Team Leader Development Plans team (Tel. 020 8753 3384)

14 BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

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Appendix 1 – Planning Guidance SPD (proposed adoption version)

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Contents

1 Explanatory Note

1.1 This Supplementary Planning Document (SPD) has been prepared under the terms of the Planning and Compulsory Purchase Act 2004 and the accompanying Town and Country Planning (Local Planning) (England) Regulations 2012.

1.2 The SPD has been subject to a 4 week consultation with key stakeholders, including a number of local amenity and community groups. The SPD is supported by an equality impact assessment carried out under the Equality Act 2010. The council considered the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 and specifically Schedule 1 (the criteria for determining the likely significance of the effects on the environment) and came to the conclusion that an SEA was not required.

1.3 The SPD provides supplementary detail to policies concerned with a variety of topics within the Local Plan. It may also provide supplementary detail to any neighbourhood plans that may come into effect in the borough.

1.4 The SPD is divided into sections relating to specific topics, and within these sections are sub-sections that are concerned with particular policy areas.

1 Explanatory Note

2 Purpose of the Document

2.1 This document was prepared under the terms of the Planning and Compulsory Purchase Act 2004 and the accompanying Town and Country Planning (Local Planning) (England) Regulations 2012.

2.2 The overall objectives of the SPD are to:

- establish more detailed guidance on the application of policies within the emerging Local Plan as well as any neighbourhood plans that come into effect that are concerned with managing development proposals within the borough; and
- help applicants make successful applications and to aid infrastructure delivery.

2.3 The document provides policy guidance covering a number of different topics. Each topic area includes a brief identification of the overarching policy context, namely national, London and local policy. This information includes reference to the National Planning Policy Framework and to relevant London Plan and Local Plan policies, but does not include detail for these policies. Additionally, for each topic area there is a short description of the local context, for example the section of the SPD on archaeology provides detail of existing archaeological assets in the borough.

2.4 The key elements of the SPD, however, are the key principles that the council will apply when considering development proposals. The key principles have been developed to provide more detail on the application of the strategic and borough wide policies in the Local Plan and should be read alongside the Local Plan, as well as other relevant Supplementary Planning Documents (SPDs) where these exist, to get a full understanding of the council's position on particular issues. The key principles should also be considered alongside any neighbourhood plans that are prepared.

2.5 The SPD will be a material consideration in planning decisions although it is not part of the development plan.

2 Purpose of the Document

3 Housing Standards

3.1 Housing conversions and other alterations to existing buildings to form new dwellings are common in the borough. The borough is a highly built up area and new development and conversions are likely to impact upon the existing built environment and neighbouring amenity in numerous ways. This section aims to set out the Local Plan policies, local standards used to assess housing quality of all forms and managing the impact of development.

3 Housing Standards

Policy Context - Housing Standards

National Policy

The National Planning Policy Framework (NPPF), published in March 2012, seeks to secure high quality design and a good standard of amenity for existing and future occupants.

Certain works to dwellings, including some extensions may not require planning permission from the council and may be carried out under permitted development rights. Those making use of permitted development rights are still advised to consider this guidance. In Conservation Areas, Article 4 Directions remove certain permitted development rights and planning permission will still be required.

London Plan

The London Plan 2016 and accompanying Housing SPG (adopted in March 2016) provides guidance on the quality and design of homes and of the surrounding area to help create good, liveable neighbourhoods. The London Plan provides a range of policies and guidance for use on a London wide basis.

The council considers that much of the guidance in the Mayor of London's Housing SPG is relevant to the local circumstances in Hammersmith & Fulham and supports the policies in the LBHF Local Plan. The council will rely on the Mayor of London's Housing SPG when assessing relevant planning applications, except where other or more detailed guidance is specified below.

The London Plan policies of particular relevance are: Policy 3.5: Quality and Design of Housing Developments which states that, amongst other things, "the design of all new housing developments should enhance the quality of local places, taking into account ... local character, density.... the needs of children and older people". Policy 7.6: Architecture is also relevant and states that architecture "should incorporate the highest quality materials and design appropriate to its context".

Local Plan

This guidance is aimed at providing greater clarity and application of the Local Plan policies. This SPD does not duplicate existing policy or create any additional cost, instead it seeks to provide further guidance to amplify the development context and to assist the development management process. The Local Plan housing, design and Sustainable Drainage Systems (SuDS) policies are to be applied across the borough and focus on providing high quality design and housing to meet the needs for all.

The following policies are particularly relevant here, HO4: Housing Quality and Density seeks to improve the quality and mix of new housing in the borough and access to amenity space; HO11: Detailed Residential Standards sets out a number of considerations to ensure that the design and quality of all new housing, including new build, conversions and change of use is of a high standard, well designed, accessible and protects the amenity of neighbours; and, DC4: Alterations and Extensions (including Outbuildings) identifies the requirements in terms of alterations and extensions, ultimately seeking to ensure scale, setting and character are taken into account and that new development does not dominate and is integrated into the existing building.

Other relevant Local Plan policies are:

- HO2: Housing Conversion and Retention
- OS3: Playspace for Children and Young People
- OS5: Greening the Borough
- DC4: Alterations and Extensions to Existing Buildings

- DC11: Basement Accommodation and Lightwells
- CC3: Minimising Flood Risk and Reducing Water Use
- CC4: Minimising Surface Water Run-off with Sustainable Drainage Systems

Key Principles

Key Principle - HS1

Amenity space

New dwellings

All new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided. The council will expect to see a more generous provision of outdoor amenity space than the minimum provision standards in the Housing SPG and the Play and Informal Recreation SPG accompanying the London Plan.

Every new family (3 or more bedrooms) dwelling should have access to amenity or garden space of not less than 36 square metres. Family dwellings (3 or more bedrooms) with accommodation at garden level should have at least one area of private open space with direct access to it from the dwelling. For family dwellings on upper floors this space may be provided either as a balcony or terrace and/or communally within the building's curtilage.

Where communal open space is provided, development proposals should demonstrate that the space:

- has a well designed area for children's play adequate to meet the needs of the development;
- is overlooked by surrounding development;
- is accessible to wheelchair users and other disabled people;
- is designed to take advantage of direct sunlight;
- has suitable long term management arrangements in place to ensure open space is well managed over the life of the development.

Conversions

Where a property proposed for conversion includes a rear garden or amenity space, then it should be usable for a family sized unit (3 or more bedrooms) with direct access to it from that dwelling.

Balconies and Terraces

Where balconies and or terraces are provided they must be designed to respect the amenity of neighbours and be designed so as not to detract from the character of the surroundings. Balconies provided to meet amenity space requirements should have a minimum depth and width of 1500mm.

3.2 Access to high quality and adequate amounts of private open space significantly adds to the quality of life of all occupants. The space standards for private amenity space in this SPD have been established by considering the space needs for furniture, access and activities and in relation to the number of occupants. In relation to the provision of private gardens and amenity space the council will expect to see a more generous provision of outdoor amenity space than the minimum provision

3 Housing Standards

standards in the Housing SPG and the Play and Informal Recreation SPG accompanying the London Plan. The council will also aim to ensure that housing appropriate for families has direct access to garden or amenity space.

3.3 Balconies, terraces and gardens are multifunctional allowing occupants to engage in a range of passive and active recreational activities such as gardening and play. This is especially important in a heavily built up inner borough like Hammersmith and Fulham. Children in particular will benefit from having access to adequate areas of private open space for play activities. Where communal open space is provided it is important that it is well designed and safe and can be used by all residents including wheelchair users and has a range of functional uses.

3.4 Where family dwellings are proposed in a residential conversion scheme, they should be located at a level which gives direct and normally exclusive access to the garden. Conversion schemes often require ground floor extensions to provide the necessary accommodation, but such extensions should meet other guidance in this SPD. If the property is of sufficient size to allow family dwellings at upper levels then these should be provided with open amenity space. Such space may be in the form of a roof terrace but its provision will have to ensure that the amenities of neighbouring properties are adequately protected.

3.5 Balconies and terraces can provide dwellings with valued private open space. It is important that these are designed so as not to overlook surrounding properties as this can potentially adversely impact both upon the privacy and amenity of neighbours and the character of the area. They should also provide reasonable levels of sunlight and access to daylight. It is important that any balconies and terraces that are to be provided, are large enough to permit a range of functional uses such as accommodating seating and dining furniture.

Key Principle - HS2

Standards

Internal space standards for new development

All proposals which result in new living space should adhere to the London Plan internal space standards. Applicants are encouraged to view these as a minimum and exceed these standards where possible.

| - | - | <u>Minimum GIA (m2)</u> | | | |
|------------------------------|---------------------------------------|---------------------------|---------------------------|---------------------------|-------------------------|
| | | <u>1 Storey dwellings</u> | <u>2 Storey dwellings</u> | <u>3 Storey dwellings</u> | <u>Built in Storage</u> |
| <u>Number of bedrooms(b)</u> | <u>Number of bed spaces (persons)</u> | | | | |
| 1b | 1p | 39(37*) | | | 1.0 |
| - | 2p | 50 | 58 | | 1.5 |
| 2b | 3p | 61 | 70 | | 2.0 |
| | 4p | 70 | 79 | | |
| 3b | 4p | 74 | 84 | 90 | 2.5 |
| | 5p | 86 | 93 | 99 | |
| | 6p | 95 | 102 | 108 | |
| 4b | 5p | 90 | 97 | 103 | 3.0 |
| | 6p | 99 | 106 | 112 | |
| | 7p | 108 | 115 | 121 | |
| | 8p | 117 | 124 | 130 | |
| 5b | 6p | 103 | 110 | 116 | 3.5 |
| | 7p | 112 | 119 | 125 | |
| | 8p | 121 | 128 | 134 | |
| 6b | 7p | 116 | 123 | 129 | 4.0 |
| | 8p | 125 | 132 | 138 | |

3 Housing Standards

| - | - | <u>Minimum GIA (m2)</u> | | | |
|------------------------------|---------------------------------------|---------------------------|---------------------------|---------------------------|-------------------------|
| <u>Number of bedrooms(b)</u> | <u>Number of bed spaces (persons)</u> | <u>1 Storey dwellings</u> | <u>2 Storey dwellings</u> | <u>3 Storey dwellings</u> | <u>Built in Storage</u> |

Notes

1. * Where a one person dwelling has a shower room instead of a bathroom, the floor area may be reduced from 39m2 to 37m2, as shown bracketed.
2. The Gross Internal Area of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls¹ that enclose a dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs. GIA should be measured and denoted in square metres (m2).
3. The nationally described space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.
4. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required (or may be in the case of Category 2 homes) to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Aspect

North facing (i.e. where the orientation is less than 50 degrees either side of north) should be avoided wherever possible.

3.6 In March 2015, Central Government introduced internal space standards for housing to be applied nationally. The London Plan has also adopted these standards and are to be applied across London boroughs. This policy reflects these space standards. These are to be applied across new forms of development and should be seen as a minimum and where possible higher standards should be achieved.

3.7 In respect of aspect, the reception of sunlight is important to the quality of life and therefore in designing new buildings the ability for at least one habitable room to receive sunlight should be a priority.

Key Principle - HS3

Internal space provision in residential conversions

Converted flats to provide for full self containment should have an internal area of at least 32.5 square metres where a separate bedroom is provided. Where a self-contained studio apartment or bedsitting room is provided there should be at least 25 square metres with a minimum living/sleeping area of 14 square metres.

The minimum net floor area of individual rooms within all converted self-contained residential units should be in accordance with the table below:

| Internal Space Provision in Residential Conversions | | |
|---|-------------------------------------|---|
| | 3 or more bedrooms (family unit) | Less than 3 bedrooms(non-family unit) |
| Living room | 15 | 12.5 |
| Dining/Living room | 16 | 14 |
| Working kitchen | 7.5 | 5.5 |
| Kitchen/Diner | 9 | 7.5 |
| Main bedroom | 12 | 12 |
| Other double bedrooms | 10.2 | - |
| Single bedroom | 6.5 | 6.5 |
| Bathroom | 3.7 | 3.7 |
| <i>All areas are given in square metres</i> | | |

3.8 In determining whether an existing building is suitable for conversion, the council will consider whether the proposed development will provide rooms adequate in size for their intended use and occupancy. Unlike new residential developments, the conversion of existing dwellings requires the adaptation of existing layouts and rooms originally designed for different purposes. The size and shape of rooms should allow for a satisfactory layout and adequate range of furniture and equipment, where practicable should comply with Building Regulations M4 (2) 'accessible and adaptable' dwellings and M4 (3) 'wheelchair user dwellings'.

3.9 In terms of internal space standards, the London Plan and Local Plan policy acknowledges that residential conversions are more constrained by a number of factors, and there should be greater flexibility in relation to the national standards. Nevertheless, the council is keen to ensure that residential properties provide adequate liveable space and therefore includes the standards in the table above.

3 Housing Standards

Key Principle - HS4

Rear extensions

The council will have regard to the existing established rear building lines of adjoining properties in determining applications for rear extensions which project beyond the rear building line of the property as originally built.

However, planning permission will not normally be granted for any extension if:

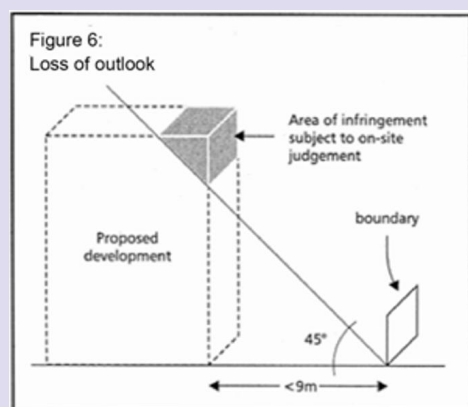
- (i) The proposed extension is more than 3.5 metres in length or, where the original property has already been extended, if the combined length of the existing and the proposed extensions would project more than 3.5 metres beyond the rear building line of the back addition as it was originally built; or
- (ii) The proposed extension would extend to within 4 metres of the rear boundary of the application property; or
- (iii) The proposed extension would cover more than 50% of the open area at the rear of the property as originally built or, where the original property has already been extended, if the cumulative area of the existing and proposed extensions would cover more than 50% of the open area at the rear of the property as originally built.

3.10 The borough already has a high density of development, with little space between buildings, particularly in the south of the borough. In addition to being important as an amenity for residents, back gardens and the open spaces at the rear of buildings can also be an important element in defining the character and appearance of an area. In some cases erecting a rear extension to a single dwelling house, may not require planning permission because it is identified as permitted development (The Town and Country Planning (General Permitted Development) Order (1995) (as amended)). In these cases, the Council encourages applicants to use these standards as a guide to reduce any impact upon neighbouring property and to produce high quality development.

3.11 However, in cases where planning permission is required, the council considers it necessary to limit the size of rear extensions to ensure that they do not result in an unacceptable loss of existing amenity space or adversely affect the existing sense of openness between buildings to a degree which could be considered unneighbourly or harmful to the existing established character of the area. Where the existing level of amenity space is already limited and/or the existing space between buildings is confined, it may not be appropriate to permit any rear extension.

Key Principle - HS6

Development, extensions and alterations - scale and massing



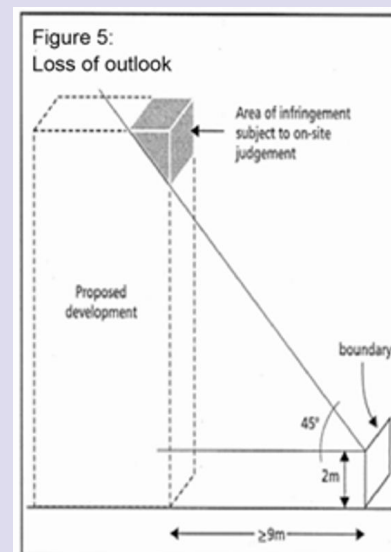
Any proposed new development and/or extensions to existing buildings should as a general rule, not result in an infringing angle of more than 45 degrees. Therefore, depending on the circumstances of the site the following rules will apply:

i) proposals that adjoin residential properties with rear gardens less than 9 metres in length to the adjoining rear boundary, the line should be measured from a point at the rear residential boundary at

ground level (see Figure 5); or,

ii) proposals that have rear gardens (or distance to adjoining residential properties) of more than 9 metres in length to the rear boundary, should be measured at a height of 2 metres from ground level from a point of the adjoining boundary (see Figure 6); or,

iii) if any part of the proposed building extends beyond these lines then on-site judgement will be a determining factor in assessing the impact the extension will have on the existing amenities of neighbouring properties (figures 5 and 6).



3.12 Residential terraced property forms a large part of housing in the borough and is the common form of layout of the majority of residential dwellings in the borough (mostly late Victorian/Edwardian properties). This form of housing usually comprises of a narrow single fronted main structure forming part of a terrace of either two or three floors with or without a semi-basement, together with a narrower projecting part at the rear (i.e., the back addition) which is usually of a lesser height and/or number of storeys. Extending these properties is limited given their proximity to neighbouring properties and the impact upon amenity. The scale and nature of the proposed development will vary and only the relevant policies will apply in assessing the proposal. This guidance seeks to identify best practice to protect the impact upon local amenity and neighbouring residents and how proposed extensions will be assessed.

3.13 Assessing the scale and massing of any proposal requires an understanding of the impact upon neighbouring residential development. In determining proposals, the council will either use the principle of the 45 degree angle, measured from either ground level or 2m above ground level depending on the size of the neighbouring garden of the rear property, and/or on-site judgement depending on the circumstances of the site and proposal. In some circumstances, the narrow width of the area between back additions, together with their existing length and height produce conditions which are already at the margins of acceptability in terms of the aspect and prospect afforded to those rooms whose windows face into this area. Any further extension to these back additions particularly above ground level could create unacceptable conditions for adjoining occupiers and will generally be resisted.

3.14 This principle is to be used to assess proposals that could include extensions, alterations and new development. This guidance can also be applied to non-residential applications, to mitigate the impact of development upon the surrounding residential area.

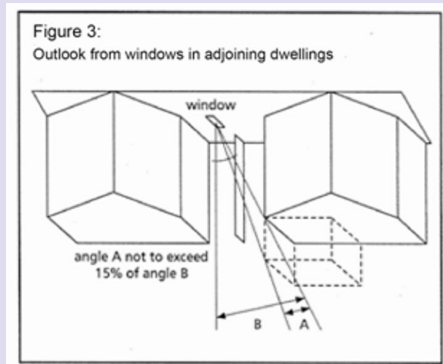
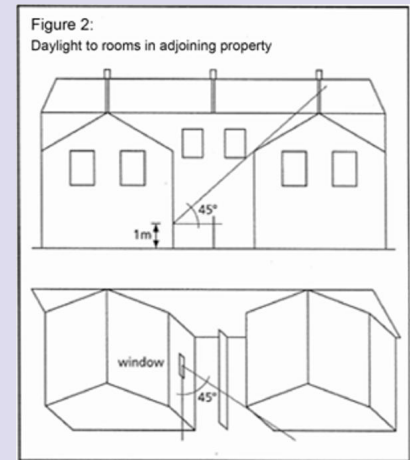
3 Housing Standards

Key Principle - HS7

Residential development - windows and outlook

i) Any proposed rear extension should not worsen the outlook from any rear habitable room window located lower than the proposed extension. Depending on the circumstances of the building, either of the following will apply:

- An extension to either the roof of the back addition or to the rear of the back addition should enable an unobstructed angle of 45 degrees to be achieved to any window to a habitable room on the ground floor of the back addition if that forms the sole window to that room. This requirement needs to be satisfied by measuring either over or around the back addition as extended (see figure 2);

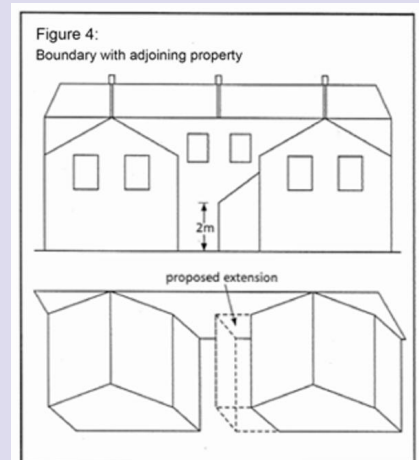


Where there is an existing rear addition, the angle of unobstructed visibility for this purpose should not be reduced by more than 15% (see Figure 3);

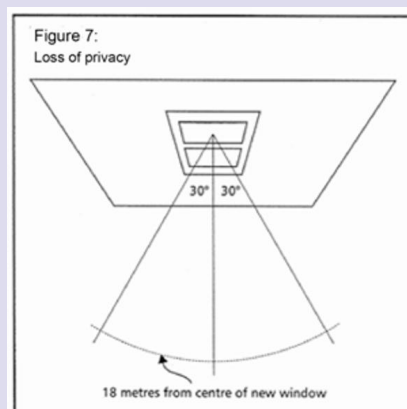
Where no rear addition currently exists at the level of the extension then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of the neighbouring properties.

ii) Any extension at the side of the back addition (being the back addition of the property as originally built) shall not extend above a height of 2 metres on the boundary with the adjoining property as measured from the ground level of the adjoining property.

The roof of the extension shall have a maximum angle of slope not exceeding 45 degrees (see Figure 4).



iii) Any new windows should be positioned at least 18 metres from existing habitable room windows. This will be measured by an arc of 60 degrees taken from the centre of the proposed new window to ensure there is no loss of privacy.



If this standard cannot be met then windows should be designed to ensure that no loss of privacy will occur (see Figure 7).

3.15 As the borough has a high density of development it is necessary to ensure that in the siting and design of all new buildings and extensions, the amenities of existing residential occupiers are not unduly affected and that there are safeguards against loss of outlook and loss of privacy. The main objections to new development in this borough relate to loss of sunlight, daylight, outlook and privacy. This should be used to assess the impact of residential extensions, alterations and new buildings.

Key Principle - HS8

Residential development - balconies and terraces

i) Planning permission will not be granted for roof terraces or balconies if the use of the terraces or balcony is likely to cause harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance; or, if it would result in an additional opportunity for overlooking or result in a significantly greater degree of overlooking and consequent loss of privacy than from the access point onto the proposed roof terrace/balcony.

If this standard cannot be met, sensitively designed screening may be acceptable, following an assessment of its impact upon neighbouring amenity.

(ii) Balconies and terraces should be designed to receive reasonable levels of sunlight and daylight.

3.16 In addition to issues of privacy, the use of roof terraces and/or balconies may also cause harm to the amenities of neighbouring occupiers as a result of noise and disturbance. Due to this the council may seek for balconies and terraces to be no bigger than 15 square metres to reduce noise and disturbance to neighbours.

3 Housing Standards

4 Design and Conservation

Conservation Area Guidelines

4.1 Most of the borough's built fabric dates from the extensive building programmes in the nineteenth and early twentieth centuries. Hammersmith and Fulham has maintained a much-valued built heritage, much of which falls within the Borough's 44 designated conservation areas.

4.2 Of the borough's residential areas those that were laid out to a consistent design and are of high architectural quality are also included in the borough's conservation areas. In many of these areas, the street provides a sense of scale and the setting for the consistent terraces of uniform architectural design.

4.3 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. In recognition of the importance of these areas in the sustainable regeneration of the borough, it is essential that development is encouraged which is mindful of the areas' historic form and which is of an appropriate high quality architectural design to complement the existing character and ensure the long term vitality and viability of these centres.

4.4 The current land use structure of Hammersmith and Fulham with its three town centres, local shopping parades, residential areas, open spaces, riverside and industrial/commercial areas is the main generator of the Boroughs rich and varied character.

4.5 The varied character of Hammersmith's riverside is reflected both in the Mall Conservation Area including Upper and Lower mall, and in the contrasting old industrial areas such as the Sands End Conservation Area. The River Thames is the main topographical feature in the Borough, defining its southern boundary. It contributes to the character and development patterns of Hammersmith and Fulham in many ways . There is a strong relationship between the river, the river edge, landward development and open spaces within the borough. The riverside in Hammersmith and Fulham has seen many changes over the centuries, and the last thirty years are no exception. Several key sites have been subject of major development proposals.

4 Design and Conservation

Policy Context - Conservation Areas

National Policy

The Government's overarching aim is that the historic environment and its heritage assets should be conserved in a manner appropriate to their significance and enjoyed for the quality of life they bring to this and future generations. Section 12 of the NPPF is titled 'Conserving and enhancing the historic environment' and condenses the former PPS5. However, it maintains the essence of the PPS in upholding the general policy that heritage assets should be "sustained" and "enhanced" for the benefits they bring to the community.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"Every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas."

Designation introduces a general control over the demolition of unlisted buildings and provides the basis for policies designed to preserve and enhance all the aspects of character and appearance that detract/contribute to an area's special interest.

Under Section 71 of the Act, once an area has been designated:

"It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas."

London Plan

The London Plan policy 7.8 on heritage assets includes the following:

- London's historic environment, including natural landscapes, conservation areas, heritage assets, World Heritage sites, Scheduled Ancient Monuments and memorials should be identified, preserved and restored.
- Development should preserve, refurbish and incorporate heritage assets where appropriate
- New development in the setting of heritage assets, and conservation areas should be sympathetic to their form, scale, materials and architectural detail.

Local Plan

Local Plan policy DC1 states, amongst other things, that all development within the borough 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 considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.

Local Plan policy DC8 Heritage and Conservation which states, amongst other things, that "the council will aim to protect, restore or enhance the quality, character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument".

Character Profiles

The council is producing a Conservation Area Character Profile for each conservation area. The "profile" is an appraisal which aims to give a clear assessment of the special interest, character, and appearance which justified the designation of the area as a Conservation Area. It also identifies key components that define the character or those which affect it, introduces relevant background material and suggests design guidelines to deal with each one. Some design guidelines are generic and these are reproduced here to aid all concerned in their efforts to preserve or enhance the character and appearance of all conservation areas in the Borough.

The profiles and these design guidelines support the council's statutory Local Development Framework which sets out the planning policy framework for the development of the Borough and development control decisions.

The Borough has 44 conservation areas with the first being designated in 1971. These are reviewed on a regular basis. All published and approved profiles are available on the council's web site. Profiles for each of the remaining conservation areas are to be produced as part of the council's ongoing work programme.

Key Principles

Key Principle - CAG1

Land Use in Conservation Areas

The mixture of uses within a conservation area is a component of character and often reinforces the role and quality of its individual buildings and local townscape. The impact of changing the balance of uses on that character must be carefully considered. Where new uses are proposed, they should be configured and accommodated in a manner that is consistent with the character of the conservation area and its architectural form, scale and features.

4.6 The experience of the particular mix of uses within a historic area helps determine its character. This often reinforces the role and quality of its individual buildings and local townscape. The balance of uses within a conservation area is, therefore, important in defining its character, particularly if they reflect the historic development of the area. Conservation Area designation is seen as the means of recognising the importance of such factors and in ensuring that appropriate policies are adopted to address the preservation or enhancement of such character by maintaining the balance of uses where it exists. Within Regeneration Areas and where significant areas of new townscape are proposed, the impact of introducing new uses will need to be carefully considered in conjunction with other strategic objectives.

Key Principle - CAG2

Urban Design in Conservation Areas

New development should contribute positively to the townscape and visual quality of the area and achieve a harmonious relationship with its neighbours to preserve or enhance the character and appearance of the conservation area. A successful design will take account of the characteristics of setting, urban grain, key townscape features, architectural details, landscape features, views, landmarks of the conservation area.

4 Design and Conservation

4.7 New development will be considered on the basis of the following urban design characteristics:

Setting: The setting of the conservation area is determined by its surroundings within which the area is experienced and describes its relationship in particular to the spatial, visual, historic and topographic context. The setting may contain buildings or features that have a positive, neutral or negative impact on the significance of a conservation area. Where necessary, applicants should describe the impact of their proposals on the setting of a conservation area in accordance with the method outlined in Historic England's Good Practice Advice Note: The Setting of Heritage Assets (GPA 3) (2015).

Urban Grain: The urban grain of an area is composed of the plot layout, form and scale of buildings, the public realm and street pattern that define the distinct character of the conservation area and give clues to its historic development.

Key Townscape Features: All new development should respect the key townscape features, such as height and massing, building types and density, that define the sense of place. Proposed works within consistent groups of buildings such as terraces or set piece developments should respect the established homogeneity of the townscape.

Architectural Detail: The scale, proportion, alignment, style and use of features and materials must be carefully conceived to achieve high quality buildings that form a harmonious relationship with their neighbours.

Landscape Features: All new development should respect terrain and landscape features of the site and surroundings and respect their relationship to the built context.

Views: Significant views in and out of a conservation area and within it that can be appreciated from the street should be protected and opportunities to enhance existing views and shape or define new ones should be sought when considering new development.

Landmarks: Established landmarks, such as a church, theatre, town hall, rail station, an imposing office or mansion block or industrial building, should be retained as visual focal points where they make a positive contribution to defining and identifying the character of the conservation area.

4.8 (1)

4.9 The council will require applications for planning permission, whether outline or full, to be in sufficient detail for a judgement to be made in relation to the impact of the proposal on the character and appearance of the adjoining buildings and street scene and the conservation area as a whole. For this reason an outline application without any details is unlikely to provide sufficient information. The council has statutory powers to ask for additional details within one month of the lodging of a planning application, if these are necessary to enable it to make a decision.

Key Principle - CAG3

New Development in Conservation Areas

New buildings, extensions and alterations should be sympathetic to the architectural character of the built context and should not have a harmful impact on the character and appearance of the conservation area. Characteristics such as building heights, building lines, roof forms, rear and side additions, front gardens and boundary treatment, lightwells, materials, windows and building features as well as disabled access measures should be considered in this context.

1 Further guidance can be found in 'Building in Context: New Development in Historic Areas', CABE 2001.

4.10 The following building characteristics are relevant when planning new development:

Building Height: Any new development should respect the general townscape and prevailing height of buildings in each area where there is general consistency in height and scale. Where this is not the case, a townscape analysis would be required that supports the judgement about appropriate building heights on a site.

Building Line: The relationship between the frontages of buildings and the street space they are enclosing is an important townscape characteristic. New development should respect the dominant building line and the general rhythm of the facades within a street. The building line of the rear of buildings, often with a repetitive pattern of original subordinately designed rear extensions, can also be important in its relationship with gardens. It should be respected by the careful design of any proposed rear extensions.

Roof Extensions: Front roof extensions are likely to interrupt continuous parapet and eave lines in the townscape and are generally unacceptable for typical buildings styles within the Borough. Rear roof extensions should be sympathetic and special attention should be paid to their design where they are visible from the street and from surrounding properties. Alterations to the ridge height and the front roof slope are considered to be unacceptable where they harm the uniformity of a terrace or the proportions of a building. The use or reinstatement of original rainwater goods, decorative detail and materials including tiling patterns will be expected where appropriate. The demolition of original chimney stacks that are a significant feature in the roofline and silhouette of a building or terrace is considered to be a material alteration to the roofscape and shape of a dwelling house. Their removal may require planning permission and will be resisted. Similarly, original chimney pots should be retained wherever possible.

Hip to Gable Roof Extensions: Hip to gable roof extensions can undermine the symmetry of groups of properties or terraces. Where hipped roofs form part of the pattern of original development in an area their loss will be resisted.

Extensions: Extensions should never dominate the main building and should meet the policies in the section of the SPD on Housing Quality with regard to the provision of garden space, its proportions and quality. The size of rear and side extensions should have regard to existing building patterns within a conservation area and respect the symmetry of original additions in terraces. The design and materials of such extensions should integrate successfully with the host building and its neighbours.

Front Gardens: Front gardens define the edge of the public realm and form an important element of the character of most of the Borough's streets and terraces. Planted front gardens improve privacy, the appearance of properties and their relationship to the street, amenity value and local biodiversity. The retention and maintenance of planted front gardens will be encouraged and their destruction in order to create vehicular crossovers, access and hard standings will be resisted. Further guidance can be found in the Sustainable Drainage Systems, Biodiversity and Transport sections of this SPD.

Boundary Treatment: Traditional front boundaries are important in defining the character of a street and visually unite street frontages of buildings. Alterations to or removals of front boundaries that interrupt the sense of enclosure and rhythm in the relationship between private and public space will be resisted, and where missing, front boundaries should be replaced to their original design. Boundaries of the 19th & early 20th Century can vary from the earlier style of metal railings on a stone plinth with matching gates, to the later style of low brick walls with stone copings (simple flat blocks or more distinctively moulded) surmounted by metal railings or panels, and matching gates all flanked by stone or terracotta capped piers, and hedges, or a combination of these. In the majority of cases black or dark green is the most appropriate colour to paint metal railings and gates, but wherever possible the original colour scheme should be investigated. Invisible Green⁽²⁾ is often used. Visible side and rear

4 Design and Conservation

boundary treatments can be of equal visual importance and their original design should be retained or reinstated. Any new structure over one metre in height on a boundary adjoining the highway and over two metres in height on a boundary at the rear of properties would require planning permission. Where the installation of bin, cycle or meter enclosures in gardens is considered to be acceptable, their design should be in proportion to the height of the boundary treatment and the size of the garden, and the enclosures should not be accessed through new openings in boundary walls, hedges or railings.

Lightwells: Where lightwells are considered to be appropriate they must be sensitively designed and proportioned to accord with the Basements and Lightwells chapter of in this SPD. The creation of lightwells by the excavation of all or part of the front garden of a residential property to provide windows to basements requires planning permission, as does the enlargement of an existing lightwell. The loss of a substantial part of front gardens that form an integral part of the character of the terrace and street will be resisted.

Basement excavation: More detailed guidance can be found in the Local Plan, Policy DC 11. The excavation of basements beneath existing or proposed buildings will generally be limited to one storey in depth beneath the original lowest floor level. Exceptions may be acceptable on larger redevelopment sites. The excavation of basement accommodation beneath front and side gardens will not normally be acceptable in accordance with Local Plan, Policy DC11. The excavation of basements beneath rear gardens will be limited to the criteria set out in the Local Plan, Policy DC 11. The excavation of basements beneath existing or proposed outbuildings will be resisted in order to preserve the spatial hierarchy between main building and outbuilding.

Rear and side gardens: Rear and side gardens are an important element of the character of most of the borough's Conservation Areas and contribute to amenity value, local biodiversity, privacy and sustainable drainage. Views across rear and side gardens are often important elements in the townscape, providing relief in the streetscene and glimpses of planting. The retention and maintenance of rear and side gardens will be encouraged and their significant erosion to create extensions, basements, lightwells or outbuildings will be resisted. The retention of trees and soft landscaping in rear or side gardens and the provision of new planting will be encouraged.

Outbuildings: Any outbuilding should be clearly subservient in height, volume and purpose to the original property, they should relate to size of the garden, should not create a terracing effect at the rear of existing properties and should comprise of only one storey. Their materials should complement their garden setting; traditionally domestic outbuildings have been constructed of brick or timber rather than render, metal or ceramic tiles. The excavation of basements beneath existing or proposed outbuildings or creation of lightwells to serve proposed basements will be resisted in order to preserve the spatial hierarchy between main building and outbuilding.

Continuity and Historic Names: The retention of historic names of buildings and sites will be encouraged. the retention of historic signage, particularly in relation to public houses will also be encouraged. Historic names and associations will be considered when naming any new developments. The use of historic information plaques on existing buildings and in new developments will be encouraged. The Hammersmith and Fulham Historic Buildings Group has worked closely with the Council to develop a high quality model design for historic information plaques.

Brickwork and Stonework, Painting, Render and Cladding: External brick or stone walls (including pilasters to shop surrounds) should be retained in their original condition and should not be painted, rendered or clad in any material. Existing brick or stone elevations including chimney stacks should be properly maintained and appropriate repointing undertaken where necessary (usually with lime based mortar in a flush finish). Properties that have original unpainted stucco rendering, or have stucco mouldings, should preferably be left in their original state and specialist advice should be sought where re-rendering or repairs are necessary. Where render or stucco is painted, it should be repainted an appropriate matt colour (or colours) i.e. white, pale or pastel shades rather than vivid colours. Glazed

bricks or tiles and terracotta tiles or decorative panels should not be painted. Planning permission may be needed for changes to original facades and consultation with the Borough's conservation officer should be sought.

Windows and Original Features: Original architectural features such as timber sash windows, timber or metal casement windows, panelled doors, decorative stucco, moulded window surrounds and door cases, and historic shopfronts should be maintained and repaired wherever possible. Where renewal is unavoidable, owners are encouraged to reinstate these with exact replicas in the original style, detailing and materials. New windows should be designed with matching frame materials and profiles, pattern of glazing bars and glazing types. The type of glazing including secondary glazing options and design details should be carefully considered on a case by case basis. Planning permission may be needed for replacement windows and advice from the Borough's conservation officer should be sought. Owners of properties with unsuitable replacement windows, including PVC (plastic) windows, will be encouraged to change them for those of a more appropriate design and materials to match the originals when an opportunity arises.

Disabled Access: Applications for development affecting heritage assets should achieve accessible and inclusive design wherever possible and practicable, for example, level access. The Council supports the dignified and easy access for disabled people to and within historic buildings and historic public spaces. Suitable access for disabled people, which does not compromise a building's or areas special interest, can normally be achieved if treated as part of an integrated review of access requirements for all visitors or users, and if a flexible and pragmatic approach is taken. The Historic England publication – Easy Access to Historic Buildings (2015) provides useful guidance.

Key Principle - CAG4

Historic Shopfronts in Conservation Areas

The removal of historic shopfronts will be resisted and where they have been fully or partially removed, restoration will be encouraged. New shopfronts, including signage, lighting and other external installations, should incorporate high quality designs and materials which are appropriate to the architectural character of the building.

4.11 Proposed works to shopfronts will be considered with regard to their characteristic setting and features:

Shopfronts: New shopfronts and alterations should be designed to achieve a satisfactory visual relationship between the frontage and the rest of the building. Shopfronts spanning more than one original shop unit should not disrupt the vertical emphasis by the removal of intermediate pilasters and corbel brackets that originally divided the individual shop units.

Shopping Parades: A group of shops within a terrace normally has a unified appearance within well designed surrounds common to each shop and with related shopfront designs. The replacement of shopfronts with individual features and surrounds that are not common to the group would harm the unified appearance of the terrace. The retention, repair or restoration of original shop surrounds and frontages therefore is of high importance to the character and appearance of historic buildings and conservation areas.

Shop Fascias, Signage and Lighting: Fascia panels and shop signs should be integrated into the design of a shopfront, respect architectural details, use appropriate materials of high quality and should be located below the perceived floor level of the first floor. Internally illuminated box fascias and signs are considered to be inappropriate for shops within conservation areas.

4 Design and Conservation

Shop Security Shutters and Canopies: Security grilles, where absolutely necessary, should consist of an open mesh to avoid dead frontages and be located internally. Shutter boxes should always be hidden from external views. Canopies should be traditionally designed and integrated into the shopfront.

4.12 More detailed guidance can be found in the Local Plan, Policy DC5, and in the Shopfronts chapter of this SPD.

Key Principle - CAG5

External Installations in Conservation Areas

Any external installations, such as solar/PV panels, satellite dishes and antennas, must be integrated into the design of a building by installing these within the envelope of the building or in a discrete manner in the least intrusive locations to minimise their visual impact both in ground level and high level views. Such installations within a conservation area will require planning permission and need careful consideration.

4.13 The proposed details of the installation of the following external additions must be considered:

Energy efficiency measures: Installation of energy efficiency technologies such as micro-generation equipment must be sensitively designed and situated to limit their visual impact on heritage assets. Internal alterations to increase energy efficiency, such as secondary glazing or heat pumps that require the installation of external grilles, should be designed to be sympathetic to the exterior character.

Satellite Dishes: Satellite dishes will not be permitted where they would be visually obtrusive and where alternative locations are possible.

Other Additions: External impedimenta such as original rainwater goods must be replaced in their original form and material. In some cases, powder coated aluminium may be acceptable but the use of PVC (plastic) is considered visually inappropriate. The installation of small size equipment such as alarm and antenna boxes and cameras should be limited and sited away from important architectural details and screened appropriately. The routing of cables should be internal – where this is not possible, cables routes should be in the least prominent locations with a colour finish to match the background.

Key Principle - CAG6

Open Spaces, Trees and Streets in Conservation Areas

Open spaces, trees and streets make a significant contribution to the character and appearance of conservation areas. It is important that any proposed changes preserve the character and reinforce local distinctiveness of the area.

4.14 Proposals will be assessed with regard to the following considerations:

Open Spaces: Public and private open spaces within a conservation area have a major visual and amenity value and impact upon the character of a otherwise built up area. Many open spaces within the Borough's conservation areas are identified within the Council's Local Plan as Nature Conservation Areas or Metropolitan Open Spaces. Any development should be designed to ensure it is harmonious with the open space context, and views within and from the outside of open spaces should be given special consideration. Where sports pitches, playgrounds and associated lighting are appropriate and satisfy these policies, they must be carefully integrated within the original layout and landscape to minimise their visual intrusion and enhance their surroundings.

Design and Conservation 4

Trees: Mature planting and trees are an important characteristic of historic areas and most trees in a conservation area, including those in rear gardens, are protected [see the Town and Country Planning [Trees] Regulations 2012]. Owners are urged to look after trees on their land and plant new ones, and the Council will continue to re-instate and plant new street trees where appropriate, in order to ensure a continuing stock of mature trees for future generations and to provide an opportunity for biodiversity. Trees and shrub planting along boundaries of properties is a common characteristic in conservation areas, and their retention and maintenance will be encouraged.

Streets: Roads, pavements and public spaces should form a neutral setting for buildings within the conservation area and all work should be carried out in accordance with the Council's street design guide "Street Smart". Original kerb stones and historic paving should be kept and repaired. Where this is not possible, high quality natural materials such as York stone and granite setts can greatly add to the visual interest of an area, however, surfaces should be visually subordinate within the townscape, providing a coherent character throughout the conservation area. Any hard and soft landscaping, paving, road surfaces or footpaths should be designed to contribute where necessary to managing surface water run-off in accordance with the Flood Risk Mitigation and Sustainable Drainage section of this SPD.

Street Furniture: The Council is committed to improving the streetscene. The aim is to promote high quality design and to eliminate visual clutter by removing redundant items of street furniture. Historic cast iron bollards, railings and cast iron or enamel street name plates add to the visual character of an area and should be retained and repaired or, if appropriate, replicas installed. New lighting columns and lanterns should be designed in keeping with the local character and context within the conservation area. Telephone kiosks and other telecommunication facilities should be of a high quality design and materials and should not generate visual clutter in the streetscene through their appearance or siting, particular care should be paid to the setting of Listed Buildings and Buildings of Merit.

4 Design and Conservation

Basements and Lightwells

4.15 In London, many of the larger Georgian terrace houses had separate front access to the basement to allow for coal, waste and service matters to be dealt with separately from the main entrance to the house. In smaller houses basement access would be to the coal cellars which were to be found under the pavements. However, later medium sized and smaller London houses had no separate access and coal and bins were moved through the same main entrance. Towards the end of the 19th Century (after 1870) all medium sized houses and many smaller houses were built with a front garden (even those with basements). Gardens were regarded as adding status and, if kept in good order, improving privacy and the appearance of the house. Iron railings (most removed during the Second World War), sometimes on a low brick wall, often enclosed the gardens. By the end of the 19th Century, almost all new houses had a front garden, or at least a forecourt, [a paved stretch of ground of the depth of a bay window].

4.16 These front gardens now form the character of most of the Borough's streets and terraces, and when planted, provide a welcome greening of an otherwise hard urban environment. Rear landscaped gardens can also contribute to the street scene, particularly where there are important gaps between terraces and a general open aspect in which trees and large shrubs in rear gardens are visible. The street scene can be enhanced by borrowing from the landscape in these private rear spaces. The value of these spaces for their planting and potential tree planting is great, not only for aesthetic reasons but also for biodiversity and habitats and dealing with surface water run-off.

Policy Context - Basements and Lightwells

National policy

The NPPF encourages good design. It warns that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. It states that high quality and inclusive design should be the aim of all those involved in the development process. Planning authorities are encouraged to prepare robust policies on design and access. A key objective of these policies is to ensure that developments respond to their local context and create or reinforce local distinctiveness.

London Plan

The London Plan promotes good design, for example see **policy 7.6 Architecture** and others concerned with London's Living Places and Spaces. It acknowledges that the quality and function of neighbourhoods and places, and local character, contribute to making London a special place and improve the quality of life.

Local Plan

The council's policies for the control of development and the improvement of the environment are set out in its Local Plan.

The council's Local Plan includes **policy DC4: Alterations and Extensions**. This states, amongst other things, that 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, their neighbours and their setting. In addition, policy DC11 provides guidance on basement accommodation and lightwells.

The council's Conservation Area Character Profiles generally discourage the excavation of front gardens. The Guidelines state :

"The creation of lightwells by the excavation of all or part of the front garden of a residential property to provide windows to basements to increase the light to basement rooms requires planning permission, as does the enlargement of an existing lightwell. Where there is no tradition of a lightwell in a particular property or street the introduction of an over-large, visible and inappropriately designed lightwell could be harmful to the appearance of an area. This has a negative impact and will not normally be permitted where the lightwell would take up more than 50% of the front garden or would result in the loss of a substantial part of any planted area of the front gardens that forms an integral part of the design of the street or terrace."

Assessment of Proposals for Lightwells and Basement Excavation

4.17 The council will be bringing an Article 4 Direction to remove permitted development rights for basement development in April 2018. Applicants will be required to submit planning applications for any basement development, lightwells or any other development below the dwellinghouse or curtilage. The Local Plan and following guidance will be used to assess any applications (<https://www.lbhf.gov.uk/planning/planning-policy/consultation-article-4-directions>).

4.18 Where lightwells already exist, and are to be enlarged, planning permission will also be required for that enlargement. Some schemes for excavation and lightwells at the side and rear of properties may not require planning permission. Applicants are advised to discuss proposals for such work at an early stage with the Council's Planning Division.

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4.19 The introduction of an overly large, visible and inappropriately designed lightwell could be harmful to the appearance and architectural integrity of the property, the street scene, and the area generally. For example, the scale of a property can be increased, and the relationship of the property to its front garden threshold space and the street can be eroded, or the softness given by a planted front garden can be lost with consequent damage to the street scene. The addition of further protective railings can add unnecessary clutter to the appearance of the street scene.

4.20 In addition, there are parts of the Borough that are designated as Archaeological Priority areas. Where excavation is required in these areas the council will take into account the Heritage Conservation policies in the Local Plan. The requirement to fully understand any impact on archaeology is normally expressed as a condition to any planning permission.

Assessment of Lightwells

Key Principle - BL1 Any application for a lightwell will be treated on its individual planning merits, taking into account local circumstances, impact and the proposed size of the excavated area.

Key Principle - BL1 The following key points should be considered when creating a lightwell:

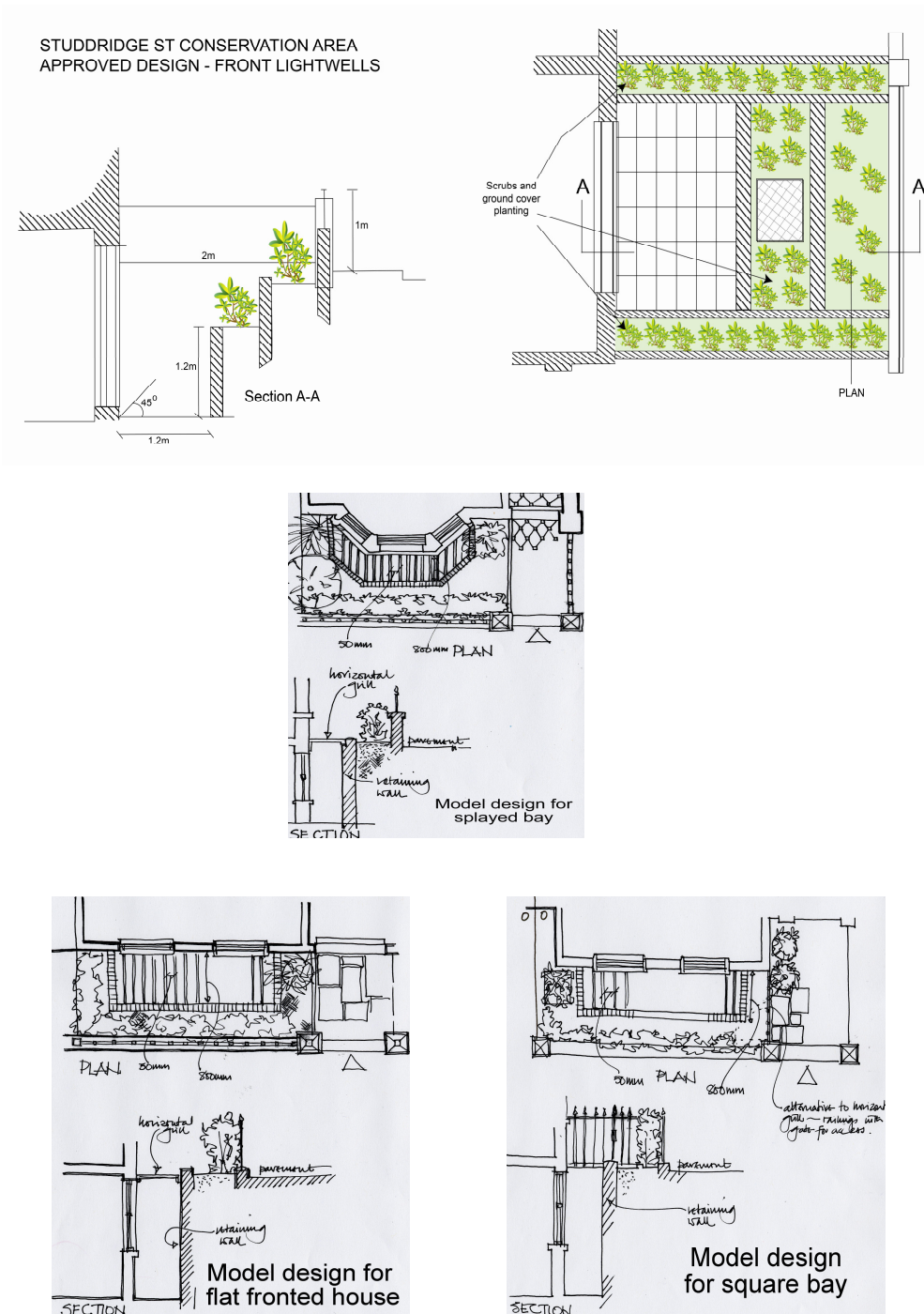
Key Principle - BL1

- Proposals for excavation and a lightwell where the whole of the front or rear garden would be lost would normally be refused permission.
- Front lightwells should be designed in accordance with the model designs for lightwells in figure BL1.
- Rear lightwells should not be excessive in size and should not either on its own or in combination with a basement excavation result in the loss of more than 50% of the rear garden area in accordance with Local Plan Policy DC11.
- Where they are not part of the original design, proposals to insert stairs into the front lightwell would normally be resisted.
- Where a basement is being excavated to form additional living space, lightwells may be formed in the rear and/or side garden, where one exists.

4.21 There will be instances where excavation and the construction of a lightwell could be detrimental to the character of a building or the street scene and could be refused permission. Examples of such cases would be where front gardens or forecourts (both residential and commercial) are particularly small and excavation and the creation of a lightwell would result in the loss of the entire garden, or where a large lightwell would be clearly visible from public areas. Figure BL1 below provides examples of model lightwell designs for different types of property. Where lightwells exist already in a particular street or terrace, such as on the Peterborough Estate in the Studdridge Street Conservation Area, and where a different model has already become established, further lightwells which match the predominant design may be considered acceptable.

Figure - BL1

4.22 Recommended lightwells are shown in the drawings on the next page, these show a plan and section from front to back, for each type of property, together with dimensions. The examples have been designed to comply with building regulations requirements for means of escape in case of fire, if the only possible means of escape is through the front lightwell area.



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4.23 Rear gardens are important for providing the space and environment within which flora and fauna have the opportunity to thrive and, therefore, sufficient space should be left for trees and shrubs to grow. The presence of trees and shrubs in rear gardens provides a green foil to the surrounding development and can enhance the sense of privacy, especially in densely built up areas.

4.24 Providing access to the basement via the front lightwell increases the size of the lightwell and erodes the remaining area available for planting. Stairs and railings would also give a cluttered appearance to the front garden area which often provides a soft landscaped setting for the property and the street. Such proposals would detract from the appearance of the front elevation of the house and the character of the street scene.

4.25 Ideally, where a basement is being excavated to form additional living space, lightwells should be formed in the rear and/or side garden, where one exists. Such a location would almost always be more appropriate. There would be scope at the rear for the provision of light and air to any new basement room, and there would also be the opportunity to create links with any rear garden.

Key Principle - BL2

Lightwells and basement excavation relating to listed buildings and lightwells in and conservation areas

In the case of a listed building whose special interest would be harmed by the construction of a lightwell, such a development would almost always be unacceptable unless outweighed by public benefits.

Proposals for lightwells or basement excavation relating to listed buildings or their curtilage should be informed by an assessment of the significance of the designated heritage asset and the impact of the proposals on that significance, paying special attention to the type, period, character and setting of the listed building; its historic fabric, plan form, volume, floor to ceiling heights; and original spatial hierarchy within both the listed building and its curtilage.

Details of the method of construction and excavation; details of any temporary internal or external works required to facilitate the construction and excavation process such as the removal of spoil; and details of measures to protect the existing fabric during construction and excavation will be required with any application relating to a listed building or a building within its curtilage.

In some parts of some conservation areas, even the model lightwell designs included in Figure BL1 may be harmful, for example where the front garden is clearly visible from the street, or where there is no front boundary enclosure.

4.26 Some heritage assets will be extremely sensitive to changes in level at the threshold of a building especially where the forecourt or front garden space provides the setting for the building or terrace and contributes to the significance of the heritage asset.

4.27 The significance of listed buildings can be adversely affected by the construction of lightwells or basement excavation, therefore careful consideration is required in relation to impact of such proposals on both the internal and external character and appearance of the listed building and on the spatial hierarchy within the listed building and its curtilage. Some designated heritage asset types such as dwelling houses built with a clear hierarchy of floors and a cellular plan form can be particularly vulnerable to harmful change from proposals for lightwells and basement excavation. It will be important to consider not only the impact of the permanent alterations, but also the impact of any temporary works that will be required to facilitate the proposed works. Listed buildings and buildings in

conservation areas can be sensitive to proposals for lightwells or basement excavation, especially where the forecourt or front garden space provides the setting for the building or terrace and contributes to the significance of the heritage asset.

Key Principle - BL3

Front lightwells

Where a new front lightwell is acceptable in policy, it should be as discreet as possible, and allow the scale, character and appearance of the property, street or terrace to remain largely unchanged. The design of any basement elevation, in its form and fenestration [and in particular the material, opening style and subdivision of any fenestration], should relate to the design of the ground floor elevation.

The following key points should be considered when creating a front lightwell:

- The excavation should retain a significant amount of accessible and usable planting area at ground level.
- Fences, glazed screens or vertical railings to surround the lightwell should be avoided, as they draw attention to the change, and would look cluttered especially if there are differing styles. It would be acceptable however, to put a railing from the front to back adjacent to the garden path in order to give protection.
- In the case of splay bay and square bay windows, the lightwell should follow the shape of the bay window on the ground floor.
- In the case of a flat fronted property the excavation should be no wider than the outer edge of the window or windows in the ground floor elevation.
- All excavations should not exceed 800mm from front to back
- A horizontal metal grille flush with the surface of the garden should be used to achieve such protection over the excavation
- Where a lightwell is used as a means of escape, a ladder will also need to be provided to affect the escape arrangements from the basement.

4.28 Many houses in Hammersmith and Fulham have a splayed bay window on the front elevation (a result of the late Victorian love of fresh air and extra space); others have a square bay, while fewer have a flat elevation. The majority of terraced houses have small front gardens where the formation of a lightwell would have the greatest impact. These guidelines are predominantly aimed at these small gardens. The guidelines may only be relaxed where the proposals relate to larger front gardens (i.e. more than 6 metres when measured from the main front wall). All excavations should not exceed 800mm from front to back, except on the Peterborough Estate where a more generous model design incorporating a secondary planter in the lightwell has become established.

4.29 The Council is not seeking to prevent the use of fences and railings on the front property boundary, or along the path leading to the front door. The Building Regulations require that in order to prevent any one falling into a lightwell where it is deeper than 600mm, the opening should be protected by a guard. In order to avoid a cluttered appearance in the front of a property a horizontal metal grille flush with the surface of the garden should be used to achieve such protection over the excavation. The need for a grille can be avoided if a vertical railing is erected from the front entrance gate to the front door.

4.30 If the lightwell is not used as a means of escape, or required for ventilation, other traditional measures such as glass blocks could be used. These features should be included in any planning application. Any proposal should have sufficient space left in the front garden to provide the opportunity for planting, and in the case of small gardens, there should be at least sufficient space left for a hedge.

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4.31 Any planning permission will have conditions attached relating to the grilles, materials, windows, tree protection measures for any adjacent trees and a requirement to build the proposals in their entirety. The removal of permitted development rights for railings may also be conditioned.

Buildings of Merit

4.32 The borough has an established local register of Buildings of Merit which has been drawn up and maintained in close collaboration with local amenity groups ⁽³⁾. The list gives a clear indication of those buildings which are valued by the local authority and local community, and a better understanding of the locally important heritage assets and their contribution to the character and distinctiveness of each local area. The buildings on the list are now widely recognised as local heritage assets in the planning process.

4.33 The borough's Buildings of Merit are important for the contribution they make to the local area, reinforcing local historic and architectural distinctiveness. They are also important in the preservation and enhancement of local character and appearance of areas.

Policy Context - Buildings of Merit

National Policy

The Government's overarching aim regarding the historic environment and its heritage assets is that they should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Section 12 of the NPPF is entitled 'Conserving and enhancing the historic environment' and condenses the former PPS5. However, it maintains the spirit of the PPS in upholding the general policy that heritage assets should be "sustained" and "enhanced" for the benefits they bring to the community. There is a clear direction to local authorities in paragraph 126 that these general aspirations should be linked into a positive strategy for conservation within local plans.

London Plan

The London Plan recognises that London's built and landscape heritage provides a depth of character that has immeasurable benefit to the city's economy, culture and quality of life. Crucial to the preservation of this character is the careful protection and adaptive re-use of heritage buildings and their settings. The Plan contains a policy on heritage assets (see Policy 7.8).

Local policy

Local Plan Policy Built Environment DC1 states that all development within the borough should create a high quality urban environment that respects and enhances its townscape context and heritage assets.

The Council's Local Plan includes policy DC8 Heritage and Conservation. This states amongst other things that: "The council will aim to protect, restore or enhance the quality, and character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument".

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Key Principles

Key Principle - BM1

Designation of Buildings of Merit

Given the importance of non-designated heritage assets to the local townscape of the Borough, it is considered that the opportunity to add to, or in exceptional cases remove buildings from the Local Register, is available, and such additions may be put forward from time to time, 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 by the Secretary of State. A regular review and update of the local register will be carried out to ensure it remains relevant as a record of the boroughs locally important historic environment.

4.34 Historic England suggest that similar selection criteria to that currently used for national designation would be appropriate for local listing. The criteria for adding new buildings to the list would include:

- Age – where the age of a building may be important in the local context
- Rarity – maybe rare in the borough but not nationally so not fulfilling national criteria
- Aesthetic value – where the design is important in the local context
- Group value – where the grouping has a clear design or historic relationship
- Evidential value – where the significance of the asset is supported by written record
- Historic association – would include association with important local persons and events
- Archaeological interest – where the asset is locally significant
- Designed landscape – locally important designed landscapes and gardens
- Landmark status – an asset with strong historical associations or particularly striking design value
- Social and communal value – relating to places perceived as a source of local identity

Key Principle - BM2

Proposals affecting buildings of merit

Development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings, structures and artifacts that are of local townscape, architectural or historic interest, including all buildings identified on the council's Register of Buildings of Merit unless:

1. (a) The building or structure is no longer capable of beneficial use, and its fabric is beyond repair; or

(b) The proposed development would outweigh the loss or harm to the significance of the non-designated heritage asset; and

(c) The proposed development cannot practicably be adapted to retain any historic interest that the building or structure possesses; and

(d) The existing building or structure has been fully recorded; and

2. In the case of artifacts, they cannot practicably be retained in situ or, failing that, retained for re-use elsewhere within the site.

4.35 All applications relating to Buildings of Merit or their setting should include a description of the significance of the heritage asset. The level of detail in the description should be proportionate to the importance of the heritage asset. An assessment of the effect of any proposal on the setting and significance of the Building of Merit should be included with the application. The council will be keen to ensure that any proposals preserve those elements that make a positive contribution to, or better reveal the significance of the Building of Merit.

4.36 The council wishes to encourage the retention of the architectural, townscape and historic character of the borough. There are many buildings in the borough on the Local Register of Buildings of Merit which are of merit and which contribute to the character of the locality because of their townscape value, architectural quality, or historic associations. 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 buildings also have a valuable interior.

4.37 Many terraces, parades and other groups of buildings make an important contribution to the townscape and local distinctiveness of the borough which is greater than the individual importance of each building. Several of these groups have been identified as Buildings of Merit. Every effort should be made to protect these facades of terraces, parades or groups of buildings, especially the rooflines and any architectural detailing which adds to their character.

4.38 Both within and outside conservation areas, proposals for demolition or alteration should have particular regard to the effect of that proposal if the building is part of a terrace, parade or group because the consequences of demolition or unsympathetic alteration could be detrimental to the value of that group.

4.39 Locally important buildings are heritage assets of high local value in terms of townscape, architectural or historic interest, and it is especially important that they shall be retained in any development. Any alterations should only be carried out in a way that respects the scale, character and materials of the building. Within conservation areas, there are statutory controls over the demolition

4 Design and Conservation

of buildings and consent is normally required. Outside conservation areas specific consent for demolition is not normally required. Nevertheless, the council will seek to protect locally important buildings because they contribute to the character and heritage of the borough.

Accessible and Inclusive Design across the borough

4.40 Hammersmith and Fulham is a generally flat borough with few steep inclines. However, many buildings are of older construction and some multi-storey buildings were built without lift access. It is therefore important to improve accessibility in the built environment when development, including new buildings, alterations or extensions and changes of use, takes place.

4.41 The council considers that much of the guidance in the London Plan and the additional guidance in the Housing and Accessible London SPGs is relevant to the local circumstances in H&F and supports the policies in the Local Plan relating to accessible and inclusive development. Therefore where the London Plan policies and accompanying SPG provides more detailed guidance, the council will use it in assessing relevant planning applications. For some types of development more detailed supplementary policy guidance will be considered necessary.

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Policy Context - Design and Access

National policy

Approved Document M of the Building Regulations introduces minimum specifications for wheelchair User Dwellings M4(3). This is subdivided into Wheelchair Adaptable and Accessible Dwellings M4(2) and Wheelchair User Dwellings M4(3), which are fitted out for occupation by a wheelchair user. Approved Document M link for reference: <https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>

The National Planning Practice Guidance states that category M4(3) may only be required for wheelchair user dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. M4(3) may therefore only apply to social rented and affordable rented homes, all other wheelchair user dwellings may only be conditioned to meet M4(3) standard.

The National Planning Policy Framework (NPPF 2012) recognises the need for an accessible and inclusive environment, including accessible adaptable general purpose housing and specialised housing as being among the ways that Local Plans can aim to meet the housing needs of older people.

Paragraph 35 of the NPPF states that where practical, the location and design of development should create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and consider the needs of disabled people to arrive by any modes of transport.

London Plan

London Plan policy 7.2: An Inclusive Environment seeks to ensure that future development requiring planning permission is accessible and inclusive. This policy also outlines the information that should be included with design and access statements submitted with development proposals, including whether relevant best practice standards such as British Standard 8300:2009 have been complied with.

Other relevant London Plan policies include:

- London Plan Policy 3.1 for ensuring equal life chances for all;
- London Plan 3.8: Housing Choice which seeks to ensure that 90% of housing meets building regulation requirement M4(2) and 10% to meet M4(3).
- London Plan Policy 4.5: London's Visitor Infrastructure which seeks inclusive and accessible visitor accommodation, including 10% of hotel bedrooms to be wheelchair accessible; and
- London Plan Policy 2.15: Town Centres which promotes measures to improve accessibility, including Shopmobility schemes in town centres.

Local Plan

Hammersmith and Fulham Council in discharge of its planning function, must engage with public body duties in the Equality Act 2010. One of these duties requires it to take active steps to generally advance equality of opportunity for groups protected by the Equality Act 2010 and to ensure that disabled people in particular are not more disadvantaged than groups who are not disabled, where this might be a consequence of the council's decision or policy applied to a particular development.

The Local Plan seeks accessible and inclusive development and policy DC1 specifically states that “development throughout the borough should be attractive, durable, adaptable and accessible in order to achieve good sustainable and inclusive design.” The Local Plan also includes more specific policies on the need for inclusive and accessible development in relation to different types of development. For example, **Policy H06** of the Local Plan seeks high quality accessible homes in all developments, specifically 90% of housing to meet building regulation requirement M4(2) and 10% to meet M4(3).

Key principles

Key Principle - DA1

Access and inclusive design

Applications for new buildings, changes of use, extensions and other building work should ensure that the building is designed to be accessible and inclusive to all who may use or visit the building.

Drawings submitted for planning approval should show external access features for detailed approval and how in general, internal facilities (including those requiring detailed building regulations approval) will cater inclusively for all categories of user.

Key inclusive design issues

- **how any innovative feature is expected to achieve a particular building design objective**
- **potential barriers to accessibility and the means to overcome these barriers for all members of the community and for specific groups of disabled people such as wheelchair users and other mobility impaired people, blind and partially sighted people, hearing impaired people, and people with learning difficulties**
- **plans that show how the proposal integrates into the urban fabric and circulation routes**
- **sources of inclusive design advice and guidance used**
- **how accessibility will be managed when the development has come into use**

4.42 The Design and Access statement should be appropriate for the type and scale of the planning application. For example Design and Access statement for:

- a new shop front should explain how level access to the building will be achieved
- a change of use application from a shop to a café should show how an accessible toilet will be designed in
- a school extension will explain how it will assist in improving accessibility for pupils and other users of the building.

4.43 When considering potential barriers to inclusive access developers should consider:

- getting to and from a development
- moving around a development
- signage and information
- surfacing materials
- open space
- entering a development
- getting use of facilities
- accessible housing for disabled people

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- historic buildings and historic areas
- circulation space within the building, for example, landing space outside of lifts and sufficiently wide corridors for wheelchair and other users.

4.44 It is recognised that for some conversions and changes of use it may not be possible to incorporate fully accessible and inclusive facilities. In these cases applicants should demonstrate in the design and access statement how they have sought to achieve as high a level of accessibility as possible. Planning applications for developments required with some urgency for the use of a home or other building by an occupier or employer can be given priority on request.

4.45 National advice is that it is not necessary for a planning application, or the Design and Access Statement attached to a planning application, to state that Building Regulations requirements under Building Acts will be met. Nor need they show detail that would fall to be approved under Building Regulations requirements, or submit information about service access arrangements that might satisfy an Equality Act 2010 requirement on service providers to remove physical barriers confronting disabled people (see paragraph 4.51).

4.46 Access and inclusive design should also apply to heritage assets in the borough, in accordance with the Key Principles in the Archeaology and Heritage Assets chapter. The council also advises applicants to refer to external up- to-date guidance on this matter from Historic England and London Plan guidance.

Key Principle - DA2

Accessible and adaptable dwellings M4(2)

To ensure that residential accommodation offers standards of accessibility that can be relied upon, and to ensure that homes are adaptable without the need for post-construction alterations, the Council requires in Local Plan Policy H06 that 90 % all new homes are designed to the standards set out in Approved Document M to the Building Regulations M4(2).

4.47 Wheelchair adaptable dwellings (M4(2)) are designed and built for potential occupation by a wheelchair user (possibly after minor, non-structural, alterations).

4.48 M4(2) will be met where a new dwelling makes reasonable provision for most people to access the dwelling and incorporates features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users. Reasonable provision is made if the dwelling complies with all of the following:

1. Within the curtilage of the dwelling, or of the building containing the dwelling, it is possible to approach and gain step-free access to the dwelling and to any associated parking space and communal facilities intended for the occupants to use.
2. There is step-free access to the WC and other accommodation within the entrance storey and to any associated private outdoor space directly connected to the entrance storey.
3. A wide range of people, including older and disabled people and some wheelchair users, are able to use the accommodation and its sanitary facilities.
4. Features are provided to enable common adaptations to be carried out in future to increase the accessibility and functionality of the dwelling.
5. Wall-mounted switches, socket outlets and other controls are reasonably accessible to people who have reduced reach.

Key Principle - DA3

Wheelchair user dwellings M4(3)

To ensure that residential accommodation offers standards of accessibility that can be relied upon, the Council requires 10% of all new housing to be designed to meet the standards prescribed in Approved Document M to the Building Regulations for an M4(3) home.

4.49 A wheelchair user home (M4 (3)) is constructed and fitted to a standard suitable for 'day one' occupation by a wheelchair user without the need for alterations.

4.50 M4(3) will be met where a new dwelling makes reasonable provision, either at completion or at a point following completion, for a wheelchair user to live in the dwelling and use any associated private outdoor space, parking and communal facilities that may be provided for the use of the occupants. Reasonable provision is made if the dwelling complies with all of the following:

1. Within the curtilage of the dwelling or of the building containing the dwelling, a wheelchair user can approach and gain step-free access to every private entrance to the dwelling and to every associated private outdoor space, parking space and communal facility for occupant's use.
2. Access to the WC and other accommodation within the entrance storey is step-free and the dwelling is designed to have the potential for step-free access to all other parts.
3. There is sufficient internal space to make accommodation within the dwelling suitable for a wheelchair user.
4. The dwelling is wheelchair adaptable such that key parts of the accommodation, including sanitary facilities and kitchens, could be easily altered to meet the needs of a wheelchair user or, where required by a local planning authority, the dwelling is wheelchair accessible.
5. Wall-mounted switches, controls and socket outlets are accessible to people who have reduced reach.

Key Principle - DA4

Public realm and open spaces

Where new public and open spaces/areas are created or enhanced planning applications should indicate how the interests of disabled people are to be protected:

- How access to public space and walking routes will be enhanced.
- Where pavement or open air dining is proposed, loose or movable furniture and tables should be confined to areas around which there is a rail, planter or other form of visual guarding whose lower part is rigid enough to be detectable with a long cane up to height of between 150mm and 300mm above ground.
- Bollards in a public space should be a minimum of 1000mm high, and be in a contrasting colour or texture to paving or have a high visibility collar.
- Where public seating is provided in public space, it should have:
 - A seating surface 450 - 470mm high, heel space underneath and central or end of seat arms to help people to rise, and
 - at one end, a hard surfaced draw back space for a wheelchair user or a buggy to stand on.

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4.51 Local organisations of disabled people and their caregivers can assist designers. An example of two community groups in Hammersmith and Fulham who have come together to do this, are the Parents Active group of parents with young disabled children, and the Borough Mencap organisation. Their local guidance entitled “We want to play too” (2012) is written to help ensure that the needs of children with impairments who often need to spend longer in play or may need more choices in public play settings than do their peers, are fully catered for.

4.52 “We want to play too” guidance comments on the need for carer seating and fencing to allow social play in free-play parts of a playground, what to consider when choosing from playground equipment products when each have a strong visual appeal, and the positive message sent by signs that welcome all users.

4.53 In the design of public realm and open spaces, the council supports the integration of Sport England Active Design Principles for the benefit of all user groups. The objectives are to improve accessibility, enhancing amenity and increasing awareness, as well as the Ten Principles of Active Design. The Guidance can be found on the following link: <https://www.sportengland.org/facilities-planning/active-design>

Key Principle - DA5

Changes of level in public spaces

Where level changes cannot be levelled off or sloped away across larger sites, the public space affected should be made accessible by handrailed steps and short ramps starting and finishing at the same point, or by signposted alternative route options. Signposted alternative route options should include steps and lifts where long ramps and steeper slopes would be too tiring or steps too high even with rest landings for all people to use without discomfort.

The BS 8300:2009 Code Of Practice recommends the provision of lifts in urban contexts where changes of level exceed 2m.

Gradients in excess of 1:12 will be resisted unless alternative and acceptable step-free routes are provided.

4.54 Changes of level pose problems for people with mobility impairment, and for care givers who may be parents, partners or children of disabled public space users. If insufficient attention is given to making designs for routes and level change options work for everyone, disabled users, and older people who are frail, are likely to be those most affected. When designing ramps and stairs, Part K1 of the Building Regs. should be used.

Key Principle - DA6

Entry into a building

Entrances to a building and to residential block entrances which are above or below street level or positioned to be level should be level or the slope should not exceed a gradient of 1 in 20 from the street, and any doorway threshold chamfer should be less than 50mm. Where this cannot be achieved there should be:

- adjustment of the internal floor level, or
 - a ramped access cut into the floor slab to meet building regulations requirements, or
 - a short ramp access, or
 - a handrailed stair with a ramp or with an open air platform lift at least 1000mm wide x 1250mm and a 900mm wide gate, all of which should be to building regulations guidance
- Where there is a stair up to the entrance of a building, and there is the space, there should always be standard warning texture on the landing above the topmost stair to warn a blind person of the descending stair ahead, or, failing this, handrailing that leads around the landing.
 - At least one of the main doorways into a service use building should have a level threshold and a door (or one door in a pair when in use on its own) that when fully open, has a clear opening width of 800mm, is lightly sprung or power-assisted, and is readily identifiable as an accessible entrance from the street.

4.55 Planning guidance aims to ensure that all the entrances to buildings are practically accessible from the public realm, usually the street.

4.56 The guidance will normally apply to non-residential and mixed use sites, new shopfronts and to new and altered public or visitor entrances.

4.57 However in LBHF there are also some residential sites entered above or below street level. For example there are some that are on back land sites below street level; other sites may be over railway tracks. In these cases, the guidance above should apply outside the entrances to residential sites and buildings, on any sites where there are not to be unstepped street entrances with level access to internal lifts that meet London Plan Supplementary Planning Guidance for circulation in residential buildings.

4.58 In neighbourhoods where flooding is a concern, the March 2012 National Planning Framework Technical Guidance on flood risk states that where the lowest floor level of a new development or a conversion to create a new dwelling is raised above predicted flood level, consideration must be given to providing access for those with restricted mobility.

4.59 For existing non-residential development, the guidance reflects the reality that many business and service premises in LB Hammersmith and Fulham have been built with floor slabs slightly above street level. This is the case even with modern blocks constructed before Building Regulation level access requirements first came into force.

4.60 This guidance aims to help businesses and other service providers of all sizes to consider how to remove access barriers from existing premises as required by the Equality Act 2010. For further information about Equality Act 2010 and Building Regulations access requirements see Appendix 1 below

4 Design and Conservation

Key Principle - DA7

Access to facilities inside a building

Facilities that are essential to disabled people enjoying full access to a building in its planned use should normally be designed to be all-purpose. Plans submitted for new development or change of use should indicate generally how facilities and circulation will be available to each main area of general public or business visitor use, or to the main area, such as an entrance level, where fully accessible services are to be provided. Guidance on ensuring that sufficient space has been allowed for lifts, toilets, and interview rooms is given below:

- Lifts to main general public use areas should have an 1100mm wide door and lift cars that are 2000mm x 1400mm inside in accordance with BS 8300:2009. Otherwise lifts in or at the entrances to public use areas should meet building regulation Part M Approved Document requirements. They should have space at each end clear of gates and door swings for wheelchair users to approach, and 1500mm turning squares outside the doors.
- In larger buildings, plans should identify which enclosed car passengers lifts (other than fire-fighting lifts) are to have a secondary or backup power supply and are equipped to function as Evacuation Lifts for disabled people.
- Accessible unisex toilets in main general public use areas should be 2.0m x 2.2m in size, and meet the recommendations for internal fittings and layout set out in Fig 51b of BS 8300:2009. Such toilets can be regarded as meeting all user needs, as an alternative to building regulations compliant separate sex toilets with 800mm and 1200mm wide cubicles and at least one unisex wheelchair user facility.
- In a main general public or business visitor use area, the minimum size of an accessible interview room, quiet room, or one-to one support teaching room, should be 2.1m x 2.3m, as recommended in BS 8300:2009 [Fig. 30].
- New buildings or major building extensions on smaller school campuses can be designed to provide small group tutorial rooms and all-user or assisted user toilet facilities, as an element in school accessibility plan enhancements that provide ramp entrances and enhance acoustics in other existing school buildings on the campus.

4.61 The guidance above does not take the place of Building Regulations Part M that require new construction to provide accessibility to disabled people and the features in new buildings and extensions that will prevent anyone being excluded from using them. Building Regulations Part M consists of 2 Volumes: Volume 1 Dwellings and Volume 2 Buildings other than dwellings. Standards relating to accessibility and inclusive design within this document refer to standards as outlined in Part M Volume 1.

4.62 There are many old buildings in LBHF. Existing buildings can be made more sustainable for future use by being updated with the accessibility features, and facilities that are recommended in BS 8300:2009 and the other best practice codes that the London Plan considers should be applied when planning applications are submitted.

4.63 An accessible and inclusive local environment enables disabled and older people in particular, with family or neighbourhood support, to remain mobile and to live fully independent everyday lives.

4.64 The most efficient arrangements for inclusive access are usually those where rooms, acoustics, facilities and entrances are designed for all people to use: options that separate people with different needs can be far more costly to manage and maintain.

Key Principle - DA8

Additional facilities in larger buildings

Larger buildings may require the following additional facilities:

In major conference and education centres, and in large leisure, shopping centres, health and education buildings, there should be:

- A 3m x 4m changing room facility in the building with shower, changing table and other BS 8300:2009 recommended fittings, that is identified for exclusive use by disabled people needing care by one or two assistants. The equivalent facility in a large primary or secondary school setting is a 12m² hygiene room fitted out for either staff assistance or independent use.
- Rooms, halls and atria in the main general public or business visitor use areas of a building where people gather to learn, train, meet, dine, socialise or be entertained, should have an acoustic suitable for the use of microphone systems. Microphones in turn can amplify speech through soundfield or auditorium loudspeakers, and through the induction loop or other hearing enhancement transmitters that BS 8300:2009 recommends are in place for hearing impaired building users to tune their hearing aids into.
- Sign systems that guide people around buildings or complexes. BS 8300:2009 gives advice on how pictogram information on signs should have text to explain them, and where notches should be cut into signs so that blind users can feel where Braille text is positioned.

4.65 The guidance above does not take the place of Building Regulations that require new construction to provide accessibility to disabled people, and key features in new buildings and extensions that will prevent anyone being excluded from using them.

4.66 Larger buildings when first built or converted to new use can provide important new facilities for people to use, if comprehensively re-designed for inclusion.

4.67 In LBHF itself, larger public buildings make an essential contribution to the social infrastructure of the Borough. These range from older church buildings converted or extended for learning and public use, to new complexes that bring new business and entertainment or leisure opportunity into town centres, or that create hubs of new activity in neighbourhoods.

4 Design and Conservation

Key Principle - DA9

Hotels and student accommodation

In all building types, (including hotels, nursing and residential homes, university and college halls of residence, and relatives accommodation in hospitals), a proportion of sleeping accommodation should be designed for use by disabled people.

In accordance with London Plan policy 4.5, an Accessibility Management Plan that demonstrates the highest standards of accessibility and inclusion should accompany development applications proposing visitor accommodation.

Accessible accommodation should:

- be located close to lifts on upper floors and close to reception on the ground floor;
- be located along accessible routes;
- be situated so that they have equal access to views enjoyed from standard bedrooms;
- feature an en-suite bathroom;
- cater for a wide range of disabilities;
- provide some rooms with a connecting door to an adjoining room for use by someone assisting;
- allow manoeuvring space for a mobile hoist (where ceiling hoists are not installed);
- ensure walls are capable of supporting the required fittings, e.g. grab rails and drop down support rails.

In line with BS 8300: 2009, the total number of accessible rooms as a percentage should be:

- 5% without a fixed tracked-hoist system;
- 5% with a fixed tracked-hoist system (or similar system giving the same degree of convenience and safety);
- 5% capable of being adapted in the future to accessibility.

Overnight accommodation should ensure a mixture of bathtub and continental style level access shower (Wet Room) en-suite rooms.

The requirements for accessible accommodation applies to new build, conversions and refurbishments.

4.68 Inclusive travel is a growing market opportunity yet many hotel operators fail to integrate accessible room into their business model. The council consider that disabled and older people should enjoy the same level of access and service provided to all other customers. The aim of this supplementary planning document and the London Plan Policy is to encourage all hotel operators to provide an inclusive hotel experience. This requires the whole hotel premises and experience to be welcoming and accessible, achieved through the integration of an appropriate physical environment, room fit-out and equipment and management practices, thereby implementing the London Plan aim of an accessible and inclusive visitor experience for all visitors.

4.69 It is important that proposals achieve the suitable standards of inclusive design. Applicants proposals for student accommodation will be required to demonstrate how the principles of inclusive design, including the specific requirements that some disabled people have, have been integrated, including access to all student facilities, accessibility to all accommodation rooms (encouraging social opportunities).

Key Principle - DA10

Automatic Teller Machines (ATMs)

ATMs should be located where outside ground or internal floor levels allow access to controls at the all-user recommended height.

4.70 The all user recommended height is for angled keypads, screens and slots altering elevations where this requires planning permission should be more than 900mm, but no more than 1200mm above the ground/floor where the user stands.

4.71 Where the screen or keypad is at or near horizontal, and the user has to look down to operate the ATM, no part of the screen or keypad viewed from above should be higher than 900mm. The host business should position the ATM, as advised in national guidance, on level ground, and where it can be read without excessive solar glare.

4.72 ATM's are a form of access to a service, often from a public street or pavement. They are not covered by building regulations when there is no structural opening or alteration to a regulated means of access formed in a building to install the facility, but good practice guidance⁽⁴⁾ has been prepared to cover product design issues that in turn facilitates access to controls, software and services for disabled people.

Key Principle - DA11

Design of ramps and steps

Ramps and steps in public gardens, parks and other public places should be fitted with handrails and rest landings to suit designs and to integrate with adjoining features such as companion stairs, balustrades, parapets, or landscaping to guard open edges, and barriers installed for crowd safety reasons.

4.73 In open public spaces the principles for inclusive access design are how stairs can be designed to be safe for users with limited sight, and useable by people who need to grip a handrail going up or down, and the way that ramps are designed for wheelchair users both when propelling themselves or being helped by people who are themselves of limited strength.

4.74 Accepted best practice for ramps and companion stairs is as follows:

- ramps should be at least 1.5m wide, and have level rest landings without tactile warning surfacing at least 1.5m by 1.5m across where ramp legs join.
- On long ramps and on ramps that are busy enough for people to have to need to pass each other in both directions, ramps should be 1.8m wide.
- Where ramp legs are longer e.g. than about 3m, or where there is not a more direct companion stairway across the route for walking people to use, there should be handrails each side of ramps and around top and intermediate landings.
- Stairways should have handrails each side with extenders that run on beyond the top and lowest steps;
- Stair nosings and kerbs should visibly contrast with tread and riser surfaces in brightness and hue or stand out in other ways under natural and artificial light.

4 Design and Conservation

Key Principle - DA12

Consulting with disabled people on shared space plans

Public space when shared with cyclists and vehicles, should be designed to ensure the safety and comfort of all users of the space, including older and disabled people.

Where shared space is planned, developers should carry out consultation with communities of disabled people, in particular communities of people with little useful and with limited sight

4.75 The Department of Transport has issued research-based recommendations in Local Transport Note 1/11 “Shared Space” October 2011, for shared space design that there should be “comfort space” safe zones provided in any space shared with traffic or parked vehicles.

4.76 Disabled people can use a safe zone to make their way around a public space that is shared with vehicles, if it has a detectable kerb upstand or corduroy surface edge paving that blind people can readily identify. This can operate in conjunction with the de-cluttering, lighting and streetscape enhancement objectives for streets that are sought in the London Plan 2011.

4.77 There is a nationally standardised raised white line with tactile paving markings at each end and at intervals along it, that can be laid along tarmac surfaces to stream cyclists away from pedestrians, where routes are shared with cyclists. This should be provided wherever the flow of pedestrians or speed of approach of cyclists justifies “a safe zone” approach, and where signage has been shown to be ineffective in preventing aggressive or inconsiderate cycling.

Key Principle - DA13

Major regeneration projects

Where there are major regeneration projects involving public spaces and large facilities with public access disabled people should be enabled to engage in the design processes.

4.78 A way that has been used successfully to engage disabled people in such design processes, and where public space extends into and around large new shopping and sports complexes such as in the 2012 Olympics legacy developments, is for the developers, or the lead developer to set up a Consultative Access Group. The Consultative Access Group or CAG is drawn from national and local organisations of disabled people, to consider and review outline and more detailed plans prior to the construction of large new public spaces.

4.79 The developer is responsible for the reasonable costs of establishing the CAG, convening regular meetings, making accessible accommodation and media available at meetings, and covering administration costs. Public and private bodies who manage new public space can find it helpful for a CAG who has been involved in the planning process, to be engaged in any monitoring of new public space in use, e.g. as at Exhibition Road in Kensington, where a CAG will help to review the design assumptions.

Key Principle - DA14

Fire Safety

In the interests of fire safety, and to ensure the safety of all building uses, the council expects development proposals to achieve the highest standards of fire safety. How a building will function in terms of fire, emergency evacuation, and the safety of all users should be considered at the outset to ensure the most successful outcomes are achieved.

4.80 Fire safety is covered by Part B of the Building Regulations, but applications should consider issues of fire safety before the building control application stage

4 Design and Conservation

Shopfront Design across the borough

4.81 Shop fronts 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 shop fronts, therefore, needs careful attention.

4.82 The Council has encouraged a significant improvement in the standard of shop front design and the aim of this document is to maintain this trend of raising the quality, and promoting better designs.

4.83 There has been a revival of interest in shop front design which stems largely from the damage that inappropriate designs and the erosion of key architectural features have caused to our shopping streets.

4.84 Many of Hammersmith and Fulham's Victorian terraces of shops were originally unified in appearance by having their shop fronts installed within a well proportioned framework of pilasters and fascias which were finished in a uniform manner and provided the architectural base for the building. The individual shop fronts were inserted within this strong framework.

Insensitive Designs

4.85 The character and individuality of many of our shopping terraces has been eroded by insensitive shopfront design. Important architectural components and interesting architectural details which make buildings attractive have been discarded over a period of many years to make way for off-the-shelf replacements. It is now widely recognised that shopfronts and signs which disregard the architecture above and around them are the most damaging to an areas character and appearance.

4.86 Nevertheless, the Council still receives some applications for either new shop fronts or illuminated signs which involve designs that are unrelated to the buildings which house them and their location. The inherent qualities of a building, such as architectural character, scale and proportion are largely ignored, resulting in proposed alterations which are unsympathetic and inappropriate to the building and local street scene.

4.87 The shopfront with large areas of uninterrupted glazing in a standard square section aluminium frame and bulky internally illuminated box signs together with the crude imposition of a corporate identity, are usually the most visually discordant elements in shopping areas. The integrity of the building and character of the street is eroded by such insensitive proposals.

4.88 Fascia signs, canopies and roller shutters are often regarded as a later addition distinct from the shop front and building façade. This is inappropriate in most cases, creating a projection which ignores both the design and structure of the building. Excessive fascia depth can also destroy the unity of both the façade and shopping street. Standard projecting box signs can be equally as intrusive where they are unrelated to the architectural character and design of the building or context of other neighbouring signs. The cumulative effect of these when viewed along the street can be one of visual chaos.

4.89 These guidelines are aimed at encouraging an approach to shop front design which acknowledges the relationship between the proposed shop front and the building into which it is set. The age and architectural character of the building will determine the approach to the design of the shop front.

4.90 The opportunity will be taken with each application to apply this guidance in conjunction with Development Plan policies to inspire good design adapted to individual circumstances. Thus each approved application could add to the general upgrading in the quality of shop fronts whilst enhancing the attractiveness and character of the street. The proposed designs for new shop fronts should recognise this aim and seek to be appropriate to their location.

4.91 The cumulative effect of better shopfront designs will be the enhancement of the visual appearance of the Boroughs 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 and encourage investment and spending, bringing rewards which will ultimately benefit traders.

Planning Permission

4.92 Planning permission is required for new or replacement shop fronts or any other alterations materially affecting the external appearance of the building. Routine maintenance, such as replacing a door or window with one of the same design and materials, or repainting the existing shop front does not normally require planning permission.

4.93 When submitting planning applications for new shop fronts, applicants should submit elevation drawings, sections and floor plans showing the proposed shop front in its context. Its relevant context may vary from solely the upper floors of the building to a setting which incorporates existing shop fronts adjoining the application site. Drawings should be annotated to make reference to proposed materials and colour.

Building regulations

4.94 Even if planning permission is not required, approval for changes to a shopfront may be required under the Building Regulations. These make sure that buildings are constructed or adapted in the right way, and with suitable materials. In particular, Fire Regulations have to be checked both from the structural aspect and also to ensure fast and easy escape from a building. Building regulations are completely separate from planning control: 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 the – Building Control for further guidance and advice.

4 Design and Conservation

Policy Context - Shopfront Design

National Policy

The NPPF encourages good design. It warns that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. It states that high quality and inclusive design should be the aim of all those involved in the development process. A key objective of these policies is to ensure that developments respond to their local context and create or reinforce local distinctiveness.

London Plan

The London Plan promotes good design. It acknowledges that the quality and function of neighbourhoods and places, and local character, contribute to making London a special place and improve the quality of life.

Local Plan

Local Plan policy DC1 states that all development should “*create a high quality environment that respects and enhances its townscape context and heritage assets*”, whilst Local Plan policy DC5 Shopfronts states, amongst other things, that:

“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”

In addition, policy DC9 Advertisements states that, amongst other things:

“The council will require a high standard of design of advertisements which are in keeping with the character of their location and do not impact on public safety and will resist excessive or obtrusive advertising and inappropriate illuminated signs. The design of advertisements should be appropriate to their context and should generally be restrained in quantity and form. The council will use its powers to remove unsightly and inappropriate signs”.

Key Principles

Key Principle - SD1

Shopfront Design

In order to improve the appearance of our streets, the council will encourage high quality frontages 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. Architectural detail such as decorative pilasters, console brackets and other attractive features should be retained intact and restored where necessary.

Design and Conservation 4

4.95 The scale of the shop front needs to be carefully considered with its proportions, detailing [including vertical and horizontal subdivision] and materials, which have an affinity with the building. It may be appropriate in areas of consistent terraces or shopping parades for the shop front to reflect the scale and height of stallrisers and fascias of its neighbours thereby harmonising with the overriding character of the street scene.

4.96 All buildings, old and new, will provide a framework into which a shop front can be inserted. Many of Hammersmith and Fulham's 19th century buildings provide a framework of classical elements – pilasters, fascia and cornice which have a proportional relationship with the building. These elements are an integral part of the building façade and should be regarded as such in any design. The area for change is clearly defined within this framework. It is visually disruptive both for the building and street when the new shop front spills out beyond this framework obliterating architectural decoration and features.

4.97 It is important that redevelopment proposals which include retail areas similarly provide a framework into which a shop front of a suitable scale can be inserted. In some schemes it would be appropriate for the detailed design of the shop front to be considered at the same time as the architectural detail on the upper floors in order to ensure that the elevation in its entirety is consistent in terms of design and quality. An area of appropriate scale to accommodate a fascia sign for incoming shop tenants should be clearly defined.

4.98 Provision should be made for satisfactory integration of building services in the overall design where these cannot be located in less sensitive locations. The design of the shop front should not be compromised by unsightly rows of louvres which interfere unacceptably with the proportions of the ground floor. Installations such as louvres and access to refuse stores should be designed to be in keeping with and subservient to the shop front appearance and proportions. In some instances, such installations should be screened by decorative panels that relate to the features and materials of the shop front or building.

4.99 Existing shop windows should not be blanked out by internal or external installations or applications to the glazing in order to retain active frontages. Where a shop front is part of a parade of shops of matching or similar design or within one building, the frontage including any signage should be designed to retain the unified appearance of the parade.

4.100 Fully openable shopfronts will be resisted. They visually erode the base of the building and destroy the established proportions of the façade, and the relationship between the ground floor and the rest of the building. Where the building forms part of a shopping parade, the continuity, cohesion and rhythm of the shopping frontage will be interrupted to the detriment and harm of the local townscape.

4.101 The emphasis is on quality and the flexibility of the design to adapt to individual circumstances. Good shop front design requires skill and sensitivity. Many of the most successful shop fronts in Hammersmith and Fulham have evolved through negotiation. Early consultation with the Council's Planning Division is encouraged.

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Key Principle - SD2

Shopfront access

The Council will expect new or altered shop fronts to accommodate the needs of disabled people.

In particular the following should be taken into account:

- Doorways should therefore be at least 800mm wide, should have doors that are easy to open and should provide a level entrance or a non-slip ramp within the unit
- Entrance doors should be clearly distinguished from their surroundings.
- Vision strips should be introduced on large unbroken areas of glazing.

4.102 The design of shop fronts should secure easy access for everyone by taking account of differing needs, such as the needs of people with partial sight and people who have an ambulant disability and use a walking aid such as a stick or wheelchair ⁽⁵⁾. Large areas of glazing can be confusing and potentially dangerous for partially sighted people and children.

Key Principle - SD3

Shopfront canopies & blinds

Shopfront blinds should be appropriate to the period and character of the building and sensitively integrated into the overall design. Blind boxes should not project forward of the fascia panel, nor obscure any architectural detail or features. Drawn sections will be required with the application.

Canopies and blinds should:

- Be located between the pilasters, respecting the architectural sub-division of the building or terrace. They should not span more than one unit.
- Only be sited at ground floor fascia level. Blinds will not be permitted over doors alone or upper storey or basement windows
- Not interfere with the visibility of traffic signals or signs

4.103 Blinds can add colour and interest to the street scene. They should be appropriate to the period and character of the building and sensitively integrated into the overall design.

4.104 The need to achieve sufficient headroom on the public footway beneath the blind means that the mounting position of the blind needs to be considered in the overall context of the architectural features of the building and the shop front and fascia design. The erection of a blind will not always be feasible given these considerations. The purpose of canopies and blinds should be to afford weather protection, not act as a permanent and prominent substitute for a fascia or projecting sign. They should be retractable so that they may be pulled down only when required and so that the fascia is not permanently obscured.

4.105 Traditional canvas roller blinds were a common addition to 19th century shop fronts. These blinds were housed in boxes which were traditionally located internally behind the fascia or retracted to form a moulded panel within the cornice above the fascia. This model should be used for any proposed blinds on the 19th century buildings.

4.106 Rigid bolt-on blinds made of acrylic or similar shiny materials can often mar an otherwise pleasant shop front design. They are often erected as a means of increasing advertising space. Their structure tends to obscure the fascia and introduces a dominant shape which would be out of character with much of Hammersmith and Fulham's townscape.

Key Principle - SD4

Shopfront burglar alarms & fire alarms

Burglar alarms & fire alarms should:

- not be mounted on the front elevation of the building, and key architectural features such as corbel brackets on the pilasters should be avoided.
- be positioned on the soffit or on the door returns of recessed entrances
- on new shop fronts be incorporated into the design of the frontage, where it should be possible to modify one part of the design to successfully accommodate the unit.

4.107 Burglar alarms and fire alarms are necessary for many premises, their insensitive siting can be visually detrimental to a building. They should not be mounted on the front elevation of the building and on key architectural features.

Key Principle - SD5

Shopfront roller shutters

Roller shutters covering the whole of the frontage of an individual ground floor façade will be discouraged. Efforts should be made to minimise any impact.

Applicants should:

- Plan for and accommodate roller shutters internally, where possible
- Incorporate security glass in shop windows as an alternative to shutters.
- Only provide security grilles, where absolutely necessary and these should be open mesh and located internally.
- Mount all box housings containing roller shutters or grilles internally behind the fascia.
- Consider removable external window security grilles of an open mesh form in certain circumstances.

4.108 Roller shutters covering the whole of the frontage of an individual ground floor façade will be discouraged as they inevitably detract from the architectural integrity of the building. Where they form part of a continuous run of security shutters along a shopping parade, they have a particularly deadening effect on the street scene.

4 Design and Conservation

4.109 Shop traders are entitled to protect their goods and premises and many feel this is best achieved by installing security shutters. However solid roller shutters give the impression that an area is particularly unsafe and tend to provide a canvas for graffiti artists or flyposting to the detriment of the local visual amenity.

Key Principle - SD6

Shopfront advertisements

In the interests of amenity the design of advertising should respect and enhance its locality and use materials of high quality. Particular care will be necessary within conservation areas. All signs should be designed as an integral part of the shop front and not as free-standing items.

The following should be considered for all shop front advertisements:

- Fascia panels should be in proportion with the shop front and building and should be designed as an integral part of the shop
- Where corbels / console brackets remain at the top of the pilasters, the fascia panel should normally be no deeper than the height of these architectural features and positioned below the cornice line, and line through with the capital mouldings on the pilasters.
- New fascia panels should not project forward from the face of the surrounding framework, and should not extend uninterrupted across a number of distinct buildings or architectural bays.
- The temptation to conceal a bulkhead of a suspended ceiling by increasing the depth of the fascia sign should be avoided. A visually more pleasing solution is to set the false ceiling back from the glazing line.
- The size of the lettering should be related to the area of the fascia.

Projecting or hanging signs

The following should be considered for all projecting or hanging signs:

- They should be at fascia level and fixed centrally on a pilaster avoiding damage to architectural detail and ornamentation.
- The size of the sign should be no greater than 900 x 600mm
- The leading edge of the sign should be set back from the kerb by at least 500mm, and the sign should allow for a clearance height of at least 2.6m from the underside of the sign to the pavement [similar dimensional clearances should be used for canopies and awnings].
- No more than one sign per business per elevation will normally be acceptable
- On multi-occupied premises, advertisements should be restricted so as to avoid the appearance of clutter and should be displayed so as to achieve harmony in the appearance of the elevation and in the context of the street scene.

Design and Conservation 4

4.110 All signs should be designed as an integral part of the shop front and not as free-standing items. "A" boards on the pavement outside the shopfront cause clutter and can be particularly hazardous for pedestrians, especially partially sighted and blind persons.

4.111 Projecting or hanging signs can add interest to the appearance of the shopfront and street. In some cases, the scope for fixing a projecting sign may be limited or non-existent due to minimum clearance distances for safety reasons, and the architectural detailing of the shopfront or building concerned.

4.112 Visually, the fascia is the most prominent part of the shopfront and in some cases the whole building. It is therefore important that any proposed fascia is appropriate. Traditionally the fascia displayed the name of the shop, the nature of the business and the street number. This is still important today. The fascia area to receive this information is usually determined by the framework of the buildings ground floor. In some instances, where there is no natural fascia zone to install signage, such as in some modern designs, internal signage displayed behind or within the glazing of the shop front would be acceptable.

4.113 Where premises are multi-occupied advertisements should be restricted so as to avoid the appearance of clutter and should be displayed so as to achieve harmony in the appearance of the elevation and in the context of the street scene.

4.114 Individually applied lettering or hand-painted signs will be encouraged as they give the shop a unique character respecting the individual approach necessary for each shopfront project. Gilding on a dark background can be visually prominent and particularly effective at night where it remains clearly visible.

4.115 Where illumination is considered to be appropriate it should be achieved by using unobtrusive light fittings without, or with limited physical impact [e.g. LED strips, LEDs behind lettering or on the edges of individual letters. Individual back-lit or halo-lit letters can give a subtle but effective form of illumination and will avoid clutter of multiple light fittings across the fascia. Lighting from an external source e.g. swan neck lamps or light troughs will be appropriate for traditional shopfronts or public houses. In order that they are a discrete addition to the elevation, they should be restricted in size and number.

Signs

4.116 Alterations to signs and signboards may require consent under the Advertisement Regulations. Detailed drawings which show the design of the proposed signs, the proposed position and materials, in relation to the shopfront and surrounding architectural detail should be submitted with any application. Applicants are advised to consult the Regulations and contact the councils Planning Division for further advice on the type of signs considered to be appropriate for a particular location.

Conservation Areas

4.117 Many areas of special architectural or historic interest within Hammersmith and Fulham are designated as conservation areas in order to protect their character and appearance. Shop fronts of interest and character make a significant contribution to the street scene within conservation areas, and so their retention will, where appropriate, be sought.

4.118 Sometimes, original features survive hidden under later installations. These should be revealed and retained as they are likely to contribute to the special architectural and historic interest of the area.

4.119 The design of a new shop front should preserve or enhance the character or appearance of the conservation area by the sensitive use of appropriate design styles and materials.

4 Design and Conservation

Listed Buildings

4.120 Any alteration to a shop front which is part of a listed building will require Listed Building Consent if the proposed works affect the special character of the building. Even relatively small-scale changes to the exterior such as those to shop window frames and decorative detail would require listed consent, and may require planning permission. In addition, repainting and alterations to the interior of the shop where they affect the special character of the building require consent.

Local Register of Buildings of Merit

4.121 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. These buildings are included in a Local Register contained within a Supplementary Planning Document. Although alterations to Buildings of Merit on the Local Register do not require Listed Building Consent, planning permission is required for new or replacement shop fronts or any other alterations materially affecting the external appearance of the building. Development will not be permitted if it would result in harmful alteration to Buildings of Merit identified on the Local Register. Any alterations should only be carried out in a way that respects the scale, character and materials of the building.

Additional Guidance

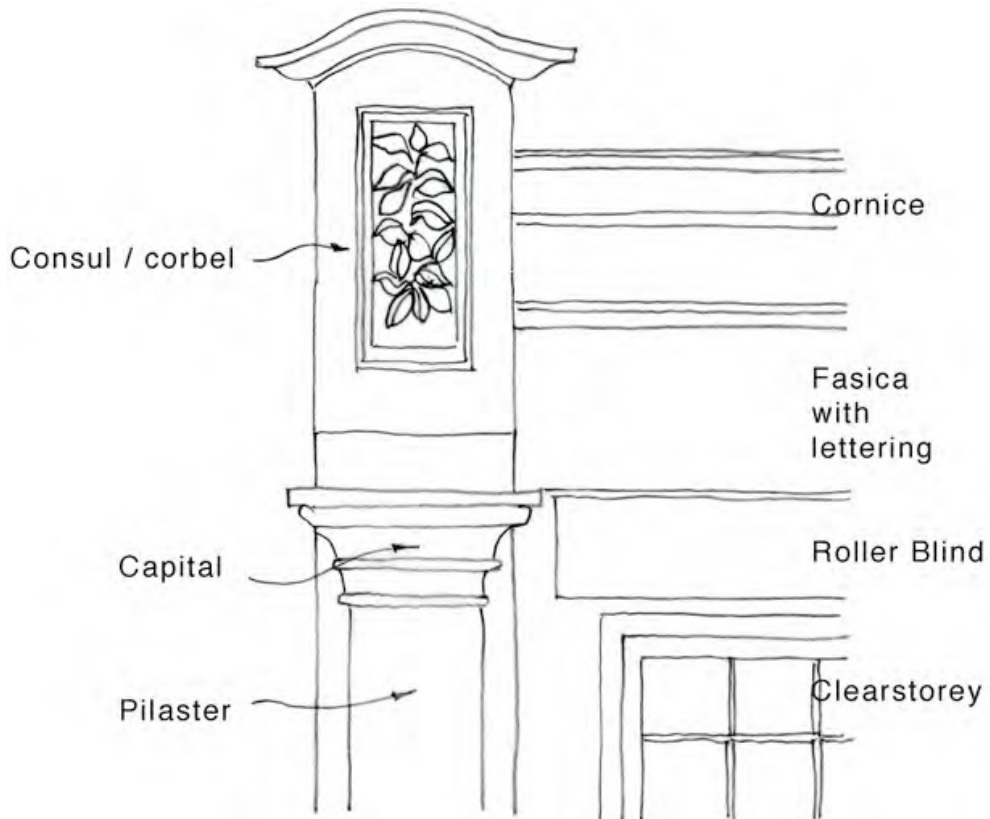
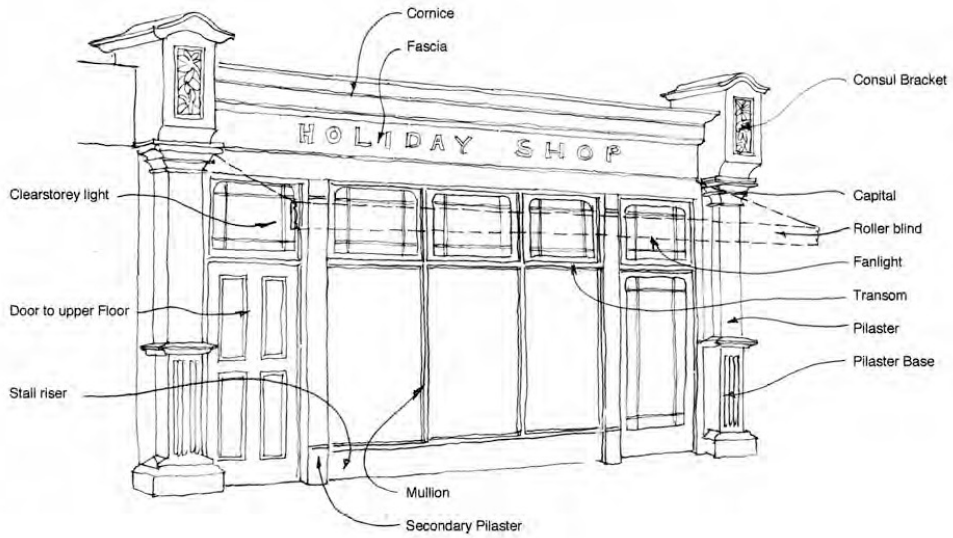
4.122 The council has issued guidance on shopfront design as part of the guidelines for frontage improvements to nos. 54 – 108 Uxbridge Road, a key terrace of buildings on the Local Register of Buildings of Merit forming an important frontage in Shepherds Bush Town Centre and Shepherds Bush conservation area.

4.123 The shopfront design guidance in the Uxbridge Road document has been informed by, and is complementary to, the generic guidance in this publication.

4.124 The Department has also contributed to a shopfront design study for Latymer Court in Hammersmith Road, in conjunction with the Latymer Court Freehold Company. The aim of this project is to encourage the general improvement to the ground floor frontages of the building with a consistent design based on the proportions and form of the original shopfronts.

4.125 You are encouraged to discuss your proposals at an early stage with planning officers. More detailed advice on the appearance of shopfronts and signs for particular locations within Hammersmith and Fulham can be obtained by contacting the Planning Division.

Example shopfronts



4 Design and Conservation

Archaeology and Heritage Assets

4.126 The Borough's rich and varied townscape character that is evident today is largely a result of its historical development. Archaeological remains including prehistoric, Roman, Saxon, Medieval and post Medieval have been discovered in the Borough in areas which today form the focus for development and new information on the borough's archaeological heritage is regularly being provided through excavations linked to redevelopment schemes.

4.127 The current townscape and landscape structure of the Borough can be clearly traced through the successive layers of development over the past two hundred years. Most of the Borough's earliest buildings are now statutorily listed along with historic parks and gardens, and most of the early patterns of development are recognised in conservation area designation. For example, the small crossroads and village greens that first shaped the Borough are now the focus of conservation areas at Parsons Green, Walham Green, Brook Green, Starch Green and Shepherds Bush Green. There are also a number of buildings and artefacts of local importance and interest.

4.128 Historic England has identified one ancient monument and 15 archaeological priority areas (APAs) in the borough. These are identified on the Local Plan Policies Map and are provided with a brief description below. In some cases further details may be found in the identified conservation area character profiles.

Policy Context - Archaeology and Heritage Assets

National policy

The National Planning Policy Framework (NPPF) published in March 2012 has as one of its 12 policies to:

“conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”.

Section 12 of the NPPF is entitled ‘Conserving and enhancing the historic environment’ and condenses the former PPS5. However, it maintains the spirit of the PPS in upholding the general policy that heritage assets should be “sustained” and “enhanced” for the benefits they bring to the community.

English Heritage is the Government's lead advisory body for the historic environment and has a statutory role in the planning system. The Greater London Archaeology Advisory Service (GLAAS) is part of English Heritage London Region and seeks to promote understanding and enjoyment of the archaeological heritage through its protection, management and interpretation.

London Plan

London Plan **policy 7.8** is concerned with heritage assets and archaeology. This states in sub policy F that:

“Boroughs should, in LDF policies, seek to maintain and enhance the contribution ofburied heritage to London’s environmental quality, cultural identity and economy as part of managing London’s ability to accommodate change and regeneration”.

Local Plan

The council’s Local Plan **policy DC1** on the Built Environment states that:

“all development in the borough.... should create a high quality urban environment that respects and enhances its townscape context and heritage assets” and adds that development throughout the borough should “protect and enhance the character, appearance and setting of the borough’s conservation areas and its historic environment, includingarchaeological priority areas and the Fulham Palace Moated Sites scheduled ancient monument”.

Local Plan **policy DC8** on Heritage and Conservation states that, amongst other things:

” The presumption will be in favour of the conservation and restoration 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 ”.

Key principles

4.129 The archaeological key principles establish more detailed guidance on the application of policies within the Local Plan. In applying these policies the council will use Historic Environment Planning Practice Guide which has been published to assist local authorities, owners, applicants and other interested parties in applying archaeological principles.

4 Design and Conservation

Key Principle - AH1

Information requirements for applications for consent affecting heritage assets

The council will require an applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance.

4.130 The level of detail should be proportionate to the importance of the heritage asset (see Glossary) and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the relevant historic environment record should have been consulted and the heritage assets themselves should have been assessed using appropriate expertise where necessary given the application's impact. Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, the council will require developers to submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation. 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 societies and the public of any archaeological results and finds.

4.131 This information together with an assessment of the impact of the proposal should be set out in the application (within the design and access statement when this is required) as part of the explanation of the design concept. It should detail the sources that have been considered and the expertise that has been consulted.

4.132 The council will not validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.

4.133 See also Greater London Archaeology Advisory Service (GLAAS) Charter as a source of archaeological best practice, pre-app advice and best practice principles.

Key Principle - AH2

Protection of Heritage Assets

There will be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation will be. The council will seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset) taking account of:

- (i) evidence provided with the application
- (ii) any designation records
- (iii) the historic environment record and similar sources of information
- (iv) the heritage assets themselves
- (v) the outcome of the usual consultations with interested parties; and
- (vi) where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice (from in-house experts, experts available through agreement with other authorities, or consultants, and complemented as appropriate by advice from heritage amenity societies).

Where the loss of the whole or a material part of a heritage asset's significance is justified, the council will require the developer to record and advance understanding of the significance of the heritage asset before it is lost, using planning conditions or obligations as appropriate.

4.134 In considering the impact of a proposal on any heritage asset, the council will take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding will be used by the council to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.

4.135 If the evidence suggests that the heritage asset may have a special significance to a particular community that may not be fully understood from the usual process of consultation and assessment, then the council will take reasonable steps to seek the views of that community.

4.136 The council will take into account:

- the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping; and
- the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality.

4.137 The council will take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design will include scale, height, massing, alignment, materials and use.

4 Design and Conservation

4.138 Where there is evidence of deliberate neglect of or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset will not be a factor taken into account in any decision.

4.139 Where loss of significance is justified on the merits of new development, the council will not permit the new development without taking all reasonable steps to ensure the new development will proceed after the loss has occurred by imposing appropriate planning conditions or securing obligations by agreement.

4.140 Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset will require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden will be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, including scheduled monuments, grade I and II* listed buildings and grade I and II* registered parks and gardens, will be wholly exceptional.

4.141 Where the application will lead to substantial harm to or total loss of significance the council will refuse consent unless it can be demonstrated that:

- (i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or
- (ii) (a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and
 - (c) conservation through grant-funding or some form of charitable or public ownership is not possible; and
 - (d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use.

4.142 To be confident that no appropriate and viable use of the heritage asset can be found, the council will require the applicant to provide evidence that other potential owners or users of the site have been sought through appropriate marketing and that reasonable endeavours have been made to seek grant funding for the heritage asset's conservation and to find charitable or public authorities willing to take on the heritage asset.

4.143 Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases the council will:

- (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and
- (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.

4.144 Not all elements of a Conservation Area will necessarily contribute to its significance. The above policy will apply to those elements that do contribute to the significance. When considering proposals, the council will take into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole. Where an element does not positively contribute to its significance, the council will take into account the desirability of enhancing or better revealing the significance of the Conservation Area, including, where appropriate, through development of that element. This should be seen as part of the process of place-shaping.

4.145 The process of investigating the significance of the historic environment, as part of plan-making or development management, should add to the evidence base for future planning and further the understanding of our past. The council will make this information publicly available, including through the relevant historic environment record.

4.146 A documentary record of the past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the past will not be a factor in deciding whether a proposal that would result in a heritage asset's destruction should be given consent. The extent of the requirement to record the past should be proportionate to the nature and level of the asset's significance. Developers should publish this evidence and deposit copies of the reports with the relevant historic environment record. The council will require any archive generated to be deposited with a local museum or other public depository willing to receive it. The council will impose planning conditions or obligations to ensure such work is carried out in a timely manner and that the completion of the exercise is properly secured.

Scheduled Ancient Monuments

Fulham Palace

4.147 Historic England has classified the Fulham Palace Moated Site as a Scheduled Ancient Monument. This is the most important archaeological site in the borough and lies in the Bishops Park Conservation Area. Excavations at Fulham Palace have uncovered Neolithic pottery, flint implements and features dating to circa 3,000-4,000 BC. Some of the flints may date to the even earlier Mesolithic period.

4.148 There is also evidence of Iron Age occupation, but the most extensive settlement evidence to date is of the Roman-British period, 3rd-4th centuries and possibly 5th century AD. Ditches, pits, gravel surfaces, coins, pottery, animal bones and items of women's jewellery; as well as building materials, stone brick and tiles, infer a substantial settlement. Its exact nature though is not yet known. The settlement appears to be centred on a road or trackway, probably in use since pre-Roman times, connecting with a ford across the Thames, linking Fulham with Putney. There is evidence of similar occupation there.

4.149 The gardens to Fulham Palace were first documented in the 16th century when Bishop Grindal established a botanic garden between 1559-70. Bishop Compton (Bishop between 1675-1713) was a horticulturalist and collector of rare plants and his collection included species from North America. It is thought that a formal garden layout recorded by Rocque in 1746 was the work of George London who advised Bishop Compton during the 1670s. These gardens were replaced by a less formal layout for Richard Jarvis in the 1760s. Further alterations took place between 1813-28 and 1828-56 and were undertaken by Bishops Howley and Blomfield. In 1973, Fulham Palace ceased to be the official residence for the Bishops of London and the gardens were opened as a public park.

Archaeological Priority Areas

4.150 An Archaeological Priority Area (APA) is a defined area of particular archaeological significance or vulnerability. APAs inform the practical use of national and local planning policies for the recognition and conservation of archaeological interest. APAs are set out on the Policies Map by the Council on the advice of Historic England. Historic England is currently reviewing APAs boundaries and descriptions and new designations are expected in the near future, this work will be informed by the results of recent archaeological investigations which have advanced understanding of the significance of archaeological remains in the Borough.

4 Design and Conservation

Fulham Village APA

4.151 This was the main settlement of the parish from Saxon times onwards and now lies in the Bishops Park Conservation Area. According to documentary evidence, the principal Medieval settlement at Fulham was concentrated on the eastern side of Fulham High Street in the Fulham Park Gardens Conservation Area. However, this settlement included the parish church (All Saints for the whole of the Borough) and the Bishop's Manor House at Fulham Palace, which are situated within the Bishops Park Conservation Area. The Bishops of London held the Manor from 704, when the Bishop of the East Saxons bought the estate from the Bishop of Hereford. The Medieval palace was demolished in 1506. By 1086, the time of the Domesday Book, Fulham appears to have been fairly prosperous with ample ploughland, meadows, woodland and a small weir, or fish trap. Areas of land were allocated to Normans and some burgesses of London, the latter of whom were possibly the predecessors of the affluent Londoners who held large estates in Fulham during the Medieval period.

4.152 There is no evidence from the Domesday Survey that in the 11th century Fulham village possessed a church. However, the first known rector was appointed in 1242 when a church must have existed. This Medieval church at All Saints was demolished in 1880 except for its 15th century tower. Bear Street was the original name for Fulham High Street, and it was used up to the end of the 18th century. Prior to the construction of the old Fulham bridge across the river Thames in the early 18th century, Bear Street extended from the river front, where the ferry docked, for a short distance north-easterly and then almost due north to the high ground by Colehill. Here the way divided, with one way extending north-west to Hammersmith (the existing Fulham Palace Road), and the other way extending eastwards to Walham Green.

Ravenscourt Leper Hospital APA

4.153 This area (now to the south of Ravenscourt Park station) had long had a reputation as a healthy place to live and provided the location for the most distant of the leper hospitals set up in and around London at the end of the mediaeval period. Known to have been in use from c. 1500 to the mid-17th century. The APA is situated within the Ravenscourt and Starch Green Conservation Area.

Ravenscourt Manor House (Palingswick) APA

4.154 The APA is situated within the Ravenscourt and Starch Green Conservation Area south of Ravenscourt Park. The house was first recorded in the 12th century and became one of the most significant houses after Fulham Palace. By 13th century there was a large moated mansion situated in the ecclesiastical manor of the Bishop of London. In 14th century it was much enlarged and probably had an outer court occupied by Alice Perrers, the companion of Edward III's declining years. It was rebuilt as a brick mansion in the 16th century and again in 18th century. The Georgian brick building was too badly damaged by incendiary bombs in 1941 to be refurbished and was demolished.

Hammersmith Creek, Queen Caroline Street and Broadway APA

4.155 The APA lies within the King Street East, Mall and Hammersmith Broadway Conservation Areas. includes the possible original Saxon settlement of Hammersmith around the mouth of the now culveted Creek. It includes the Medieval and post-medieval settlement of Hammersmith along riverfront, and Roman coins and pottery have been uncovered from foreshore of Queen Caroline Street and Broadway. A 17th century convent and 17th century Portuguese embassy were on Hammersmith Road. The town brewery was established in 1780 by Thomas Cromwell and existed near the mouth of the Creek.

4.156 The village of Hammersmith was described in the mid 1720's by Defoe as "formerly a long scattering place, full of gardeners grounds with here and there a house of some bulk." In the first quarter of the 19th century Hammersmith Village was extending outwards from the Broadway and its principal thoroughfare King Street was lined with terraces.

Winslow Road Area APA

4.157 This APA, consisting mainly of the Hammersmith Embankment development site, has revealed prehistoric and Saxon settlements, a 17th century mansion, subsequently Brandenburg House, and an 18th century theatre. On the southern edge of the grounds of Brandenburg House an early Saxon settlement of the 5th/6th centuries AD was discovered during trial archaeological excavations in the 1980's. This is one of the most important early Saxon settlements in the London area discovered to date. Finds include the sunken floors of several huts, pottery, and the skeleton of a horse.

Parson's Green APA

4.158 Situated in the parsons Green Conservation area this APA is centered on Roman, medieval and post-medieval settlement around the green and Peterborough House to the south. The area was formerly part of the Manor of Fulham. Records state that Peterborough House once stood on the south-east of the green, having been built on the site of a famous mansion, formerly as Brightwells. Near to Peterborough House stood an ancient mansion which was formerly owned by Sir Edward Saunders, Lord Chief Justice of the King's Bench in 1682, and later became the residence of the famous novelist, Samuel Richardson.

Walham Grove APA

4.159 Medieval and post-medieval settlement and market place of the parish.

Sandford Manor House APA

4.160 The APA on the south side of King's Road extends from the borough boundary east of Stamford Bridge west as far as Cambria Street, and south to include Glyn Close. It relates to Sandford Manor House, a Grade II* listed building which was a sub-manor house from medieval times. The post-medieval manor house had saltpetre works, stoneware and tin-glaze pottery works, and cask and dye works within its curtilage

William De Morgan Pottery Works (Townmead Road Estate) APA

4.161 Late-19th and early-20th century, of interest to collectors and historians of the Arts and Crafts Movement. In 1888 the business was moved, for the last time, to Sands End (Fulham), where De Morgan began a ten-year partnership with the architect Halsey Ricardo. It was here that De Morgan created much of his finest work.

4 Design and Conservation

Hurlingham Park APA

4.162 Neolithic finds and 17th century plague pit. From before 1066 the land within this conservation area belonged to the Bishops of London and formed nursery gardens and meadows along the riverside. Hurlingham House, to the south of the APA, which was built from 1760 as a villa fronting the River Thames, now forms the main part of the Hurlingham Club House.

Broomhouse APA

4.163 Medieval and possible Saxon settlement.

Martin Brothers Pottery Works APA

4.164 Site of 19th century works of interest to collectors and historians. The Pottery was started in Fulham in 1873. The pottery is considered to represent the transition from decorative Victorian ceramics to twentieth century studio pottery in England.

Lygon Almshouses and corner of Finlay Street/Fulham Palace Road APA

4.165 This area was occupied in Neolithic times. Site of the village windmill from at least the beginning of the 15th century.

Rowberry Close APA

4.166 The riverside area has been occupied since pre-historic times. Archaeological work in the 1970's, during the redevelopment of Rosebank and adjoining wharves, produced Neolithic flint implements and pottery (circa 3,000 BC), late Iron Age pottery and an isolated Roman coin of the 4th century AD.

4.167 There is a high and dry sandbank here in a marshy stretch along the edge of the Thames and there may well have been a ford across the Thames in earlier times. The trackway connecting it is today represented by Crabtree Lane and Lillie Road.

4.168 Until the 19th century there was evidence of man-made earthworks along the riverside, possibly dating back to pre-Roman times.

4.169 Next to the Crabtree public house was a pottery operating in the 18th century and referred to in contemporary documents as the pot-house. Some green-glazed waste pottery fragments, possibly from this site, were found on the Crabtree Wharf opposite, during its redevelopment as Adam Walk in the 1970's.

King Street APA

4.170 Iron Age prehistoric earthwork, a short section of which was excavated at 120-124 King Street. May have protected a single farmstead, but may have been a more substantial settlement - a "proto-town", or possibly have been a long linear territorial boundary.

Archaeology elsewhere in the borough

4.171 The archaeological heritage of the borough does not stop at the boundaries of the ancient monument and the APAs, and heritage assets have been found elsewhere in the borough. The Greater London Archaeological Advisory Service (GLAAS) are of the view that it would be beneficial to have an APA designation along the whole riverside/foreshore area of the borough, given the highly significant potential of the River Thames to yield archaeological finds and sites both generally and in this section of the River more specifically.

4.172 The council has designated its existing APAs through the Local Plan process and identified these on the Policies Map. The council considers this to be the appropriate process for such designations, and whilst it is open to the possibility of a riverside/foreshore APA it is not intending to designate a new APA through this SPD. Instead it acknowledges the possibility of designating an additional APA at a future review of the Local Plan and recognises the Thames to be an important area of archaeological potential.

4 Design and Conservation

5 Noise and Nuisance

5.1 The planning system is a proactive means of managing the borough's air quality and any potential increase in ambient background noise and other pollution. While development is encouraged, the council will aim to protect existing and prospective amenity within the borough, in accordance with national, metropolitan and local government policies.

5.2 In many areas of the borough, the main existing external environmental noise sources are road and rail traffic and to a lesser extent aircraft noise mostly over southern parts. Industrial pollution within the borough is minimal, however, wherever transport or industrial developments are in close proximity to residential amenity, noise and other polluting emissions will need to be contained and minimised.

5.3 Industrial types of noise can also be associated with building services plant and equipment, such as air-conditioning systems, commercial kitchen extracts etc. This type of noise can be a problem particularly in the borough's busy town centres where residents live in close proximity to shops, restaurants, pubs and entertainment premises. Consideration must also be given to this type of noise where such installations are proposed in new regeneration and opportunity areas of mixed residential and commercial uses.

5.4 Pubs, clubs, restaurants, cafés, gyms and places of entertainment add to create a vibrant community particularly in the borough's town centres. However, such commercial uses have the additional potential for noise disturbance from customers on and around the premises, not least because associated activities occur in the evening and often extend late into the night.

5.5 Leisure facilities such as gyms have clear health benefits, allowing individuals to remain active and fit in a busy urban environment. However, their operation is often associated with high levels of music along with the use of exercise equipment that can generate structure borne noise and vibration. New facilities are often proposed for buildings that adjoin residential dwellings and which, without careful planning and upgrading of sound insulation, can cause severe disturbance to neighbours.

5.6 Any increase of vehicle use such as private hire vehicles and deliveries associated with commercial sites can adversely affect residents, both in the town centres and in quieter streets.

5.7 Cooked food outlets can not only give rise to noise disturbance but also often emit unwanted cooking smells unless effective odour control equipment and extract ventilation is installed. An assessment of the impact of noise, smell and other pollution from commercial developments and outdoor uses on nearby residential occupiers will therefore be required at planning application stage.

5.8 The council recognises that there is an ever increasing need for residential accommodation within the borough. However, poor design and layout of rooms often leads to neighbour noise complaints which could be minimised by suitable stacking of rooms. Furthermore, the trend for hard surface flooring necessitates careful consideration of the sound insulation to prevent excessive transmission of noise to adjoining dwellings.

5.9 Wherever premises are being demolished and building work is being carried out, there is the potential for excessive noise and dust affecting existing occupiers in the area. It is important to ensure that new developments are created without causing unnecessary pollution during the development stages.

5.10 In the north of the borough, there are a number of waste and recycling sites, primarily regulated by the Environment Agency. These waste sites now fall within the boundary of the Old Oak and Park Royal Development Corporation (OPDC). Where applications are received for new sites or extensions, the council will work with the OPDC and other bodies such as the Environment Agency to ensure that dust, smell and other pollution will be adequately contained and controlled. We will also ensure that the interested of the existing waste and recycling sites are protected by ensuring that any proposed new

5 Noise and Nuisance

residential developments that might be exposed to noise from the sites are carefully planned, with appropriate noise mitigation installed to maintain appropriate internal noise levels, to protect future residents.

5.11 There are three safeguarded wharves in the borough which are located within the South Fulham Riverside Regeneration Area. They are, Hurlingham Wharf, Comley's Wharf and Swedish Wharf. The development of sites adjacent or opposite to the borough's safeguarded wharves should be designed in a way as to minimise the potential for conflicts of use and disturbances, including noise.

Policy Context - Noise & Nuisance

National Policy

The Government's National Planning Policy Framework states that "planning should contribute to conserving and enhancing the natural environment and reducing pollution" (see NPPF para.17).

The Noise Policy Statement for England by DEFRA advises further on considerations that should be had for working to secure a healthy environment.

The NPPF seeks to achieve sustainable development and states that the planning system should be concerned with "preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability".

The NPPF sets out the following aims for planning policies and decisions:

- avoid noise from giving rise to **significant adverse impacts** on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other **adverse impacts** on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

However, the government's planning practice guidance states that "neither the Noise policy statement for England nor the National Planning Policy Framework (which reflects the Noise policy statement) expects noise to be considered in isolation, separately from the economic, social and other environmental dimensions of proposed development".

The planning practice guidance goes on to set out how local authorities should assess the likely noise impact of a planning proposal:

- whether or not a **significant adverse effect** is occurring or likely to occur;
- whether or not an **adverse effect** is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

Both the planning practice guidance and NSPE provide advice on the use the terms 'significant adverse' and 'adverse', and their related terms which should be used when assessing noise impact:

NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected.

SOAEL – Significant Observed Adverse Effect Level

5 Noise and Nuisance

This is the significant observed adverse effect level: This is the level of noise exposure above which significant adverse effects on health and quality of life occur.

Further advice on what these terms mean in practice can be found on the planning practice guidance website.

Some national noise standards are derived to some extent from publications of the World Health Organisation, the latest being “Guidelines for Community Noise 1999”.

The Environmental Noise (England) Regulations 2006 give effect to EU Directive 2002/49/E, relating to the assessment and management of environmental noise.

London Plan

At the regional level, both the London Plan and the Mayor's Ambient Noise Strategy promote the efficient management of noise in London and the application of good acoustic design principles.

London Plan 2011 Policy 7.15 'Reducing Noise and Enhancing Soundscapes' seeks to minimise the impacts of noise and to separate noise sensitive development from major sources of noise. As well as enhance soundscapes new technologies and improved practices to reduce noise at the source.

The Mayor of London has also published a draft London Environment Strategy for consultation, which is due to be adopted in early 2018.

Local Policy

The Council's Local Plan Policy CC11 (Noise) sets out the requirements for noise, including general considerations for developments within the borough where development may generate or be adversely affected by noise.

Policy CC12 (Light Pollution) seeks to limit the impact of light pollution from artificial light on local amenity and nature conservation.

Policy CC13 (Control of Potentially Polluting Uses) states that in order to ensure the protection and enhancement of our natural and built environment, it is necessary to control various types of pollution that have potentially adverse impacts on the amenity of people who live and work within the borough.

Noise and environmental pollution issues are also relevant to other policies in the Local Plan including Policy T2: Transport Assessments and Travel Plans, Policy T7: Construction & Demolition Logistics, Policy DC11: Basements, Policy HO11: Detailed Residential Standards, Policy DC2: Design of New Build, Policy TLC5: Managing the Impact of Food, Drink & Entertainment Uses, Policy CF3: Enhancement & Retention of Arts, Culture, Entertainment, Leisure, Recreation & Sport.

Key Principles

Key Principle - NN1

Noise and vibration - survey and report

Applications for residential and other noise sensitive developments that are proposed near existing noise sources and for developments that have the potential to increase existing noise or vibration levels either due to location, use, activity or installation must be submitted with a noise and/or vibration survey and report prepared by a competent professional acoustician who is a member of the Institute of Acoustics to support the proposal.

5.12 Noise and/or vibration surveys and reports will be required for all types of noise generating developments. These should consider and assess:

- Internally and externally located building services plant and equipment,
- Residential and other noise sensitive developments proposed in areas that would be exposed to existing noise from sources such as transport, commercial and industrial uses (including the boroughs three safeguarded riverside wharves) and vibration from surface railways, including heavy freight trains and trains of the underground network.
- Significant demolition and construction phases including those of subterranean developments;
- Places of entertainment, including proposed pubs and clubs, sports facilities, religious centres, cultural sites, educational establishments, recreational or leisure centres, retail centres and other commercial uses.

5.13 Noise and vibration monitoring reports will be required for substantial demolition and construction works, especially those close to noise sensitive premises.

5.14 Applicants for subterranean developments should consider noise and vibration levels and protective measures against adverse effects on nearby properties, foundations, roads and services. These requirements will need to be addressed in a Construction Method Statement, to be submitted with the planning application and comply with Code of Practice and/or successive legislation, policy, standard or guidance. For large sites and major developments, applications are strongly advised to apply for a Section 61 'prior consent' (under the Control of Pollution Act 1974) which may be granted with relevant conditions in order to protect surrounding occupiers.

5.15 Should you not submit a noise survey and report with the application where required above, your application may not be validated, or it may be refused or conditions imposed to limit the impact of noise or vibration, as applicable. However, where compliance requires external noise attenuation, such as acoustic enclosures, acoustic screens or plant equipment permission may be refused where these have an unacceptable visual impact on the host building or where the requirements of a condition are not otherwise shown to be achieved (see Appendix 4 for more details and criteria).

5 Noise and Nuisance

Key Principle - NN2

Noise sensitive development - noise and vibration

Wherever possible and practicable, residential and other noise sensitive development including hospitals, sheltered and nursing homes, offices, schools and similar establishments proposed in areas where they would be exposed to existing external noise shall be designed so as to be located away and protected from significant transport, industrial (including the boroughs three safeguarded riverside wharves) and/or commercial and other non-residential noise sources.

Locations for new dwellings or conversions or other noise sensitive developments that are exposed to noise from transport and/or other non-residential sources should be assessed in accordance with relevant guidance and criteria. Planning applications for sites near substantial transport and/or other non-residential noise (including the boroughs three safeguarded riverside wharves) must be accompanied by an acoustic report detailing maximum existing noise levels for night and daytime periods and noise mitigation measures, as applicable.

5.16 Noise sensitive developments include residential dwellings (including conversions), sheltered and nursing homes, offices, schools, hospitals and similar establishments that are proposed in areas where they would be exposed to existing noise. They also consist of developments where new occupiers would be exposed to noise due to inappropriate construction and/or design layout of buildings, rooms and external amenity space.

5.17 Separation of noise sensitive developments from significant existing noise sources can be achieved, for example, by good design layout of the development and location of habitable rooms on quieter facades. In addition, adequate sound insulation will be required. Where mechanical ventilation is required in areas of high noise levels and poor air quality, this should be noise attenuated and the air intake should be from the cleanest aspect of the building.

5.18 Early discussion with the Noise and Nuisance Team is recommended for applications where sites are exposed to high noise levels. Contact the Environmental Health Department on tel. 020 8753 3376 or email environmentalprotection@lbhf.gov.uk

5.19 In some situations, applicants may offer contributions, arrangements or restrictions as part of a legal agreement, to help reduce existing noise from neighbouring sites and achieve an acceptable noise environment for prospective occupiers in the proposed development.

5.20 Significant vibration within the borough is most likely to be generated by surface trains and trains using tunnels of the underground network. Ideally, track form and wheel/rail interface would be in the optimum condition to minimise vibration generation. Road traffic is unlikely to generate any significant vibration where the road surface is in reasonable repair. A vibration assessment should be undertaken and report be submitted to the Council where railways, either surface or underground, are within 75m of a proposed development site.

(See Appendix 4 for further guidance)

Key Principle - NN3

Sound Insulation between dwellings and between commercial and residential premises

In the design of new residential dwellings (including changes of use and conversions) careful consideration should be given to stacking and layout of rooms in relation to adjoining walls/floors/ceilings.

To ensure the amenity of occupiers is not adversely affected by noise, the council expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.

Where a residential dwelling adjoins a commercial premise, substantially enhanced sound insulation will be expected.

5.21 The requirements of the Building Regulations are usually deemed adequate for the sound insulation transmission loss between floors and walls of adjoining dwellings. No planning conditions are normally necessary.

5.22 However, poor or inappropriate installation of sound insulation, inappropriate workmanship during the construction or conversion of the building and inappropriate arrangement/ stacking of rooms can cause serious neighbour noise disturbance from normal household activities and behaviour. These are frequent causes of complaints both in conversions and new builds.

5.23 It is essential that conversions and new dwellings are designed with the appropriate room arrangement in separate adjoining dwellings, ensuring that:-

- large family units are not situated above smaller units,
- similar types of rooms in neighbouring dwellings are stacked above each other or adjoin each other, ie. bedroom – bedroom, living room – living room, etc.
- halls are used as buffer zones between noise sensitive rooms of one dwelling and living areas of adjoining dwellings and communal areas incl. main entrances, staircases, lift shafts, service areas, etc.

5.24 In residential dwellings, even where rooms of a similar use are adjoining one another, noise disturbances can still arise. With this in mind, the council expects all parts of adjoining dwellings to enhance the sound insulation above that in the Building Regulations. Enhanced sound insulation will be required by condition or, in situations where there is particularly inappropriate stacking of rooms, a recommendation to refuse planning permission may be made. Ideally specialist operatives approved by the system supplier/designer should undertake the installation of sound insulation, with adequate site control to ensure good quality work.

5.25 The contemporary fashion for hard surface finishes such as hardwood floors make good impact sound insulation in floor/ceiling structures of apartment blocks essential.

5.26 The requirements of the Building Regulations specify the minimum standard of sound transmission loss required between floors and walls of adjoining dwellings. These requirements are rarely adequate where commercial use adjoins residential use.

5 Noise and Nuisance

5.27 If an application proposes a development where residential and commercial uses will share separating floors, ceilings or walls, an assessment of the sound insulation performance of the floor, ceiling or wall should be submitted together with construction details of any proposed sound insulation system and structure. Substantially enhanced sound insulation, compared to the minimum residential standards of the Building Regulations, will be required.

(See Appendix 4 for further guidance)

Key Principle - NN4

Noise generating development

All noise generating development, including plant, machinery and equipment and where the proposed use or activities have the potential for people to generate noise, will be subject to requirements to minimise noise to relevant criteria, where applicable, in order to protect residential and other noise sensitive amenity.

Vehicle noise

5.28 The impact of an increased use of vehicles associated with new developments, including deliveries, location of loading bays and service yard activities involving the use of forklifts etc. will need to be assessed and details be submitted in a Servicing and Delivery Plan.

5.29 A prediction of any changes in existing traffic volume should be outlined in a Transport Assessment to be submitted alongside an application for development. Local Plan Policy T2 on transport assessments and travel plans, supported by the section on Transport in this SPD provide information on how to assess the likely impact from HGV's and other vehicles.

(See Appendix 4 for further guidance)

Noise associated with: pubs, clubs, bars, restaurants, take-aways, places of entertainment, sports, religious, cultural, educational, leisure, retail etc.

5.30 Developments likely to generate noise should normally be separated from noise sensitive and residential uses. However, a mixture of development, when correctly proposed, can add to the attractiveness of a mixed residential, social, sports and commercial area.

5.31 Commercial developments such as fast food restaurants, music venues and public houses pose particular difficulties, partly because associated activities are often at their peak in the evening and late at night. Consideration must be given not only to noise that is generated within the premises but also the attendant problems of associated vehicle noise and noise that may result from participants in activities or customers.

5.32 Careful consideration should be given to the likely noise impact of people arriving, queuing or otherwise congregating and departing the venue. Entry and exit routes, designated smoking areas and other outdoor uses such as pub gardens etc. should be carefully located away from noise sensitive facades or be effectively screened.

5.33 An assessment will be required of the impact of noise from commercial and other non-residential developments on existing occupiers of noise sensitive premises and prospective occupiers in proposed mixed developments. The assessment should identify all likely noise sources and include a prediction of the potential noise impact on occupiers of adjoining and surrounding properties.

Noise and Nuisance 5

5.34 A site management plan should be submitted with details of effective mitigation measures, such as:-

- Active management of entrances and exits to minimise noise disturbance from people as they arrive, queue, congregate and depart from the premises or use smoking areas. Similar controls should be in place on likely routes in the vicinity that customers may take to public or private transport.
- Suitable arrangements for additional private vehicles, taxis and mini cabs visiting the site, parking and driving away. Where appropriate, arrangements should be made with taxi and private hire vehicle companies to ensure drivers arrive and depart as quietly as possible without sounding horns or leaving engines idling unnecessarily.
- Prevention of noise disturbance caused by staff before, during and after opening hours including staff who arrive early morning or depart late at night after trading.
- No disposing of bottles and cans to outdoor bins or areas in the evening, at night and during the early morning. Similar restriction may also apply to the use and emptying of bottle banks.
- Screening or enclosing noise emitting activities/ areas to protect noise sensitive premises such as outdoor storage areas, pub gardens, etc.
- Considerations for deliveries and refuse collections (See Appendix 4 and 5)

5.35 Organised delivery of food from the premises will not be permitted where the amenity of occupiers in the area is likely to be adversely affected. Alternatively, times of deliveries may be restricted and submitted details should demonstrate that motor vehicles including vans, motor cycles, mopeds, scooters etc. are used sensibly and are parked in a suitable location where starting up and manoeuvring does not cause noise disturbance to residents.

5.36 Pubs, clubs and other non-residential developments in this category should be constructed with adequate sound insulation ensuring that music noise and the general 'hubbub' created by people using the site does not materially impact on the amenity of occupiers of surrounding properties. There should be adequate control of noise breakout through doors and windows by effective glazing and acoustic lobbies. Where appropriate, the volume of amplified and live music should be further controlled by sound limiters and/or similar other electronic devices set at levels agreed by the Environmental Health Officer.

5.37 Hammersmith & Fulham Council is the Licensing Authority under the Licensing Act 2003 and is responsible for granting premises licences, club premises certificates and temporary events notices in respect of the provision of licensable activities and personal licences in the borough. The borough's Licensing Policy shall be observed where the proposed development includes licensable activities.

5.38 Where the licensed use of premises gives rise to noise disturbance, the council will take enforcement action in respect of relevant planning conditions and nuisance. In addition, a review of the premises license which could affect the permission for licensable uses may be instigated by the Police, the Environmental Protection team or affected residents.

5.39 The operation of gyms and associate classes commonly requires the generation of high levels of amplified music and speech. Additionally, exercise equipment (such as running machines and weightlifting equipment) and classes can generate significant impact noise, structure borne noise and vibration. New facilities are often proposed for existing commercial buildings that may have been previously been used for office or retail purposes, and which may share party walls and floors with existing residential or other sensitive uses. Combined with the extended operational hours typical of most gyms, without careful planning and upgrading of sound insulation, there is potential for this type of use to cause severe disturbance to adjoining neighbours. A full noise impact assessment, demonstrating how these issues will be addressed, will be required prior to consideration of any application of this type.

5 Noise and Nuisance

5.40 Where entertainment or loud group activities such as singing, chanting etc. take place or music is played at non-residential sites the council will require that associated noise should not be audible at noise-sensitive premises, including their outdoor amenity space at any time.

5.41 At schools and pre-school centres, consideration must be given to protecting the amenity of neighbouring occupiers from noise in outdoor play areas, teaching areas and access routes. Where possible, such areas and routes should be located away from neighbouring noise sensitive premises or be adequately shielded by noise barriers. Outdoor use of school premises by community groups outside school hours is likely to be restricted to minimum hours to prevent disturbance to nearby occupiers.

5.42 Activities in school premises such as music, singing, performances and other loud group activities should be located in well insulated rooms with windows and doors closed, to ensure that associated noise will not be audible at noise sensitive premises.

5.43 Minicab offices adjoining noise sensitive uses will be required to have adequate sound insulation and to keep doors and windows shut to prevent sounds from the use of communication equipment such as 2-way radios etc. being audible at or within noise sensitive premises.

5.44 Where the amenity of occupiers of neighbouring premises could be adversely affected by noise, the council does not normally permit a minicab office to be used by drivers of vehicles in connection with the development nor by any customer of the business, for the purpose of waiting or making/taking orders and instruction, collecting clients, or for the purpose of taking refreshments or using the facilities.

(See Appendix 4 for further guidance)

Industrial sources of noise and vibration

5.45 Noise sources of an industrial type can include industrial operations as well as the use of building services plant and equipment such as air-conditioning, mechanical ventilation, extract systems, commercial refrigeration and other mechanical installations at residential and non-residential premises. A noise assessment and details of mitigation measures, where applicable, must be submitted for the council's approval.

5.46 To prevent breakout of industrial type noise from the use of industrial and commercial premises, the council will require details of adequate sound insulation of the building envelope and separating walls, floors and ceilings. Details shall demonstrate that the industrial use, installation or activity within the building is not normally audible at surrounding or adjoining noise sensitive premises including their private amenity areas.

5.47 Where installations such as condensers, fan units, extract systems and similar fixed plant or equipment are proposed to be installed at external facades, planning permission must be sought.

5.48 Where machinery, ducting or other equipment such as building services, air conditioning, mechanical ventilation or commercial refrigeration systems are installed, they must be mounted with proprietary resilient anti-vibration isolators to prevent vibration noise being transmitted to noise sensitive premises. Fan motors shall be vibration isolated from the casing and adequately silenced. Details of anti-vibration measures shall be included in a noise report.

(See Appendix 4 for further guidance)

Key Principle - NN5

Noise at outdoor events & uses

Outdoor events and uses including recreational and sporting activities and deliveries etc. will need to be assessed in regard to frequency and times of use and the noise level likely to be emitted from activities, music, public address systems, generators, etc.

5.49 Proposed noise sources should be located and directed away from noise sensitive premises. The council may restrict the use and require noise mitigation measures such as sound limiters for amplified sounds, sound barriers and enclosures, as necessary to prevent undue disturbance to the amenity of nearby occupiers, in accordance with relevant legislation, policy, standards and guidance adopted by the council.

5.50 The borough's Licensing Policy shall also be followed where the proposed development includes licenseable activities.

5.51 Where applications include a proposal for outdoor seating at cafes and licensed premises, this may not be permitted or the times of external use of tables and chairs be restricted, based on potential effects of noise on the amenity of neighbouring occupiers. The council will require details of measures to minimise noise from outdoor areas and prevent the use and occupation of tables and chairs outside permitted hours of use.

5.52 Where the amenity of residents would be adversely affected, the disposal of bottles, cans and refuse to external bins or areas of the development and refuse collection should not be carried out during late evenings, night time, nor early mornings.

5.53 Vehicle engines should not be left running while vehicles used in conjunction with the development are stationary.

5.54 A Servicing and Delivery Plan will be required to demonstrate that disturbance from deliveries and collections associated with the use of the premises will be minimised.

Key Principle - NN6

Construction and demolition works

A Demolition Method Statement and/or Construction Management Statement (carried out by a qualified structural or civil engineer) will be required to be submitted alongside applications for basement development, substantial developments and where the site is close to other premises.

5.55 Both the demolition and construction statements should consider issues such as structural stability of adjacent properties, including party walls and foundations, as well as impact on underground services, such as water mains and sewers.

5.56 Basement development can cause disturbance and nuisance for neighbours and surrounding residents which can include noise, vibration and dust from the construction and excavation of basements. Applications will be required to submit a Construction Management Statement.

5 Noise and Nuisance

5.57 For major application sites and other large developments, the Construction Management Statement can be used as a basis for an Application for Prior Consent on Construction Sites, under section 61 of the Control of Pollution Sites. This is a method for which working methods and noise control measures can be agreed with the Noise and Nuisance Team prior to works starting.

(See Appendix 4 for further guidance).

Key Principle - NN7

Environmental pollution

Applications for developments or uses with the potential to emit pollution from lighting, dust, smell, steam, fumes, gases or smoke or other effluent should be submitted with details of the proposed installation and/or use and effective mitigation measures, in accordance with relevant guidance and criteria.

Dust

- **Processes and storage:** developments with potential emissions of dust such as silos and processes involving wood-dust, flour, fibre, plastics, etc. should include the installation, operation, and maintenance of suitable enclosures and filtration plant, with a cut out device to prevent overflowing and escape of dust.
- **Waste, aggregates, etc:** dust emissions from manufacturing, handling and/or storage of waste, aggregates and similar materials should be prevented and controlled by screening, enclosing and sufficiently wetting dusty operations, stock piles and dusty surfaces as well as by implementing a regular cleaning schedule for the site and surrounding areas.
- **Sand blasting:** Operations such as sand blasting may need to be replaced by alternative methods such as chemical cleaning.
- **Demolition and construction:** A demolition method statement and construction management statement will be required for most developments and should include details of appropriate control measures for demolition and construction phases, such as:-
 - enclosures for dust emitting work;
 - preparation work off-site or away from sensitive locations, where possible;
 - screening of the site and of dust emission sources;
 - covering of stockpiles of building materials and waste;
 - using effective water spray on dusty operations and surfaces;
 - wheel washing of vehicles leaving a building site;
 - lorry loads to be covered or enclosed;
 - suitable alternative and/or additional measures, including the use of the River Thames for the transportation of construction and/ or waste materials where feasible.

(See Appendix 4 for further guidance)

Smell, fumes, gases, steam, etc.

5.58 Sources of smell, fumes and steam may include laundrettes, dry cleaners, restaurants, take-aways and other commercial or school kitchens, paint spraying/ vehicle repair shops, waste storage and disposal sites, etc.

- Commercial kitchens:

Noise and Nuisance 5

5.59 To prevent adverse effects on the local amenity from cooking smells, applications for cooked-food outlets such as food factories, hotel and school kitchens, restaurants, take-aways, etc. should be submitted together with details of an odour control system including extract ducting, in accordance with the DEFRA 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' 2005, or successive legislation, policy, standard or guidance.

(See Appendix 4 for further guidance)

- Paint spraying, powder coating, vehicle repair shops, dry cleaners etc.

5.60 All paint spraying and powder coating operations should be enclosed in a proprietary booth. Details will be required for approval by the Council of the installation, operation, and maintenance of suitable arrestment/filtration plant, containment and/or an effective extract system serving spray booths, work shops, dry cleaner's, launderettes etc.

5.61 Vehicle spraying facilities and other substantial uses of paint may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Council's Environmental Quality team. Contact environmentalquality@lbhf.gov.uk, tel. 020 8753 3454.

- Waste storage/ disposal/ transfer sites are generally licensed by the Environment Agency, in consultation with the Local Authority, Water Authorities and Health & Safety Executive. Where the Local Planning Authority is consulted on an application for a waste site, requirements may be made for operations to be enclosed or to otherwise contain noise, dust and smell emissions. Contact www.environment-agency.gov.uk, tel 08708 506 506 and environmentalprotection@lbhf.gov.uk, tel. 020 8753 3376.

Lighting

- Floodlights, Security Lights and Decorative Lighting:

5.62 Artificial light is essential in our modern society. It has many uses including illumination of streets, roads and hazardous areas for security, to increase the hours of usage for outdoor sports and recreation facilities and to enhance the appearance of buildings at night.

5.63 The increased use of lighting, however, can cause light pollution from light in the wrong place at the wrong time. This can be intrusive or cause sky-glow from upward light or glare due to incorrectly angled lighting and impact on residents quality of life and wildlife.

5.64 Lighting levels and positioning of floodlights, security lights and other lighting installations will be required to conform to the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction of Light Pollution 2011 or successive legislation, policy, standard or guidance.

(See Appendix 4 for further guidance)

- Illuminated signs and advertisements:

5.65 Illumination should not be intermittent and there should be no changing light pattern. The council may also require that there will be no moving parts in either the structure or in the advertising content of the advertisement.

5.66 Details of lighting levels should be submitted before display of illuminated signs and advertisements, demonstrating compliance with the recommendations of the Institution of Lighting Professionals "Guidance Notes For The Reduction Of Light Pollution 2005, 'Technical Report No 5, 1991 - Brightness of Illuminated Advertisements'" or successive guidance, legislation, policy or standard

(See Appendix 4 for further guidance)

5 Noise and Nuisance

6 Air Quality

6.1 Air quality can be a material consideration in the determination of a planning application. It is important that the planning process ensures not only that new development proposals do not have detrimental impacts or introduce unacceptable levels of new exposure, but also that wherever possible, they help to improve local air quality. It is important for air quality issues to be considered early in the planning process and to be assessed in detail where necessary as mitigation measures may be required to reduce emissions and reduce exposure as highlighted by the Air Quality Commission in its 2016 report.

Policy Context - Air Quality

National Policy

National Planning Policy Framework (NPPF) Paragraph 124 states: Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

London Plan

The London Plan Policy 7.14 Improving Air Quality states that developments should: (a) minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people) such as by design solutions, buffer zones or steps to promote greater use of sustainable transport modes through travel plans; (b) promote sustainable design and construction to reduce emissions from the demolition and construction of buildings following best practice guidance; (c) be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality (such as areas designated as Air Quality Management Areas (AQMAs)); (d) ensure that where provision needs to be made to reduce emissions from a development, this is usually made on-site and (e) where the development requires a detailed air quality assessment and biomass boilers are included, the assessment should forecast pollutant concentrations. Permission should only be granted if no adverse air quality impacts from the biomass boiler are identified.

Local Plan

One of the council's key strategic objectives is to deliver an environmentally sustainable borough. Local Plan Strategic Objective 14 refers to improving local air quality, particularly in relation to helping to develop sustainable transport networks and reducing congestion. The Environmental Sustainability Vision for the Borough includes a commitment that 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.

The borough wide policy for Air Quality, which **applies to all proposals for new development which could create potentially adverse impacts on air quality** is contained in **Policy CC10 - Air Quality**. Local air quality is also relevant for **Policy CC1 - Reducing Carbon Dioxide Emissions** and **Policy T1 - Transport**. Therefore advice given in this part of the SPD will also apply to these policies.

6 Air Quality

Key Principle - AQ1

Assessment of Air Quality Impacts of New Development

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. 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.

6.2 A detailed study of air quality impacts from proposed developments will be required for planning applications that:

- Require an Environmental Impact Assessment;
- Require a permit application under the Environmental Permitting Regulations 2010;
- Could have adverse impacts on air quality;
- Could introduce new exposure in areas of poor air quality;
- Could introduce existing sensitive receptors to new emission sources that result in a deterioration of local air quality;
- Include large scale demolition/construction phases.

6.3 The emissions of most concern in H&F are Oxides of Nitrogen (NO_x) and Particulate Matter, particularly the smallest particles (PM_{2.5}, PM₁₀). The whole borough is currently an Air Quality Management Area for Nitrogen Dioxide (NO₂) and PM₁₀ and the council has an Air Quality Action Plan in place which aims to help reduce levels of these pollutants sufficiently to meet the Government's National Air Quality Standards. For further details on air quality issues in H&F, please see www.lbhf.gov.uk/environment/pollution-and-air-quality/air-quality-and-monitoring

6.4 Typical sources of emissions of NO₂ and PM₁₀ in new developments include traffic associated with the development, whether this is private car use for largescale developments or emissions from larger vehicles such as HGVs which may be associated with industrial or commercial developments. New buildings are also a source of emissions from their heating systems (and cooling systems) which are likely to be based on combustion technologies. Industrial type developments could also be a source of emissions from on-site activities or specialist plant - e.g. PM₁₀ emissions from waste transfer stations.

6.5 For some proposals, most likely major developments, the scale of development will mean that detailed air quality impacts should be assessed and provided with the application. For some developments, e.g. smaller developments, it is considered to be acceptable to use a screening model to assess potential impacts and then progress to a more detailed assessment if the screening results show that adverse impacts on local air quality could be caused by the development. Guidance on appropriate models to use to assess air quality impacts can be found in the London Councils' Air Quality and Planning Guidance, 2007, Land-use Planning & Development Control: Planning for Air Quality. v1.2. Institute of Air Quality Management, London, January 2017.

6.6 Some new developments also create an issue in relation to introducing new exposure into areas where the Government's Air Quality Standards are not being met and may continue to be breached. Developments such as schools, nurseries, hospitals and care homes for the elderly and also new housing are more sensitive to the potential impacts of poor air quality. Therefore if such developments

are proposed in areas with elevated pollution levels above the national standards, then the applicant will be required to provide an air quality assessment of that exposure and show how exposure levels will be reduced to acceptable levels.

6.7 Some assessments may need to look at both the associated emissions and exposure potential, whereas others developments that will have only a minimal air quality impact (e.g. a car free development with low emission energy strategy) will only need to assess exposure issues if it is planned for an area of poor air quality. Householder scale proposals will not be required to provide air quality assessments.

6.8 Policy CC10 of the Local Plan also recognises that new developments are not only sources of emissions and potential impacts once they have been built and are occupied and operational, but also during their construction and any demolition phase. Air quality assessments need to provide separate assessment of the demolition/phase on local air quality and propose mitigation measures where required to control and minimise impacts. Further guidance on how to minimise dust and emissions from construction/demolition works can be found in the GLA's SPG on these matters. The 2014 IAQM Guidance on the assessment of dust from demolition and construction is also a useful reference document.

6.9 Air quality assessments for developments in their operational phase should assess impacts in terms of the additional emissions of NO₂ and PM₁₀ that the development is responsible for as well as showing the expected impacts of these emissions on local concentrations of these pollutants. If there are sensitive receptors in the vicinity - or if the proposed development itself included such receptors - then the assessment should model likely impacts on NO₂ and PM₁₀ concentrations at these specific locations. Where the assessment shows that there is a risk of exceedences of the NO₂ or PM₁₀ national standards, then suitable mitigation measures must be proposed to reduce exposure to an acceptable level.

6.10 There are three basic steps to assessing the relative impacts of proposed developments:

- Assess the existing air quality situation in the study area (existing baseline);
- Predict the future air quality without the development in place (future baseline);
- Predict the future air quality with the development in place (with development).

6.11 As well as assessing traffic emission impacts, other sources such as energy centres and plant rooms or industrial processes etc should also be assessed if they form part of a development's proposals.

6.12 Details of the air quality assessment should be compiled in a report which should contain the following information:

- Details of the Proposed Development – a brief description of the development, including identification of expected traffic changes and any other on-site sources of emissions; identification of local receptors such as residential properties close to and within the proposed development.
- Details of Relevant Air Quality Standards/Objectives – a brief summary of the pollutants included in the assessment and the relevant standards and objectives.
- Details of the Assessment Method – a description of the assessment method used, including the model assumptions made and input data used – e.g. traffic data; emission data; meteorological data; baseline pollutant concentrations; choice of baseline year/future year and other relevant input parameters used. Details of model verification should also be supplied.
- Details of the Assessment Results – information on the modelling outputs should be included to enable assessment of the relative impacts of the proposed development. As a minimum requirement, the following should be included:

6 Air Quality

- Impacts of the demolition and construction phase of the development for on-site and off-site receptors;
 - Dust Risk Assessment for demolition and construction phases of the development in accordance with Mayor Of London SPG;
 - Details of the emissions from the development and a comparison of how this compares with the existing development;
 - Impact that changes in emissions will have on ambient air quality concentrations;
 - Any exceedences of the air quality objectives caused by the development, or any worsening of a current breach;
 - Consideration of whether any of the council's Air Quality Action Plan measures could be compromised by the development.
 - A demonstration that the proposal complies with 'air quality neutral' requirements
 - Dispersion modelling outputs of emissions of NO₂ and PM₁₀ from vehicles, and combustion plant;
 - Stack Height analysis including D1 calculations from ground level to inform the height of any energy plant chimneys.
- The validation and verification of the results and analysis of a minimum of 6 months of on-site air quality monitoring at all heights from ground floor to roof level to support design proposal and demonstrate compliance with the council's Local Plan Policies and London Plan policies on air quality.
 - Details of Mitigation Measures – where identified as necessary, information of the mitigation measures planned to cut emissions during construction/demolition phase and the operational phase of developments should be included in the assessment. This needs to be in accordance with chapter 5 (paragraph 5.10, 5.14, 5.15) of the guidance document Land-use Planning & Development Control: Planning for Air Quality. v1.2. Institute of Air Quality Management (2017). Further details on mitigation is provided in the next section.

6.13 The Low Emission Strategies Partnership: www.lowemissionstrategies.org provides advice on how large developments can minimise their air quality impacts, particularly in relation to reducing traffic emissions.

6.14 Development proposals should ensure that where provision needs to be made to reduce emissions, that these are made on-site where possible. If this is not feasible, wider measures with equivalent air quality benefits may be required, either on a scheme by scheme basis or through joint area based approaches.

Key Principle - AQ2

Mitigation of Emissions caused by New Developments

Requiring mitigation measures to be implemented to reduce emissions, particularly of Nitrogen Dioxides and small particles, where assessments show that developments could cause a significant worsening of local air quality or contribute to the exceedences of the Governments air quality objectives.

6.15 Emissions from new development proposals should be reduced through the use of on-site mitigation measures to ensure that local air quality is not impacted significantly. Consideration of how to minimise emissions for the development once operational should start in the early design phase, in conjunction with considering measures that may be required to also reduce exposure. See the GLA's 2013 Manual B – Minimising air pollution from new developments for further information. Details of the proposed mitigation measures should be provided in the Air Quality Assessment.

6.16 Examples of measures that help to reduce emissions from buildings and associated plant and equipment and also traffic include:

- Use the 'Low Energy Building Design' concept that only use non-combustion energy air quality neutral technologies
- Encourage developments which generate a high number of trips into areas of high public transport accessibility
- Minimise the number of parking spaces
- Include vehicle recharging points to encourage and incentivise the use of electric vehicles
- Include electric/hybrid car club bays
- Incentivise the use of ultra low emission vehicles (electric/hybrid) by use of NOx emissions based parking incentives
- Provide secure cycle parking (and changing facilities and cycle lanes where appropriate)
- Provide safe pedestrian routes
- Encourage use of public transport
- Provide and implement a detailed Travel Plan, including provisions to measure its implementation and effectiveness
- Minimise building emissions from on-site energy centres and other combustion plant (see Key Principle AQ5 below for further information)
- Where appropriate, minimise emissions to air from other processes or industrial plant that may be included on-site through use of best practice measures to prevent or minimise emissions.
- Use of Ultra Low Emission Vehicles i.e. electric, hybrid vehicles to deliver materials to the site during the construction/demolition phases
- Integrate Green infrastructure in accordance with the recommendations of the guidance 'Air Pollution Abatement Performances of Green Infrastructure in Open Road and Built-up Street Canyon Environments' – A Review. *Atmospheric Environment*, 2017.

6.17 In terms of reducing emissions from combustion plant, ultra low NOx plant should be specified so that emissions standards such as those outlined in Key Principle AQ5 can be achieved without the need for external NOx abatement technology. Where this is not possible, the option of integrating external NOx abatement technology, such as Selective Catalytic Reduction (SCR) will be required to reduce NOx emissions.

6.18 Measures aimed at minimising transport emissions may form part of the Transport Assessment. Where this is the case, these should either be referenced or reproduced in the Air Quality Assessment. Similarly, if mitigation measures are outlined in the Energy Assessment to show how a new energy centre of communal heating system etc will minimise emissions, this information should also be included in the Air Quality Assessment.

6.19 The Low Emission Strategies Partnership: www.lowemissionstrategies.org provides advice on how large developments can minimise their air quality impacts, particularly in relation to reducing traffic emissions. The Institute of Civil Engineers has also produced a report into civil engineering solutions to London's air pollution (See www.ice.org.uk)

6.20 Development proposals should ensure that where provision needs to be made to reduce emissions, that these are made on-site where possible. If this is not feasible, wider measures with equivalent air quality benefits may be required, either on a scheme by scheme basis or through joint area based approaches. See related Key Principle AQ4 for further guidance on achieving the 'air quality neutral' requirement.

6.21 Emissions during the construction/demolition phase should also be controlled and minimised, with details of the proposed mitigation measures provided in the Air Quality Assessment. Further guidance on requirements in relation to Demolition Method Statements and Construction Management

6 Air Quality

Plans are provided in Appendix 4. The GLA's SPG on the Control of Dust and Emissions during Construction and Demolition provides guidance on the following and should be used to help develop appropriate mitigation schemes:

- Preparing an Air Quality Statement for construction and demolition activities, including Air Quality (Dust) Risk Assessments (AQDRAs)
- The stages of development the Air Quality Statement is to cover: demolition, earthwork, construction and 'trackout' (vehicles leaving the site)
- Identifying the potential scale (large, medium, small) of dust emissions for each stage of work
- Identifying the level of risk due to the scale of dust emissions on health, 'soiling' (dirt) and the natural environment
- Best practice methods for controlling dust on-site and to prevent 'trackout'
- Recommendations for monitoring
- Notification of standards for non-road mobile machinery

6.22 Hammersmith & Fulham is located within the Non-Road Mobile Machinery (NRMM) Low Emission Zone which means that during the construction/demolition phase, that machinery that complies with the emissions requirements outlined here: <http://nrmm.london/> will need to be complied with. It should be noted that for the majority of construction sites in the borough, compliance with the Stage IIIB NRMM emission criteria of Directive 97/68/EC and its subsequent amendments will be expected.

6.23 Emissions from vehicles delivering construction materials and removing waste should be minimised and where feasible, the river should be used to transport construction materials and waste.

Key Principle - AQ3

Mitigation of Exposure caused by New Development

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.

6.24 If a development is planned in a location where the air quality assessment predicts exceedences of the Government's air quality objectives then measures will be required to mitigate these impacts and reduce exposure for the new development to an acceptable level. This is particularly important where a development is introducing a sensitive use such as new housing or uses where vulnerable groups will be present such as hospitals, schools, nurseries or care homes and outdoor amenity areas.

6.25 As for mitigating emissions from new developments, the mitigation of exposure needs to be considered early on in the design process for new developments. Consideration should be given to the characteristics of the site so that if there are particular elements that are more sensitive to pollution, then these can be suitably located, designed and orientated to minimise exposure.

6.26 Open spaces or planting (trees and/or bushes etc) can also be considered for inclusion as a 'buffer zone' between busy roads and new developments. This helps because concentrations of NO₂ and PM₁₀ reduce with increasing distance from the road and plants provide surfaces for PM₁₀ in particular to settle on, removing them from the air. In mixed use developments, it helps if the ground floor is used for office/retail/ commercial uses etc with residential properties located on higher floors away from air pollution at ground level as concentrations of NO₂ and PM₁₀ reduce with height. Where possible, the use of native plants should be prioritised as these are likely to provide increased biodiversity benefits over non-native invasive species.

6.27 Where possible, opening windows should be located on the side of buildings which are not directly adjacent to the main source of pollution. Similar considerations should be given to locating air intakes where ventilation systems are required. Air intakes should also be located as high as possible (e.g. roof height). Mechanical ventilation systems may need to include NOx and PM10, PM2.5 pollution filters if locating of intakes away from the source of pollution is not in itself adequate or practical to provide air that does not breach the Government's air quality standards.

6.28 In areas of exceedance of the Air Quality objectives for NO2 and PM10, the ventilation strategy for new habitable accommodation would need to comply with Standard 33 of the 2016 GLA Housing SPG and Policy 7.14 of the London Plan which states: *"Minimise increased exposure to existing poor air quality and make provision to address local problems of air quality : be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality (such as areas designated as Air Quality Management Areas (AQMAs))".* Paragraph 2.3.49 of the Housing SPG states *"Where schemes cannot have openable windows due to poor air quality or noise restrictions, careful consideration needs to be given to the location of air intake units and any increased potential for overheating in the summer due to the reduced opportunities for natural ventilation"*.

6.29 It is recommended that the following is considered as part of the design mitigation for air quality:

- The bedrooms and the living rooms of the habitable accommodation are orientated away from the main sources of poor air quality e.g main roads adjacent to the development.
- There are no balconies or residential amenity/roof terraces on the elevations of the building located adjacent to main sources of poor air quality to comply with policy CC10
- The fresh air intake for habitable accommodation should be located at the rear at roof level (there should be no fresh air intakes on any elevations on highly trafficked roads). Care will need to be taken to locate the inlets for the ventilation away from any local sources such as boiler flues and kitchen vents.
- Avoid contamination of the fresh air intake supply, design the ventilation system of the residential units to ensure that all the extracts for the ventilation system are located on the front elevations of the buildings.
- Where pollution levels are high (e.g. in street canyon locations) residential units should be located at higher than ground floor level where possible to help reduce exposure to traffic emissions.

6.30 Air Quality Assessments should include an indication of the locations and where possible number of people that could be exposed to poor air quality as a result of the development, provide details of the proposed mitigation measures to be integrated into the development and demonstrate that these will reduce exposure to acceptable levels.

Key Principle - AQ4

Air Quality Neutral Requirements

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.

6.31 The whole of H&F is an Air Quality Management Area and the council has developed and is implementing a detailed Air Quality Action Plan in order to reduce emissions of NO2 and PM10 and associated exposure to high levels of pollution. Developments which are judged to have unacceptable air quality impacts - i.e. those that would be responsible for emissions which cause or exacerbate

6 Air Quality

exceedences of the NO₂ or PM₁₀ air quality objectives that cannot be mitigated and/or they create exposure of sensitive groups to NO₂ or PM₁₀ levels above the national objectives, will not be considered to be acceptable and will be refused.

6.32 Developments are required to use the 'air quality neutral' approach to demonstrate that proposed developments will not create unacceptable impacts and help the borough to achieve and sustain compliance with and contribute towards meeting the Government's national air quality objectives. It also means that the cumulative impact from a large number of developments, which may individually have small impacts on air quality, does not lead to a significant but incremental increase in pollution levels, raising background concentrations of key pollutants such as NO₂ and PM₁₀.

6.33 The GLA has established a series of air quality neutral emissions benchmarks which set out acceptable emissions limits for a range of building types and transport. Air quality assessments submitted with planning applications should include an air quality neutral assessment which shows, with reference to the relevant benchmarks, whether or not the proposed development meets the benchmark requirements as a minimum. The benchmarks and further guidance on carrying out an air quality neutral assessment are provided in the GLA's SPG on Sustainable Design and Construction. Further guidance is also available in the Air Quality Neutral Planning Support Update 2014: www.aqconsultants.co.uk Guidance will be updated periodically to take account of technological advances in building and transport emissions improvements over time.

6.34 Where a proposal exceeds the benchmarks and where on-site mitigation measures are not feasible to reduce emissions adequately to achieve the air quality neutral requirements, then alternative proposals will need to be agreed with the council which may include provision of a financial contribution to help fund implementation of local air quality improvement actions as outlined in the Air Quality Action Plan.

6.35 Developments that comply with the benchmarks will be considered to avoid unacceptable increases in NO₂ and PM₁₀ emissions and be considered to be "air quality neutral".

Key Principle - AQ5

Managing Air Quality Impacts of Decentralised Energy Schemes

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.

6.36 Decentralised energy schemes, often in the form of Combined Heat and Power (CHP) systems can help to reduce energy use and minimise CO₂ emissions where they are feasible for integration into major developments.

6.37 Decentralised energy systems provide heat (and where CHP is included, also electricity) through a combustion process that, in the short-term at least, is likely to use natural gas as the primary fuel source. Their use is supported by the London Plan and its Energy Hierarchy in developing energy strategies for major sites and Local Plan Policy CC1 promotes the use of decentralised energy schemes where they can be used without having an unacceptable impact on air quality. This approach is supported by Policy CC10 which does not allow the inclusion of CHP if its use will have an unacceptable impact on air quality.

6.38 The main pollutant of concern from gas powered energy systems is NO₂. As highlighted above, where new developments propose new sources of emissions such as energy centres or plant rooms that house communal heating systems, an Air Quality Assessment should be carried out to show the expected impacts of the emissions and where necessary provide details on any mitigation measures

that are required to reduce emissions to an acceptable level. Schemes including communal heating schemes will also need to comply with the air quality neutral requirements outlined above in Key Principle AQ4.

6.39 If an energy scheme is proposed that runs on any fuel other than natural gas that could be a potential source of emissions of concern for local air quality (e.g. biomass), then this would also need to comply with this requirement of needing to demonstrate that emissions are acceptable.

6.40 The GLA SPG on Sustainable Design and Construction provides details on acceptable minimum emission standards for a range of combustion systems such as communal heating systems and CHP units which should be complied with, as a minimum. Standards are also provided for biomass boiler systems. Plant proposed within developments is to comply with these standards, in addition to the development meeting the overall 'air quality neutral' benchmarks.

6.41 As a general rule, ultra-low NO_x gas boiler systems should be installed as standard to minimise emissions. If BREEAM is being used to guide the sustainability performance of major non-residential schemes then developers are encouraged to specify plant that achieves NO_x emissions of no greater than 40 mg/kWh (heating plant) and achieve maximum number of credits under category Pol 02 (NO_x Emissions). Achieving these credits should be possible without incurring extra costs for the development.

6.42 If an assessment indicates that unacceptable air quality impacts are still likely to occur even where emission standards are met, then additional measures should be considered in order to reduce emissions further (e.g. increase stack height, use plant that meets more stringent emissions criteria etc). However, where a communal heating proposal still cannot demonstrate compliance with the requirements of this Key Principle, it will not be accepted as part of an energy strategy, even if it does generate large CO₂ reductions for the site. In these circumstances, alternative, low emission energy generation systems will be required such as the 'Low Energy Building Design' concept that only uses non-combustion energy air quality neutral technologies (see <http://www.specific.eu.com/casestudies> for further details).

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7 Energy

7.1 According to the Energy Saving Trust, buildings account for approximately 50% of UK carbon emissions, split fairly equally between residential and non-domestic buildings. In order for the UK and London to meet their carbon dioxide reduction targets, the council, in its role as local planning authority, therefore requires that new developments, particularly major sites, minimise their emissions. The council also needs to ensure that developments keep improving their performance in terms of energy use and emissions.

7.2 Complying with the Local Plan policies identified in this SPD and implementing the following sustainable energy principles will allow new developments to make their contribution to the UK and London's transition to a low carbon economy.

7 Energy

Policy Context - Energy

National Policy

The Government has set national targets for the reduction of carbon dioxide emissions – a 34% reduction by 2020 and 80% by 2050 (based on 1990 levels). The National Planning Policy Framework (NPPF) makes it clear that the planning system has a key role to play in helping to achieve these targets and the UK's transition to a low carbon economy.

The NPPF states that planning plays a key role in securing radical reductions in greenhouse gas emissions. This is to be achieved through the appropriate location and layout of new development, active support for energy efficiency improvements to existing buildings and the delivery of renewable and low-carbon energy infrastructure. To this end, the NPPF supports local planning authorities in adopting proactive strategies to mitigate climate change, including those that help increase the use and supply of renewable and low-carbon energy. Further details on national policies on sustainable energy and carbon reduction can be found in the NPPF document, paragraphs 148-153.

London Plan

The London Plan includes a number of policies on climate change mitigation aimed at facilitating significant reductions in carbon dioxide emissions from new developments. Key policies include:

- Policy 5.1 Climate Change Mitigation, which sets out the Mayor of London's aim to achieve an overall reduction in London's carbon dioxide emissions of 60 per cent (below 1990 levels) by 2025.
- Policy 5.2 Minimising Carbon Dioxide Emissions, which sets targets for major development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy.
- Policy 5.3 Sustainable Design and Construction, which includes a reference to minimising carbon dioxide emissions across development sites, including the building and services (such as heating and cooling systems).
- Policies 5.5 Decentralised Energy Networks and 5.6 Decentralised Energy in Development Proposals, which promote the use of localised decentralised energy systems.
- Policy 5.7 Renewable Energy, which seeks to increase the proportion of energy generated from renewable sources
- Policy 5.9 Overheating and Cooling, which seeks to reduce the impact of the urban heat island effect in London and encourages the design of places and spaces to avoid overheating and excessive heat generation.

Local Plan

The council's Spatial Vision for the borough includes an aspiration that by 2035, H&F will be the greenest borough which includes the need for new buildings to be energy efficient, reduce CO2 emissions and to support the move to a low-carbon economy. Major developments in the borough will be promoted as zero carbon exemplars.

Local Plan **Policy CC1 Reducing Carbon Emissions requires developments to make the fullest possible contribution to the mitigation of climate change** through the implementation of energy conservation measures to meet the London Plan carbon reduction targets, including for major residential developments to be zero carbon.

Policy HO4 Housing Quality and Density also includes reference to the council expecting all housing developments to be well designed and energy efficient. **Policy HO11** Detailed Housing Standards requires sustainable energy measures in new housing developments. **Policy DC3** on Tall Buildings also includes a requirement for tall buildings to be designed to be minimise energy use.

Major Developments

Key Principle - EN1

Implement and Achieve London Plan Policies and Targets

Implementation of the London Plan (2016) sustainable energy policies and meeting the associated carbon dioxide (CO2) reduction targets.

7.3 The London Plan sets out detailed policies on how new major developments should be designed to minimise energy use and maximise reductions in emissions of CO2. Energy Strategies should be developed in accordance with the Energy Hierarchy outlined in London Plan Policy 5.2:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy

7.4 The first step in the hierarchy, to use less energy should be met through the integration of passive design and energy efficiency measures such as improved insulation levels, increased airtightness performance etc; the second step, to supply energy efficiently, can be met by including decentralised energy systems where this is feasible. The third and final step of the hierarchy is the inclusion of on-site renewable energy generation.

7.5 Policy 5.2 of the London Plan sets out CO2 reduction targets that major developments must meet. This includes a requirement for major residential developments to achieve zero carbon performance. Major non-residential developments are currently required to reduce emissions by a minimum of 35% compared to the 2013 Building Regulations.

Key Principle - EN2

Ensuring the Use of Passive Design and Supplementing BREEAM Assessments with Energy Assessments

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.

7.6 Using less energy is the 1st step of the energy hierarchy. The Building Regulations drive improvements in the energy performance of buildings by setting minimum standards on the heat loss through the main building fabric and set limits on the amount of energy that should be used for heating, hot water and lighting.

7 Energy

7.7 Energy use can be minimised by the inclusion of passive design measures, which should be considered at the earliest design stage for developments to ensure that factors such as site layout, building design and orientation are optimised where possible to help reduce energy demand.

7.8 The use of natural daylight and solar gain - without encouraging overheating - can help to reduce energy use on lighting and space heating. The use of natural ventilation is also encouraged where possible, unless other environmental factors such as high noise levels and poor air quality prevent this.

7.9 BREEAM and other environmental assessment methods are frequently used to guide the sustainability performance of new developments. These include a number of energy related indicators on energy efficiency, low carbon design, energy monitoring etc, and achievement of certain levels of performance under these criteria can help contribute towards attaining certain levels of overall performance for a development - e.g. BREEAM "Excellent". Whilst the use of BREEAM and other assessment methods is encouraged, their requirements do not exactly mirror the London Plan targets, so where submitted they will need to be supplemented with a more detailed Energy Assessment that fully demonstrates compliance with these, including the zero carbon target for major residential developments.

Key Principle - EN3

Requirement for Energy Assessment

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.

7.10 All major development proposals are required to submit an Energy Assessment as part of the planning application supporting documents. The Energy Assessment should show how the London Plan's energy hierarchy has been implemented to achieve the necessary CO2 reduction targets, as outlined above.

7.11 The minimum requirements in terms of information that should be provided in an energy Assessment are provided in the GLA's "Energy Planning" guidance document, available online. Assessments should comply with the following requirements:

- Be submitted at the planning application stage
- Commit to reducing regulated CO2 emissions below those of a Part L 2013 of the Building Regulations compliant development through energy efficiency measures alone
- Include information demonstrating that the risk of overheating has been mitigated through the incorporation of passive design measures
- Demonstrate that connection to existing or planned district heating networks has been prioritised where feasible
- Where feasible, integrate a site wide heat network and commit to allowing connection to future district heating networks in the area
- Commit to a single energy centre to supply site wide heat networks, where proposed
- Include CHP systems where these are feasible and can be designed and installed for use without causing unacceptable impacts on local air quality
- Integrate renewable energy generation where this is feasible for the site
- Show that the London Plan CO2 reduction targets have been met through on-site measures where possible
- State how any shortfall in meeting the CO2 reduction targets on-site will be met.

7.12 If the Energy Assessment demonstrates that the required CO2 emissions reductions cannot be achieved on-site, the council will require any shortfall to either be provided off-site (e.g. by installing sustainable energy measures elsewhere in the borough) or if this is not feasible, then for a cash in lieu payment to be made which the council will use to secure the required carbon dioxide savings elsewhere in the borough.

Key Principle - EN4

Connecting to or Integrating Heating/Cooling Networks or Decentralised, Communal Systems

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 if this can be done without having an unacceptable impact on air quality.

7.13 Heating (and where included, cooling) systems are a major source of energy use and associated CO2 emissions in new developments. In line with the 2nd step of the Energy Hierarchy, once energy demand has been minimised, the next step is to demonstrate how the chosen energy system(s) have been selected in line with the London Plan's preference for decentralised energy use, where this is feasible.

7.14 If a major development is proposed for a location where there is an existing heating or cooling network, then connection to this should be explored and proposed, where this is viable. If there are no existing networks, the next preference is for a site wide Combined Heat and Power (CHP) or Combined Cooling, Heat and Power (CCHP) system to be installed, where the baseline heat demand makes this an efficient and viable option. If a CHP/CCHP system is not feasible for the site, then a communal heating (and cooling, where required) system should be proposed for the site.

7.15 Where a new CHP/CCHP system is deemed to be viable, the developer should also assess the feasibility of whether there is any potential to extend the system beyond the site boundary to adjacent sites. Where future network opportunities are identified, proposals should be designed to connect to these networks.

7.16 Any decisions made with regard to choosing an appropriate heating/cooling system for major developments must take account of Policy CC1's requirement that such systems can only form part of an Energy Strategy if they can be used without having an unacceptable impact on air quality. Air quality impacts of new heating/cooling systems that are based on combustion processes such as those burning natural gas will need to have their emissions assessed, as required by Local Plan Policy CC10. Development proposals should be at least 'air quality neutral', not lead to further deterioration of existing poor air quality (such as areas designated as Air Quality Management Areas (AQMAs)), and create opportunities to improve local air quality. They should minimise exposure to existing poor air quality and make provision to address local problems of air quality - particularly within AQMAs such as H&F. Further details on the 'air quality neutral' concept can be found in the GLA's SPG on Sustainable Design and Construction.

7 Energy

Key Principle - EN5

Integrating Renewable Energy

Using on-site renewable energy generation to further reduce CO2 emissions from major developments, where feasible.

7.17 As required by the 3rd step of the Energy Hierarchy, Energy Assessments should include feasibility assessments for a range of renewable energy technologies to show which ones would be viable for the development. Where feasible, major developments are expected to integrate some form of on-site renewable energy generation, even if by following the first 2 steps of the Hierarchy, the 35% on-site CO2 reduction target has been achieved.

7.18 Where heat is already to be supplied by CHP, it is important that any proposed renewable technologies complement and do not compete with CHP. For example, solar thermal (hot water) is not considered compatible with CHP as they both supply base heat demands, however the use of solar PV panels generating electricity would be considered to be compatible.

Key Principle - EN6

Payment in Lieu Requirement

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.

7.19 The introduction of the zero carbon homes requirement for major residential developments means that there will be an increasing need for developers to either put forward proposals to generate CO2 savings off-site or to make a payment in lieu to the council. Major residential developments are required to achieve at least a 35% reduction in regulated CO2 emissions (beyond the minimum requirements of the 2013 Building Regulations). The remaining regulated CO2 emissions, up to 100%, should be off-set by making a cash in lieu contribution to the council which will be used to fund CO2 savings elsewhere in the borough. Where major non-residential developments cannot reach the 35% target on-site, they will also be required to make off-site arrangements to offset the remaining CO2 emissions or make a payment. The current figure used to calculate the payment in lieu is £60/tonne of CO2 for a period of 30 years - i.e. £1,800 per tonne of CO2 to be offset.

Minor Developments

Key Principle - EN7

Carbon Reduction in Minor Developments

Encouraging energy efficiency and other low carbon measures in all other (i.e. non-major) developments, where feasible.

7.20 The main requirements outlined in this section apply to major developments, however some of the measures outlined above are also viable in smaller scale developments, particularly the integration of energy efficiency measures and in some case the use of renewables. These are encouraged for all other developments where they can be integrated without breaching the requirements of other Local Plan policies - e.g. particularly those relating to design and conservation matters.

All Developments

Key Principle - EN8

Encourage Use of PassivHaus to Guide Development Design

The council will also encourage developers to use energy performance standards such as Passivhaus to guide development of their Energy Strategies.

7.21 The use of stringent energy performance standards such as Passivhaus are encouraged as these promote very high levels of energy efficiency and low energy use and therefore also reduced CO2 emissions. Although construction costs associated with designing and constructing developments to meet the Passivhaus standard maybe higher than standard costs, these can be offset by lower heating costs.

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8 Contamination

Contamination is most likely to arise from the previous use of a site or an adjoining site which has previously been used for industrial activities or has been infilled such as waterways and brickfields.

The actual or possible presence of contaminated land is a material planning consideration and places responsibility on owners/developers to establish the extent of any potentially harmful materials on their site and ensure that it is safe and suitable for its permitted use.

In a heavily built up borough such as Hammersmith & Fulham where there has been a long history of heavy and light industry, contamination is known to exist. It is therefore important 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.

8 Contamination

Policy Context - Land Contamination

National policy

The NPPF (2012) identifies the need to address the issue of potentially contaminated land through the planning process. (Para's 109,110,111, 120,121 & 123 are of relevance). The NPPF states that the planning system should ensure that new and existing developments are not put at unacceptable risk from or are not adversely affected by soil pollution and that remediation will be undertaken where appropriate. It goes on to state that planning policies and decisions must ensure that a site is suitable for its proposed use, taking account of ground conditions and that as a minimum, after remediation land cannot be capable of being determined as "contaminated land" under Part 2A of the Environmental Protection Act (EPA) 1990. This link to the EPA is reflected in the Contaminated Land Statutory Guidance (2012) which identifies the planning system as a key process to address land contamination.

The National Planning Practice Guidance on land affected by contamination also contains some useful guidance for applicants which should be considered. This includes background on the link between the EPA and the NPPF as well as advice for applicants on when to consider land contamination as well as outline applications and planning conditions which relate to land contamination issues.

The developer should be aware that actions or omissions on their part could lead to liability being incurred under Part 2A of the EPA. Where an agreed remediation scheme includes future monitoring and maintenance schemes, arrangements will need to be made to ensure that any subsequent owner is fully aware of this requirement and assumes ongoing responsibilities that come with the land.

The successful assessment (and where necessary, remediation of land) should provide the necessary confidence to owners and occupiers of land, after development, about its condition and hence its standing in relation to relevant environmental protection regimes including Part 2A of the EPA 1990.

Along with local authorities, the Environment Agency (EA) is the Government's enforcing body in addressing contaminated land where controlled waters may be affected. The EA also function as a statutory consultee and has published Guidance for the Safe Development of Housing on Land Affected by Contamination.

London Plan

London Plan Policy 5.21 is concerned with the remediation of land affected by contamination. Further policies address related issues including water quality (Policy 5.14 Water Quality and Wastewater Infrastructure); soil and aggregate waste generated as part of redevelopment or remediation (Policy 5.16 Waste Self-sufficiency, Policy 5.19 Hazardous Waste and Policy 5.20 Aggregates); dust produced during redevelopment and movement of vehicles transporting soil waste (Policy 7.14 Improving Air Quality); and, the reuse of material generated during remediation (Policy 5.3 Sustainable Design and Construction).

Local Plan

The Council's Local Plan Policy CC9 sets out the requirements for contaminated land. The Policy states that any land known to be or suspected of being contaminated or where a sensitive use is proposed, is dealt with before the development takes place. In these circumstances, the applicant should carry out a site assessment and submit a report of the findings to the Council in order to establish the nature and extent of the contamination.

Contaminated land issues are also relevant to a number of other policies in the Local Plan, including Policy CC2 on sustainable construction, Policies CC6 and CC7 on waste, Policy CC8 on hazardous substances, Policy CC3 on minimising flood risk and reducing water use and Policy CC13 on polluting uses. The other sections of the Planning Guidance SPD provide further guidance on these policies.

Further guidance and legislation

8.1 Alongside planning, there are a number of legislative and guidance documents which control the development of potentially contaminated land or the development of land for a sensitive use as well as other relevant pollution matters. This includes:-

- **Part 2A of the Environmental Protection Act (EPA) 1990** - requires local authorities together with the Environment Agency to identify and remediate contaminated land. Part 2A addresses the need for remediation based on the current use of the site, as opposed to planning which focuses on the future or proposed use. Paragraph 121 of the NPPF states that 'after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990'. In most cases, the enforcement of remediation is imposed through planning permissions and relevant conditions rather than through Part 2A. For further information about this regime please refer to the Council's Part 2A Inspection Strategy.
- **Defra Guidance** - The Department for Food, Environment and Rural Affairs (Defra) is the Government's regulatory body for contaminated land and has provided guidance in addressing contaminated land published as Contaminated Land Report 11 (CLR11) Model Procedures for the Management of Land Contamination. An overview of and link to these procedures is given in Defra's Land Contamination: risk management guidance (2016).
- **Environment Agency Guidance**-The Environment Agency is responsible for the protection of controlled waters (both ground and surface waters) and suitable guides can be downloaded from their website (add link)
- **Building Control Regulations** - this regime also includes the consideration of land affected by contamination. Building Control guidance under the Building Act 1984 is contained in Approved Document C (2004 with 2010 amendments is the current version). The relevant Building Control regulations and guidance should be considered at the time of development. The requirements of this regime are to secure the health and safety of persons in and about a building and safeguarding them and the building against adverse effects from both on-site and off-site, man-made or natural sources of contamination.
- **Demolition Notices** - unacceptable risks from contamination are also a consideration with regards to demolition notices given to the council under section 80 of the Building Act 1984. This Notice is required outside of, and in addition to the planning regime. Where notice is received by the council that demolition is to take place at a site where an unacceptable risk from land affected by contamination may exist, the council will serve a counter notice with conditions that these risks are addressed prior to demolition commencing.

Land Contamination in Hammersmith & Fulham

8.2 The existence of pollutant linkages is dependent upon local conditions and may be preliminarily assessed by evaluating the known:

- potential sources determined from the current and historical use of a site and surrounding area;

8 Contamination

- the pathways determined from local geology, surface and groundwater and built attributes of a site and surrounding area; and
- potential receptors determined from the local geology, surface and groundwater and users of the site and surrounding area.

Further detailed borough specific information, including examples of pathways and effects from land contamination as well as examples of potentially contaminated land and situations where land may be contaminated can be found within Appendix 3.

Key Principles - Land Contamination

Key Principle - LC1

Planning process - land contamination

As contamination is a material planning consideration, applications will be determined taking into account the sensitive nature of the development and any known or suspected contamination, including applying and enforcing any necessary conditions.

Developers will also need to consider the level of information required to be submitted for different types of planning applications (outline & reserved matters) and the scope of Environmental Impact Assessments in considering land contamination.

8.3 Such conditions may require that land is investigated and remediated in the course of development to an appropriate standard, taking account of its intended use, and that, if necessary, it is properly maintained thereafter.

Environmental Impact Assessments

8.4 Developers should be aware that any Environmental Impact Assessment and associated Environmental Statement (ES) that may be needed as part of the planning approval process have a more limited purpose and scope to contaminated land assessments and accordingly cannot be used as a substitute for the preparation of a contaminated land assessment.

8.5 An ES that aims to ensure that the likely significant environmental effects of a proposed development and the measures proposed to mitigate those effects are fully understood and are taken into account before development is allowed to proceed. The scope of the ES is limited to the requirements detailed in the relevant Town and Country Planning (Environmental Impact Assessment) Regulations. It may not therefore provide comprehensive information about the existing condition of the land, including whether the site is contaminated. Such information would be provided only to the extent that it is relevant to the environmental effects of the development itself or to the means by which the development is to be carried out. An ES is, therefore, by itself, no guarantee that the potential for contamination at a site to affect the proposed development has been fully assessed.

8.6 For example, a proposal to cover a site with inert material to isolate the surface from underlying contaminants and allow development to proceed would not necessarily have significant environmental effects. However, it would not deal with what may already be significant ongoing pollution of groundwater arising from substances migrating from the contaminated materials into the saturated zone or other water resources. Such pollution could result in the land being identified as contaminated under Part IIA of the EPA 1990, which would be a material planning consideration not covered by the ES.

8.7 Therefore, in order for an ES to be the sole source of information on the consequences of development of a potentially contaminated land site, it will need to consider the effects of the proposed development and the implications of the existing condition of the site. This may be achieved by adhering to Policy LC4 in this document.

Outline Application

8.8 Where Outline Applications are made, the council will need to be satisfied that any risks from land potentially affected by contamination have been properly assessed and, if there is an unacceptable risk, the options appraised sufficiently to identify a viable remediation scheme that will reduce the risks to acceptable level, just as it would with a full application.

8.9 Outline permissions will not be granted until the council is satisfied that it understands the contaminated condition of the site and that the proposed development is appropriate as a means of remediating it. Consideration will be given by the council to the placement of planning conditions on a case by case basis.

8.10 Extreme caution is taken by the council in the granting of outline planning permission. The council must be satisfied that it has sufficient information from the applicant about the condition of the land and its remediation and the full range of environmental impacts arising from the proposals to be able to grant permission in full at a later stage. A grant of outline planning permission that cannot be sustained at the detailed approval stage because it becomes apparent that the necessary remediation is not viable or practicable or because the ES (where EIA is required) demonstrates unacceptable adverse impacts could leave the council vulnerable to a claim for compensation.

Reserved Matters

8.11 Where the council is satisfied with the information submitted to make a decision and further investigations and the detailed design of remediation is still needed, these will be identified as reserved matters to enable detailed approval at an appropriate stage and give the developer greater certainty before incurring the costs involved.

8.12 Where the council is minded to grant outline planning permission, the length of time needed for further investigations and detailed design should be considered by the developer in determining the timescale for submission of a detailed application on the reserved matters.

8 Contamination

Key Principle - LC2

Key land contamination considerations

Developers, applicants or their agents should carry out the following key actions to ensure that contaminated land is assessed in line with the policy and that delays and further expense are avoided:

- Appoint a competent person to undertake any necessary assessment or remediation;
- Liaise with the council's specialist offices dealing with contamination as early in the process as possible;
- Ensure that land potentially affected by contamination is addressed in a phased approach seeking agreement with the council at each phase;
- Ensure that key stages in development are timed and planned with consideration of the assessment of contamination;
- Ensure that key elements of design upon which contamination may be a factor are carefully considered;
- Ensure that the conveyance of ground materials on and off site are in line with guidance and legislation and that the relevant paperwork is collated;
- Ensure that any changes to development details are considered in the development's conceptual site model;
- All of the guidance and requirements outlined in the Appendix 3 of this SPD should be followed.

Environmental Consultant

8.13 Due to the complex and highly technical nature of this subject, it is strongly recommended that suitably qualified and experienced Environmental Consultants are appointed to undertake any contaminated land assessment, investigation, remediation or verification.

Local Authority Liaison

8.14 It is essential that the council's specialist officers who deal with contaminated land are contacted as soon as possible in the process and that communication between them and the appointed Environmental Consultant continues throughout the process.

8.15 The council holds information regarding land potentially affected by contamination within their remit. This information should be sought as early as possible when considering a development to ensure that all of the council's potential concerns are addressed. The council may provide this information through environmental searches with associated fees to cover their time and relative expenses for gathering the information and presenting it in a usable format.

Phased Approach

8.16 It should be noted that the process for addressing land potentially affected by contamination entails a phased, or stepped approach (See Appendix 3 of this SPD). Each step informs the next and it is essential that a report of each step is submitted to and approved by the council before the next step is undertaken. It should also be noted that if one step identifies that no risk exists and no further actions are required and this is agreed by the council, the phases that follow may not be necessary.

Timeframe

8.17 The time required for each phase varies: some may take a significant length of time which could impact the timescales set for the development. For example, the intrusive site investigation will likely include ground gas or groundwater monitoring which typically require a minimum of 3 months (but sometimes 6 months and longer) before any development may commence including levelling of the site or piling.

Design

8.18 Some investigation outcomes may require a change to the design of the development itself. For example, if elevated ground gas is found, it may be necessary to incorporate design features such as a sub-floor void. This information is necessary as soon as possible in the process to ensure that these issues may be considered during the initial design process.

Soil Exportation and Importation

8.19 Regardless of whether land at the site is considered affected by contamination, the importation or exportation of soil at the development site will need to be detailed and reported to the council as part of the verification works. In regards to soil removal, the appropriate duty of care must be shown including analytical reports demonstrating the waste class of the material as well as the conveyance notes for the material should be provided. Soil imported to the site, whether for levelling, soft landscaping or other purposes will require the material to be tested (as a minimum, following placement at the receiving site), compared to site specific guideline values and included in the verification report.

Changes to Development Details

8.20 The assessment of a development is site specific and any change made to the design or end use may deem the assessment of the original proposed use null and void and require the risks associated with the site to be reassessed. These changes include, but are not limited to the end use (commercial versus residential), the size of the development, the inclusion of a basement or the re-levelling of the site.

Key Principle - LC3

Pre-application discussions

Proposers of development on potentially contaminated sites should arrange pre-application discussions as early as possible with the council's specialist contaminated land officers and the Environment Agency (where pollution of controlled water and the waste management implication of land contamination are likely to be issues) in order to:-

- **help to identify the likelihood and possible extent and nature of contamination and its implications for the development being considered; and**
- **receive assistance in scoping any necessary environmental impact assessment and**
- **identify the information that will be required by the council to reach a decision on the application when it is submitted.**

8.21 The council will advise developers to undertake the required steps to assess contamination where they appear necessary but have not yet been addressed.

8 Contamination

8.22 Contamination may add to the difficulty and cost of developing a site or even preclude certain uses. Low cost remedial methods generally take more time than high cost methods and may impact on the construction schedule and negatively impact on the viability of a scheme if not identified early in the development process.

8.23 Identification of potential problems at an early stage can enable a more positive approach to bringing forward development, thereby leading to a higher value land use, which in turn, could better cover the costs of remediation. Early attention to the contamination issues can help in locating development that is less sensitive to contamination on areas where the contaminated state of the land is likely to be more difficult to address.

8.24 The council holds information regarding land potentially affected by contamination within their remit. This information should be sought as early as possible when considering a development to ensure that any of the Council's potential concerns are addressed. The Council may provide this information through undertaking an environmental search for a fee. Please see the Council's website for further information.

Key Principle - LC4

Contaminated land assessment

Where land affected by contamination is known or suspected at all or part of a site or where the proposed use may be particularly sensitive to contamination, an appropriate contamination assessment will need to be submitted with the application to enable the council to determine whether the proposed development can proceed. This assessment should be carried out by a suitably qualified competent person and include, as a minimum, the following:-

- **Phase 1: a Preliminary Risk Assessment Report - to include a desk study, site reconnaissance (walk-over), and conceptual site model.**
- **Phase 2: a Site Investigation Scheme - to show how the risks identified in the Preliminary Risk Assessment are to be investigated.**
- **Phase 3: a Site Investigation Report- targeting unacceptable risks identified in the preliminary risk assessment including a risk assessment of the investigation's findings and a revised conceptual site model.**
- **Phase 4: a Remediation Strategy- to effectively deal with any existing or new unacceptable risks identified in the revised conceptual site model.**
- **Phase 5: a Verification Report- to show that the measures proposed in Phase 4 have been successfully implemented.**
- **Phase 6: Monitoring Report - occasionally, long term monitoring is required to continue post development.**

8.25 Where a development is proposed on land that is known or suspected of being contaminated, the developer is responsible for ensuring that development is safe and suitable for use for the purpose for which it is intended. The developer is thus responsible for determining whether land is free from unacceptable risks to human health, buildings and other property, controlled waters and the wider environment.

8.26 A contaminated land assessment is necessary to establish the nature and extent of the contamination before the Council determines whether the proposed development can proceed. Where unacceptable risks are present, it must be demonstrated that these risks are abated through remedial action without undue impact during and following the development with adequate investigation undertaken to inform a risk assessment.

8.27 All works associated with the assessment and investigation of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and the Defra/Environment Agency's Model Procedures for the Management of Contamination (CLR11) 2004 or current guidance. It is expected that the phased approach recommended in CLR11 will be implemented. In the case of all submissions relevant to the assessment and remediation of land affected by contamination, the council will require evidence to demonstrate that these works have been carried out to an acceptable professional standard.

8.28 In order to inform the preliminary risk assessment of the site, a number of sources should be queried including historic maps, trade directories, planning records, petroleum officer records, the Environment Agency and the council's specialist officers dealing with contaminated land. It should be noted that commercial searches provided on the internet, whilst they may provide a useful indication of the possible presence of contamination, are not sufficient to establish the presence or absence of contamination.

8.29 The contaminated land assessment should be undertaken using a phased approach, with a report submitted at each phase which must be approved by the council before the next phase is undertaken. A brief summary of the key requirements for each phase is outlined below, but further detailed information for each phase can be found in Appendix 3 of this SPD.

Phase 1: Preliminary Risk Assessment

8.30 The preliminary risk assessment report shall comprise: a desktop study which identifies all current and previous uses at the site and surrounding area as well as the potential contaminants associated with those uses; a site reconnaissance; and a conceptual model indicating potential pollutant linkages between sources, pathways and receptors, including those in the surrounding area and those planned at the site; and a qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters and the wider environment including ecological receptors and building materials.

Phase 2: Site Investigation Scheme

8.31 The site investigation scheme shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater.

Phase 3: Site Investigation Report

8.32 Following a site investigation undertaken in compliance with the approved site investigation scheme, a quantitative risk assessment report shall: assess the degree and nature of any contamination identified on the site through the site investigation; include a revised conceptual site model from the preliminary risk assessment based on the information gathered through the site investigation to confirm the existence of any remaining pollutant linkages and determine the risks posed by any contamination to human health, controlled waters and the wider environment.

Phase 4: Remediation Strategy

8.33 The remediation method statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This statement should include a plan which defines how all remedial works shall be verified. This should include plans for verification of the duty of care to be undertaken in the removal of soil from site, the testing of any soil brought onto or reused on site and how the installation of gas abatement measures is to be verified.

8 Contamination

8.34 If, during development, contamination not previously identified is found to be present at the site, the report produced shall indicate the nature of the contamination and how it is to be dealt with. Any required remediation shall be detailed in an amendment to the remediation statement and verification of these works included in the verification report.

Phase 5: Verification Report

8.35 Once the remediation method statement has been carried out in full, a verification report should be produced confirming these works and shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the verification of gas membrane placement.

Phase 6: Long Term Monitoring Report (if required)

8.36 An onward long-term monitoring methodology report shall include details and timeframes for assessing the success of the remediation undertaken. A verification report of these monitoring works should demonstrate that no residual adverse risks exist.

Key Principle - LC5

Determining Applications (including Consultations)

Where it is satisfied that the development proposed will be appropriate with regard to the information currently available about the contamination (if any) of the site and the proposed remediation measures and standards, the council will grant planning permission subject to any conditions requiring such further investigations, remediation (including verification) and onward monitoring as would be necessary, reasonable and practical.

Granting Planning Permission

8.37 In determining applications, the council will need to be satisfied that the development does not create or allow the continuation of unacceptable risk arising from the condition of the land in question or from adjoining land. In particular, it should satisfy itself that existing significant pollutant linkages will be broken by removing the source, blocking the pathway or removing receptors and that the development will not create new pollutant linkages by changing or creating exposure pathways e.g. creating new pathways to groundwater by site investigation drilling or piling.

8.38 For land use planning purposes, what constitutes an unacceptable risk is wider than for Part 2A purposes since planning is concerned with proposed development and future use and thus with both existing and new risks. In addition, the range of receptors is wider than under Part 2A and includes, for example, general fauna and flora, landscape and amenity. When remediation of land affected by contamination is achieved by means of development, these differences between the two regimes should be recognised and allowed for by developers and their advisors.

8.39 The standard of remediation to be achieved through the grant of planning permission for new development (including permission for land remediation activities) is the removal of unacceptable risk and making the site suitable for its new use, including the removal of existing pollutant linkages. All receptors relevant to the site should be protected to an appropriate standard. As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part 2A of the EPA 1990.

8.40 Refusing Planning Permission

8.41 The council will refuse permission if it is not satisfied on the basis of the information provided by the applicant and that available from other sources, including the responses of those consulted, that the development would be appropriate. This could include cases where:-

- circumstances, including information available to the council, clearly suggest the possibility of contamination or of unacceptable risk and no information has been provided or obtained that excludes the reasonable possibility of such contamination or risk.
- the council considers that unacceptable risk exists and cannot be dealt with adequately to deliver a development that is suitable for its intended use and which results in the removal of such risks; or
- the steps needed to deliver an appropriate development and deal with unacceptable risk are not already in place and cannot be secured by suitable planning conditions, e.g. because these are not within the powers of the developer since action is needed on other land outside the developer's control or influence.

Key Principle - LC6

Cumulative environmental impacts

Developers should satisfy the council that they have adequately considered issues associated with site investigation and remediation such as cumulative negative environmental impacts from dust, noise, odour and traffic movements arising from the remediation activities and the possible need for measures to control or mitigate them. A balance should be struck between the overall social and economic benefits from the development, including the remediation proposals, and the temporary impacts of the remediation process. Applicants are recommended to consider carefully the waste management implications when deciding the best approach to remediation and the handling and treatment of contaminated soils and other material.

Integrated Environmental Considerations

8.42 During the investigation, remediation, verification and on-going monitoring of the site, the environmental impact of these works should be considered when determining the suitability of the methods employed. Some environmental considerations include the production of particulate matter or gases which may impact on local air quality by mechanical equipment utilised on the site. A balanced consideration of the environmental impacts of these works should be undertaken in determining the most appropriate methods to be employed. Reference should be made to Chapters 5 and 6 of this SPD on noise and nuisance and air quality.

Sustainable Remediation

8.43 Where remediation is deemed necessary, a sustainable remediation strategy should be implemented for which there is the least negative environmental impact.

8.44 Traditional methods of containing contamination to break a pollutant linkage on site such as encapsulation or the use of permeable reactive barriers may minimise the use of 'dig and dump' and hence produce less waste which must then be transported over large distances creating further environmental impacts. However, these methods may have an effect on the local hydrogeology and their impact should be considered in regards to other environmental factors such as an increased flood risk or the generation of leachates.

8 Contamination

8.45 In-situ remediation should be considered and time should be factored into any development schedule for the implementation of such a scheme. Where works are phased or space allows, areas should be designated for stockpiling material for re-use on or near to the site. Another option which should be considered is the designation of areas where 'soil hospitals' may be established or the use of off-site nearby soil hospitals at which ex-situ remediation techniques are employed on contaminated soil to enable their re-use on or near to the site. When remediation or containment are not feasible and removal of the soil is the only option, the waste hierarchy of: reduce, reuse, recycle, recover, dispose should be employed.

8.46 The CL:AIRE Definition of Waste: Development Industry Code of Practice, V2, 2011 (or relevant current guidance) should be referenced and integrated where possible. Reference should likewise be made to section 12 of this SPD on sustainable design and construction.

Key Principle - LC7

Planning conditions - land contamination

Where planning conditions in relation to the contaminated land assessment and, where necessary, the remediation of contaminated land are placed, further submission requirements may be necessary.

8.47 Planning permission can be granted subject to conditions. The council can use planning conditions where the relevant tests are met, to ensure that development does not commence until the identified stages in relation to an assessment or remediation scheme have been discharged.

8.48 A summary of common submission requirements are as follows:

- to propose and receive approval for a preliminary risk assessment;
- to propose and receive approval for further investigation;
- to propose and receive approval for a risk assessment following investigation of the site to confirm the nature and extent of contamination and validate the conceptual model and allow more refined risk assessment and appraisal of remedial options;
- to propose and receive approval for a remediation scheme that ensures the removal of unacceptable risks to make the site suitable for use and outlines a verification plan;
- to report any previously unidentified contamination encountered during development works and to propose and receive approval for a remediation scheme to deal with this contamination;
- to submit and receive approval for a verification report that demonstrates the effectiveness of the remediation carried out, preferably before building works begin and categorically before the site is occupied by future users;
- to propose and receive approval for any onward long-term monitoring past the completion of development;
- to submit and receive approval for a verification report of the success of any onward long-term monitoring.

9 Sustainable Drainage Systems (SuDs)

9.1 Sustainable Drainage Systems (SuDS) are an alternative approach to traditional ways of managing rainwater runoff from buildings and other surfaces. SuDS can reduce the total volume and rate at which surface water is discharged from a site into the drainage system. The use of SuDS is particularly important in Hammersmith and Fulham because surface water flood risks are present across much of the borough, as identified in the council's Surface Water Management Plan. As well as providing flood management benefits, SuDS are also capable of helping improve water quality, water efficiency, biodiversity and amenity where above-ground measures are used.

Policy Context - Sustainable Drainage Systems (SuDs)

National policy

National Planning Policy Framework (NPPF) Paragraph 103 states: *When determining planning applications, local planning authorities should ensure:development is appropriately flood resilient.....and it gives priority to the use of sustainable drainage systems...*

London Plan

The London Plan Policy 5.13 Sustainable Drainage states that developments should utilise SuDS unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the Mayor's drainage hierarchy. The policy also stresses that drainage measures should be designed and implemented in ways that deliver other policy objectives, including water use efficiency and quality, biodiversity, amenity and recreation.

Other relevant policies include Policies 5.10 and 5.11 on Urban Greening and Green Roofs which outline how green infrastructure can also make a contribution to sustainable drainage by absorbing a proportion of surface water and therefore reducing run-off rates;

Local Plan

One of the council's key strategic objectives is to deliver an environmentally sustainable borough. Local Policy Strategic Objective 10 states the aim 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.

The borough wide policy for SuDS, which **applies to all proposals for new development** is contained in **Policy CC4** - Minimising Surface Water Run-off with Sustainable Drainage Systems. The requirement for SuDS is also contained in **Policy DC11** - Basement and Lightwells and **Policy HO11** - Detailed Residential Standards. Therefore advice given in this part of the SPD will also apply to these policies. **Local Plan Policy CC4** is also linked to **Policy CC3** - Minimising Flood Risk and Reducing Water Use (see Chapter 10) and **OS5** - Greening the Borough and **Policy OS4** - Nature Conservation.

9 Sustainable Drainage Systems (SuDs)

Key Principles

Key Principle - SuD1

SuDs in Major Developments

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)

9.2 SuDS are required for all new major developments in order to manage flood risk and ensure that surface water run-off does not have a detrimental impact on either the new development or neighbouring uses. SuDS are also required to achieve the additional benefits they can provide which can help show compliance with other Local Plan policies, as outlined above.

9.3 During storm events when rainfall levels are at their highest, peak rates of surface water run-off from a developed site which is mainly impermeable surfaces would be significantly higher than if the site was a greenfield site. Uncontrolled run-off from such sites drains much quicker and in greater volumes compared to greenfield conditions as there are few, if any opportunities for water to infiltrate into the ground or be intercepted through other means (e.g. via plants etc). The speed at which run-off is directed into the combined sewer system, along with the volume of water that is draining into the sewers over a short period of time can cause sewers to surcharge where their capacity to take surface and foul water flows is exceeded during a storm. The resulting flooding can have serious impacts on people's property and their quality of life. H&F has suffered from sewer/surface water flood incidents in the past and these will continue to happen, particularly as climate change impacts increase, unless action is taken.

9.4 The implementation of SuDS in major developments will not only help to reduce flood risk for those new developments from on-site flooding, but also help to minimise flood risks from surface water and sewers for neighbouring areas as the SuDS will help free up capacity in the sewer system.

9.5 The integration of SuDS measures needs to be considered early in the site evaluation and planning process, as well as at the detailed design stage. Completing the design of a development and trying to fit in SuDS measures around that design (effectively retro-fitting SuDS onto a new development) will not maximise the benefits that SuDS can provide to a site and is unlikely to provide a proposal that will be accepted by the council in its role as Lead Local Flood Authority.

9.6 Developers are strongly encouraged to make use of the council's pre-application advice service to receive guidance on requirements in relation to flood risk management and integration of SuDs measures into major sites.

Key Principle - SuD2

Sustainable Drainage Strategy

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 Policy CC4.

9.7 All applications for major developments are required to include a Sustainable Drainage Strategy. This can either be provided as a stand-alone report, or included as part of a Flood Risk Assessment (FRA).

Sustainable Drainage Systems (SuDS) 9

9.8 The Strategy should show how the requirements of Local Plan policy CC4 will be met by the scheme. The guidance provided in this SPD should be followed in developing the Strategy which should show how surface water will be managed as close to its source as possible, through the implementation of on-site above ground SuDS measures where possible, maximising the amount of attenuation and minimising final discharges to greenfield rates.

9.9 Major applications that do not include a Sustainable Drainage Strategy will not be accepted or validated by the planning authority until one is provided. Where a standalone SuDS Strategy is submitted, this should be consistent with all other supporting documents that are submitted with the application that references SuDS or related measures. This includes the FRA, the Sustainability Statement and site plans.

9.10 To guide developers on the sort of supporting information that should be submitted as part of their FRA or SuDS Strategy reports, the following checklist should be followed to ensure the required information is included, as a minimum:

- Detailed site layout at an identified scale;
- Topographical survey of the site;
- Ground investigation, including infiltration test results, where appropriate;
- Full design calculations and design parameters to demonstrate conformity with the design criteria for the site;
- Long sections and cross sections for the proposed drainage system;
- Suitable design and construction details of all proposed SuDS measures;
- Landscape planting scheme where vegetated SuDS systems are proposed;
- Plan of proposed drainage system with catchment areas including impermeable areas and phasing;
- Details of connections (including flow control devices) to watercourses, sewers, public surface water sewers, highway drains and SuDS features;
- Details of any off-site works required, together with any necessary consents;
- Confirmation of final discharge rates of surface water from the development and quantification of attenuation levels achieved;
- Maintenance schedule and management plan for all SuDS features;

9.11 Developments must be designed so that run-off from a range of storms up to and including the 1 in 100 year storm, including an allowance for climate change impacts can be managed without increasing flood risks on or off-site. The SuDS Strategy should not be designed exclusively for just the most extreme storm event, but should also demonstrate how more frequent storms such as the 1 in 1 year, 1 in 10 year and 1 in 30 year storms (+ climate change) will be managed. Whilst it is important to show that the site can cope with a 1 in 100 year storm event, it is also important that more frequent storms are also managed with SuDS measures.

9.12 The London Plan Drainage Hierarchy, as outlined below should be followed to guide the implementation of SuDS on sites, although it should be noted that in H&F, due to the extensive river frontage, measure 5 should be prioritised above measure 4 where this is possible in order to manage surface water as close to its source as possible.

1. Store rainwater for later use
2. Use infiltration techniques, such as porous surfaces in non-clay areas
3. Attenuate rainwater in ponds or open water features for gradual release
4. Attenuate rainwater by storing in tanks or sealed water features for gradual release
5. Discharge rainwater direct to a watercourse (see note above)
6. Discharge rainwater to a surface water sewer/drain
7. Discharge rainwater to the combined sewer

9 Sustainable Drainage Systems (SuDs)

9.13 The measures at the top of the hierarchy (measures 1-3 and 5) are considered to be the most sustainable and therefore preferable SuDS to be implemented on sites in H&F. Measures 1-3 in particular provide the best scope to not only provide flood risk benefits, but to provide additional benefits for water efficiency, water quality, biodiversity and amenity.

9.14 Full details of the range of SuDS measures available for inclusion in major developments in particular are not provided in this SPD as they can be found elsewhere, including the CIRIA SuDS Manual and on the SusDrain website. However, the SuDS measures that are considered to be the most suitable for use in H&F are:

- Rainwater harvesting systems that collect rainwater for re-use (e.g. for irrigation purposes or for internal re-use such as toilet flushing)
- Use of permeable surfaces such as soft landscaping, including living roofs, rain gardens, SuDS tree pits and pervious hard landscaping such as permeable paving which allow direct infiltration of surface water
- Other infiltration techniques such as soakaways, where the underlying soil is suitable
- Blue roof systems to store rainfall, preferably for re-use on site and integrated with living roofs
- Inclusion of swales or detention basins to temporarily store water at the surface
- Direct discharge to the River Thames and other water bodies, for those developments directly adjacent to watercourses and where such discharges will not cause detrimental impacts.

9.15 The use of underground storage tanks with controlled discharges to the sewer system will only be accepted where the use of more sustainable measures outlined above have been maximised, but are not capable of providing the required storage volumes to achieve final discharges that meet greenfield run-off rates.

9.16 Major developments must reduce their final discharge rates to the greenfield rate for the site. SuDS Strategies that set their final discharge rate above this, including those that revert to 5l/s on the basis of this being the minimum viable discharge rate for surface water will be challenged. The expectation is that lower final discharges will be proposed as rates lower than 5l/s have been successfully achieved by the council in its own SuDS schemes.

9.17 As highlighted on the SusDrain website, Defra has undertaken a number of comparative studies on the costs and benefits of traditional drainage and SuDS. When comparing the capital (and sometimes the maintenance) costs for draining sites using sustainable drainage methods against more traditional approaches, all of the sites in these studies showed that the inclusion of SuDS was cheaper than a traditional drainage system. Use of economic arguments to exclude SuDS from major schemes will therefore not be accepted.

9.18 For outline planning applications, a conceptual SuDS Strategy should be provided which sets out the principles to be adhered to for the site, providing information where possible on the types of SuDS measures to be included and the attenuation levels and final discharge rates that will be targeted.

9.19 A number of detailed guidance documents are available on SuDS issues. These include the CIRIA SuDS Manual (C753), available on the CIRIA website ⁽⁶⁾, which details SuDS design, construction, operation and maintenance requirements; Imperial College's Blue Green Solutions Guide⁽⁷⁾ which highlights the benefits of nature based solutions and promotes their use in SuDS schemes to provide multiple benefits; the Susdrain website⁽⁸⁾ which includes a range of factsheets, briefings and case studies on many different SuDS schemes and the SuDS Design and Evaluation Guide, available on the council's website, which promotes the idea of integrating SuDS into the fabric of development: using the available landscape spaces as well as the construction profile of buildings.

6 www.ciria.org

7 (<http://bgd.org.uk>)

8 (www.susdrain.org)

Key Principle - SuD3

SuDs in minor Developments

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.

9.20 Surface water and sewer flooding are not just risks for major developments, but for smaller developments as well. Small-scale development such as small housing schemes, non-residential development under 1000m² of floorspace and householder scale proposals such as extensions can also provide opportunities to integrate SuDS measures to control surface water run-off and help to reduce the pressure on the sewer system during storm events.

9.21 The most appropriate SuDS measures for 'non-major' developments are likely to be rainwater collection for re-use, integration of green/brown roofs on flat roofs (as required by Policy CC4 and covered in more detail below) which could also include blue roof storage in some cases, use of soft landscaping and permeable paving. Other measures may be appropriate if there is space or suitable underlying soils for measures such as soakaways or swales.

9.22 Implementation of SuDS measures is particularly important where developments are located in or close to known surface water flooding hotspots, as identified in the council's Surface Water Management Plan or where a development could result in an increase in impermeability on a site.

9.23 Small-scale works such as householder alterations/extensions can provide an opportunity for installing SuDS – even if this is a simple measure such as using a water butt to collect and store rainwater or installing some permeable paving or a rain garden where run-off is directed to an area of planting rather than into the sewer. If there is space, and the underlying soils are suitable in terms of their infiltration and contamination levels, then a soakaway might be feasible, although this would need to be designed and installed to meet Building Regulation standards in Approved Document H. The council has produced guidance on small-scale SuDS measures called "Living with Rainwater" which is available on our website ⁽⁹⁾

9.24 It should be noted that permitted development rights for householders wishing to install hard surfacing which exceeds 5m² in front gardens have been removed, although smaller areas are still allowed without the need for planning permission. However, if a permeable surface is planned, this can still be done without the need for planning permission (regardless of area). Permeable surfacing materials include gravel, permeable concrete block paving or porous asphalt. Laying an impermeable surface that directs runoff to a lawn or border to drain naturally is also acceptable as permitted development. If the surface to be covered is more than 5m², planning permission will be needed for laying traditional, impermeable driveways that do not provide for the water to run to a permeable area. Further guidance on the design and construction options can be found online ⁽¹⁰⁾

9.25 Where possible, 'Prior Approval' applications, which are required to include Flood Risk Assessments should also include simple SuDS proposals such as those outlined above.

9 www.lbhf.gov.uk/emergencies-and-safety/floods/living-rainwater.

10 www.communities.gov.uk/publications/planningandbuilding/pavingfrontgardens

9 Sustainable Drainage Systems (SuDs)

Key Principle - SuD4

Design of SuDs

As well as being designed to minimise flood risk, surface water drainage measures must be designed and implemented on all developments where possible to help deliver other Local Plan policies such as those on biodiversity, amenity and recreation, water efficiency and quality and safe environments for pedestrians and cyclists.

9.26 The use of SuDS in new developments is justified mainly on the basis of being necessary to help manage local surface water and sewer flood risks in the borough. However, many of the available SuDS measures can deliver multiple benefits to sites, particularly where rainwater is harvested for re-use or where ground level measures are implemented in preference to below ground options such as an underground storage tank.

9.27 Above ground SuDS can also provide amenity space or be integrated into existing open spaces, increase biodiversity levels, help reduce the urban heat island effect and also provide improvements in local air quality. Green infrastructure SuDS can help create visually attractive developments which help improve people's quality of life and general health and also help to comply with Local Plan Policies on Open Space i.e. Policy OS4 on Nature Conservation and Policy OS5 on Greening the Borough. Where possible, the use of native plants should be prioritised as these are likely to provide increased biodiversity benefits over non-native invasive species. There is also scope to integrate SuDS measures into streetscapes where these form part of development proposals, contributing to improved environments for cyclists and pedestrians.

9.28 Further details on the multiple benefits that SuDS can provide are available on the Susdrain website.

9.29 The Imperial College Blue Green Solutions Guide ⁽¹¹⁾ is also particularly good at highlighting how green infrastructure can provide multiple benefits.

Key Principle - SuD5

SuDs and Flat roofs

All flat roofs in new developments should be living roofs to help contribute to reducing surface water run-off.

9.30 Living roofs (either green and brown roofs) provide multiple benefits for a relatively small additional construction cost. As well as helping to reduce the volume and speed at which surface water run-off enters the sewer system for the most frequent storm events, green/brown roofs can also provide biodiversity benefits. They can also reduce energy use and carbon emissions by improving insulation levels whilst also helping to provide cooling in summer. For larger developments, the feasibility of integrating blue roof technology into living roofs should be explored and implemented where viable as this will further increase storage capacity.

Sustainable Drainage Systems (SuDs) 9

9.31 This policy applies to all developments, not just major sites. Green/brown roofs should be designed and constructed to provide at least 80mm depth of substrate which will provide a reasonable capability to retain rainfall and also support biodiversity and improve building performance. For larger roofs, it is preferable to vary substrate depths to help promote a diversity of plants and habitats.

9.32 Extensions often have flat roofs that could be utilised by integrating green/brown roofs. Where extensions are built over permeable surfaces, the use of a green/brown roof ensures that development does not increase run-off; where an impermeable surface is being built on, they provide positive benefits in terms of reducing run-off. Green roofs on extensions are likely to be small-scale installations, but cumulatively, they could significantly help to reduce surface water run-off and thereby relieve the pressure on the combined sewer system.

9.33 Further details on green/brown roofs, their design, installation and maintenance requirements can be found in the Green Roof Code of Best Practice, which is available on the Living Roofs website⁽¹²⁾. The council's Living with Rainwater guide also includes information on small-scale living roof installations⁽¹³⁾.

Key Principle - SuD6

Outdoor Car Parking Areas and Other Hard Standing Surfaces

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.

9.34 Car parking and other hard landscaping such as access roads, pavements, bin storage areas etc can represent a significant component of a development's overall area. Where these are outdoors, they should be designed and installed to be permeable, allowing surface water to infiltrate into the ground or a permeable sub-base, with no discharge to the sewer system (unless this is not viable).

9.35 Permeable surfaces are capable of functioning in the same way as conventional hard standing surfaces. They are strong enough for everyday use, including by vehicles but rather than directing run-off into the sewer, the paving or pervious surface allows water to flow through it and infiltrate. If this is not desirable, lined systems can be used. The use of permeable surfaces reduces the need for deep excavations for conventional drainage systems, and also removes the need for gully pots and manholes. This can reduce costs.

9.36 Permeable surfaces come in many different types and there should not be any design restrictions that would mean that impermeable surfaces should be preferred over permeable ones. The Susdrain website contains details on a range of permeable paving types.

9.37 It would also be acceptable to direct run-off from car parks and other hardstanding areas into soft landscaped areas or SuDS tree pits.

12 www.livingroofs.org

13 www.lbhf.gov.uk/emergencies-and-safety/floods/living-rainwater

9 Sustainable Drainage Systems (SuDs)

Key Principle - SuD7

SuDs Maintenance

Where installed, SuDS measures on all developments must be retained and maintained for the lifetime of the development and details of their planned maintenance must be provided to the council.

9.38 SuDS Strategies submitted to the council will need to include a maintenance programme which identifies the type and frequency of maintenance to be carried out on the installed SuDS measures, along with details of who is responsible for maintaining the SuDS – i.e. site owner, landscape contractors, a facilities management company etc.

9.39 The CIRIA SuDS manual, available from the CIRIA website ⁽¹⁴⁾, provides a maintenance inspection checklist that can be used or adapted to guide requirements, depending on the SuDS measures installed.

9.40 All SuDS features should be designed and installed to last for the expected lifetime of the development they serve, or where this is not possible, they should be designed and installed in such a way that they can be repaired or removed and replaced to ensure that developments continue to be protected from surface water flooding and provide any additional benefits that the SuDS feature provides. This includes underground storage tanks, if installed, which may need to be repaired or replaced during the lifetime of the development.

10 Flood Risk and Water Efficiency

10.1 As identified in the council's Strategic Flood Risk Assessment, over 60% of the area of H&F and about 75% of the population are in the Environment Agency's (EA's) Flood Zones 2 and 3 which indicate medium to high risks of flooding from the River Thames. However, the EA's Flood Zone designations do not take account of flood defences and in practice, the borough is defended to a 1 in 1000 year standard by a series of walls, embankments, flood gates and barriers, with the Thames Barrier providing a significant level of protection. However, there is still a risk of over-topping or breach of these defences that could affect large parts of the borough.

10.2 In addition to the risks of tidal flooding from the Thames, much of H&F is at risk from sewer and/or surface water flooding. This is mainly because both foul and surface water drainage are directed into a combined sewer system. Wastewater from other boroughs also passes through the local sewer system, which can become overwhelmed when large volumes of surface water enter the system very quickly – i.e. during very heavy downpours. Climate change impacts such as more frequent extreme weather events are expected to increase the frequency and severity of this type of flooding. The borough already has many residential streets with basement properties which are potentially vulnerable to surface water flooding. It is therefore vital that basement developments are carried out with appropriate flood mitigation measures in place to guard against future flood events. Some parts of the borough are also at risk of groundwater flooding which could also impact on subterranean developments. Therefore the potential risks of groundwater flooding should also be covered in Flood Risk Assessments, where relevant. The council's Surface Water Management Plan explains sewer, surface and groundwater flood risks in more detail and is available on the council's website.

10.3 Taking account of flood risk issues for new developments, incorporating appropriate mitigation measures where necessary and integrating sustainable drainage measures (covered in detail in Chapter 9) where feasible are therefore very important in helping to protect the borough from the potential impacts of flooding. The inclusion of water efficiency measures are also required in new developments to help minimise the flows of foulwater into the sewer system.

10 Flood Risk and Water Efficiency

Policy Context - Flood Risk and Water Efficiency

National Policy

Flood risk and water resource issues are referenced in two of the twelve core planning principles set out in the Government's National Planning Policy Framework (NPPF). One of these principles is that planning should support the transition to a low carbon economy in a changing climate, taking full account of flood risk and water supply and demand; another is that planning should encourage multiple benefits from the use of land in urban areas, recognising that some open land can perform many functions such as for wildlife, recreation, flood risk mitigation, carbon storage or food production.

To achieve these objectives, the NPPF states that the planning system should aim to do the following in terms of flooding:

- avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk or where development is necessary, making it safe without increasing flood risk elsewhere;
- minimise vulnerability and provide resilience to impacts arising from climate change; and
- when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.

With regard to water resources, the NPPF states that new development should be planned to avoid increased vulnerability to the impacts arising from climate change, which includes water supply/demand issues.

London Plan

In addition to complying with national policy requirements, Policy 5.12 of the London Plan on flood risk management requires development proposals to have regard to measures proposed in the Thames Estuary 2100 (TE2100) Plan. This includes a requirement for development adjacent to flood defences to protect the integrity of existing flood defences and wherever possible, aim to be set back from those defences to allow their management, maintenance and upgrading. The London Plan also sets out requirements for developments in terms of flood resilient design and emergency planning considerations.

Other relevant policies include policies 5.14 and 5.15 on Water Quality/Wastewater Infrastructure and Water Use and Supplies, which focus on helping to ensure that London has adequate and appropriate water supply and wastewater infrastructure to meet the requirements placed upon it by population growth and climate change.

Local Plan

One of the council's strategic objectives is to deliver an environmentally sustainable borough. Local Policy Strategic Objective 13 states the aim: *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.*

The Local Plan contains 2 key policies on flood risk management and water use issues:

- Borough Wide Strategic **Policy CC3** Minimising Flood Risk and Reducing Water Use
- Borough Wide Strategic **Policy CC4** Minimising Surface Water Run-off with Sustainable Drainage Systems

These require developments to incorporate flood mitigation and SuDS measures to help protect properties where potential flood risks exist in the borough and also to **implement water efficiency measures** to minimise use of potable water and foulwater flows.

Policy DC 11 Basement Accommodation and Lightwells and **HO11** Detailed Residential Standards also include specific requirements for housing developments, particularly in relation to basements including flood protection measures and attenuation of surface water run-off.

Policies RTC1 River Thames and **RTC2** Access to the Thames Riverside and Foreshore require new developments to safeguard, and where necessary, enhance flood defences, ensuring that proposals do not adversely affect flood defences.

Flood Risk Assessment Requirements

Key Principle - FR1

Submission of a Flood Risk Assessment

Require a site specific Flood Risk Assessment (FRA) for the following development proposals:

- **All proposals for developments in the Environment Agency's Flood Zones 2 and 3;**
- **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;**
- **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.**

10.4 It is important to note that the issue of flood risk does not just relate to flood risk from the River Thames in H&F as there are other sources of flooding in the borough including surface water, groundwater and sewers. Applications for all developments that are in parts of the borough identified as potentially at risk of flooding from any of a range of sources – fluvial, tidal, surface water and/or groundwater – as defined in Policy CC3, must include a FRA.

10.5 FRA's should make use of relevant flood risk information, such as that provided in the council's Strategic Flood Risk Assessment and Surface Water Management Plan which are available on the council's website. The Environment Agency also provides detailed advice on flood risk issues, including guidance on establishing when a FRA is required, how to complete one and how it's processed. Further information, including guidance on FRA requirements for minor applications, is available on the EA website: www.gov.uk/guidance/flood-risk-assessment-for-planning-applications

10.6 The information provided in the FRA should be proportionate to the degree of flood risk at the development site and be appropriate to its scale, nature and location. For example, where an application is submitted for an extension to an existing house which would not significantly increase flood risk either on the site or for other adjacent sites, then generally a less detailed assessment would be acceptable, subject to the requirements of the planning policies outlined in this SPD. If, on the other hand, an application concerns a new development introducing housing onto a site previously used for non-residential uses where flood risks from a number of sources are considered to be significant, then a more detailed assessment would be required.

10 Flood Risk and Water Efficiency

10.7 It is also important for FRAs for development proposals located in areas at risk of flooding from a breach or over-topping of defences cover this scenario and make it clear how occupants will stay safe in such a scenario.

10.8 In relation to flood risk from the Thames, further details on when an assessment is required, when it's not necessary, when the Environment Agency's standing advice can be followed and how to carry out an FRA can be found online here: www.gov.uk/guidance/flood-risk-assessment-for-planning-applications

10.9 In terms of surface water flood risk, the SWMP identifies a number of hotspots across the borough that are considered to be susceptible to flooding in the event of a major storm. Applications for development in these locations should include an assessment of surface water flood risks in the FRA, proposing suitable mitigation measures where necessary to protect the development from surface water flooding. Where groundwater and sewer flooding are identified risks, the FRA will also need to identify how these will be mitigated through the use of appropriate measures.

10.10 Appendix A1 of the H&F SFRA also contains guidance on how to complete a detailed Flood Risk Assessment.

Key Principle - FR2

Requirements, including Exception Test

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.

10.11 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, it should be made safe without increasing flood risk elsewhere. This general approach, referred to as the "Sequential Test", is designed to direct development towards areas where there is little or no risk of flooding from any source. At a national level, the aim of this policy is to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible. In H&F, around 60% of the borough is in the Environment Agency's Flood Zones 2 and 3. 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 and there is no need for FRAs to include a Sequential Test assessment.

10.12 However, sites may still need to satisfy the requirements of the NPPF's Exception Test and provide an appropriate site specific FRA. In H&F, the main focus of the Exception Test is on new, major development proposals as it does not need to be applied to minor developments and changes of use, (except the unlikely scenario of a change of use to a caravan, camping or chalet site, or to a mobile home or park home site).

10.13 The Exception Test is a way of demonstrating that a site can be developed whilst ensuring that flood risk to people and property will be managed satisfactorily. There are two parts to the Test, as outlined in the NPPF which essentially require proposed developments to show that they will provide wider sustainability benefits to the community that outweigh flood risks, and that they will be safe for their lifetime, without increasing flood risk elsewhere. Where possible, developments should reduce flood risks overall.

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10.14 The Exception Test should be applied in line with the information outlined in Tables 1 and 2 which are adapted from the Government’s Planning Practice Guidance – i.e. it is applicable where an application includes proposals for ‘highly vulnerable’ development in Flood Zones 2 or 3, and for ‘more vulnerable’ and/or ‘essential infrastructure’ developments in Zone 3a and ‘essential infrastructure’ developments in Zone 3b. If a development contains different elements of vulnerability and the highest vulnerability category should be used, unless the development is to be considered in its component parts.

10.15 National guidance suggests that ‘highly vulnerable’ developments should not be permitted in Flood Zone 3a, but in H&F, because so much of the borough is in this flood zone, it is considered appropriate to apply the requirements of the Exception Test, rather than rule out development completely on the grounds of flood risk.

10.16 Table 1 showing when the Exception Test is required

| | | Essential Infrastructure | Water Compatible | Less Vulnerable | More Vulnerable | Highly Vulnerable |
|-------------------|-----------|--------------------------------|----------------------------|----------------------------|--------------------------------|--------------------------------|
| Flood Zone | 1 | Development is appropriate | Development is appropriate | Development is appropriate | Development is appropriate | Development is appropriate |
| | 2 | Development is appropriate | Development is appropriate | Development is appropriate | Development is appropriate | Exception Test Required |
| | 3a | Exception Test Required | Development is appropriate | Development is appropriate | Exception Test Required | Exception Test Required |
| | 3b | Exception Test Required | Development is appropriate | Development not permitted | Development not permitted | Development not permitted |

10.17 Table 2 showing Key Flood Risk Vulnerability Classifications

| Vulnerability Classification | Example Uses |
|------------------------------|---|
| Essential Infrastructure | <ul style="list-style-type: none"> ● Essential transport infrastructure ● Essential utility infrastructure (e.g. energy generation) |
| Water Compatible | <ul style="list-style-type: none"> ● Flood control infrastructure ● Water/sewage transmission infrastructure ● Water based recreation, amenity open space ● Docks, marinas, wharves |
| Less Vulnerable | <ul style="list-style-type: none"> ● Buildings used for shops, restaurants, cafes, offices, financial/professional services ● Emergency services stations not required to operate during flood events |
| More Vulnerable | <ul style="list-style-type: none"> ● Buildings used for: dwelling houses, student halls of residence, drinking establishments, nightclubs, hotels ● Hospitals, residential institutions (e.g. care homes, hostels, prisons) ● Non-residential uses for health services, nurseries and educational establishments |
| Highly Vulnerable | <ul style="list-style-type: none"> ● Basement dwellings (self-contained) |

10 Flood Risk and Water Efficiency

- | | |
|--|---|
| | <ul style="list-style-type: none"> • Emergency services (police/fire/ambulance) stations required to operate during flood events • Installations requiring hazardous substances consent |
|--|---|

10.18 (For a complete list of vulnerability classification uses, see Table 2-2 in the H&F SFRA 2016)

10.19 For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

10.20 Where required, the FRA should demonstrate how both elements of the test have been passed in order for the development to be allocated or permitted.

Key Principle - FR3

Flood Risk Assessment and Flood Proofing Measures

The FRA must assess the risk of flooding from all relevant sources, in particular tidal, surface and groundwater, 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 H&F SFRA.

10.21 The council's most recent Strategic Flood Risk Assessment (SFRA) and Surface Water Management Plan (SWMP) should be used by developers to identify a site's present and future flood risk from all sources and assess the impact that their development will have on flood risk. Information from the Environment Agency such as their "Product 4" data should also be used when assessing risks from the River Thames, particularly in relation to flood risks from a breach/over-topping event.

10.22 The SFRA identifies that the most significant sources of flood risk within H&F are surface water, sewer and groundwater flooding. There is also tidal flood risk if the flood defences failed. The SFRA and SWMP contain maps which identify the following and which should be used to help determine the flood risks that should be covered in any FRA:

- Maps showing the extents of Flood Zones 1, 2 and 3
- Map showing the areas at risk of rapid inundation in the event of failure or breach of flood defences
- Maps showing potential tidal breach locations and depths
- Borough and Ward level maps identifying hotspots and areas where significant hazards are forecast in terms of surface water flooding
- A map showing those parts of the borough at risk of increased potential for elevated groundwater
- Map showing the number of sewer flooding incidents by postcode area
- Map showing historic flood incidents in the borough from all sources

10.23 Where the SFRA and/or SWMP identify that a site is at risk of flooding from any source, the FRA must include details of appropriate flood proofing or mitigation measures that will be integrated. FRA's that do not assess all relevant flood risks (e.g. they consider flood risk from the Thames but not other flood risks, or flood risks from a breach event are not considered) will be rejected as inadequate.

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10.24 Appendix A2 of the SFRA provides guidance on mitigation measures that should be considered for integration into new developments to provide appropriate levels of flood resilience from the various sources of flood risk. The 2007 Communities and Local Government document 'Improving the Flood Performance of New Buildings - Flood Resilient Construction' is also a useful reference document when determining appropriate mitigation measures for new developments: www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings.

10.25 In relation to providing protection from surface and/or tidal flood risks, it is recommended that the following hierarchy is followed in considering appropriate flood mitigation measures:

- Avoidance - Construction of development in such a way that it can avoid being flooded (e.g. by raising finished floor levels above expected flood levels).
- Resistance - Construction of a development in such a way to prevent floodwater entering the building and causing damage.
- Resilience - Construction of a development in such a way that even though flood water may enter it, its impact is reduced (i.e. no permanent damage is caused, structural integrity is maintained and drying and cleaning are facilitated).
- Repairable - Construction of a development in such a way that although flood water enters a building, elements that are damaged by flood water can be easily repaired or replaced. This is considered to be a form of flood resilience.

10.26 In some cases it may be possible to raise finished floor levels in new developments sufficiently to avoid being flooded, but this approach is not expected to be available on all sites, and will not be practicable for extensions to existing buildings. The most common approach outlined in FRAs is expected to be a resilience/resistance approach. Examples of measures recommended for consideration include:

- Using concrete floors rather than timber on the ground/basement/lower ground floors;
- Using flood resilient building materials and fittings;
- Locating power sockets above the possible flood levels;
- Incorporating temporary door or air vent flood boards to stop the entry of flood water;
- Sealing entry points for services etc to prevent ingress of flood water
- Fitting non-return valves to prevent sewers surcharging into properties; and
- Signing up to the Environment Agency's free Flood Warning Service, where appropriate.

10.27 In addition to integrating physical flood mitigation measures, some sites will require the FRA to include information on how the occupants would remain safe if the site was impacted by a serious flood event. Basements, lower ground floors and in some cases, ground floor development could be impacted by flood waters if a breach of the tidal defences occurred or if an extreme storm event caused flash flooding in surface water flooding hotspots. FRAs should show how occupants could safely leave the site or if necessary take refuge on-site at a higher floor.

10.28 Consideration of this issue applies not only to new build developments but also conversions, where a single dwelling is converted into flats as this could impact on the ability of occupants in lower flats to stay safe if access to higher floors is removed as a result of the development.

10 Flood Risk and Water Efficiency

Key Principle - FR4

Requirements for Self Contained Basement Flats

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.

10.29 Self-contained basements are classified as highly vulnerable to flood risk, particularly where flood waters could inundate a site at depths and velocities that present a risk to occupiers.

10.30 All developments need to provide safe access/egress or a place of refuge for use in a possible flood event. However, for basement flats, it is vital that there is a way for occupants to escape from their property in the event of a flood incident that requires emergency evacuation of the site. If a flat only has one entrance/exit and this is where flood water would enter the property at velocities and depths that could endanger life, then this sort of development will not be permitted.

10.31 An alternative route out of the property is required and needs to be shown on plans and highlighted in the FRA to demonstrate that escape would be possible in the event of a significant flood event at the site.

Key Principle - FR5

Groundwater Source Protection Zones

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.Top of Form

10.32 The Environment Agency has defined Source Protection Zones across England where groundwater sources such as wells, boreholes and springs are used for public drinking water supply. The zones show the risk of contamination from any activities that might cause pollution in the area.

10.33 In H&F, there are currently no Source Protection Zones, so no special measures to protect groundwater are currently required. However, if such Zones are designated in the future, measures would need to be proposed as part of the FRA to show that any development in these Zones would protect and not impact on groundwater resources.

10.34 Further guidance can be found online here: www.gov.uk/government/collections/groundwater-protection

Key Principle - FR6

Structural Flood-proofing of Subterranean Developments

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.

Flood Risk and Water Efficiency 10

10.35 If a basement is constructed close to or at the same level as the water table then it could act as a barrier and may divert groundwater flows. It could also potentially cause a local rise in groundwater, depending on the site's geology and topography.

10.36 The SFRA identifies that groundwater is a significant potential source of flooding in the borough with the majority of the southern half of H&F being at high risk of groundwater flooding from superficial deposits overlying the London Clay bedrock. It is therefore essential that basements in those parts of the borough identified in the SFRA are constructed to resist ingress of water and also to not increase flood risk for adjacent sites.

10.37 Waterproofing of below ground structures is described in British Standard BS8102-2009, the "Code of practice for protection of below ground structures against water from the ground" which sets out in detail how waterproofing should be undertaken in new and existing buildings.

10.38 BS8102-2009 covers 3 different types of waterproofing technique:

- Type A - Barrier protection
- Type B - Structurally integrated protection
- Type C - Drain protection

10.39 The inclusion of an internal drained cavity protection with a sump and pump for removal of water or its disposal by gravity is the recommended method of protecting basements in most cases. This not only ensures a high level of waterproofing for the new basement but is also capable of managing potential off-site flood risks appropriately, particularly where new development is directly adjacent to existing properties.

10.40 Basements constructed for non-residential uses – e.g. car parking do not necessarily need to be built to the highest standards in terms of water/damp proofing but should still be constructed so that they do not increase flood risk for neighbouring areas.

10.41 Applications that include basements will be required to provide details of the structural measures to be integrated to protect the property and neighbouring properties from potential groundwater impacts. The FRA should refer to groundwater information available for the site and show how this has been used to develop appropriate waterproofing measures. For some sites, it may be necessary to carry out site specific investigations to inform the FRA.

Key Principle - FR7

Protecting Against Sewer 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.

10.42 Table 2 above shows the key development types that are classified as 'more' or 'highly' vulnerable. Basement developments are susceptible to sewer flooding so in addition to the structural water-proofing measures outlined above, it is recommended that where kitchens, bathrooms or other water related installations are planned at basement level, that mitigation measures in the form of provision of a pumped solutions or 'active drainage devices' incorporating non-return valves are installed to prevent surcharge flooding from the sewer system during intense storm events.

10 Flood Risk and Water Efficiency

10.43 The use of such devices is particularly important in those areas most at risk of sewer flooding in the borough. The SW6 postcode area is most susceptible to this form of flooding according to the Thames Water data included in the SFRA and SWMP, although other areas in the borough including W6, W12 and W14 all have recorded incidents of sewer flooding over the last 10 years.

Key Principle - FR8

Water and Wastewater Infrastructure

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.

10.44 Thames Water should be consulted at an early stage of the planning process to check whether or not the existing water supply and drainage systems can accommodate the additional demands for drinking water and drainage requirements associated with the development.

10.45 Development proposals, particularly for major sites, must ensure that adequate water supply and wastewater infrastructure capacity are available for the development.

10.46 In terms of wastewater infrastructure, if initial investigations show that there are concerns about the capacity of the existing infrastructure, particularly where combined flows of foul and surface water could put additional pressure on the Counters Creek sewer system that serves much of the borough, then a Drainage Strategy will be required. This should provide details of how the foul/surface water flows will be managed, illustrating any proposed new drains or alterations to the connection points in the existing sewer system. This requirement is in addition to the need for developments to provide details of sustainable drainage measures to manage surface water run-off, in line with the requirements of Local Plan Policy CC4. Where water or wastewater assets cross a site, or lie in close proximity to a site, developers are advised to contact Thames Water Developer Services to discuss any protection measures or build over agreements that may be required.

10.47 Further information on these issues is available from Thames Water Developer Services: <https://developers.thameswater.co.uk>.

Key Principle - FR9

Thames Estuary 2100 Plan Requirements

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.

10.48 The Environment Agency released the Thames Estuary 2100 (TE2100) Plan in November 2012 to set out their recommendations for flood risk management for the Thames Estuary through to the end of century and beyond. It primarily covers tidal flooding, although other sources of flooding including high river flows as a result of heavy rainfall and surface water flooding are also considered. The full document is available online here: www.gov.uk/government/publications/thames-estuary-2100-te2100.

Flood Risk and Water Efficiency 10

10.49 In the future, climate change will lead to sea level rises and the TE2100 plan predicts an increase in River Thames water levels. If defences are not raised as outlined in the Plan, there is a severe risk of overtopping of the defences leading to flooding in parts of H&F. However, if the defences are raised as required, then flood risk from the Thames would be considered to be low.

10.50 Examples of requirements for developments directly adjacent to the Thames include the following in terms of showing compliance with TE2100, which should be detailed in the FRA:

- Maintain, enhance or replace flood defences to protect the development for its lifetime
- Either raise flood defences in line with TE2100 requirements or to demonstrate how defences that protect the site can be raised in the future
- Re-align or set back flood defences where this is possible to help provide amenity space, habitats and other environmental enhancements as well as improving access
- Demonstrate that access to flood defences can be improved if necessary including the safeguarding of land for future raising of flood defences or landscaping works/habitat improvements
- Where necessary, make financial contributions towards the potential future costs of constructing flood defences required to protect the site over its lifetime.

Water Efficiency Requirements

Key Principle - FR10

Water Efficiency

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

10.51 Water consumption in London is currently higher than the national average at 164 litres/day per person. The capital's water supply is already under pressure, particularly in years when there are low levels of rainfall. Thames Water, provider of over 75% of London's water supply, projects that by 2020 there will be a significant deficit in the water supply when consumption is projected to outstrip supply.

10.52 Therefore, new developments are required to minimise the use of mains water where possible by implementing water efficiency measures. This will ensure a sustainable and secure water supply for London in the future.

10.53 Residential development should be designed so that mains water consumption meets a target of 105 litres or less per head per day, excluding an allowance of 5 litres or less per head per day for external water use. This target is in line with the 'optional requirement' set out in Part G of the Building Regulations 2010 (as amended in 2016). Developers should maximise the opportunities for water saving measures and appliances in all developments, including the reuse and using alternative sources of water as part of sustainable drainage systems.

10.54 New non-residential developments, including refurbishments, should aim to achieve the maximum number of water credits in a BREEAM assessment or the 'best practice' level of the AECB (Association of Environment Conscious Building) water standards. The AECB standards can also be used to guide the specification of suitable fittings/appliances in residential developments. Further details are available online here: www.aecb.net/publications/aecb-water-standards.

10 Flood Risk and Water Efficiency

10.55 Appendix A of the Building Regulations Part G includes details of a water efficiency calculator. The template provided in the document can be completed to show the expected water use in new dwellings and demonstrate that suitable water efficiency measures have been provided. This template is appropriate for smaller developments where a BREEAM or other sustainability assessment is not necessarily required, but where information on water efficiency should be provided.

10.56 Examples of measures that should be considered for use include the following:

- Low and dual flush toilets - new toilets have a maximum flush of 6 litres. The lowest full flush toilets have a flush of 4 litres. Best practice are dual flush toilets of 4/2 litres;
- taps – water efficient options include spray, aerated, low flow self-closing and infrared controlled appliances as well as the installation of flow restrictors;
- Bathing - showering, excluding with power showers generally uses less than half the water than having a bath. Aerated and low flow showerheads can further reduce water consumption. The installation of a low volume bath can be an alternative;
- Waterless urinals - new urinals are limited to a maximum water use of between 7.5 litres to 10 litres an hour. Therefore waterless urinals can save significant amounts of water and money for businesses. Buildings with high occupancy rate such as schools, hotels and offices can particularly benefit from waterless urinals
- White goods - washing machines can vary from between 6 litres and 20 litres of water per kilogramme of washing and dishwashers can use as little as 10 litres of water per wash;
- Swimming pools and other high water consuming systems - these can generally be provided with water re-circulation, recycling and water recovery systems rather than backwashing or rejecting water to waste.
- Low water use landscaping - integrate dry or low water use gardens, including use of drought resistant plants.
- Rainwater collection - install water butts to collect water from rainwater downpipes to use on gardens.

10.57 For major developments in particular, those with intensive water use such as offices, hotels, buildings used by the public and schools should demonstrate they have actively considered the use of rainwater harvesting and dual potable and grey water recycling systems and integrated them where feasible.

11 Biodiversity

11.1 As a densely urbanised inner London borough, little remains of Hammersmith and Fulham's original natural ecosystem complexes. Despite this, some good quality wildlife habitat can still be found along the borough's waterways and rail tracks and also within its parks, cemeteries and community gardens where these are not over-manicured. The River Thames forms an important 'blue' wildlife corridor and are used by many species of birds, bats, fish and invertebrates to travel across the borough, allowing some species to colonise the borough and adding to local biodiversity.

11.2 A 1988 study⁽¹⁵⁾ of the borough's wildlife habitats identified a total of 225 hectares of green space in the borough which constitutes 14 percent of the total surface area of the borough. A breakdown of this into different habitat types shows that over 60 percent of green space in the borough (150 hectares) comprises formal parkland, sports pitches and amenity grassland. Of the remainder, the majority is made up of grassland (30 hectares) and herbaceous communities (18 hectares). Only around 6 hectares of native woodland remains in the entire borough.

11.3 In this context, opportunities to enhance and create new habitats for biodiversity in the borough will mostly exist by:

- incorporating design measures to increase biodiversity within new developments;
- improving the quality of existing nature conservation areas and green corridors; and
- making existing open spaces more multi-functional and capable of supporting biodiversity.

11.4 The borough's nature conservation areas and green corridors are identified in the Local Plan and the associated Policies Map.

11 Biodiversity

Policy Context - Biodiversity

National policy

The responsibility on local authorities for biodiversity conservation is detailed in section 40 of the Natural Environment and Rural Communities Act 2006. The Act places all public authorities in England and Wales under a statutory duty to have regard to the conservation of biodiversity in exercising their functions⁽¹⁶⁾. The duty aims to raise the profile and visibility of biodiversity, clarify existing commitments with regard to biodiversity, and to make it a natural and integral part of policy and decision making. Section 40(3) of the Act further states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population of habitat.'

The Wildlife and Countryside Act 1981 provides more general protection for a range of species and habitats.

Chapter 11(paragraphs 109-119) of the National Planning Policy Framework details the national planning policy on biodiversity conservation.

London Plan

The London Plan makes reference to the protection or enhancement of biodiversity in a number of separate policies. These include:

- Policy 7.19 – Biodiversity and access to Nature, which states that "development proposals should wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity."
- Policy 2.18 – Green infrastructure – The network of open and green spaces
- Policy 5.3 – Sustainable design and construction
- Policy 5.10 – Urban greening
- Policy 5.11 – Green roofs and development site environs

Local Plan

The council's strategic planning policies aimed at conserving and enhancing the borough's biodiversity are contained in the Local Plan and include:

- Policy OS1 - Parks and open spaces
- Policy OS2 – Access to parks and open spaces
- Policy OS4 - Nature conservation
- Policy OS5 – Greening the borough
- Policy RTC1 - River Thames
- Policy RTC3 – Design and appearance of development within the Thames Policy area.

Key principles

11.5 The key principles listed below focus on protecting existing biodiversity and enhancing levels of biodiversity on development sites in the borough.

Key Principle - BD1

Protection of existing biodiversity

Applicants for development proposals should:

1. ensure thorough initial investigations and/or surveys are conducted on the proposed development site to assess existing levels of biodiversity;
2. provide accurate and up to date survey information with planning applications on existing trees, including protected trees, any habitats or biodiversity features and the presence of plants, invertebrates, amphibians, reptiles, birds or mammals (including bats) on the proposed development site;
3. undertake assessments where surveys confirm the existence of protected or priority species or habitats that detail the proposed development's impact on these species or habitats;
4. ensure that where such assessments demonstrate that species or habitats are likely to be affected by the development, the development where possible avoids adverse effects on these and mitigates any unavoidable impacts arising from the development; and
5. assess the impact of development on nearby nature conservation areas or green corridors.

11.6 All applicants seeking planning permission for proposed developments are encouraged to engage in early pre-application discussions with the council in order to:

- help establish whether any protected species or habitats exist on the proposed development site;
- identify any potential impact of the development on biodiversity; and
- outline the scope of any surveys and assessments that may be needed to support a planning application

11.7 Developers should undertake initial site investigations of the proposed development site to assess existing levels of biodiversity on the site before any demolition or site clearance has commenced and before the layout of the new development has been designed. In particular, the site investigations should assess whether the site contains any protected species or habitats.

11.8 Trees form an important element in biodiversity conservation, providing shelter and food for a range of different species and being of conservation value in their own right. Developers should aim to design the development to maximise the number of trees that will be retained, especially those of conservation and heritage value. Development proposals should also identify suitable locations for tree planting, including those for significant trees wherever possible. The council may require developers

16 Section 40, The Natural Environment and Rural Communities Act 2006, which states that:
 "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"

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to submit an Arboricultural Implications Assessment and an Arboricultural Method Statement if trees are present on or adjacent to the development site and are likely to be affected by the proposed development.

11.9 Most development sites, including buildings are used or colonised by a range of fauna, flora and fungi species. Developers may need a qualified ecologist to conduct a survey aimed at identifying different protected species present and the potential of the site to support species that may be missed by the survey. Surveys of species and habitats often need to take place at particular times of year and need to be planned in advance. Appendix 2a provides a table showing the appropriate times of year to undertake surveys for different species. It should be noted that if surveys related to the proposed development are to be conducted that are likely to result in an offence under regulation 39 or 43 of the Conservation (Natural Habitats, & c.) Regulations 1994, it is recommended that a licence is first obtained from Natural England. Persons wishing to carry out survey work that could affect animals or plants that are a European protected species should contact the relevant local area team of Natural England.

11.10 The development should be designed and laid out in a manner that avoids harm to the wildlife and habitats in designated nature conservation areas and green corridors. If this is not possible, harm must be minimised and the harm should be compensated for either on the development site or within the area.

11.11 Proposed developments adjacent to or in the vicinity of a designated nature conservation area will also need to ensure that landscaping schemes provided as part of the development do not adversely affect the nature conservation area and are biodiversity friendly. For developments alongside the watercourse, consideration should be given to the requirements of the Water Framework Directive (WFD).

Key Principle - BD2

Protected and Priority Species

Where development proposals involve any of the activities shown in Appendix 2b, a Protected or Priority Species Survey and an associated Assessment will be required with the planning application if:

- **there are reasonable grounds to believe that the site is being used by a Protected or Priority Species; and**
- **the current level of biodiversity of the site is unknown.**

The information gained from the site survey and assessment should be up-to-date and sufficient to allow the development impact to be appropriately assessed.

11.12 There are strong legislative measures in place to conserve Protected or Priority species. Different types of development including the proposed total or partial demolition of buildings as listed in the table in Appendix 2b can impact upon some protected species more than others for example bats and/or nesting birds. Where required, developers should conduct Protected Species surveys and assessments on sites where such developments are planned before any work associated with the proposed development begins. Surveys and assessments should be prepared by qualified ecologists.

11.13 Appendix 2c contains a flowchart providing guidance on the steps developers need to take to ensure the protection and enhancement of biodiversity on development sites.

Requirements for species surveys

11.14 Where species surveys are to be conducted, these should be:

- undertaken and prepared by competent persons with suitable qualifications and experience (such as a member of the Institute of Ecology and Environmental Management) and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines or methods where available;
- informed by the results of a search for ecological data from Greenspace Information for Greater London (GiGL), the biological records centre for London, and other environmental organisations, as appropriate. These may include for example:
 - London Bat Group; or
 - the London Natural History Society (LNHS).
- prepared at an appropriate level of detail and must record which species are present and identify their numbers (may be approximate); and map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

11.15 Further information on appropriate survey methods can be found on the website of the Institute of Ecology and Environmental Management: Sources of Survey Methods www.ieem.net.

11.16 Failure to provide accurate and up to date survey information may be a reason to refuse the registration of the planning application or may result in its subsequent refusal when considered against policy.

Requirements for assessments of species surveys

11.17 The assessment must identify and describe potential development impacts likely to harm the Protected or Priority Species and / or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show how:

- alternative designs or locations have been considered;
- adverse effects will be avoided wherever possible;
- unavoidable impacts will be mitigated or reduced; and
- impacts that cannot be avoided or mitigated will be compensated.

11.18 The assessment should also give an indication of how species numbers are likely to change, if at all, after development so as to establish whether there will be a net loss or gain.

11.19 The information to be provided in response to the above requirements is consistent with those required for an application to Natural England for a European Protected Species License. For further detailed information see: www.naturalengland.org.uk.

11.20 A Protected or Priority species Survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

11.21 A full Protected or Priority Species survey and assessment may not be required if:

- the council has stated in writing that no Protected or Priority Species surveys and assessments are required; or
- it is clear that no Protected or Priority Species are present on the development site despite the guidance in Appendix 2 suggesting their likely presence, and the applicant is able to provide evidence with the planning application to demonstrate that such species are absent (this might be in the form of a letter or brief report from a suitably qualified and experienced person, or a

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relevant local nature conservation organisation, or where information is obtained from Greenspace Information for Greater London (GiGL); or

- it is clear that the development proposal will not significantly affect any Protected or Priority Species present. In this instance, only limited information needs to be submitted. This information should:
 - a) demonstrate that there will be no significant affect on any Protected or Priority Species present; and
 - b) include a statement acknowledging that the applicant is aware that it is a criminal offence to disturb or harm protected species should they subsequently be found or disturbed.

Key Principle - BD3

Designated sites, Priority Habitats, Biodiversity Features

If the application is likely to affect any of the Designated Sites, Priority Habitats or biodiversity features listed in Appendix 2d, a survey and assessment for the relevant feature(s) must be submitted with the application.

A site survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with the council's ecologist or ecological advisor and/or other competent parties (e.g. Natural England or the London Wildlife Trust), showing that they are satisfied that the proposed development will not affect any of the areas listed in Appendix 2d.

11.22 In addition to Protected and Priority species, the council will have regard to the protection of the borough's nature conservation areas, Priority Habitats and green and blue corridors within the borough.

Development adjacent to the River Thames

11.23 The River Thames constitutes the borough's 'blue' corridor. The River Thames provides habitat for a wide range of species and act as important wildlife corridor, allowing a large number of species to travel through the borough. In some instances, the river provides the means for species to enter and establish themselves within the borough and other parts of London. In order for the River Thames to continue functioning as an habitat and corridor for wildlife, new development along the River Thames should be carried out taking into account the following ecological principles:

- Enhance the function of the River Thames as a wildlife corridor and introduce measures to encourage riparian biodiversity;
- Investigate the managed retreat of the riverbank and establish areas of biodiversity friendly landscaping where practicable;
- No loss of Local Sites of Nature Conservation Importance;
- No negative ecological or environmental impact on Local Sites of Nature Conservation Importance in proximity to the river;
- Retention, protection and enhancement of all existing priority habitats and species;
- A net increase in open space including natural and semi-natural green space;
- The incorporation of green infrastructure and SUDs in developments;
- Green roofs and other green design features are required on all buildings, where practicable. Building design should also incorporate nesting features (e.g. bird boxes) into the structure of buildings where practicable;

- Light spillage should be reduced within and adjacent to areas of ecological value, including green / blue ribbons (corridor linkages); and
- An ecological and environment impact assessment must be submitted with any major planning application

Details of survey requirements for Designated Sites and Priority Habitats

11.24 Where surveys of Designated Sites and Priority Habitats are to be conducted, these should be:

- prepared by competent persons with suitable qualifications and experience (such as a member of the Institute of Ecology and Environmental Management) and must be carried out using nationally recognised survey guidelines or methods where available. ⁽¹⁷⁾
- informed by the results of a search for ecological or geological data from Greenspace Information for Greater London (GiGL), the biological records centre for London, and other environmental organisations, as appropriate. These may include:
 - London Wildlife Trust
 - London Bat Group
 - London Natural History Society (LNHS)
 - Local Regionally Important Geological Sites (RIGS) Groups
 - prepared to an appropriate level of detail and must:
 - record which habitats and features are present on, and where appropriate, around the site;
 - identify the extent and area of the site, protected habitat and/or biodiversity feature; and
 - map the distribution of the site, protected habitat and/or biodiversity feature on site and/or in the surrounding area shown on an appropriate scale plan.

11.25 ⁽¹⁸⁾

Details of Assessment requirements for Designated Sites and Priority Habitats

11.26 Assessments prepared in relation to the survey should identify and describe potential development impacts likely to harm Designated Sites, Priority Habitats, and listed Biodiversity Features. This should include both direct and indirect effects occurring during construction and after development. Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced; and
- How impacts that cannot be avoided or mitigated will be compensated.

11.27 The assessment should give an indication of the likely change in the area (hectares) of Priority Habitat(s) on the site after development such as to whether there will be a net loss or gain. Proposals are encouraged that will enhance, restore or add to designated sites, Priority Habitats, or Biodiversity Features.

17 Further information on appropriate survey methods can be found on the website of the Institute of Ecology and Environmental Management Sources of Survey Methods: www.ieem.net.

18 Information on internationally and nationally designated sites can be found at: www.natureonthemap.org.uk. Information on locally listed nature conservation areas can be found on the council's web site at: www.lbhf.gov.uk.

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Sharing of Ecological Data Findings

11.28 The council will provide a copy of any ecological data including survey and assessment findings submitted as part of a planning application to Greenspace Information for Greater London (GiGL), London's Open Space and Biodiversity Records Centre. Developers should be aware that this data will be made publicly available once it is transferred to GiGL. This data exchange will help to increase the knowledge, protection and enhancement of biodiversity in the borough and across London generally.

11.29 In order to ensure consistency with GiGL's data management, developers should provide a table of data containing the following minimum information, as an appendix to any ecological or survey reports:

- Grid Reference
- Date
- Species
- Observer (the person who made the record)
- Location name
- Abundance (if recorded)

11.30 ⁽¹⁹⁾

11.31 Unless otherwise stated, all data will be managed and made available in accordance with GiGL's accessing data policy (which includes putting it on the National Biodiversity Network). Further information is available on GiGL's web site.

Key Principle - BD4

Retention of Biodiversity

Development proposals on all land should protect any significant biodiversity and/or habitat features present on the site and avoid harm to any nearby nature conservation areas. Where appropriate to the scale and nature of the site, new development should be designed and located in a manner that retains, as far as practicable, existing biodiversity and habitats and natural landscape features on the site.

11.32 The built up nature of the borough and the absence of major nature conservation sites makes it important that new developments are sympathetic to preserving existing nature conservation interests on the site such as locally significant trees and natural landscape and habitat features. Early consideration of the need to preserve any significant nature conservation interest on the site should allow innovative design solutions to be devised that are cost effective, add to the character of the development and will not impair the efficient functioning of the development.

19 A standard data entry form in Excel format showing the required and all optional fields can be downloaded from the GiGL web site at: www.gigl.org.uk.

Key Principle - BD5

Invasive plant species

Where a site is to be redeveloped, developers should identify the presence of any invasive plant species at an early stage and introduce measures to prevent the spread of these species during and after construction.

11.33 Animals and plants that have been introduced to an area where they do not normally occur may become invasive. Some vigorous or invasive non-native plant species in particular can impact negatively upon biodiversity by out-competing native flora and rapidly dominating local ecosystems. This can then affect other species, resulting in an overall decline in biodiversity. Section 14(2) of the Wildlife and Countryside Act 1981 makes it an offence to, 'plant or otherwise cause to grow in the wild' any plant species listed in Schedule 9 of the Act.

11.34 Under part II of schedule 9 of the Wildlife and Countryside Act (as amended) 1981, landowners are required to eradicate the following invasive plant species that are likely to be found on development sites in Hammersmith and Fulham:

- Japanese knotweed (*Fallopia japonica*);
- Himalayan Giant Hogweed (*Heracleum mantegazzianum*).

11.35 Additional invasive non-native plant species likely to exist in development sites in the borough include:

- Himalayan balsam (*Impatiens glandulifera*);
- Tree of Heaven (*Ailanthus altissima*);
- False Acacia (*Robinia pseudoacacia*)
- Alkanet (*Pentaglottis sempervirens*)
- Butterfly bush (*Buddleia davidii*)
- Snowberry (*Symphoricarpos albus*)

11.36 Developers should also ensure the following aquatic plant species are not introduced to any water bodies, including garden ponds on or adjacent to the development site:

- Curly waterweed (*Elodea crispata*)
- Pennywort (*Hydrocotyle ranunculoides*)
- New Zealand pygmy weed (*Crassula helmsii*)
- Water-primrose (*Ludwigia grandiflora*)
- Parrot's feather (*Myriophyllum aquaticum*),
- Chinese water fern (*Azolla filiculoides*)

11.37 A further list of invasive non-native species (INNS) will be produced by the council and updated as required. ⁽²⁰⁾

11.38 The Environment Agency provides advice on the measures to control invasive species. Where it is intended to use herbicides or pesticides close to water, an application must be made to the Environment Agency.

20 Further London wide information is available from the London Invasive Species Initiative (LISI) and the Invasive Non-Native Species Secretariat: <https://secure.fera.defra.gov.uk>.

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Key Principle - BD6

Impact on nature conservation areas

Proposals for major development or development sites close to a nature conservation areas, will normally require an Ecological Management Plan (EMP). An EMP should include:

- details of ecological surveys undertaken and the results of these surveys;
- measures to protect species and habitats during site preparation, construction and occupation;
- measures to increase the ecological value of the site once the development is complete, to ensure a net gain for biodiversity;
- measures to ensure the biodiversity value of the site is maintained for the long term after development is complete, including a monitoring program. The developer and / or site manager must ensure the EMP is handed over and explained to any maintenance company or staff responsible for maintaining landscaping and / or gardens and buildings.

11.39 EMPs are normally prepared for developments that have or will attract biodiversity to the development site or developments that will exert an impact upon sites containing biodiversity. The preparation of an EMP will help ensure that the needs of biodiversity are considered after the development has been completed and can also establish long term biodiversity friendly management and maintenance regimes regardless of a change in property ownership.

11.40 A simplified version of the EMP should also be provided for householders and other occupiers of the site, explaining how biodiversity is being protected and enhanced on the site.

Key Principle - BD7

Enhancement of Biodiversity

Development proposals, (excluding householder applications) should include design measures that will enhance, restore or create features or habitats used by wildlife.

Appropriate to the scale, type and potential impacts of the proposed development on biodiversity, developers should create new and/or enhance existing green infrastructure and habitats in or around new developments by incorporating some, or all of the measures listed below:

- Creating new green infrastructure, including green corridors linking habitats on and next to the site so that wildlife can move between habitats;
- Creating new habitats such as hedges and ponds that will benefit wildlife. Often even small scale, cost effective habitat creation can provide significant biodiversity gains and greatly add to the visual interest of the development;
- Ensuring that landscape schemes, including ornamental landscaping and management routines, benefit wildlife and biodiversity;
- Integrating nesting and roosting opportunities for bats and birds into buildings and other built structures;
- Wherever appropriate, developers should consider how their landscape proposals relate to and contribute to meeting the London Plan targets for the improvement and expansion of priority habitats; and
- Designing external lighting to minimise light spill and other light pollution.

For open spaces around development, the emphasis should be on developing multi-functional spaces that can also effectively function as habitats for biodiversity.

For strategic development sites, a Green Infrastructure Strategy setting out the key principles for green infrastructure development on the site will be required. This may be part of a Concept Statement or development brief that will influence the site planning and design and help ensure green infrastructure is incorporated from the early stages of the project. Concept statements can also be used as the basis for the Design and Access Statement.

Where on-site improvements to green infrastructure are not possible, developer contributions or suitable green infrastructure provision in other areas of the borough may be required.

11.41 If considered early in the design process, and taking account of the scale and type of the proposed development, the adoption of suitable design measures can effectively enhance biodiversity in the borough in a cost effective manner. This enhancement will usually result from protecting existing biodiversity and:

- increasing the area of existing habitat(s) and /or;
- creating new functional habitat(s) and /or;
- implementing specific measures that will benefit certain species including protected or priority species.

11.42 Depending on their nature and scale, new development proposals present a wide range of opportunities to enhance local biodiversity. These opportunities may include:

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- the installation of bird nesting bricks/boxes and bat roosting boxes;
- the adoption of biodiversity friendly landscape management strategies;
- the incorporation of green and/or brown roofs; and
- the creation of new multi-functional, biodiversity-friendly open spaces.

11.43 Simply increasing the number of plant species on the development site will not necessarily be considered as enhancement of biodiversity.

11.44 Any biodiversity surveys and associated assessments of species and habitats that may be required may include recommendations that can contribute to this enhancement. If an assessment is prepared, it should also give an indication of how species numbers are likely to change, if at all, after development.

11.45 The council will aim as far as possible to enhance the overall level of biodiversity across the borough by maximising opportunities for incorporating biodiversity features into new developments as part of its commitment to good design.

11.46 Greenspace Information for Greater London (GiGL) has prepared London Habitat Suitability Maps for the London Biodiversity Partnership. These maps can be used to help identify the most suitable type of habitat for a particular site to create or restore priority habitats. Indicative maps are available on GiGL's website at: www.gigl.org.uk.

11.47 In cases where the site is not covered by the London Habitat Suitability Maps, large-scale habitat creation should reflect the landscape character of the area, as identified in Natural England's London's Natural Signatures project. ⁽²¹⁾

11.48 Green infrastructure is the network of functional green space which supports natural and ecological processes and is integral to the health and quality of life of communities. It includes:

- Parks and Gardens – urban parks, Country and Regional Parks, formal gardens;
- Amenity Greenspace – informal recreation spaces, housing green spaces, domestic gardens, village greens, urban commons, playing fields, other incidental space, green roofs;
- Natural and semi-natural urban greenspaces - woodland and scrub, grassland (e.g. downland and meadow), heath or moor, wetlands, open and running water, wastelands and disturbed ground), bare rock habitats;
- Green corridors – rivers and canals including their banks, road and rail corridors, cycling routes, pedestrian paths, and rights of way;
- Other - allotments, community gardens, city farms, cemeteries and Churchyards. ⁽²²⁾

11.49 Depending on its scale and nature, new development can provide varied opportunities to enhance and increase the borough's green infrastructure. New developments may also contribute towards the enhancement of green infrastructure by including elements such as :

- Naturalised Sustainable Urban Drainage System such as swales, rain-gardens and ponds;
- Green roofs and living walls; and
- Tree planting schemes (including street trees).

11.50 Natural England's Natural Development project has been set up to demonstrate how both large and small scale development can incorporate green infrastructure. ⁽²³⁾

21 This is available at the Natural England web site at: www.naturalengland.org.uk.

22 Green Infrastructure Guidance (Natural England 2008)

23 More information is available from Natural England's web site at: www.naturalengland.org.uk.

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11.51 Where on-site improvements to green infrastructure are not possible, developer contributions or suitable green infrastructure provision in other areas of the borough may be required.

11.52 Modern buildings typically do not offer any external nooks, surfaces or entry points for birds or bats and are effectively impenetrable to species such as swifts, swallows and sparrows that rely on built structures for nesting and roost sites, contributing to their decline. Developers should consider how to incorporate nesting and roosting opportunities for birds and bats into the structure of new buildings. This should include the use of commercially available 'swift bricks' or other similar products that are incorporated into the walls of buildings. Where this is not feasible the attachment of nest boxes and bat roost boxes to the external walls of new buildings should be considered. The roofs of tall buildings may be suitable for the installation of nesting structures for Peregrines or other raptors.

11.53 Care should be taken to avoid positioning nest bricks or boxes on the side of buildings that get direct sunlight. ⁽²⁴⁾

11.54 In order to minimise stress and disturbance to local wildlife, it is important to carefully manage any potential light pollution issues associated with new development and impacting upon nearby areas where wildlife is found. This is especially important in a heavily built up borough like Hammersmith and Fulham where areas where wildlife refuge areas are relatively scarce and disturbance from light pollution to existing natural areas can have a significant adverse impact on local wildlife.

24 For more information see 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build', RIBA, March 2010 and other sources such as the Royal Society for the Protection of Birds website at: www.rspb.org.uk and the London's Swifts web site at: www.londonsswifts.org.uk.

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Key Principle - BD8

Biodiversity - Landscaping and planting

Developers should incorporate existing natural features that enhance biodiversity such as trees, hedges, scrub, tall grass and ponds into the landscape scheme for the site. The council will discourage landscaping schemes utilising extensive areas of impermeable surfaces, lawn and formal garden areas or plant species that do not enhance biodiversity - this includes the use of artificial grass. Landscaping schemes should seek to include ecological features of natural woodlands such as over-storey tree canopies, middle storey shrubs and under-storey ground covering plants to maximise the capacity of the landscaped area to support diverse biodiversity. Some species provide higher quantities of nectar and these should be chosen where they can be demonstrated not to become invasive non-native species.

Development sites adjacent to, or in the vicinity of a designated nature conservation area, green corridor or green / blue infrastructure, should use native plant species, preferably of local provenance in landscape schemes. Where appropriate a green buffer should be planted between the River Thames and any development site.

For other development sites, aim for at least 50 per cent of plants used for landscaping to be native (both species and planted area) and preferably of local provenance.

Where non-native plants, grasses, shrubs and trees are used in landscape schemes, they should be valuable for wildlife and non-invasive.

The council will encourage the planting of biodiversity friendly hedges and/or planted fences or walls as an alternative to fencing to create wildlife friendly boundaries to development sites.

11.55 The built up nature of the borough means that space for biodiversity is very limited. It is therefore important that new open spaces created as a result of development are multi-functional and are designed to be capable of providing functional habitat for a diverse variety of species. Accordingly, the council will seek to ensure that landscape designs for new development will:

- create habitat niches for a range of wildlife species;
- use selected plant species that provide food and shelter for local wildlife; and
- are conducive to biodiversity friendly management regimes concerning pruning, mowing, fertilising, pesticide and water use.
- provide flowering periods scattered throughout the year and have food sources accessible to native fauna, i.e. not be composed of double flowered cultivars, that prohibit access to nectar or do not have nectaries. It is also important to ensure there is sufficient food for bees, butterflies and other pollinators.
- Assess the suitability of riverside sites for inclusion of green buffers between developments and the river.

11.56 Hedges are particularly suitable for creating habitats in heavily built up boroughs where lack of space is an issue. Hedges can significantly add to local biodiversity if appropriate hedge species are used and biodiversity friendly management routines followed, including allowing hedges to grow to a suitable size.

11.57 Where hedges are not practical, wildlife friendly fencing which has a 150mm gap between the fence and the ground and does not have any spikes along the top or bottom of the fence will be encouraged. Wherever possible, all fencing or walls should be planted with biodiversity friendly climbing plants and fitted with bird nesting boxes to create living surfaces that will soften the edges of the development, provide valuable habitat and create additional visual interest.

11.58 Some examples of biodiversity-friendly landscaping measures are listed below:

- Encouraging the natural urban flora of derelict plots through appropriate management;
- Making or restoring a wildlife pond;
- Opening culverts or re-naturalising river channels;
- Enhancing the wildlife value and sustainability of flower beds;
- Implementing changes in mowing regimes, shrubbery management or herbaceous planting; creating wild flower meadows, either through minimising turfed areas and sowing wild flower seed and/or relaxing the management of existing turf;
- Greening of buildings with climbing plants to provide vertical habitat;
- Creating natural habitats such as woodland, hedges, ponds, wildflower meadows, areas of long grass and log piles;
- Leaving rough grassland areas with appropriate mowing regimes as wildlife corridors;
- Planting hedgerows or shrubbery to improve nesting habitat for birds;
- Linking habitats and wildlife corridors within the development site to habitats and wildlife corridors adjacent or near to the site;
- Avoiding the use of peat, herbicides and pesticides and implementing a chemical free management regime;
- Aiming to safely compost and reuse green waste to best practice guidelines from the site wherever possible, and to not spread pathogens; and
- Avoiding the use of artificial grass products which reduce biodiversity without providing any of the ecosystem services that real grass does.

Key Principle - BD9

Biodiversity and Tree Planting

The council will expect developers to plant trees where appropriate and will itself continue to plant appropriate trees in suitable locations. Normally native species (approximately 70 native tree type species and hybrids) that maximise their value to biodiversity should be planted. If felling is necessary, trees must be replaced with other suitable species, normally native species that will benefit biodiversity. Newly planted trees must be nurtured until well-established and subsequently maintained.

11.59 Trees provide a valuable contribution to local amenities and the street scene, allowing improvements to the environmental quality of the area to be achieved at a relatively low cost. The council will continue to plant new trees as part of its on-going tree planting programme, but sub-surface services or nearby foundations may make it impractical to plant trees in some streets. New development schemes provide the opportunity for onsite landscaping including tree planting. Tree species that are chosen for planting should be suitable for their location and as far as possible be indigenous species and of maximum benefit to biodiversity.

11.60 A few examples of native tree species with an approximate associated species number in the UK are:

- Quercus robur (English Oak) – 300 spp.

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- *Betula pendula* (Silver Birch) – 250 spp.
- *Salix caprea* (Pussy Willow) – 180 spp.
- *Alnus glutinosa* (Common Alder) - 150 spp.

11.61 A few examples of non-native trees with an approximate associated species number in the UK are:

- *Platanus X hispanica* (Plane Tree)- 60 spp.
- *Gingko biloba* (Maidenhair tree) - 50 spp.
- *Ailanthus altissima* (Tree of Heaven) – 70 spp.

11.62 The loss of trees will nearly always result in a deterioration of environmental character and will not be acceptable without good cause, particularly if subject to a Tree Preservation Order. Pruning or lopping should be investigated as an alternative. A tree that is felled should normally be replaced with a tree species that optimises its value to biodiversity and is suitable to the area in all other respects. As far as practicable, native tree species should be used. Any works affecting trees in conservation areas must be notified to the council six weeks in advance.

Key Principle - BD10

Biodiversity and Sustainable Drainage Systems

Wherever possible new developments should incorporate Sustainable Drainage Systems (SuDS) that will enhance biodiversity. The council may require developers to provide a suitable SuDS design and management statement or management plan. The level of detail in the plan is likely to include:

- A description of the area including a map;
- Proposed design of the SuDS;
- Species and habitat targets;
- Provision for the ongoing management of new sites;
- Persons responsible for undertaking the management;
- Means of reviewing the management plan.

11.63 Sustainable Drainage Systems (SuDS) can be particularly beneficial in higher density areas because they can assist in managing surface water run off and enhance biodiversity. Biodiversity-friendly SuDS designs such as grass swales, rain-gardens, infiltration strips, reedbeds and ponds will provide habitats for amphibians, birds, mammals and insects whilst also contributing to landscape settings and possibly open space requirements.⁽²⁵⁾

Key Principle - BD11

Green and Brown Roofs

Developers should seek to incorporate biodiversity friendly green or brown roofs and living walls into new developments.

25 For further information see Chapter 9 on SuDS and refer to www.ciria.org.uk/suds/ and www.susdrain.org.

11.64 Developers should aim for all roofed areas to be greened (including areas used for renewable energy generation such as solar PV panels but excluding other non-green fixtures such as air conditioning units).

11.65 There are two main types of green roof, intensive roofs and extensive roofs. In accordance with Environment Agency advice the council encourages the following standard on the proportion of intensive and extensive green roofing in new buildings:

- 25 per cent of the green/living roofs to be intensive/semi-intensive
- 75 per cent extensive green roofs to be designed for biodiversity

11.66 Intensive roofs - Intensive and semi-intensive roofs are similar to gardens and parks and are valuable for biodiversity. Public access is allowed on these roofs (to residents for example) and the green roof is in effect a roof garden. The council will expect intensive roofs to be designed to the following criteria:

- Intensive roofs should aim to cover at least 70 per cent of the roof area in soil, vegetation and water features. This will reduce water run-off from the roof and ensure the roof's effectiveness in the drainage strategy for the development;
- At least 25 per cent of the vegetation should be native. The use of native vegetation should be maximised; (preferably endemic native species that occur on or within 250m of the development site) No more than 50 per cent of the vegetation used should be non-native; The use of non-native vegetation should be minimised;
- At least 25 per cent of the vegetation should be of known value to wildlife; The use of vegetation of known value to wildlife should be maximised and be 100% where possible;
- No more than 25 per cent of the vegetation should be purely ornamental; The use of purely ornamental vegetation should be minimised;
- A range of bird nesting boxes, invertebrate boxes, logs and log piles should be included to create habitat niches for biodiversity.

11.67 Extensive roofs - Extensive green roofs are low-nutrient, well-drained habitats that offer an opportunity to replicate ecological characteristics of brownfield sites and other such habitats. Access is generally restricted to maintenance staff and they are less costly to create than intensive roofs.

11.68 These roofs may also be 'brown' roofs. A brown roof is one where plants are allowed to colonise naturally rather than being planted. In general, extensive green roofs can be installed on a variety of roofs, both flat and sloping. For slopes greater than 9.5 degrees or 17 percent (2:12 slope) additional structures to prevent slippage of materials will be needed. For slopes greater than 30 degrees or 58 per cent (7:12 slope) specialised media and retention devices will be required. The impact of increased slope on the distribution of water within the planting media should be taken into account in the species used on different sections of the roof.

11.69 The council will expect extensive roofs to be designed to the following criteria:

- The substrate depth should be between 75mm and 150mm ;
- A single substrate can be used, but to provide the greatest benefit to biodiversity, a variety of substrates should be used. It is important that designers are aware that the choice of substrate should not undermine the potential of the roof systems to act as an interceptor and source control mechanism for rainfall;
- A mix of wildflowers and sedums. The wildflower species should preferably be species that already occur on or within 250m of the development site. Where these are not available species should be chosen to maximise the ecological value of the living roof. based upon the guidance provided by the Environment Agency below. A complete list of these species and their ecological value is provided in Appendix 2.

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- at least 10 species of high ecological value
 - at least 10 species of medium ecological value
 - at least 10 species of standard ecological value
- Areas of sand, bare shingle and a series of individual logs and log piles should also be provided to create additional habitat.

11.70 Developers should make use of the guidelines detailed in the Environment Agency publication on living roofs, available at: www.environment-agency.gov.uk and the Living Roofs web site: www.livingroofs.org.

11.71 Due to their relatively large surface areas, Living or 'Green' roofs and 'Living Walls' can provide significant additional habitat for wildlife, as well as reduce water runoff and insulate buildings. This assumes greater significance in a built up borough, where additional land for biodiversity is not readily available. Additionally, green roofs can positively contribute to the sustainable management of urban water runoff and can help to insulate the building from temperature extremes.

11.72 Wherever possible the council will encourage the design of green roofs that provide food and habitat for the local Biodiversity Action Plan Priority species including the:

- House Sparrow (*Passer Domesticus*)
- Stag Beetle (*Lucanus Cervus*)
- Bumble Bee (*Bombus Humilis*)
- Black Redstart (*Phoenicuros Ochruros*)

Expertise

11.73 It is advisable for an ecologist to be present during the installation of an extensive roof as roofing contractors often lack the required expertise to install the ecological elements of green roofs. In general where a green roof is required as a condition for granting planning permission it should be designed to ensure that it reduces the rate of surface water run off, minimises energy use and benefits biodiversity.

- Developers will be expected to provide:
- The ecological rationale for the selection of the plant species;
- A landscape plan and cross-section of the roof to show how the green roof has been designed;
- A long term maintenance plan to ensure the functionality of the green roof;
- An assessment of the roof's capacity to intercept runoff for Sustainable Drainage Systems.

Living walls

11.74 Developers should consider how living walls and/or fences may be incorporated into proposed developments taking into account the scale and nature of the development. The plants chosen for a living wall should be beneficial for biodiversity by offering one or more of the following:

1. Roosting and nesting sites for birds – generally the thicker the climber, the more opportunities for roosting and nesting will be provided;
2. Nectar sources for insects - plants that flower early or late in the season, such as *Hedera helix* (ivy) are particularly valuable;
3. Food - Fruit for birds and insects;
4. Shelter - Hibernation sites for insects such as butterflies and lacewings.

11.75 Living walls protect buildings from weathering and temperature fluctuations and can also benefit wildlife by providing habitat and food for birds and invertebrates. A living wall can be created by:

- Growing self-clinging climbing plants such as ivy up walls;
- Providing a wooden or metal trellis attached to the wall for plants to climb up;
- Growing plants in a specially designed hydroponic system attached to the wall.

11.76 Further information on designing living walls can be found in: Living Roofs and Walls : Technical Report: Supporting London Plan Policy (GLA, February 2008) and Planting Green Roofs and Living Walls by Nigel Dunnnett and Noël Kingsbury (Publ.2004, Timber Press).

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12 Sustainable Design and Construction

12.1 New developments use resources, create waste, emit pollution to air, land and water and contribute to climate change. This SPD covers the design and construction aspects of developments and aims to ensure that new developments do not unnecessarily or unreasonably impact on the local environment, including residents, and seeks to control and minimise the use of resources and pollution impacts.

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Policy Context - Sustainable Design & Construction

National Policy

The National Planning Policy Framework (NPPF) highlights that the purpose of planning is to help achieve sustainable development. The planning system is expected to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, while protecting and enhancing the natural and historic environment.

The 'environmental role' of planning is defined as contributing to protecting and enhancing the natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

As well as considering the potential impacts of new developments once they are operational, this is also taken to mean that the construction (including demolition) process should be carried out in such a manner that it protects the environment and people's quality of life, minimising impacts.

London Plan

The main policy in the London Plan dealing with sustainable design and construction issues is Policy 5.3 Sustainable Design and Construction which requires the highest standards of sustainable construction to improve the environmental performance of new developments.

There are also a number of related policies that help to achieve new developments with high levels of sustainability, including the policies relating to sustainable energy use and reducing CO2 emissions (particularly policies 5.2, 5.5, 5.6, 5.7 and 5.9), green infrastructure and biodiversity (policies 5.10, 5.11 and 7.19), flood risk, sustainable drainage and water resources (policies 5.12, 5.13, 5.14, 5.15), waste and recycling issues (policies 5.16, 5.17, 5.18 and 5.20), contaminated land (policy 5.21), safe and inclusive developments (policies 7.2 and 7.3), improving air quality and reducing noise (policies 7.14 and 7.15).

Local Plan

The council's Spatial Vision for the borough includes an aspiration for H&F to become the greenest borough by 2035. Key commitments in terms of delivering an environmentally sustainable borough include that 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. Sustainable Drainage Systems will be common place and major developments in the regeneration areas will be promoted as zero carbon exemplars. The amount of open space in the borough will have increased through provision in mixed use schemes in our regeneration areas. By 2035, most areas of the borough will be of high environmental quality.

The main Local Plan policy is **CC2 Ensuring Sustainable Design and Construction** requires the **implementation of sustainable design and construction measures in all major developments and encourages their use in other developments.**

Other policies that also promote sustainable design and construction include **Policy HO11 Detailed Residential Standards** which requires a range of sustainability measures; **Policy DC3 Tall Buildings**, which includes reference to the need to demonstrate the use of sustainable design and construction

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measures; Policies in the Environmental Sustainability section of the Local Plan are relevant as well, **CC1 and CC3 - CC13**; Green and Open Space policies **OS4** Nature Conservation and **OS5** Greening the Borough.

Major Developments

Key Principle - SDC1

Implement London Plan Sustainable Design & Construction Requirements

Implementation of the London Plan sustainable design and construction policies to ensure developments incorporate sustainability measures.

Minimising Energy Use

12.2 All new developments create demand for energy use. Reducing this demand by integrating energy efficiency is essential to minimise the need to generate energy. This helps to minimise emissions of CO₂ and reduces the impacts of climate change.

12.3 Sustainability Statements provided with major developments should provide a full Energy Assessment which includes details of the energy efficiency measures to be implemented. Guidance on how to minimise energy use is provided in this document in Chapter 7 and is not repeated here.

12.4 Sustainability Statements (or equivalent assessments such as BREEAM) should summarise the proposed approach in relation to energy use and CO₂ reduction, as recommended in the Energy Assessment.

Making the Most Effective Use of Resources

12.5 London imports most of the materials it requires for new developments to be built, and most of the resources that are required are limited and non-renewable and some are running out. Developments therefore need to be designed and constructed in a way that minimises demands on resources such as land, water, energy and construction materials.

12.6 Water is one of the most important resources. London's water consumption already outstrips supply on occasions and as population growth continues, it is essential to manage demand by reducing water consumption and using water efficiently. New developments should maximise the opportunities to include water saving measures and appliances, including the collection of rainwater for re-use where this is possible. Residential schemes in particular should be designed to minimise internal water consumption to a rate of 105 litres or less per person per day. Non-residential developments are not expected to meet the same target, but should aim to achieve the maximum number of water credits in a BREEAM assessment (where submitted) or the 'best practice' level of the Association of Environment Conscious Building www.aecb.net/ water standards.

12.7 Appendix A of the Building Regulations Part G includes details of a water efficiency calculator. The template provided in the document can be completed to show the expected water use in new dwellings and demonstrate that suitable water efficiency measures have been provided. This template is appropriate for smaller developments where a BREEAM or other sustainability assessment is not necessarily required, but where information on water efficiency should be provided.

12.8 Chapter 10 on Flood Risk Management and Water Efficiency provides further information on water efficiency requirements, including examples of measures that should be considered for implementation.

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12.9 Another resource that it is important to make efficient use of during the construction of new developments is aggregates. The London Plan sets a target that 95% of construction, demolition and excavation waste is recycled/reused by 2020, with 80% of that waste being reused as aggregates.

12.10 The use of new aggregates in construction projects should be minimised. One method of doing this is where a development requires the demolition of an existing building or buildings, that consideration should be given to implementing a "deconstruction" process rather than demolition. Rather than demolishing the building are removing all the material from site to be treated as waste, the deconstruction process requires the dismantling of buildings and sorting of materials on-site into those that can be re-used, including materials that can be used as aggregates as part of the construction of the new development. If this is not an option, the use of aggregates that have been recycled from other sites should be prioritised over use of newly quarried or primary aggregate materials.

12.11 Sustainability Statements (or equivalent assessments such as BREEAM) should summarise the proposed approach in relation to use of resources.

Sourcing Building Materials Sustainably

12.12 Environmental impacts of development can be minimised in terms of the building materials used by specifying materials that have low environmental impacts. Complete information on individual building materials and their environmental impacts is not provided here, but comprehensive information is available in the BRE's Green Guide to Specification (<https://www.bre.co.uk/greenguide>).

12.13 However, some general issues that should be considered when specifying materials for developments include:

- Minimising the use of new aggregates and re-using material on site;
- Using timber from sources acceptable to the Forest Stewardship Council (FSC) or if this is not possible then use timber from a known temperate source to avoid the use of illegally logged timber;
- Avoiding use of materials from other vulnerable habitats – e.g. peat;
- Not using insulation materials containing ozone depleting substances or those with the potential to contribute to climate change;
- If practical, try to source materials from local suppliers;
- Including some materials derived from recycled/re-used content if possible (refer to the WRAP toolkit for further information)
- If demolition is to be carried out, appraise the possibility of 'deconstructing' and saving materials for re-use on site; and
- Avoiding the use of materials with high embodied energy.

12.14 Information on the measures taken to ensure that materials used to build new developments have been sourced with reference to their environmental impacts should be included in the Sustainability Statement or BREEAM Assessment if this is used to guide a sustainable design approach.

Using Prefabrication Construction Methods

12.15 The use of prefabrication construction methods - i.e. the fabrication of building elements off-site which are then brought to site for final assembly can help reduce environmental impacts, including the generation of waste and pollution. Most elements of a new building (to some degree) are capable of being manufactured off-site and this can not only improve a building's environmental performance, but also reduce the time required to construct a development.

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12.16 Developers are therefore encouraged to design and construct schemes so that they include as many pre-fabricated building elements as possible. Sustainability Statements (or equivalent assessments such as BREEAM) should summarise the proposed approach in relation to use of prefabrication methods.

Reducing Pollution

12.17 New developments have the capacity to create environmental pollution impacts that need to be considered during the design and construction process to ensure that these are avoided or minimised as far as possible. Typical impacts can include air pollution, noise, water pollution and light pollution. Contaminated land is also an issue that will need to be investigated. Further guidance on requirements in relation to Demolition Method Statements and Construction Management Plans are provided in Appendix 4.

Air

12.18 In terms of the potential air quality impacts that new developments can cause, detailed guidance is provided in Chapter 6 of this SPD on how developments should be designed and constructed to minimise emissions and also mitigate potential impacts and exposure. Developers are to design their schemes so that they are at least 'air quality neutral' and should also follow best practice in controlling and minimising dust and emissions during the construction and demolition phases. Where occupants of a new development are considered to be sensitive receptors in terms of poor air quality in the vicinity of the development, exposure reduction measures will also be required.

12.19 Where a detailed Air Quality Assessment is provided with a planning application it is not necessary to reproduce this in full in the Sustainability Statement/BREEAM Assessment, but it can be summarised so it is clear that this aspect has been covered.

Noise

12.20 New developments can be the source of noise (or vibration) impacts and/or they can be subject to the impacts of noise as well. Noise should be reduced at source and then designed out of a scheme to reduce the need for mitigation measures. Areas identified as having positive sound features or as being 'quiet areas' should be protected from noise enhanced, where possible.

12.21 Measures that should be implemented to control noise/vibration include:

- 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;
- 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
- 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.

12.22 Where necessary, applicants will be expected to carry out noise assessments and provide details of the noise levels on the site. Further details on guidance to mitigate noise impacts of development are included in Chapter 5 of this SPD.

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12.23 Noise impacts are also an issue during the construction/demolition phase. While some level of disturbance may be unavoidable, developers and their contractors are expected to minimise noise nuisance and disturbance to neighbours during site works. British Standard 5228 “Noise control on construction and open sites” provides guidance on controlling noise (and vibration) impacts.

12.24 If impacts are inadequately controlled and are affecting neighbouring properties, the council can serve a notice under the Control of Pollution Act 1974 and impose requirements on contractors including time restrictions, plant and machinery restrictions and noise limits. Examples of how noise can be kept to a minimum on a construction site include:

- Identifying noise generating activities and substituting with low noise alternatives, if possible;
- Siting noisy equipment away from noise sensitive premises, such as housing;
- Not operating noisy equipment, such as generators and pumps etc unnecessarily;
- Complying with working hours restrictions (e.g. no noisy works outside the hours of 8am to 6pm weekdays);
- Using screening, isolation or other acoustic design solutions (e.g. use a separate compound for all cutting/grinding, well away from neighbouring properties); and
- Not arranging deliveries to the site too early in the morning.

12.25 The Considerate Constructors Scheme (www.ccscheme.org.uk) helps construction sites minimise noise/vibration impacts, as well as other environmental impacts. Information on the measures to be implemented on site during both construction/demolition and the operational phase should be provided in the Sustainability Statement.

12.26 Where a detailed Noise Assessment is provided with a planning application it is not necessary to reproduce this in full in the Sustainability Statement/BREEAM Assessment, but it can be summarised so it is clear that this aspect has been covered.

Water

12.27 Without the incorporation of good environmental practices, new developments could cause impacts on the local water environment, for example by allowing discharge of pollutants from the site. This could be an issue during both the construction and operational phases of a development.

12.28 The traditional drainage system present on site or installed as part of new development should be capable of managing water supply and wastewater disposal without causing pollution incidents. However, during intense rainfall events, pollution can be washed into waterways such as rivers. One way to control this source of pollution is to use Sustainable Drainage Systems (SuDS), as covered in Chapter 9 of this SPD, to help to minimise pollution in urban runoff and improve water quality. SuDS are often considered just in terms of their flood risk management function, but they can provide a range of benefits. In terms of helping reduce water pollution in improve water quality, SuDS measures such as the following should be considered for inclusion into developments:

- vegetation which slows runoff and helps filter out pollutants;
- Use of temporary storage in ponds and other still water which allows contaminated sediment to settle out;
- infiltration trenches to remove pollutants; and
- Use of porous surfaces traps pollution and will allow for natural biological break down.

12.29 Where a detailed Flood Risk Assessment or Sustainable Drainage Strategy is provided with a planning application it is not necessary to reproduce this in full in the Sustainability Statement /BREEAM Assessment, but it should be summarised so it is clear that this aspect has been covered.

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12.30 In terms of managing potential impacts at the construction/demolition phase and preventing contamination of ground and surface water bodies, developers must ensure that appropriate mitigation measures are implemented to control pollution at source. Surface water bodies and groundwater are protected by regulations, although some discharges to watercourses may be permitted. The Environment Agency (EA) is the main regulatory body on this issue and should be contacted for further advice on the management of discharges from construction sites, particularly where there are large-scale demolition / construction works close to the river. Unregulated discharges to surface and ground water should be avoided at all times. Further advice from the EA on pollution prevention can be found on their website here: www.environment-agency.gov.uk.

12.31 Possible mitigation measures for implementation during the construction/demolition phase include the following:

- oil separators;
- clear marking/signage of drainage systems;
- correcting wrong connections to the drainage systems;
- bunding of chemical, fuel and oil delivery storage areas;
- designating and bunding of areas for cleaning activities; and
- bunding of construction sites.

Light

12.32 New developments that include proposals for external lighting (including illuminated signs and advertisements, security and flood lights) should control the potential adverse impacts that it could cause. Details should be submitted that show that external lighting proposals are:

- Appropriate for the intended use;
- Provides the minimum amount of light necessary to achieve its purpose;
- Energy efficient; and
- Provide adequate protection from glare and light spill, particularly to nearby sensitive receptors such as residential properties and Nature Conservation Areas, including the River Thames.

12.33 The details of external lighting should be developed in line with the recommendations of the Institute of Lighting Professionals - www.theilp.org.uk/resources/free-resources/ilp-guidance-notes.

12.34 Full details of the proposed approach does not have to be included in the Sustainability Statement/BREEAM Assessment, but it can be summarised so it is clear that this aspect has been covered.

Land

12.35 Contaminated Land issues are covered in detail in Chapter 8 of this SPD. Developers should set out how existing land contamination will be addressed prior to the commencement of their development. Any potentially polluting uses are to incorporate suitable mitigation measures. In a heavily built up borough such as Hammersmith & Fulham where there has been a long history of heavy industry use, land contamination is known to exist. It is therefore important 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. Where a site is affected by contamination it is the developer's or landowner's responsibility that the site is developed safely.

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12.36 Early identification of land contamination issues enable the consideration of mitigation measures, phasing and the potential to implement less expensive, and more sustainable, in-situ clean up technologies. An assessment of the risks associated with developing contaminated or potentially contaminated land is essential to inform decisions about the appropriate level of treatment, clean up or sustainable remediation that may be required. As highlighted in Chapter 8, details of a site's land contamination issues should be prepared by a suitably qualified person and provided by the developer to support a planning application. The extent of works required to remediate the site are based on the proposed use of the site. As a minimum the works should result in the site no longer being classed as contaminated under Part IIA of the Environmental Protection Act 1990.

12.37 Where a detailed Contaminated Land Assessment is provided with a planning application it is not necessary to reproduce this in full in the Sustainability Statement/BREEAM Assessment, but it can be summarised so it is clear that this aspect has been dealt with.

Minimising Waste and Promoting Recycling

12.38 It is essential that new developments support and promote recycling activity and they should be designed with reference to the council's requirements in this respect. Details on the standards that must be met for provision of waste and recycling storage facilities, including storage size and appropriate location of recycling and refuse storage containers, internally as well as externally are provided in Chapter 14, Waste Management.

12.39 Where new developments include access to a garden, space should be provided for a compost bin to encourage food and garden waste recycling. The need to provide adequate waste and recycling storage should be considered early in the design process to ensure these requirements are factored into the development in a way that ensures it is as convenient to recycle as it is to manage waste. In larger developments, the location of external storage areas should consider the noise generated from the frequency of use of this area and its servicing as well as the requirements of the waste/recycling collection operator to pick up the materials.

12.40 Waste and recycling are also important issues during the construction phase of developments. As highlighted in relation to guidance provided on Sourcing Building Materials Sustainably, developers should maximise the use of existing resources and materials and minimise waste generated during the demolition and construction process. This can be achieved by implementing the Waste Hierarchy:

1. Reduce;
2. Reuse (prioritise on-site reuse of demolition materials, followed by off-site reuse);
3. Recycle (prioritise on-site recycling, then off-site recycling);
4. Resource recovery (for energy generation processes – fuels, heat and power); and
5. Disposal.

12.41 Site Waste Management Plans should be used to provide a structure for systematic waste management at all stages of a project's delivery, focusing mainly on site practices. They help reduce costs of waste management and can also increase profit margins. A Site Waste Management Plan should include the following:

- The types and quantities of waste that will be generated
- Resource management options for these wastes
- Proposed methods of disposal and location
- Proposed means of transport of disposal; and
- How to monitor/report on resource use/waste generation.

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12.42 A guidance document on Site Waste Management Plans is available from WRAP: www.wrap.org.uk. Some waste processing activities may need a license or an exemption from the Environment Agency, who should be contacted for further information on licensing requirements. Emissions from vehicles removing waste materials should be minimised and where feasible, the river should be used to transport waste away from site.

12.43 It is also recommended that major schemes sign up to the Considerate Constructors Scheme (www.ccscheme.org.uk) as this helps construction sites minimise waste production, as well as helping minimise other environmental impacts. Information on the measures to be implemented on site during both construction/demolition and the operational phase should be provided in the Sustainability Statement.

12.44 Full details of the proposed approach in terms of minimising waste and promoting recycling does not have to be included in the Sustainability Statement/BREEAM Assessment, but it can be summarised so it is clear that this aspect has been covered sufficiently.

Conserving and Promoting Biodiversity and the Natural Environment

12.45 Development proposals must be designed and constructed in a way that is sensitive to the need to conserve and promote biodiversity and the natural environment. A development should not cause the net loss of biodiversity or habitats and where possible should create an increase in the quantity and quality of biodiversity on the site.

12.46 Certain species and sites are protected under UK and European legislation. Natural England (www.naturalengland.org.uk) can provide a full list of protected species and advise on how to protect them. The Biodiversity guidance in Chapter 11 of this SPD also provides detailed information on sites that are important in terms of nature conservation.

12.47 Developers should adhere to the following hierarchy when considering biodiversity on their development site:

1. Avoid adverse impacts
2. Minimise impacts and provide on-site mitigation measures
3. In exceptional cases where options 1 and 2 are not possible, provide appropriate compensation

12.48 Biodiversity impacts should be avoided or reduced as far as reasonably possible. This can be achieved by carrying out appropriate ecological surveys in advance of any planning application to guide and inform the design of the development. Priority should be given to retaining any existing valuable habitat, vegetation, species etc and where possible providing 'green corridors' to connect existing areas of nature conservation importance. New habitats should also be provided where possible as part of the new development. This can be done by integrating ecologically sensitive landscaping, including water features or new habitat provided on buildings, such as in the form of green roofs and walls. These features can potentially be incorporated with above ground Sustainable Drainage Systems (SuDs) which would help contribute to mitigating surface water flood risks.

12.49 Full details of requirements are provided in Chapter 11 on Biodiversity and are not repeated here. The Sustainability Statement/BREEAM Assessment should summarise the relevant information on the measures taken to provide biodiversity benefits.

Ensuring Developments are Comfortable and Secure

12.50 Inclusion of measures as outlined in the guidance provided on the Secured by Design website is recommended. This not only makes new buildings safer and more secure and resilient to crime, it has also been shown to provide environmental benefits. Buildings that are protected better against crimes such as break-ins, burglary and criminal damage are more resource efficient as there is less of a need to carry out repairs etc to deal with losses and damage caused by criminal activities. The

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website provides guidance on all aspects of design and layout that impact on the creation of a safe and secure environments, including road layout, footpath design, communal areas, dwelling boundaries, car parking and lighting.

12.51 A safe and secure building is one that will help make it comfortable for users. Comfortable design should also take into account the need to avoid creating adverse local climatic conditions. The GLA's SPG on Sustainable Design and Construction notes that where a proposed development is significantly taller than its surrounding environment, developers should carry out an assessment of its potential impact on the conditions at ground level, and ensure the resulting design of the development provides suitable conditions for the intended uses.

12.52 Other effects buildings can have on the local climate include:

- Overshadowing and reducing access to sunlight
- Making it warmer, either through the heat released from any operating plant or from the materials forming the building as they cool down at night. This contributes to the urban heat island effect which needs to be minimised
- Making it cooler through the effects of including vegetation or water

12.53 These effects should be considered during the design of a development. Information on the measures that have been designed into the development should be provided in the Sustainability Statement/BREEAM Assessment to show that the requirement to ensure new developments are comfortable and secure has been considered and appropriate measures included.

Avoiding Impacts from Natural Hazards

12.54 New developments should be designed to cope with natural hazards such as flood risk, over-heating and drought. These risks are also ones that are expected to increase as a result of climate change impacts, so it is important that developments are designed and constructed to be resilient to these impacts in the long-term.

12.55 Chapter 10 provides detailed guidance on how new developments should assess flood risks from all potential sources and integrate appropriate flood mitigation measures to ensure that developments manage flood risk. The same chapter also provides guidance on water efficiency measures which help to minimise water use and therefore reduce the risks of drought.

12.56 Where a Flood Risk Assessment is provided with an application, full details of the proposed proposed mitigation measures do not have to be included in the Sustainability Statement/BREEAM Assessment, but they can be summarised so it is clear that this aspect has been covered.

12.57 Developments should also include measures that prevent overheating for the lifetime of the scheme. The London Plan sets out a Cooling Hierarchy that should be followed in choosing the most appropriate methods of preventing overheating. These should be passive rather than active measures wherever possible, i.e.

- Avoid designing small south facing units
- Use materials with a high thermal mass
- Use green roofs and green walls to keep the heat out, and keep the building and its surroundings cool
- Use materials with high albedo surfaces
- Locate spaces and uses that need to be cool or that generate heat on the north side of development

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- Use smaller windows on the south and western elevations with low g-value glazing
- Use carefully designed shading measures, including balconies, louvres, internal or external blinds, shutters, trees and vegetation
- Design the building and its internal layout to enable passive ventilation, including openable windows, a shallow floor plan, high floor to ceiling heights, the stack effect, a double façade
- Minimise internal heat gains by using low energy equipment, including energy efficient lighting and insulating hot water pipes and infrastructure as well as thermal stores
- Design in vegetation and water features where feasible to provide passive cooling.

12.58 Information on overheating issues are most likely to be covered in detail in the Energy Assessment so do not need to be reproduced in full in the Sustainability Statement/BREEAM Assessment.

Key Principle - SDC2

Sustainability Statement Requirements

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.

12.59 All applications for major development proposals must provide a Sustainability Statement which demonstrates how the scheme has integrated the sustainable design and construction issues highlighted in Local Plan Policy CC2 and London Plan Policy 5.3, as discussed above.

12.60 Alternative methods of assessing sustainability such as BREEAM will also be accepted as a way of demonstrating the measures to be included. BREEAM can only be used to guide the design of non-residential developments. For major residential schemes, the design can be developed with reference to the GLA's SPG on Sustainable Design and Construction, identifying how the best practice targets are met wherever possible.

12.61 The new Home Quality Mark (HQM) may also be considered as a way of measuring residential developments. If the HQM is used, it is recommended that a 4 star rating is aimed for. For BREEAM assessed developments, the aim should be to achieve an "Excellent" rating.

12.62 A Sustainability Statement will not necessarily provide all the required information or meet the required targets in the Local Plan for all other policies - e.g. on carbon reduction or sustainable drainage matters, and additional information such as Energy Assessment and SuDS Strategy will be required to show compliance with other Policies in the Local Plan.

Minor Developments

Key Principle - SDC3

Sustainability in Minor Developments

The integration of sustainable design and construction measures will be encouraged in all other (i.e. non-major) developments, where feasible.

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12.63 The main requirements outlined in this section apply to major developments, however some of the measures outlined above are also viable in smaller scale developments. These are encouraged for all other developments where they can be integrated without breaching the requirements of other Local Plan policies - e.g. particularly those relating to design and conservation matters.

13 Transport

Transport

13.1 The London borough of Hammersmith and Fulham is located on the western edge of inner London in a strategic location on the transport routes between central London and Heathrow airport. The orientation of the borough is north to south, with most major transport links, both road and rail, carrying through-traffic from east to west. It suffers from some of the worst congestion in London. Road traffic is one of the main causes of carbon dioxide emissions, poor air quality and noise pollution in the borough.

13.2 Most of Hammersmith and Fulham has good public transport apart from pockets in the south and particularly north of the borough where residents have relatively poor levels of accessibility.

13 Transport

Policy Context - Transport

National Policy

The National Planning Policy Framework (NPPF) encourages sustainable transportation. One of the key planning principles as set out in Paragraph 17 is to *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable...*

NPPF paragraphs 29 to 41 contain the details for promoting sustainable transport and the important role this has in facilitating sustainable development and also in contributing to wider sustainability and health objectives.

NPPF Guidance (March 2014) sets out the overarching principles of Travel Plans, Transport Assessments and Statements.

London Plan

The Mayor recognises that transport plays a fundamental role in addressing the whole range of his spatial planning, environmental, economic and social policy priorities. Chapter 6 of the London Plan, which contains London's Transport policies sets out the objective - that London should be:

A City where it is easy, safe and convenient for everyone to access jobs, opportunities and facilities with an efficient and effective transport system which actively encourages more walking and cycling, makes better use of the Thames, and supports the objectives of this Plan.

Development proposals in Hammersmith and Fulham should adhere to London Plan policies as appropriate when submitting an application. In relation to transportation policies key London plan Policies include:

- 6.1 (A Strategic Approach - Part A)
- 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport - Parts A and B)
- 6.3 (Assessing Effects of Development on Transport Capacity - Parts A, B and C)
- 6.5 (Funding Crossrail and Other Strategically Important Infrastructure - Parts B and C)
- 6.9 (Cycle - Part B)
- 6.10 (Walking - Part B)
- 6.12 (Road Network Capacity - Part B)
- 6.13 (Parking - Parts C and D)
- 6.14 (Freight - Part B)
- 6.15 (Strategic Rail Freight Interchanges - Parts A and B)
- Chapter 6 Addendum to Parking Policy Table 6.2 (Car Parking Standards: Designated Blue Badge Parking for residents developments Maximum Parking Standards: Parking for retail; commercial; hotel and leisure uses; emergency services facilities - All)
- Chapter 6 Addendum to Parking Policy Table 6.3: Cycle Parking Standards - All

Local Plan

The council's Strategic Objective for transport is included as part of the overall objective for *Delivering an environmentally sustainable borough.*

Objective 14 states the intention *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.*

Local Plan borough wide policies for transport are contained in **T1 – T6**. **Appendix 7** set out Car Parking Standards and **Appendix 8** contains Cycle Parking Standards. These are as set out in The London Plan.

There is also reference to transportation matters in the following Local Plan policies: **HO2** - Housing Conversions and Retention; **HO4** - Housing Quality and Density; **HO6** - Accessible Housing; **HO9** - Student Accommodation; **DC11** - Basements and Lightwells; **RTC1** - River Thames; **RTC2** - Access to the Thames Riverside and Foreshore; **Policy CC4** Minimising Surface Water run-off with Sustainable Drainage Systems.

Where the development is located in a regeneration area, the council will expect the development to adhere to the Local Plan policies for these areas and associated Strategic Sites as set out in:

Strategic Policy WCR - White City Regeneration Area, including Strategic Site policies WCRA1 - White City East; WCRA2 - White City West, Shepherd's Bush Market and adjacent Land.

Strategic Policy HRA - Hammersmith Regeneration Area, including Strategic Site policies HRA1 - Town Hall Extension and adjacent land, Nigel Playfair Avenue; HRA2 - A4, Hammersmith Flyover, Hammersmith Gyratory and adjoining land.

Strategic Policy FRA - Fulham Regeneration Area including Strategic Site Policy FRA1 - Earl's Court and West Kensington Opportunity Area.

Strategic Policy SFRRRA - South Fulham Riverside Regeneration Area, which includes SFRRRA1 - Imperial Gasworks National Grid.

Key Principle - TR1

Transport Assessments

When applying Local Plan Policy T2, the council expects Transport Assessments and Transport Statements to be produced in accordance with Transport for London's Transport Assessment Guidance.

13.3 The level of detail required within a Transport Assessment (TA) and Transport Statement (TS) will be dependent upon the size/type of scheme. Applicants are encouraged to discuss with the local authority the proposed approach at pre-application stage.

13.4 The applicant will be required to produce a scoping study which describes the proposed approach, discusses the issues likely to influence the proposed development and identifies key measures which will help reduce dependency on the car.

13.5 Other key points that should be included as part of any TA are as follows:

- Highways – determine capacity of existing road links and junctions using existing flows and find reserve capacities available utilising appropriate packages as necessary (such as OSCADY, PICADY, ARCADY, LINSIG TRANSYT, VISSIM and PARAMICS). Giving careful consideration to the objective of restraining traffic and allocating road space made available by restraint policies

13 Transport

to 'essential' traffic (including buses, cyclists and pedestrians) determine assignment of peak and off peak vehicular trips to the road network. The assessment should include the commercial vehicles that will be required to service the development.

- Road safety measures – propose local traffic safety environmental improvements for the surrounding area (where appropriate) and test network setting out the assumptions made.
- Identify Mitigation Measures – propose mitigation measures where a development has a negative impact.
- Safety audit – where a proposed development will impact on the local highway network in a manner which could have implications for safety, a safety audit will be required.
- Pollution – at each stage of the traffic assignment modelling the impact of the generated traffic on air pollution and noise should be taken into account where practical.

Key Principle - TR2

Travel Plans

Travel plans should be produced in accordance with Local Plan Policy T2 and TfL's guidance on Travel plans 2013.

In general, travel plans submitted along with an initial application will be in outline form. However, where the occupant is known or where the application is for the expansion of an existing use, a full travel plan will be required.

The Travel Plan will be secured by a Section 106 Agreement in the first instance.

A Construction Travel Plan is required for applications for major development and should be included as part of The Construction Management Statement for applications involving basement extensions.

13.6 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 achievable and time specific 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, which will be monitored to ensure implementation. Where funding is provided as part of a travel plan a Section 106 Agreement should be provided. In the absence of a Section 106 Agreement a condition should be applied to planning permission.

13.7 Where an outline travel plan is submitted a timetable for implementing an iTrace compatible travel survey and a date that the full travel plan will be completed should be included. The outline travel plan should include the measures that will be in place on completion of the development to encourage sustainable modes of travel for future occupants.

13.8 All travel plans should include appropriate methods of monitoring and enforcement. In general full travel plans should be submitted no later than six months after 90% occupation of the development and the travel plan must be updated and a travel survey submitted at three and five year periods of completion of the development. A full travel plan should include the roles and responsibilities of a travel plan co-ordinator.

13.9 The contact details of the Travel Plan Co-ordinator should be sent to LBHF and the West Trans Monitoring Officer (Westtranstravelplans@ealing.gov.uk) at least two months prior to the occupation of the development. A named contact or nominated individual is needed in the interim until the appointment of the Travel Plan Co-ordinator.

13.10 All education applications will be expected to provide an outline school travel plan as part of the TA, to help reduce the potential negative impact that such developments can have on the road network and provide an appropriate mechanism for supporting individual sustainable journey plans.

13.11 A large amount of material is available on the council's website regarding school travel plans. Advice on travel plans is available from the council's travel plan adviser. TfL has also produced useful guidance: Delivery Plan for Schools and Young People 2014/15 update.

13.12 As contained in Local Plan Policy DC11- Basements and Lightwells, a construction traffic management plan is a required component of the construction management statement for basement proposals. This should ensure that traffic and construction activity does not cause unacceptable harm to pedestrian, cycle, vehicular and road safety.

Key Principle - TR3

Vehicle parking standards Including car parking permit free

Development in areas well connected by public transport will be expected to be car-free, with no parking provided, other than for disabled people. Proposals for residential development in areas of PTAL 1-2 may be issued residential parking permits. In these circumstances, this will require an assessment to ensure that the level of on-street overnight parking resulting does not result in parking stress. This will be assessed on a case by case basis.

Where a development is accepted as only partly car free the smaller residential units will generally be considered to be permit free.

Holders of disabled persons Blue Badge parking would be excluded from car permit free arrangements. However developers are expected to address the needs of Blue Badge holders by provision of appropriate facilities as set out in key principle TR6 below.

13.13 The notional on-street overnight parking capacity in any street, or part of a street will be calculated as follows:

- The total length of kerb-line will be measured for each side of a street between intersecting street, measuring from the near kerb-line of the intersecting street at each end (or to the "dead-end", if appropriate).
- The following lengths of kerb-line will be identified, immediately prior to (or following) a survey of vehicles parking in the street, and excluded:
 - (i) lengths of kerb-line subject to yellow line parking/waiting restrictions in force between 2300 hours and 0700 hours;
 - (ii) lengths of kerb-line within 3.5 metres of the kerb-line of an intersecting street;
 - (iii) lengths of kerb-line adjacent to a "narrowed" carriageway;
 - (iv) lengths of kerb-line which have been "built-out"
 - (v) lengths of kerb-line which have been "dropped" to provide crossovers or pedestrian crossing points;
 - (vi) lengths of kerb-line adjacent to a "dead-end" of street (normally 3.5 metres from the "dead-end", subject to no double-counting);

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- (vii) reserved spaces (i.e. for people with a disability, doctors or diplomats);
 - (viii) “zig-zag” markings at pelican/zebra pedestrian crossings;
 - (ix) within 15 metres of traffic signals; and
 - (x) other lengths of kerb-line not available overnight kerb-side parking, including temporary obstructions such as road works, which must be specifically identified in the survey results
- the length of kerbside space available for overnight kerbside parking will be calculated by subtracting the lengths of kerb-line identified in bullet point 1 (after discounting any “double-counting”) from the total length of kerb-line bullet point 2
 - the notional on-street overnight parking capacity will be calculated by dividing the length of kerb-side space (in metres), which is available for overnight kerbside parking, by 5.0 – thereby allowing a notional parking space of 5.0 metres per car;
 - The street (or identified part of a street) will be surveyed between 0300 hours and 0500 hours on a weekday night (i.e. a night between midday on Monday and midday on Friday) to determine the number of vehicles (excluding two-wheeled vehicles) actually parked at the kerbside. (Such times have been identified as producing the normal maximum on-street overnight car-parking demand).
 - The level of on-street overnight parking availability/stress may be identified by expressing the number of vehicles parked as a percentage of the notional capacity.

Key Principle - TR4

Dimensions of Car Parking Spaces

The dimensions of all car parking spaces should enable easy access to and from the vehicle, taking account of needs of users and the constraints of the parking area.

The council will expect the following dimensions to be achieved:

Dimension for a parking bay

- **To be laid out as a rectangle at least 4.8m long x 2.4m wide. This can be provided at an angle for echelon parking.**

Dimension for a off-street parking on the curtilage of a property

- **This should achieve the minimum width of 2.3 m but be of a length (likely to be over 4.8m) to prevent overhang of the vehicle over the adjacent public highway.**

13.14 The requirement for curtilage parking has been derived from the basic dimensions set out above plus recognition that most curtilages are used for refuse storage and cycle parking. This type of parking may also require occupants to walk around the front or back of the vehicle to possibly close the gates of the property. It also recognises that some motorists do not wish to park immediately abutting their property to avoid damage to this or their property.

13.15 The design of a garage needs to allow not only for the width of the car but also near-side clearance, the opening of the car doors and to accommodate a full range of car sizes. Therefore, single garages must have a minimum length of 5m to ensure that the entire vehicle can be accommodated and a minimum width of 2.7m.

13.16 The dimensions for Blue Badge parking spaces are contained in KP6 Blue Badge parking.

13.17 In order to ensure that there is no detrimental impact on the highway in terms of operation and on-street parking, where parking is reduced a car parking management plan should be provided. This plan should include detailed information as to how spaces will be managed and allocated. A car parking management plan should be secured by condition.

Key Principle - TR5

Car Clubs for New Developments

Where appropriate and in accordance with the aims of the London Plan the council will encourage the provision of car club bays, especially those with restricted parking.

13.18 The size of development will determine the number of car club bays and these can be provided on a phase by phase basis. The council will annually review the level of car clubs in the borough to ensure sufficient car club provision exists.

13.19 Payment of a new car club will be sought through the council's planning obligations where the qualifying thresholds are met. The payment will cover the cost of a new vehicle(s) and the cost of amending (if necessary) the existing or the provision of providing a new traffic order to provide a car club bay. The developer should first investigate providing the car club bay on site; on-street should be considered as the last resort.

Key Principle - TR6

Blue Badge Parking

Blue Badge parking should be provided in accordance with Local Plan Policy HO6 - Accessible Housing and Policy T5 - Parking for Blue Badge Holders. The detailed requirements are set out in Local Plan Appendix 7- Car Parking Standards. Parking spaces for disabled people should preferably be provided on-site.

Any spaces required for disabled people should also conform to the London Plan standard of 2.4m wide by 4.8m long with a space 1.2m wide provided between the designated spaces and the rear outside traffic zone. This is to enable a disabled driver or to get in or out of a vehicle and access the boot safely.

13.20 Local Plan requirements for Blue Badge holders are in conformity with London Plan Chapter 6 Addendum to Parking Policy Table 6.2.

13.21 The provision of bays will be monitored to ensure they are provided.

13.22 Space designated for disabled people should permanently retained and be located as close as possible to the entrance of the building and on firm level ground.

13.23 Car parks with pay-on exit barriers that offer free car parking to Blue Badge holders should display signs to indicate where Blue Badge holders can obtain tickets.

13.24 However, private garages for wheelchair users should have a minimum width of 4.2m and garages designed for lifetime homes should be provided at 3.3m.

13 Transport

13.25 Blue Badge holders are considered to be persons holding a personal Blue Badge permit as car drivers or passengers.

13.26 Further information on disabled parking can be found in The Mayor of London's Accessible London SPD (Paragraph 4.3.7-4.3.23). (Add Link)

13.27 There are many building control standards for disabled parking including:

- BS8300:2009 + A1: A1:2010 for current parking standards and key issues.
- BS 9266 2013 Design of Accessible Housing (Paragraph 5.2.1 - Communal Parking, Paragraph 5.2. - Designated accessible parking bays, Paragraph 5.3 - Setting down points, Annex A - Car parking Management).
- Part M Building Regulations (Vol 1: Dwellings and Vol 2 buildings other than dwellings).

Key Principle - TR7

Electric Vehicles

The requirement for the number of electric vehicle parking spaces for both residential and commercial uses is contained in Local Plan Appendix 7. The requirements are as follows:

Residential

- 20 per cent of all spaces must be for electric vehicles with an additional 20 per cent passive provision for electric vehicles in the future.

Retail

- 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.

Employment Uses

- 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.

13.28 Local Plan requirements for the number of electric vehicle parking spaces are in conformity with London Plan Chapter 6 Addendum to Parking Policy Table 6.2. In addition and in accordance with London Plan Parking Policy 6.3D developments must ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles. A clear footway for pedestrians and level access routes will be required around electric vehicle parking bays.

Key Principle - TR8

Motorcycle Parking for residential and non residential developments

The council will require motorcycle parking facilities in developments which require a Transport Assessment or in non - residential developments one space per 600 m², which ever is greater.

13.29 Motorcycle use is increasing and therefore increasing demand for motorcycle parking. If parking facilities are not available this could result in inappropriate parking of motorcycles on-street, which is likely to create hazards to other road users.

Key Principle - TR9

Cycling Environment Review System

A 'Cycling Environment Review' should normally be included as part of the Transport Assessment. Developers are expected to provide funding in order to resolve any unacceptable issues that are identified as part of a CERS assessment. The funding to resolve these issues will be secured by condition or Section 106 agreement.

13.30 A Cycling Environment Review System (CERS) must assess the quality of any cycling environment. This analysis enables objective comparisons of the environment along different routes, so that any impacts, issues or substandard areas can be identified. Development proposals should help remove barriers to cycling and create a healthy environment.

Key Principle - TR10

TfL or other Cycle Hire Schemes

A contribution will be sought from developments for TfL or other cycle hire schemes. Where appropriate land will also be sought and safeguarded to facilitate their delivery.

13.31 The scheme promotes the Mayor's vision of a sustainable transport and low emission transport system within London by actively encouraging cycling, which is set out in the Mayor's Cycle Strategy (Cycling Revolution London 2010). This along with other initiatives are considered to bring significant social, environment, health and financial benefits to the capital.

13.32 The expansion of the TfL Cycle Hire Scheme is in line with the borough's Local Implementation Plan (LIP) and borough's objective, which are:

- support sustainable population and employment growth in regeneration areas;
- improve efficiency of roadworks;
- improve quality of streets;
- to improve air quality in the borough; and
- to make it easier for everyone to gain access to transport opportunities;
- control parking space fairly;
- reduce numbers killed and injured.

Key Principle - TR11

Cycling Improvements and The Cycle Superhighway Scheme

A contribution will be sought from developments located near to the proposed Cycle Superhighway routes or any complimentary routes to the Cycle Superhighway.

13 Transport

13.33 Cycle superhighways are cycle routes running from outer London into and across central London. TfL consultation on new routes and upgrades to existing routes can be found on the TfL website.

13.34 All Cycle Superhighways designs are subject to scheme approval and works approval by TfLs Network Assurance to ensure that they comply with TfL's Network Management Duty under Traffic Management Act 2004. Any Cycle Super Highway will be subject to extensive public consultation with the final agreement approved by both the council and TfL on the boroughs roads.

Key Principle - TR12

Walking

The council supports the principles set out in within The Mayor's Manual for Streets Guidance (2017) and Healthy Streets for London (2017) and expects the developer to apply these principles to any new scheme.

13.35 The council encourages the design and layout of new development to facilitate direct, convenient and safe walking routes to town centres and local neighbourhoods, and to schools, local shops and services and public transport facilities.

13.36 The safety and convenience of pedestrians will be a prime consideration and whilst the council welcomes shared surface schemes as part of any proposal the scheme will be required to be demonstrated that conflicts between vehicles and pedestrians will be minimal and speeds of vehicles will be controlled and that the needs of disabled people are fully taken into account in the design of the schemes.

13.37 Within residential development areas of communal open space should be readily accessible from every dwelling by a safe pedestrian route.

13.38 In all developments where residential accommodation exists (or is to be provided) above ground floor retail or business premises, pedestrian access to those residential units shall either be provided or be retained to the street frontage of the building unless physically impractical. Where such access cannot be achieved and pedestrian access is only practicable from the side or rear, the access as provided shall be exclusive to the residential occupiers of the building.

Key Principle - TR13

Pedestrian Environment Review System

A Pedestrian Environment Review System (PERS) assessment should normally be included as part of the Transport Assessment. If deemed necessary a pedestrian comfort level assessment should be included as part of any PERS assessment.

The PERS should include an assessment of disabled people and people with mobility impairments.

Developers are expected to provide funding in order to resolve any unacceptable issues that are identified as part of a PERS assessment. The funding to resolve these issues will be secured by condition or Section 106 agreement.

13.39 A PERS assessment will assess the quality of any walking environment. The analysis enables objective comparisons of the environment along different routes, so that any impacts, issues or substandard areas can be identified.

Key Principle - TR15

Public transport

The council will require, as a condition of granting planning permission, that where appropriate development proposals make full provision for appropriate access by coaches and taxis which should not impinge on existing bus servicing arrangements or road safety in the vicinity.

13.40 The council will normally permit coaches and taxis to take advantage of bus priority measures in the borough unless there are circumstances in which bus priority would be adversely disadvantaged. In addition the council will seek developments to accommodate the necessary coach and taxi parking off-street, where appropriate.

13.41 The council will press for improved accessibility of taxis and coaches for wheelchair users.

13.42 Development in connection with the use of the River Thames for the operation of public transport services will be welcomed, particularly between central London, Chelsea Harbour, South Fulham and Hammersmith.

Key Principle - TR16

Access for all

The needs of disabled people in getting to and from a building or development as pedestrians, public transport users, motorists, and car passengers must be taken into account in the design of individual developments.

13.43 A key planning objective is to ensure that housing, jobs, shopping and other services are accessible by a range of transport modes and that new developments connect satisfactorily with surrounding areas to facilitate safe and inclusive access for all users. Further advice on accessible and adaptable dwelling can be found in Building Control guidance M4 (2) accessible and adaptable dwellings and M4(3) for wheelchair user dwellings.

Bus or Taxi

13.44 Bus stops and taxi ranks provided as part of the development should be accessible for disabled people and located as close to main building entrances as possible, in accordance with the Equalities Act 2010. We will lobby and work with TfL and other local stakeholders to improve access to Tube Stations within the borough.

Train or Tube

13.45 Developments should consider accessible routes from bus stops and stations. Any that incorporate transport interchanges and stations should reflect inclusive transport design so that facilities are both accessible and usable by disabled people.

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River Transport

13.46 Where access is provided by boat, the development should be located a short distance from the point of exit to facilitate access for disabled people. Main piers and ramps for public use should be wheelchair accessible.

Access by Car

13.47 Despite improvements to public transport, some disabled people still require the use of private cars as a means of access, either on-site, or on-street nearby. Where relevant to a proposed development, the needs of other groups such as older people, parents with children, and of doctors and care workers should be considered.

13.48 In off-street car parks, space should be provided for Blue Badge Holders as close as possible to the facilities, preferably within 50 metres, with level or ramped access, and under cover if necessary. Where it is not possible to provide designated parking spaces close to the development, a setting down point for disabled people should be provided on firm and level ground, close to the principal entrance to the building.

Footways and Footpaths

13.49 Footways (or pavements) are the part of a highway adjacent to the carriageway for pedestrian use. A footpath has no adjacent carriageway.

13.50 Both footways and footpaths should facilitate ease of access to and from the development. These should be well lit, and clearly signposted with level surfacing to provide easy and safe access for disabled people.

Kerbs and Crossings

13.51 Level or flush access is essential for the majority of wheelchair users and must be provided at all zebra and controlled crossing and at other places used by pedestrians. Footways at dropped kerb crossings should be of sufficient width to allow easy passage for disabled people passing by who are not crossing the road. The council has produced guidance on providing tactile paving, which can be found here: [\(insert Link\)](#).

Signage and Information

13.52 Signs and information leading people to the development must be in forms that can be easily used by disabled people. Signs must be clear and placed at appropriate heights to take into account the needs of visually impaired people and wheelchair users.

Key Principle - TR17

Moving around a development

Developers should ensure that disabled people do not need to walk long distances to access buildings and facilities and should provide plenty of appropriately placed and designed seating. The needs of particular disabled groups, for example those with learning difficulties need to be taken into account when considering arrangements for moving around a development. When considering potential barriers to inclusive access the council will expect developers to consider:

- getting to and from a development
- moving around a development
- signage and information
- surfacing materials

Street Furniture

13.53 When proposals are of a size and nature that require street furniture to be incorporated, it must be positioned to take into account the needs of disabled people. For example, signs, poles, bollards, seats and litter bins should be provided at appropriate heights and positioned to leave appropriate footway widths to facilities access for people in wheelchairs and visually impaired people.

Landscaped areas and routes around buildings

13.54 The design of landscaping should be designed to allow good visibility for those in wheelchairs so as not to impair their personal safety.

13.55 Where route are provided around buildings these should not contain steps, stairs, turnstiles, revolving doors, escalators or other features which form a barrier to disabled people unless suitable alternatives are provided.

Shopfronts, Signage and Information

13.56 Shopfront, fascias, signs and information for getting to and from a building or development, and within a building or development, must be in forms that can be easily used by disabled people. Signs must be clear and placed at appropriate heights to take into account the needs of visually impaired people and those who use wheelchairs.

13.57 Development will not be permitted unless, in terms of its design and layout it would facilitate ease of access by disabled people and other with impaired mobility, to and from public transport facilities and car parking areas that directly serve the development, to town centres and local neighbourhoods, and to schools, local shops and services.

13.58 Proposals to enable ease of access to public transport services and facilities will be welcomed and encouraged.

13.59 The council recognises its responsibility in implementing good street and interchange arrangements to public transport services from the street and may seek support and funding to ensure that bus stops, particularly in the vicinity of the new development, provide access for accessible bus services to meet the needs of disabled people and to ensure the kerbsides can be kept clear for buses

13 Transport

to service such stops. The council may propose physical alterations to the highway or footway, such as the introduction of bus boarders, which will improve accessibility to wheel chair users and step free access to allow accessibility to and from train stations.

13.60 High quality and inclusive design should apply to all development including individual buildings, public and private spaces and wider area development scheme. This creates an environment that functions well and is accessible to everyone. Instead of arranging separate facilities for disabled people, inclusive design will remove barriers, and will provide facilities and buildings that are accessible for all people regardless of disability, age or gender.

13.61 The council expects all developers to take access issues onto consideration when submitting planning applications and to provide developments that are inclusive in design. Where surfaces are to be used by vehicles as well as pedestrians, comfort space zones or routes should be clearly delineated as the part that is mainly for pedestrians, as recommended in Department of Transport Local Transport Note 1/11 and other best practice guidance.

Key Principle - TR18

Works on the public highway

The developer will be required to pay for any works that the council or TfL in their capacity as highway authority has the power to carry out and that are necessary as a result of new development.

13.62 The council will undertake the works on the highway in order to ensure that the works are undertaken to the council's adoptable standards and in order to ensure the disruption to the road network is minimal.

13.63 Payment will be secured either by means of an agreement under section 278 of the Highways Act 1980 or a Planning Obligation under section 106 of the Town and Country Planning Act 1990. Consideration may also be given to the need to adopt new works as public highway. Permission for work on the TLRN must be sought from TfL. Works on the strategic road network are also subject to approval by TfL.

Key Principle - TR19

Permanent stopping up or diversion

The permanent stopping up or diversion of the highway as part of a development, requires the permission of the Highway Authority in the form a 'Stopping Up Order' under Section 247 of the Town and Country Planning Act (as amended) to be obtained, in addition to planning permission. This may be subject to a local enquiry. If so, the Developer would be expected to meet any costs relating to this enquiry.

13.64 The council requires stopping up and diversions to be provided in accordance with national planning law.

Key Principle - TR20

Temporary closures

Where a temporary closure is needed, for example while construction works take place, a traffic order is required.

13.65 The council will normally seek a traffic order while a temporary closure is in place in order to control vehicle and pedestrian activity along a length of public highway. This is required to ensure the safe of the highway and minimise disruption.

Key Principle - TR21

Vertical Clearances

The minimum vertical clearance required for a new construction over, or within 1m of the carriageway is 5.3m. Over the rest of the footway (i.e. the part of the footway more than 1m from the carriageway), the minimum clearance is 2.3m for awnings and 2.6m for solid structures. Buildings and structures that overhang the public highway require a licence.

13.66 The council will require developments to adhere to the minimum vertical clearances to ensure solid structures and awnings are an appropriate distance from the footway for pedestrian safety.

Key Principle - TR22

Reducing the impact of new development on the highway

The council requires that all new developments that have the potential to have a detrimental impact during the construction phase will require a Construction Logistics Plan (CLP).

We may also explore contributions from developers towards funding the monitoring and where necessary the enforcement of issues related to the CLP.

13.67 Construction of developments of all scales can have a serious impact on parking availability, traffic flow, road safety, residential amenity and pedestrian convenience if not properly managed. For this reason the council requires that all new developments that have the potential to have a detrimental impact to submit a Construction Logistics Plan. This plan should be based upon the Mayor's Construction Logistics Plan (2017) (Add Link) and include:

- Routing of vehicles;
- Access arrangements to the site
- The estimated number of vehicles per day/week
- Details of the vehicle holding area
- Details of the vehicle call up procedure; and
- Details of any diversion, disruption or other abnormal use of the public highway.

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13.68 The council will apply a condition to the planning consent to ensure that Construction Logistics Plan are submitted and approved before planning permissions are implemented. The Construction Logistics Plan will be secured by condition or Section 106 agreement depending on the scale of the development.

13.69 In order to reduce the impact of construction on the local road network the council will seek to ensure that where sites are located adjacent to the borough's waterways or railways full use is made of water/rail transport for the transport of construction and waste materials.

13.70 The council supports and requires that drivers of the construction vehicles to undertake cycle awareness training to ensure the safety of all road users.

13.71 The council support the London Boroughs' Transport Scheme (LBTS) night-time and weekend ban on lorries above 16.5 tonnes (GVW) and will support all appropriate measures to ensure the effective operation and enforcement of the LBTS ban.

13.72 The council will also promote local area bans on heavy lorries, in appropriate circumstances and operate an overnight ban on-street lorry (and coach) parking within the borough and its active enforcement.

13.73 The council requires operators to obtain a goods vehicles operator's licence for London. Developers wishing to use a vehicle with a gross plated weight of more than 3.5 tonnes, if there is no gross plated weight or an unladen weight of more than 1525kg requires a licence.

Key Principle - TR23

Streetscape

Developers should apply the relevant elements of the Streetsmart guide and apply the same principles to the design of forecourts, accesses, service roads and other areas that are next to the highway on such matters as:

- **Ground surfaces, materials, workmanship, treatment of paving, carriageways and kerbs, restoration of historic paving;**
- **Street furniture, in particular to protect listed elements, reduce clutter and minimise the cost and time of maintenance;**
- **Specific guidance regarding materials specific to conservation areas; town centres, The Riverside Walk and the character of residential neighbourhoods across the borough; and**
- **Maintenance including stringent enforcement of existing controls.**

13.74 The council has produced a manual entitled 'Streetsmart' which forms a reference manual of good practice for all concerned with the design and implementation of traffic schemes and the maintenance of the highway. The document consists of two volumes, the first volume sets out the approach to streetscape design and the second sets out details regarding construction.

13.75 StreetSmart is currently being reviewed and revised and a new version will be produced. As part of this all stakeholders including the H&F Disability Forum will be consulted.

13.76 Where changes are proposed to Transport for London Roads (TLRN or London's 'red routes') reference should be made to TfL's Streetscape Guidance February 2016.

13.77 Any works that are proposed to the highway should be undertaken by the council at the applicant's expense. Funding should be secured by section 106 agreement or section 278 agreement.

Key Principle - TR24

Forecourt parking and vehicle crossovers

The council will consider favourably planning applications for parking on forecourts and front gardens together with associated footways crossovers, where:

- the road to which access is required has a night time on-street parking stress is of 80% or less;
- It will not endanger the safety of pedestrians or cyclists;
- It will not be out of character with the streetscape;
- It will not result in narrow pavements and would create an uneven surface for pedestrians and cyclists to negotiate;
- the area on which the vehicle is to be parked is of a minimum size of 4.8m long (likely to be over this minimum size to prevent overhang of the vehicle onto the adjacent public highway) and 2.3m wide. See KP4;
- vehicular access to this area will not involve any manoeuvres causing danger to the public;
- garden gates do not open onto the public footway;
- proposed crossovers and forecourts are located a minimum of 10 metres from road junctions, road bends, pedestrian crossings or bus stops/bus stop cage markings.

13.78 The creation of forecourt parking can result in the loss of on-street parking. This increases the potential for on-street parking stress which can result in double parking and obstructions of the highway. This has a serious consequential effect on the health and safety of local residents, both directly and indirectly through the obstruction of emergency /social service vehicles. The maintenance of a safe and attractive environment for pedestrian and cyclists is also of primary importance and vehicular access to properties via footway crossover conflicts with these aims. Forecourt parking and vehicle crossovers will be resisted on the TRLN.

13.79 For drainage and safety reasons, crossovers are usually built with a crossfall towards the road which has a gradient with limits of 1 in 30 and 1 in 40. This is done to minimise any difference in level between the private land and crossover at the boundary it is the responsibility of the occupier to any additional alterations to the level of their private land to match the crossover area.

13.80 No surface water shall be permitted to drain onto the public highway and appropriate surface water drainage needs to be provided (see Section 9 - Sustainable Drainage (SuDs)).

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Key Principle - TR25

Kerbs and pedestrian crossings

All kerbs and pedestrian crossings should be designed to allow for accessibility and inclusivity

13.81 At all designated crossing points on roads or other vehicle carriageways, where practicable and refer to TfL Streetscape guidance (add Link):

- the kerb must be ramped flush to the carriageway and where possible, the ramp should be located away from where there is a steep road camber and have a kerb ramp that is at least 1.2M long
- the crossing should be identifiable to visually impaired pedestrians by the use of tactile paving where appropriate;
- dropped kerbs must be located directly opposite one another and preferably at a right angle to the carriageway;
- the detailed design and materials must be agreed. The requirements of each site will be determined according to need, streetscape and road safety considerations.

Key Principle - TR26

Tables and chairs

The placing of tables and chairs outside premises on the public highway will normally require planning permission because it will involve a change in the use of the land on which they are placed. The use of a private forecourt for purposes which are ancillary to the main use of the building itself will not normally require planning permission.

It is not considered generally practical to provide tables and chairs within a depth of less than 1.5 metres from the building line allowing for space to reach the table. Applications for tables and chairs in particular types of location will be considered as follows:

- **A minimum width of 3.5 m clear and unobstructed footway will usually be required in Town Centres.**
- **A minimum width of 1.8 m clear and unobstructed footway will usually be required outside Town Centres.**
- **In both above locations where there is a high level of footfall, even over short bursts, a greater width of clear and unobstructed footway than specified above will be required.**

13.82 Under the Highway Act 1980 it is an offence for a person who is not the holder of a consent and temporary licence to place of tables and chairs on the highway.

13.83 When considering the grant of a licence for tables and chairs the council will also take into account the impact on residential amenity, and the importance of maintaining a free and unobstructed passage along the highway, including any risk to public safety. In order to ensure that residential and other amenity is protected, and to minimise noise and disturbance, conditions may be imposed on the grant of a temporary consent or licence. These can include amongst other things:

- the hours during which the areas may be used;

- the times when tables and chairs and other items must be removed to the agreed place of storage;
- cleaning the street area to an acceptable standard before and after the placement of the tables and chairs.

13.84 Key Principle TR26 ensures the safe and convenient movement of pedestrians including those with visual mobility disabilities, including wheelchair users.

13.85 In streets with very high traffic flows a greater distance may also be required to avoid pedestrians having to be too close to the traffic and also to protect all users of the footway from the effects of traffic. Some footways in major shopping streets need to be kept unobstructed and such streets may be unsuitable for tables and chairs.

13.86 In or adjoining public space areas given planning permission for pavement or café use and to have, loose or moveable furniture should be confined by a rail, planter or other form of visual guarding. The lower part of the guarding is rigid enough to be detectable with a long cane somewhere within a zone stretching between 150mm and 300mm above ground.

13.87 Following the expiry of consent, an application for renewal of consent must be made.

13.88 Failure to comply with all relevant legislation will result in the council revoking licences.

13.89 TfL Streetscape guidance should also be referred to when applying for tables and chairs (add link).

Key Principle - TR27

Mechanical parking solutions

Where mechanical parking solutions including car stackers, turntables and lifts are proposed as a means of maximising the space available for off-street car parking, the council will require certain criteria to be met as appropriate.

- accesses should be positioned at least 5m from the back edge of the footway;
- where accessed directly from the highway, then each parking space must be independently accessible;
- where accessed within an off-street car park, and the spaces are not independently accessible, there must be adequate circulation space to allow vehicles to wait without blocking the free flow of traffic either within the car park or on the highway;
- the council may impose a condition relating to the maintenance of the mechanical parking on the grant of any planning permission; and
- where there will be impact on the local highway network a Road Safety Audit will be required.

13.90 Mechanical parking solutions including car stackers, turntables and lifts are frequently suggested as a means of maximising the space available for off-street car parking.

13.91 The council will require the developer to set out the maintenance requirements of the parking solution and costs of maintaining a mechanical parking solution should be set out and secured by condition or a section 106 agreement.

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Key Principle - TR28

Servicing

The council will seek off-street servicing for all new development and will resist its loss in existing developments.

13.92 Adequate space for loading, unloading and waiting of goods vehicles must be provided, normally within the development site. The provision should be one lorry space for every 500 sqm of gross floorspace, unless the developer can satisfy the council that the design of development is such that lesser level of provision will be adequate to meet the full potential demand for servicing which may reasonably be anticipated. Consideration will also need to be given to the need for garaging commercial vehicles on the premises.

13.93 The council will also require that areas set aside for servicing arrangements are designed/arranged in such a manner as to discourage their use for car parking and may require the incorporation of specific measures to prevent the parking of cars in areas not designated for that purpose.

13.94 In accordance with Transport for London's Guidance 'Delivery and Service Plans' (add link) delivery and servicing arrangements for a development must be set out within the Travel Plan. Monitoring of servicing and deliveries should also be included as part of the Travel Plan.

Key Principle - TR29

Advertising

Planning applications for advertising should adhere to the policies set out in Local Plan Policy DC9 - Advertisements and the details in Section 4 (of this document) - Design and Conservation. In respect of visual impact the council will also consider issues of public safety.

13.95 The council will normally refuse consent for any advertisements which would be displayed where public safety would be compromised.

13.96 Free standing hoardings will be unacceptable on major traffic routes or at important road junctions where there display is liable to be prejudicial to public safety. Signs should not flash or move and that the luminance does not exceed levels set out in the 'Technical Reports of the Institute of Lighting Professionals.'

13.97 The council is considering an initiative for limiting advertising boards (A frame boards) on the public highway. This is to ensure they don't impede on the safe and convenient passageway of pedestrians.

Key Principle - TR30

New Street Furniture including Broadband cabinets and telephone boxes

The proposed locations for new street furniture will be considered as follows:

- A minimum width of 3.5 m clear and unobstructed footway will usually be required in Town Centres.
- A minimum width of 1.8 m clear and unobstructed footway will usually be required outside Town Centres.
- In both above locations where there is a high level of footfall, even over short bursts, a greater width of clear and unobstructed footway than specified may be required.
- In special circumstances, where broadband cabinets are required to meet Local Plan Strategic Objective 18 to facilitate access to high speed internet across the borough, a minimum width of 1.2 clear and unobstructed footway will be required, except within Town Centres and areas with a high level of footfall where a greater width than 1.2 m will be required.

13.98 Street furniture should be provided in accordance with the H&F Streetsmart Guidance and should also be appropriately protected against graffiti and fly posting and be regularly maintained. If a manhole is required, it should be covered with antiskid surfacing if the on carriageway and with a non slip surface on the footway.

13.99 This key principle ensures the safe and convenient movement of pedestrians including those with visual or mobility disabilities (including wheelchair users).

13.100 A scaled drawing showing the proposed location for the Street furniture as well as the dimensions should be provided.

13.101 TfL Streetscape guidance should be referred to when submitting applications for street furniture (add link)

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14 Waste Management

14.1 Waste or refuse, is the term used to describe unwanted or discarded materials. Recyclables are waste materials that can be re-processed into marketable products, provided they can be kept separate from other waste. It is essential that satisfactory facilities for the storage of refuse and recyclables, together with adequate means of access for collection, are provided in all developments in order to enable efficient recycling and refuse collection. These needs should be taken into account at the outset of the design of the development and made an integral part of it.

14.2 As a Waste Collection Authority (WCA), Hammersmith & Fulham council collects municipal waste, which includes household refuse and recyclables, street sweepings, litter, flytipped materials, commercial waste, industrial waste and waste from municipal parks and gardens. The level of municipal waste has decreased from over 88,000 tonnes in 2006/7 to an estimated 74, 500 tonnes in 2016/17. Much of this waste has a hidden value and can either be reused, composted or recycled.

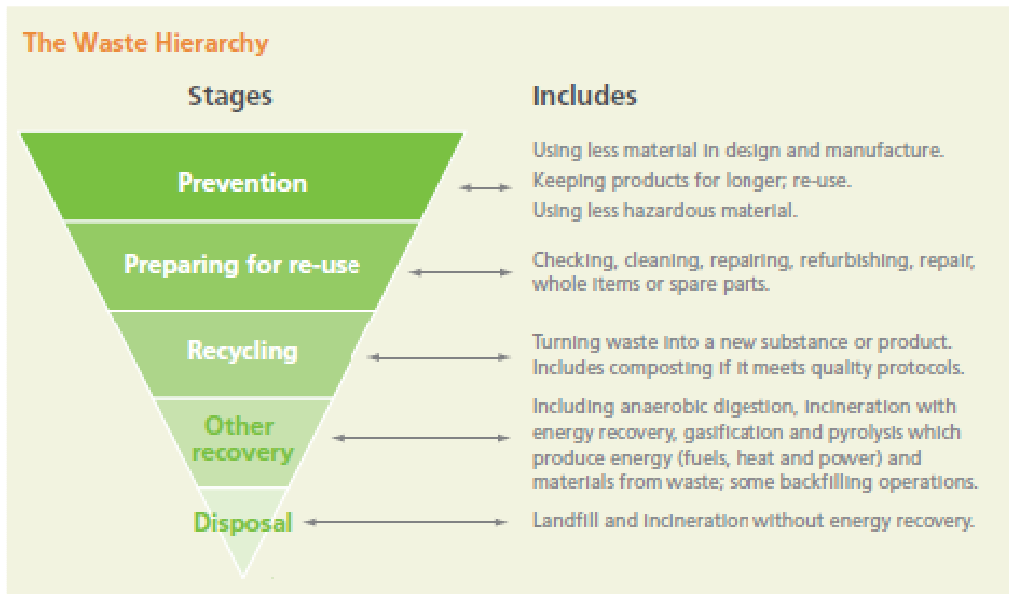
14.3 Western Riverside Waste Authority (WRWA) is the statutory Waste Disposal Authority (WDA) for LBHF, as well as the Royal Borough of Kensington and Chelsea, Lambeth and Wandsworth. Most of the waste collected by LBHF is managed through a riverside site (Smuggler's Way), close to Wandsworth Bridge in the London Borough of Wandsworth. Currently most of the non-recyclable municipal waste is transported by river to an Energy from Waste (EfW) facility in Bexley. Recyclable materials are dealt with by a new Materials Recycling Facility (MRF) with a capacity for 84,000 tonnes located at Smuggler's Way.

14.4 WRWA has "Power of Direction" over the borough's Municipal Waste (under the Environmental Protection Act (EPA) 1990) and the council is obliged to deliver all of its Municipal Waste to WRWA designated waste management sites, currently operated by Cory Environmental Limited.

14.5 In line with the waste hierarchy (Figure 1), Hammersmith & Fulham council aims to reduce the amount of waste it collects by encouraging waste minimisation, and increase the level of recycling of municipal waste in the borough. The council is working hard to increase recycling rates and sets its own recycling target, which at the time of writing aims at a 2% increase year on year. As a result, suitable arrangements in developments specifically to encourage recycling by making it easier both for occupants and for collection are required, especially in larger and mixed use developments.

Figure 1 The Waste Hierarchy (Source Defra Waste Review 2011)

14 Waste Management



14.6 We are not acting in isolation by pursuing these improvements – the Mayor of London is setting a similar agenda through the policies in the London Plan, the draft Environment Strategy and the Mayor’s Municipal Waste Management and Business Waste Management Strategies which promote a shift from the linear economy to a circular economy through the reuse of resources and reductions in levels of waste production. All London Boroughs are expected to follow this lead with the aim of making developments more sustainable and reducing the dependence on landfill and other disposal methods.

14.7 The council expects developers to take account of the advice in this guidance document in preparing planning applications, particularly for major developments, bearing in mind that under Section 36 of the EPA 1990, "where a waste collection authority has a duty by virtue of section 45(1) (a) to arrange for the collection of household waste from any premises, the authority may, by notice served on him, require the occupier to place waste for collection in receptacles of a kind and number specified".

Policy Context - Waste Management

National

The Waste Framework Directive (2008/98/EC) and The Waste (England and Wales) Regulations 2011

The Directive sets the UK a statutory target to recycle 50% of waste from households by 2020. It also requires that there are separate collections for paper, metal, plastic and glass by 2015. "Separate collections" can include co-mingled waste collection followed by separation at recycling facilities.

The Regulations transpose the Directive into law. The Regulations require that:

- There is a national waste prevention plan in place by December 2013
- Producers and transporters of waste apply the waste hierarchy to waste in their care

Waste Management Plan for England (2013)

At the National level, the Waste Management Plan for England provides the high level expression of how the government intends to work towards a more sustainable and efficient approach to resource use and management. This plan provides an analysis of current waste management situation in England and evaluates how it will improve the objectives and provisions of the revised EU Waste Framework Directive (2008/98/EC).

National Planning Policy for Waste (2014)

More detailed waste planning policies for England are set out in the National Planning Policy for Waste which replaced former PPS 10: Sustainable Waste Management. It provides a planning framework to enable local authorities to put forward, through local waste management plans, strategies that identify sites and areas suitable for new or enhanced facilities to meet the waste management needs of their areas.

Paragraph 8 of the National Planning Policy for Waste is of relevance which seeks to ensure that new non-waste development provides sufficient waste management and good design is promoted to secure integration of waste management facilities within the rest of the development. This includes providing adequate storage facilities at residential properties e.g. that there is sufficient and discrete bin provision to facilitate high quality, comprehensive and frequent household waste services.

These should also be read alongside the NPPF.

London Plan

The Mayor's spatial development plan for London, The London Plan, has strategic planning policies that cover all of London's waste. Both of the Mayor's waste strategies (see below) will be supported by, and should be read in the context of the London Plan.

Policies 5.16 and 5.17 of the London Plan are particularly relevant to waste and recycling, as well as policy 5.3 on sustainable design and construction.

The Mayor of London's Housing SPG and Sustainable Design & Construction SPG provides further guidance for applicants on waste management. Alongside this, the Mayor has also published a draft Environment Strategy for consultation which is due to be adopted in early 2018. This contains a number of proposals for waste including the aim of collecting food waste.

14 Waste Management

Local Plan

Policy CC7: On Site Waste Management of the Local Plan sets out the requirements for all new developments to provide suitable facilities for the management of waste generated by a development, including provision of convenient storage facilities with adequate capacity to enable occupiers to separate, store and recycle their waste both within their own residence and via accessible communal storage facilities which will enable efficient collection. In accordance with the Waste Hierarchy, a key aim of the policy is for developments to firstly minimise waste, as well as seeking to encourage sustainable waste behaviour through increasing and promoting recycling.

Other relevant Local Plan Policies include, Policy CC6 on strategic waste management, Policy CC2 on ensuring sustainable design and construction which includes making the most effective use of resources and Policy HO11 on detailed residential standards.

Key Principles

Storage of Segregated Waste

14.8 This guidance is applicable to all applications, including applications for new developments, conversions or changes of use, which will materially affect the generation of waste by the development or at the site. Site specific issues and constraints will be taken into consideration where applicable; however in all cases some provision for both waste and recycling must be made.

14.9 This section does not cover construction and demolition waste management. Please see Chapter 12 on Sustainable Design and Construction within this SPD for further guidance.

Key Principle - WM1

Residential Waste Storage for Kerbside Collections

Adequate waste and recycling storage should be provided in all residential developments in the borough in order to encourage and increase the opportunities for the recycling and composting of waste.

14.10 For domestic properties, where refuse is collected in ordinary dustbins or black sacks, the council provides a kerbside weekly or in some cases, a twice-weekly collection service for mixed (co-mingled) recycling.

14.11 Materials collected include:

- Glass bottles and jars
- Paper
- Cardboard (including corrugated)
- Metal cans, tins and empty aerosols
- Household plastic packaging – including bottles, butter and margarine tubs, yogurt pots and food trays (but not including plastic bags or plastic films)
- Beverage/food cartons (tetra pak or similar)

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14.12 The council provides special clear, disposable recycling bags for this recycling service free of charge. Rolls of these bags are delivered to every household receiving the service at regular intervals (at the time of writing, four times a year). All of the above materials can be placed into the recycling sacks, with no need to sort. Sorting is carried out at the WRWA Materials Recycling Facility (MRF) in Wandsworth.

14.13 The bags are collected at the same time as refuse bags, by a split-back vehicle with a compartment for refuse and a compartment for recycling.

14.14 Residential developments serviced by a kerbside refuse and recycling collection should be built with adequate storage for both refuse, recycling and food waste both inside and outside the dwelling. While the Council does not currently collect food waste separately, properties need to be able to facilitate the separate storage of food waste in case a separate food collection is introduced in line with the Mayor's ambitions.

Key Principle - WM2

Internal Storage for Kerbside Collections

Internal storage for waste, recycling and food waste must be located in an accessible and commonly used area inside each dwelling.

14.15 This should be easily accessible from external storage areas, near to areas of high waste production and be hard wearing and washable. Kitchens and utility rooms are generally the most appropriate locations. In a kitchen, the internal storage for refuse and recycling should be away from circulation areas e.g. below a worktop, to prevent restricting access for people with mobility difficulties.

14.16 The capacity for recycling must be at least equal to storage for refuse and storage space should allow for the ratio of recycling to waste to be adaptable to meet future demand. Adequate space to accommodate at least one smart sack must be provided in the same location as the receptacle for the non-recyclable waste. The smart sack specification is as follows:

- Capacity: 80 litres
- Width when closed: 370mm
- Width when open: 680mm
- Height: 940mm

14.17 Adequate space must be available to accommodate at least 7 litre food waste caddy, near to the area of high food waste production and raised from the floor, generally located on the kitchen worktop.

Key Principle - WM3

Compost Bins

Where there is access to a garden, space should be provided for a compost bin of at least 1 metre diameter by 1.2 metre height.

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14.18 Internal space should also be provided for a container or bag to store this compostable waste for a couple of days so that the resident does not have to make daily trips to the compost bin. Transportable kitchen caddies with a sealed lid are popular for this purpose and measure approximately 250mm width by 205mm depth by 205mm height (5 litre capacity). At the time of writing the council offers reduced-price home compost bins and home composting accessories for residents to purchase.

Key Principle - WM4

External Storage for Kerbside Collections

At residential premises served by kerbside collections, space must be made available outside for the storage of refuse, recycling and food waste.

14.19 These spaces must be at ground floor level, at the front of the property and within 10 metres of vehicle access and ideally within 3 metres of the entrance to the premises from the public highway or access road. Storage locations should be on a hard, level surface that is accessible to disabled people.

14.20 The refuse service in operation by the council is the collection of standard dustbins or bags. These dustbins, typically around 80 litres, are not provided by the council and must be supplied by the resident or developer. Residents must also supply their own black refuse bags. Wheelie bins are not acceptable containers because they are not compatible with collection vehicles and are too tall for bags to be safely removed from them. For each individual household an external cupboard or designated storage space is needed, capable of holding at least two ordinary dustbins, whose specification conforms to BS 792 or BS 4998, or alternatively space or holders for at least two refuse sacks, each of about 100 litre capacity. Additional space of at least 160 Litres is also needed for recycling sacks, and at least space for a 23 litre food waste caddy. See the table below for the approximate capacity needed depending on household size.

Recommended capacities for properties served by kerbside collections

| Household number | Refuse | Recycling | Food Waste |
|---------------------------|---|--|-----------------------------|
| 1 household (4-6 people) | 3-5 dustbins (minimum 3 dustbins or 300 litres) | 2-3 recycling sacks (minimum 240 litres) | 1 23 Litre food waste caddy |
| 1 household (1-3 people) | 2-3 dustbins (minimum 2 dustbins or 200 litres) | 2 recycling sacks (minimum 160 litres) | 1 23 Litre food waste caddy |

14.21 It is not acceptable for any waste to be stored on the public highway (with the exception of black sacks and recycling sacks placed out on collection day, or after 9pm on the preceding day). Waste stored on the public highway at any other time may result in enforcement action being taken against the resident.

14.22 Appendix 5 provides full details on the collection requirements for the external storage of domestic waste.

Key Principle - WM5

Residential Developments not Served by Kerbside Collections

Properties that are not served by a kerbside collection must be provided with communal refuse and recycling bins.

14.23 Properties not suited to a kerbside service, e.g. flats, mansion blocks and estates, must instead be provided with wheeled refuse bins for communal use, to be located in a bin store or stores and/or at the end of chutes accessible along a step-free route from the dwellings they serve. In most instances these properties must also be served by communal recycling bins (special euro bins with orange lids which take the same range of materials as the disposable, clear recycling bags, described earlier), located in a bin store or at the end of chutes. The refuse and recycling bins are emptied weekly or more frequently if necessary. Although a food waste collection service is not currently in operation within the borough, space must be made available to shared external food waste bins, as this service may be offered in the future. The exception to providing the communal recycling bin services is where there are 10 or fewer flats in a property, where it may be possible for the council to offer a kerbside collection, provided there is adequate space on the highway to put the clear bags out for collection. Where resident service bodies have duties under the Equality Act 2010 to make service adjustments for individual disabled residents, this may in some instances include an assistance arrangement to porter refuse to communal bin and recycling stores. For further information about Equality Act 2010 and Building Regulation step-free access requirements, see section 4 of this SPD on requirements for accessible and inclusive design.

Key Principle - WM6

Internal storage in Flats

The overriding policy for facilities in flats is that recycling should be at least as convenient for residents as it is to dispose of refuse.

14.24 Internal storage for waste, recycling and food waste must be located in an accessible and commonly used area inside each dwelling, near to areas of high waste production and hard wearing and washable. Kitchens and utility rooms are generally the most appropriate locations.

14.25 Internal storage must provided for non-recyclable waste, recyclables and food waste. If residents will be using chutes or external bins, the space needed internally for storage can be slightly less than for kerbside properties as the waste will not have to be stored all week at the property. It is recommended that between 100 and 150 litre capacity is provided internally, split approximately 50:50 between refuse and recycling. In addition, space for a 7 litre food waste caddy should be provided internally. The council provides reusable bags (fig. 2) for residents to use to store and transport recycling to the chute or bins.

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Figure 2 Reusable bag



14.26 The specification of these bags is as follows:

- Width: 310mm
- Height: 370mm
- Depth: 250mm

14.27 Refuse chutes frequently get blocked and act as a fire risk. A better option is to offer rubbish and recycling storage areas.

- If refuse chutes are to be built, developers should not provide a refuse chute alone. One of the following two solutions should be designed:-
 1. Two separate, parallel chutes, one for refuse and one for recycling. The appearance of the two chute hatches and accompanying signage should clearly indicate the differences between the chutes in order to maximise recycling and minimise contamination.
 2. A bi-separator (mechanical) chute. This is one chute with a separator at the base, which residents control via a button at the chute hatch, depending on whether they are depositing refuse or recycling. The separator determines whether the waste is diverted at the base into a refuse or recycling bin.
- Chute dimensions – these must be carefully considered to help prevent blockages from over-sized items. Chutes should be a minimum of 450mm in diameter, have a smooth non-absorbent surface, close fitting access doors and be ventilated at top and bottom.
- Alternative arrangements for larger items should be made to minimise risk of blockages.
- At the base, chutes should be equipped with shutters for collection crews to utilise when emptying the bins, to avoid risk of injury from falling waste.
- In general, chute design should comply with BS1703 (specification for refuse chutes and hoppers).

14.28 For developments where a refuse portage service is proposed, the service should incorporate the portage of recyclables to the recycling bins provided.

14.29 Although, it is the Mayor's ambition for boroughs to collect food waste (Mayor's draft Environment Strategy, 2017) at present the council does not provide a separate food waste collection. Food waste macerators in sinks provide an alternative method of waste disposal. Any use of this system would have to be agreed with the local water company (Thames Water) and the council. For premises with limited external storage space, wormeries could be an alternative to compost bins. Residents can place cooked and uncooked food waste into the wormery to produce a small amount of compost and liquid plant feed. The Can-O-Worms 70 litre and 45 litre are currently available from

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the council at a subsidised price. Both measure 500mm in diameter, the 70 litre wormery measures 730mm in height and the 630mm wormery measures 630mm in height. An example is seen in figure 3 below.

Figure 3 Wormery



Key Principle - WM7

External Storage in flats

All new residential developments employing communal containers should provide a purpose built area to include space for recycling bins.

14.30 Careful consideration should be given to the design, siting and location of units so as not to adversely affect the streetscene, particularly in conservation areas. The bin store must be capable of housing the maximum number of bins required, based on an assessment of projected arisings (See below).

14.31 The council recommends calculating the required waste capacity based on the following formula:

$$A \times ((B \times C) + 30)$$

Where:

A = number of dwellings

B = volume arising per bedroom (100l)

C = average number of bedrooms

So for example in a development of 10 x 1 bed flats and 10 x 2 bed flats, the following applies:

$$A = 20$$

$$B = 100\text{l}$$

$$C = 1.5$$

$$20 \times ((100 \times 1.5) + 30) = 3600 \text{ litres}$$

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14.32 The recommended split of refuse and recycling is a ratio of 50% refuse, 50% recycling. So in this example 1980 litres is required for refuse and 1980 litres for recycling. This would be rounded up, to give a final recommendation of 2 x 1100 litre refuse bins and 2 x 1280 litre recycling bins.

14.33 Eurobin and chamberlain dimensions are detailed in Appendix 5. For all refuse and recycling containers provided by the council, a delivery charge is levied, as well as a weekly hire charge per container. If bins are to be located in a shed or cupboard then adequate ventilation must be provided together with electric lighting controlled by a local switch. All bin areas need to be washed down at intervals and a local hose point should be provided with adequate drainage.

14.34 Internal waste storage rooms should be constructed within a fire compartment structure, which is designed to contain a fire. Where risks are greater, for example in multi-storey buildings, fire extinguishers should be deployed, and automatic fire sprinkler or water mist system considered.

14.35 If bins are to be located in the open then these must have a fence or wall on at least three sides. However they must be safe for users by being well lit and visible from public vantage points. For flats that cannot accommodate underground storage, bin frames and locking posts will be requested.

14.36 There should be space available for the possible introduction of 240 litre food waste bins, allowing 5 litres per household. So for 50 households, this would equal 250 litres and be rounded up to enough space for 2x 240 litre bins.

14.37 Waste storage chambers should in general comply with BS5906:2005.

Siting of Storage Areas

14.38 Key Principle WM6 on Internal Storage -The siting of storage areas for containers and chutes should not cause householders to carry refuse further than 25 metres (excluding vertical distance). Storage areas should be on a hard level surface, approached along a path or route that is accessible to disable people.

14.39 It is not acceptable for any waste to be stored on the public highway (with the exception of black sacks and recycling sacks placed out on collection day, or after 9pm on the preceding day, from street properties), so specific, suitable and convenient storage space must be provided within all developments. Wherever practical it should be possible to collect waste direct from the bulk bin storage area so that there is no requirement for it to be moved to a collection point, particularly to a point on the public highway. Appendix 5 of this SPD provides full details on the collection requirements for the external storage of domestic waste.

14.40 In order to encourage and promote awareness of recycling in new developments it is good practice to provide signage and lighting in waste storage chambers discouraging the deposit of recyclables in the refuse containers, and encouraging and directing use of the recycling banks provided. The council's recycling team will be able to provide guidance on the design to be used for the signage, as well as different options for recycling bin housing.

14.41 It is also good practice for any information packs provided to new residents to include full information on available recycling facilities along with encouragement to use them. We also recommend that permanent information on recycling is displayed in a prominent position such as on information boards in entrance halls. The council will be able to assist in specifying the type of information to be provided in the packs.

14.42 If it is proposed to locate bulk waste storage containers such as Eurobins in a basement area inaccessible to a standard waste collection vehicle, a suitable ground floor collection area must be indicated on drawings submitted for approval. In addition, a written statement must be attached describing the proposed method for transporting the containers to ground level, including parking arrangements for a tractor unit and trailer, if these are required.

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14.43 If the waste containers are to be transported to ground level by a goods lift, it must be large enough to accommodate the waste container as well as the porter. In large schemes more than one waste container will need to be accommodated. The lift doors must be sized to allow free access for the waste containers. In addition, a written statement must be attached describing the proposed method for transporting the containers at ground level, including parking arrangements for a tractor unit and trailer, if these are required.

14.44 For larger developments, compaction units must be used for both refuse and recycling (in separate units). Refuse bins and recycling bins located around the development can be transported to and emptied into the chutes by site management staff. The units would be provided by the developer or site management company, and removed/emptied/returned by the council on a regular basis. The council should be consulted on compaction units before any purchases are made, to ensure compatibility with existing collection vehicles.

14.45 The use of compacting disposal units does not necessarily reduce the amount of space required for waste storage as there must be sufficient capacity for waste even when the mechanical aid fails to function.

14.46 When calculating number of compactors/frequency of collections required, total capacity required should be calculated based on the $A \times ((B \times C) + 30)$ formula discussed earlier. For refuse, assume a 4:1 volume reduction and so divide the required capacity by 4 to arrive at the compactor capacity required. For mixed recycling, assume a 3:1 volume reduction and so divide the required capacity by 3 to arrive at the compactor capacity required.

Key Principle - WM8

Bulky Waste

For multiple occupancy developments, provision should be made for a storage area in which to contain any household bulky waste (e.g. furniture, white goods) awaiting collection by the council.

14.47 The council promotes a reuse service which can provide collection of furniture, electrical waste and other bulky items and reuse or recycle them. This is a chargeable service.

14.48 The council itself can remove waste from this storage area on a regular or ad-hoc basis depending on requirements. This is a chargeable collection, and waste collected is generally disposed of rather than recycled (the exception being white goods and electrical waste, which are recycled).

14.49 The recommendations above regarding bin store rooms (e.g. well ventilated, wash down facilities) also apply here.

14.50 Applicants are recommended to consider the provision of space for bulky waste as early as possible in the design of development.

Key Principle WM9

Commercial Waste

In commercial developments, sufficient space should be designed in to accommodate the appropriate number of bins or bags, for both recyclables and non-recyclable waste and to meet the specific needs of the potential user.

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14.51 Careful consideration must be given to the likely composition and quantities of wastes expected to arise and whether the type of handling system proposed is compatible with that operated by the council in case the occupier opts to use the council as the waste carrier.

14.52 Specific guidance on waste capacity and storage requirements for different types of commercial premises (including restaurants/fast food outlets, offices, hotels and retail) are contained in Appendix 5 of this SPD.

14.53 The council offers collection of the same range of co-mingled materials for commercial recycling as it does to residents, thereby minimising the need for a number of separate bags/containers. It should be noted that other waste collectors collect recycling materials segregated and more space may be necessary both internally and externally for recyclables, if the intention is to use a private collection company.

14.54 For premises such as pubs, bars, nightclubs and restaurants, where a large number of empty bottles are produced, adequate space must be provided for their separate storage and collection.

14.55 In all locations where clinical waste is likely to be generated (e.g. medical, dental and veterinary establishments), separate storage and collection arrangements are required for clinical and non-clinical waste. This is particularly important where orange bags are in use for clinical waste, as there is potential for cross-contamination with smart sacks.

Mixed Use Developments

14.56 Storage areas for commercial and domestic premises within the same development or area should be completely separate to avoid confusion over ownership and charging for commercial collections.

14.57 If possible the storage unit should have the capacity to contain two types of euro bins (one for general waste of 1100 litre and one for recycling of 1280 litre). The euro bin will need the access requirements set out in Appendix 5 of this SPD.

14.58 The siting of storage areas for waste containers and chutes should not cause householders to carry refuse further than 25m (excluding vertical distance)

14.59 Residential units will normally be expected to have independent storage (unless full portorage is provided) but the developer must give consideration to the provision of communal recycling facilities, using either conventional above ground banks or underground containers.

14.60 Smaller sack compactors are not suitable for mixed use developments.

Commercial Usage

14.61 If the developer intends the council to be the waste carrier, the developer/managing agent can either take one contract with the council to cover all the commercial businesses or each business can take out individual contracts in advance of supply of bins. Fees apply for both waste and recycling collections. This is either on the basis of bin rental charges plus a collection charge or the number of pre-pay sacks supplied where a sack-based collection service is required. Appendix 5 provides advice on the supply of compatible containers. The council can provide both refuse and recycling sacks and eurobins for businesses. Fees apply on the basis of bin rental charges plus a collection charge according to the number and frequency of collections. The maintenance, repair and replacement of containers are included within the terms of the hire agreement, except where damage is caused through vandalism or negligence of the lease. A council Sales Officer will be available to advise on all available options. Please telephone 020 8753 1100 for further information.

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14.62 Suitable arrangements must be made for the management and maintenance of any refuse/recycling areas, including cleansing of the site and upkeep of any soft landscaping.

14.63 If a developer is considering engaging a private licensed waste contractor to handle waste arising from commercial premises, they should consult potential waste contractors on the design of purpose built facilities at an early stage, copying their proposals to the Council. The specification details of the kinds of containers that are commonly used by the council and the private sector are very similar.

14.64 Each application will be assessed to ensure that the number of containers or sacks provided will meet the needs of the business. Normally this would be on the basis of a weekly collection, however, where this frequency is not sufficient, consideration will be given to more frequent collections where more space cannot be afforded for storage.

14.65 Although the council does not offer a separate commercial food waste collection, there are numerous collections offered by private companies across London. In particular, for restaurants and fast food outlets, storage space for food waste containers should be planned into the design of the kitchen, along with recycling and refuse. External storage space for food waste containers should also be considered, to minimise odour and mess.

14.66 Owing to the nature of food waste, food premises should have adequate space to store waste in one or more wheelie bins or eurobins of a suitable size. It is recommended that in order to avoid potential odours, a minimum of two collections per week should be allowed for.

Alternative Waste Management Technologies

14.67 For large developments (commercial and residential), such as those within the borough's Opportunity Areas and Regeneration Areas, on-site waste management facilities should be provided to manage waste generated by the development. The council is keen to promote the use of new innovative waste management technologies which can lead to increases in recycling and reductions in operational costs and carbon emissions.

14.68 In terms of on-site waste management facilities, the council recommends that alternative methods for on-site waste management are considered by applicants for large developments. This could include for example vacuum systems.

14.69 A vacuum system such as that currently in use on a new development in Wembley is recommended. The system consists of a network of underground tubes into which waste from residents and businesses is deposited, before suction is applied to transfer the waste to a single bulking-up location. Multiple waste streams can be collected in this way, and it has the following advantage:

- Improved residential environment – due to fewer vehicle movements on site, less noise, and fewer emissions;
- Greater waste separation and recycling;
- Lower operational collection costs;
- No need for multiple bin locations, increasing development footprint available for residential or commercial use.

14.70 For major developments, the council recommends underground Envac systems and other technological waste solutions are recommended to be considered in major developments. Applicants should discuss options for on-site waste management facilities in major developments as early as possible during pre-application discussions. These proposals will be looked upon favourably by the council.

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Key Principle - WM10

Community Recycling Facilities

Where a developer is including communal recycling facilities for use by the general public in addition to specific recycling facilities for the occupiers, the location of the community recycling site should be easily accessible for both users and collection teams.

14.71 It is recommended that in order to achieve optimum level of use by the public, these communal sites should be located by entrance/exit points to housing, transport interchanges or main routes to local facilities.

14.72 In addition the facility must be secure (locked into position), not obstruct any utility points and be located away from windows and ventilators to minimise odour and noise nuisance. Design and location of the facility should be forwarded to the council to ensure it will permit safe use, not obstruct driver sightlines and design out crime.

14.73 Suitable arrangements must be made for the management and maintenance of any refuse/recycling areas that are not included on public highway, including cleansing of the site and upkeep of any soft landscaping.

14.74 In terms of collection requirements the policies for collection vehicle requirements in Appendix 5 apply.

Litter, Cleanliness and Grounds Maintenance

14.75 New developments are usually located in areas of private land, and any areas not classed as public highway would not be cleansed by the council. Under the Environmental Protection Act (1990) landowners have a responsibility to keep land under their control free of litter. The council offers a chargeable sweeping/cleansing service for private land, estimates are available upon request.

14.76 Developers need also to consider whether litter bins are required for users of communal areas or visitors to the site. If litter bins are to be installed, dual litter bins for the separate collection of litter and recycling should be used. Developments near to tube stations may also want to consider the installation of commuter recycling bins for the collection of newspapers.

14.77 Developments of flats with communal grounds should show where arrangements will be made for the on-site composting of garden waste. Composting on-site will result in cost savings for the management company, reducing disposal costs and providing a supply of compost to use on-site.

Key Principle - WM11

Planning Application Requirements

Planning applications should be supported by a Refuse and Recycling Management Plan. The proposed refuse and recycling storage points and the access routes for collection vehicles should be clearly identified on submitted plans.

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14.78 The provision of adequate facilities for refuse and recycling storage should be considered at an early stage in the design of development. Care must be taken to ensure that the proposed arrangements are acceptable in terms of their design, appearance and location so as to minimise noise & odour nuisances and impact on the street scene. Arrangements for refuse and recycling facilities (internal and external) should be detailed in a Refuse and Recycling Management Plan.

14.79 Particular care needs to be taken when designing the access to bin storage areas above or below ground floor level, which have to be accessed by the collection vehicles using a ramp.

14.80 Where possible full details of the proposals should be submitted at the application stage. Otherwise a suitable condition will be attached to any outline planning permission requiring the submission of details of refuse and recycling provisions for the development. Appendix 5 indicates the information that is required to be submitted as part of a Refuse and Recycling Management Plan.

14.81 If the developer is considering engaging a private waste contractor to handle waste arisings, they should consult potential contractors on the design of purpose built facilities at an early stage, copying their proposals to the council.

14.82 Discussions concerning the provision of waste storage should take place directly with the council, at the earliest possible stage during pre-application discussions. These guidance notes seek only to provide some basic advice on the requirements for storage of waste and recyclable materials. In addition to the council's requirements, the London Waste & Recycling Board have also produced some useful guidance for developers which can be found on their website (<http://www.lwarb.gov.uk/what-we-do/resource-london/successes-to-date/efficiencies-programme-outputs/>)

For consultation and advice on any scheme, please contact the waste and recycling team at the council on 0208 753 1100 or email cleaner.greener@lbhf.gov.uk.

14 Waste Management

15 Residential Moorings

15.1 The tidal River Thames flows through the borough of Hammersmith and Fulham. This waterway is designated as a conservation area of Metropolitan importance. Residential moorings located in appropriate sections of the borough's waterways namely the River Thames can contribute towards meeting the borough's strategic housing target. A brief description of the River Thames is provided below.

15.2 The tidal River Thames - A seven kilometre stretch of the tidal River Thames flows through the borough, from below Chiswick Eyot to Chelsea Creek, forming the borough's southern boundary. Development along this stretch of the river displays different characteristics reflecting changes in the river's use through history. Today, this stretch of the river is one of the busiest on the River Thames, being used for a wide range of activities including commercial and leisure navigation, public transport and rowing and canoeing. In terms of residential moorings, there are currently two residential moorings sites within the borough at the Dove Pier and Mr See's Moorings along Hammersmith Mall. A short term mooring development has recently been completed at Imperial Wharf.

15.3 There are some constraints to developing additional residential moorings along the River Thames as it flows through the borough based on:

- the diversity of uses and the extremely heavy use the river is currently subject to along this stretch of the river that may be adversely affected by additional residential moorings;
- further constraints associated with existing riverside land uses that may render nearby residential moorings impractical or unsuitable;
- environmental and ecological constraints; or
- difficulties in providing potential sites with suitable supporting infrastructure;

15.4 Notwithstanding the above, there may be some potential to develop additional residential moorings in the South Fulham area which extends from the Hurlingham Club downstream to the Cremorne railway bridge. The council will support new residential moorings development along this stretch of the river subject to any proposal satisfying environmental and other conditions as required by relevant licensing authorities.

15 Residential Moorings

Policy Context 1

National Policy

The National Planning Policy Framework (March 2012) requires local planning authorities to boost significantly the supply of housing (para.47)

On 27 August 2011, the former Housing Minister Grant Shapps issued a statement encouraging councils to allow more residential moorings on local waterways as part of the government's 'Localism' agenda. The Minister stated that this initiative could help provide additional homes for people, allowing many to live in areas that otherwise might be out of their financial reach. As a further incentive for local councils to take up this initiative, the government made new residential moorings eligible for the New Homes Bonus whereby the government will match the amount of council tax levied on new moorings.

London Plan

The London Plan contains a number of policies that are relevant to the development of new residential moorings on local waterways. These policies are listed below:

- Policy 7.25 – Increasing the use of Blue Ribbon Network for Passengers and Tourism
- Policy 7.26- Safeguarded Wharves (Hurlingham Wharf, Swedish Wharf & Comley's Wharf)
- Policy 7.27 – Blue Ribbon Network: Supporting Infrastructure and Recreational Use
- Policy 7.29 – The River Thames
- Policy 7.30 – London's canals and other rivers and waterspaces

Local Plan

The council's Local Plan contains policies that are relevant to the development of new residential moorings in the borough. These policies are listed below:

- Policy H01: Housing supply which aims to increase the supply of housing
- Policy RTC1 – 'River Thames' states among other things that the council will work with relevant partner organisations to enhance the use of the River Thames .
- Policy RTC2 - Access to the River Thames and Foreshore
- Policy RTC3 – The design and appearance of development within the Thames Policy Area; and
- Policy RTC4 - Water-based activity.
- The Thames Strategy: Kew to Chelsea also provides further local guidance for the stretch of the River Thames within Hammersmith and Fulham.

Statutory agencies' policies on residential moorings

15.5 The Port of London Authority is the licensing authority for applications concerning the development of new residential moorings in the tidal River Thames.

15.6 The Port of London Authority (PLA) is the owner of the riverbed. Any development proposal involving works in, under or over the tidal Thames below the mean high water level requires a licence from the PLA. ⁽²⁶⁾

15.7 The Port of London Authority policy on residential and visitor moorings on the tidal river Thames is available at (check link): www.pla.co.uk and further guidance can be found in the PLA's Vision for the Tidal Thames <http://www.pla.co.uk/assets/thevisionforthetidalthames.pdf> and the Boating on the Thames website. (<https://www.boatingonthethames.co.uk/>)

15.8 The Environment Agency does not regulate the licensing of residential moorings on the tidal River Thames. However, the Agency is a statutory consultee in the planning process and will provide formal advice on any environmental and flood related implications of planning applications concerning new residential moorings. The Environment Agency is also responsible for the provision of flood defences along the river and ensuring that these defences are maintained by riparian owners. As such, the agency will also comment on any potential impacts that proposed residential moorings may have on existing flood defences.

Key Principles

15.9 The principles listed below establish more detailed guidance on the application of policies within the Local Plan that will be used in the consideration of planning applications for residential moorings.

Key Principle - RM1

Proposals for Residential Moorings

Developers seeking to develop new residential moorings through new development or a change of use of existing infrastructure should comply with the policy guidelines of statutory licensing authorities as part of obtaining approval for new residential moorings.

15.10 Residential moorings are defined in this SPD as moorings that:

- have received planning approval for residential use by the local authority; and
- have been granted a licence by the relevant statutory body (the Port of London Authority) responsible for licensing moorings on the river Thames.

15.11 Vessels moored on these residential moorings should be used as the occupier's sole or main residence. The 'residential use' of the moored vessel should be distinguished from other vessels whose primary use is for leisure or recreational purposes, even if this involves some element of overnight occupation (whether at the mooring site or whilst cruising).

15.12 Applications to develop new residential moorings on the river Thames will require both a licence granted by relevant licensing authorities and planning approval by the council.

15.13 The granting of licences for new residential moorings on the tidal River Thames is controlled by the Port of London Authority (PLA). The PLA has policies in place to determine whether to grant licences for new moorings developments. Links to these policies are provided in the section above. As explained further in KP RM4 (Impacts on Navigation) new moorings need to be suitably located and managed as to not impede or pose any risk to navigation on the River Thames.

15.14 In planning terms, residential moorings fall within the 'Sui generis' Use Class. The following development is likely to amount to a material change of use and will require planning permission:

- Any new proposed residential mooring, or change from any other form of mooring, such as from leisure use to residential use, irrespective of where the mooring is located;

15 Residential Moorings

- The replacement of a vessel at a mooring with a purpose built structure, floating or otherwise;
- A change of use from static vessels or floating platforms used by occupants for holiday purposes to being used by occupants as their main place of residence.

15.15 The council will treat proposals for residential moorings as residential development and will assess such proposals using national, regional and local planning policies.

Key Principle - RM2

Provision of Suitable Infrastructure

The council will generally expect proposed moorings sites to be provided with adequate land-based utility infrastructure and support facilities, including:

- sewage disposal;
- mains electricity with separate meterage for individual berths;
- mains water;
- secure waste and recyclable disposal facilities for use by moorings residents.
- appropriate riparian life saving equipment.

15.16 As vessels moored on residential moorings are taken to constitute the primary residence for occupants, the council will normally expect new moorings developments to be provided with basic infrastructure and facilities. This includes provision of appropriate riparian life saving equipment (such as grab chains, access ladders and life buoys) along the river edge to a standard recommended in the 1991 Hayes Report on the inquiry into River Safety to help improve the safety and security of the River Thames.

15.17 The council recognises that the provision of some, or any of the utility services and facilities listed above may not be possible due to site constraints and the potential adverse amenity impacts associated with installing this infrastructure near the moorings site. Where this is the case, developers of proposed residential moorings sites will need to provide satisfactory justification with their planning applications for not providing the above facilities. This could include:

- details of the site constraints including amenity issues mitigating against the provision of the infrastructure and facilities detailed above; or
- evidence showing that the prospective occupiers of the site would prefer to be more self-reliant and do not require this infrastructure or services; or
- evidence of the existence of similar facilities at a reasonable close distance from the proposed moorings site. Where these facilities are present, developers should identify the locations of these facilities and demonstrate that occupants will be able to easily access and use these services at all times.

Key Principle - RM3

Preserving the Character and Amenity of the River Thames and Waterside Locations

New moorings should be designed to complement and respect the character and amenity of their setting and that of the waterway on which they are to be located.

Residential Moorings 15

15.18 The stretches of the River Thames a within the borough are designated conservation areas. The council has also designated the Thames riverside area as the 'Thames Policy Area', where additional design requirements will apply in order to reflect and better protect the distinctive and unique character of the natural and built environment of the area.

15.19 The council will expect mooring designs to respect the existing character and amenity of both the waterway where they will be located and surrounding areas. Applicants should submit supporting design and access statements with planning applications, and applicants are encouraged to read relevant background documents, such as the 'Thames Strategy Kew to Chelsea' and riverside conservation area character profiles for detail about the characteristics of the borough's waterways.

15.20 Long lines or other intensive concentrations of permanent moorings are unlikely to be permitted on the River Thames as they can:

- be visually intrusive and impact upon existing character and amenity;
- restrict views of waterways;
- impact on riparian biodiversity; and
- provide an undesirable sense of enclosure.

15.21 The council will aim to ensure that new moorings developments are sensitively designed and respect the existing character of both the waterway and the surrounding area. Sufficient space should exist between individual mooring developments to avoid the creation of extensive concentrations of moored vessels.

15.22 Generally, planning consent will not be granted for moorings developments proposed alongside public parks and other open spaces abutting the council's waterways if these will result in a loss of the open character or amenity of the area. The change of use of the adjacent waterside land for uses associated with the residential mooring, such as ancillary structures, will not normally be permitted where this is intrusive or detrimental to the riverside environment.

15.23 New moorings developments proposed to be located within conservation areas, including within the Thames Policy Area, should be designed in a manner that will not adversely impact upon strategic views into and out of these conservation areas. The council will take into account the principles set out in conservation area character profiles or other policy documents as appropriate, in order to determine the level and extent of any impacts on strategic views associated with proposed residential moorings.

Key Principle - RM4

Characteristics of Moored Vessels

When granting planning permission for new residential moorings, the council will use planning conditions and/or S106 Agreements aimed at controlling the design and other attributes of the vessels to be berthed at the proposed mooring development.

15.24 The council is keen to ensure that residential moorings complement and enhance the distinctive existing character of their waterside locations. The relative permanence of new moorings reinforces the need for careful management not only of the mooring design, but also of the vessels that will be moored there on a permanent basis.

15.25 Vessels moored on a permanent basis at approved residential moorings should:

15 Residential Moorings

- be capable of navigation, moving under their own power with necessary propulsion and steering. The vessel's superstructure (the structure above the main deck) must have a height, length, width and position that relates to the character of, and complements the locality it is sited in;
- conform to the typical attributes of houseboats on the waterway they are to be located on ie. the River Thames in terms of their size, appearance and design and where these would relate to or enhance the surrounding area, the existing character of the river and contribute to the ecological and visual amenity of the area.
- demonstrate the above with relevant evidence in a supporting statement.

15.26 The use of renewable energy technologies on vessels in residential moorings should not adversely impact upon the character and visual amenity of the area and should not adversely impact upon on strategic views. Where planning permission has been granted for the residential use of a mooring (i.e. use as a sole or main residence) and the vessel is replaced by one of similar style, length and breadth, this will not normally constitute development and therefore no new planning permission will be required. However, the replacement of such a vessel with one that does not share a similar appearance or attributes will be deemed to be a material change of use and/or a fundamental change in the nature and character of the approved application and will require planning approval.

Key Principle - RM5

Impacts on Navigation

New moorings should be suitably designed and located so as not to impede or pose any risk to navigation on the River Thames

15.27 The borough's waterways are used for a variety of functions, including use as a navigation route for transporting commercial freight, public transport and recreational boat use. Protecting the navigational capacity of the borough's waterways is a matter of high priority for all key stakeholders. Accordingly, new moorings developments should be designed and located in a manner that does not affect:

- existing navigation, including existing navigation speeds and the normal operation of commercial, public transport and recreational craft; and
- the range and operation of established water-based uses including rowing, sailing, kayaking etc. and recreational cruising.

Key Principle - RM6

Access for Emergency Services to Residential Moorings

Wherever possible, sites for proposed residential moorings should have road access to at least part of the site to facilitate access by emergency services.

15.28 Easy road access to moorings sites would allow emergency vehicles such as ambulances and fire engines to quickly access these sites to attend emergencies.

15.29 Ideally, all proposed moorings sites should have road access to allow emergency service vehicles to gain access to at least part of the site. However, the council recognises that given the built up nature of the borough, there may be occasions when proposed residential mooring sites may not

have direct road access. Where direct road access to the site is not possible, developers should identify the closest access point and assess its overall suitability for use by occupiers and emergency vehicles.

Key Principle - RM7

Residential Moorings and Flood Risk Management

The council will expect developers to be able to demonstrate that moorings do not cause detrimental impacts on flood defences and are designed to permit safe access from the site in extreme flood conditions.

15.30 The council will expect new moorings developments to be designed in a manner that would allow occupants of moored vessels to have safe access to and from moored vessels even during extreme flood conditions. In line with the Environment Agency's role as a statutory consultation body, planning applications concerning new residential mooring developments will be referred to the Agency for comment in relation to their impacts on existing flood defences, their vulnerability to floods, and other environmental impacts associated with the development.

Key Principle - RM8

Parking for Residential Moorings

Applications for any new car parking spaces associated with new residential moorings will be determined in accordance with the requirements of the Transport policies in this SPD.

15.31 The council will not normally support the provision of additional car parking spaces for new moorings developments. Where additional parking is proposed, the council will require developers to prepare a transport assessment justifying the need for, and impacts of these additional parking spaces.

Key Principle - RM9

Residential Moorings and access for all

New residential moorings developments and proposed improvements to existing residential moorings developments should aim to ensure the development is designed to allow safe access to and from the moored vessels for people of all ages and abilities.

15.32 While it is recognised that living on houseboats may not be practical for people with high levels of mobility impairments, developers of new moorings developments and those planning on improving existing developments should aim for these developments to be built in accordance with the principles of accessible and inclusive design.

15 Residential Moorings

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Above Ordnance Datum – (also abbreviated to 'AOD') see Ordnance Datum.

Acoustic lobby - inner and outer acoustic doors, designed to prevent both sets of doors opening at the same time to prevent escape of internal noise

Air Quality Assessment – An assessment of the impact of a development on the levels of certain pollutants in the local area and potential for exposure to those pollutants.

Air Quality Management Area (AQMA) – An area where air quality objectives are likely to be exceeded. Declared by way of an order issued under Section 83(1) of the Environment Act 1995.

Air Quality Objectives – Air quality targets to be achieved locally as set out in the Air Quality Regulations 2000 and subsequent Regulations. Objectives are expressed as pollution concentrations over certain exposure periods, which should be achieved by a specified target date. Some objectives are based upon long term exposure (e.g. annual averages), with some based on short term objectives. Objectives only apply where a member of the public may be exposed to pollution over the relevant averaging time.

Air Source Heat Pump – A heating and cooling system that uses outside air as its heat source and heat sink. In domestic heating use, an ASHP absorbs heat from outside air and releases it inside during winter, and can often do the converse in summer.

Archaeological interest - An interest in carrying out an expert investigation at some point in the future into the evidence a heritage asset may hold of past human activity. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them. These heritage assets are part of a record of the past that begins with traces of early humans and continues to be created and destroyed.

Archaeological Priority Areas - These 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 apply. Planning applications affecting such areas will generate appropriate consultation, which could in turn lead to further processes of site assessment.

Architectural and artistic interest - These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

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ATTrBUTE. A travel plan building, evaluation and scoring tool, developed by TfL

“A” weighting - frequency weighting that has been developed to imitate the ear’s varying sensitivity to sound of different frequencies.

Biodiversity - The term ‘Biological Diversity’ or ‘Biodiversity’ is generally described as the variety of life on earth, and includes all species of plants and animals and the natural systems that support them. The Convention on Biological Diversity (1992), to which the UK is a party defines ‘Biological Diversity’ as:

‘The variability among living organisms from all sources including inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems.’⁽²⁷⁾

Importantly, the term ‘Biodiversity’ incorporates all species and habitats, both rare and common, and also seeks to ensure the protection of genetic diversity. This is particularly relevant in the current context where even once common species such as the House Sparrow and Starling are declining rapidly and the rate of species loss and extinctions are at unprecedented levels.

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.

Blue Roof: A roof designed to store water, typically rainfall. Blue roofs that are used for temporary rooftop storage can be classified as "active" or "passive" depending on the types of control devices used to regulate drainage of water from the roof. They can be combined with living roofs.

Borehole: A hole drilled in the ground in order to take samples and to allow gas and water monitoring.

BREEAM – The Building Research Establishment Environmental Assessment Method (BREEAM) is an industry measure of energy and environmental performance of non-residential buildings. There are 5 ratings as follows: Pass, Good, Very Good, Excellent and Outstanding.

Brownfield Site: A site that has been generally abandoned or underused where redevelopment is complicated by actual or perceived environmental contamination. Only a small proportion of Brownfield sites will meet the definition of contaminated land

27 Convention on Biological Diversity, opened for signature 5 June 1992 (entered into force 29 December 1993)

Brown Roof – A roof that has a layer of soil or other material providing a habitat or growing medium for plants and/or wildlife. It may also include additional layers such as a root barrier and drainage and irrigation systems.

Carbon Dioxide: A constituent of landfill gas. It is heavier than air and will asphyxiate if present in sufficient concentrations.

Car Clubs, also known as Community Car Pooling .Car club schemes are aimed at sharing the ownership and use of cars. Owning a car is expensive, but individual journeys are relatively cheap. Once a car is acquired it also acts as a disincentive to using public transport. Community car sharing schemes are one solution which has proved very successful in Europe and is now being looked at in trials in Britain. 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.

Carplus promotes and supports the development of car clubs and car sharing schemes. Carplus aims to create a national network of services in the UK, which will complement the most sustainable transport modes.

Competent Person: The competent person would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London , Institution of Environmental Management) and also have relevant experience of investigating contaminated sites or who holds the Specialist in Land Condition (SiLC) qualification administered by the Institute of Environmental Management

Community Infrastructure Levy (CIL). The discretionary charge on development which Local Planning Authorities will be empowered to make in order to fund local infrastructure requirements.

Conservation - The process of maintaining and managing change to a heritage asset in a way that sustains and where appropriate enhances its significance.

Contaminated Land: Any land where the actual or suspected presence of substances in, on or under the land may cause risks to people, property, human activities or the environment, regardless of whether or not the land meets the statutory definition in Part 2A of the EPA 1990*.

*The following definition of Contaminated Land is not used in this document other than where Part 2A of the EPA 1990 is specifically referenced:

Contaminated land is defined in Section 78 A (2) of the Environmental Protection Act 1990 as

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"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."

Contaminated Land Register: The public register maintained by the enforcing Authority under the provisions of 78R of the Environmental Protection Act 1990 of the particulars relating to contaminated land. The Register contains details of land that has been identified by the Local Authority, which is giving rise to significant harm or polluting controlled water. It also includes details of any enforcement action being undertaken by the Authority.

Controlled Waters: Defined in Section 104 of the Water Resources Act 1991 and includes territorial and coastal water, inland fresh waters, and ground waters.

Considerate Contractors Scheme – A scheme designed to ensure that construction and routine maintenance activities progress without making life unpleasant for people who live and work nearby.

Combined Heat & Power (CHP)/Combined Cooling Heat & Power (CCHP) – The simultaneous generation of usable heat and power (usually electricity) in a single process, thereby reducing wasted heat and putting to use heat that would normally be wasted to the atmosphere, rivers or seas. CHP is an efficient form of decentralised energy supply providing heating and electricity at the same time. CHP's overall fuel efficiency can be around 70-90% of the input fuel, depending on heat load; much better than most power stations which are only up to around 40-50% efficient.

Community Heating – Distribution of steam/hot water through a pipe network to heat a large area of commercial, industrial or residential buildings or for industrial processes. The steam/hot water is supplied from a central source (e.g. a combined heat and power plant).

Ctr - a correction value added to the DnT,w value for dwellings and some other applications to place greater importance on the lower frequency values

Current Use: Any use which is currently being made, or is likely to be made, of the land and which is consistent with any existing planning permission (or otherwise lawful under town and planning legislation)

dB - decibel, the unit to measure sound

Decentralised Energy – Power generation in the UK is still largely centralised with large power stations generating electricity which is distributed over large distances via the National Grid. 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.

Demolition Protocol – A resource efficiency model showing how the production of demolition material can be linked to its subsequent specification and procurement as a high value material in new builds.

Designated heritage asset - A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated as such under the relevant legislation.

DnT,w+Ctr - airborne values representing the weighted, standardised level difference between a source room and receiver room

Drainage Hierarchy – The London Plan outlines the following drainage hierarchy for SuDS measures:

1. store rainwater for later use;
 2. use infiltration techniques, such as porous surfaces in non-clay areas;
 3. attenuate rainwater in ponds or open water features for gradual release;
 4. attenuate rainwater by storing in tanks or sealed water features for gradual release;
 5. discharge rainwater direct to a watercourse;
 6. discharge rainwater to a surface water sewer/drain; and
 7. discharge rainwater to the combined sewer.
-

Ecological networks: These link sites of biodiversity importance and provide routes or stepping stones for the migration, dispersal and genetic exchange of species in the wider environment.

Embodied Energy – The total life cycle energy used in the collection, manufacture, transportation, assembly, recycling and disposal of a given material or product.

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,

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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.

European site: means candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas (for advice on statutory obligations affecting biodiversity and geological conservation, see Circular 06/2005).

Exceedence – Concentrations of a specified air pollutant greater than the appropriate Air Quality Objective.

Exception Test – The 2 stage assessment required for some development types in high flood risk areas to determine whether or not the negative implications of developing in a flood risk area can be balanced against the potential positive contributions to sustainable development that new development can bring. The Exception Test should not be used as a means of supporting inappropriate development.

Flood Resilient Design – Can include measures such as putting living accommodation on the first floor, using flood-proof materials, incorporating non-return valves to stop surcharges from sewers entering properties, integration of flood barriers etc.

Flood Risk Assessment – Flood Risk Assessments (FRA) are required when a planning application is submitted in an area at risk of flooding. This requirement is set out in the Government's policy on development and flood risk as stated in paragraph 103 of the NPPF.

FSC – Forestry Stewardship council – certifies timber from renewable sources that are managed according to sustainable environmental standards.

Green corridors: 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 they 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 Grand Union 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 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. See also Urban Greening.

Greenfield Run-off – The surface water run-off from a site that would occur in its undeveloped and undisturbed state. Greenfield runoff characteristics are described by peak flow and volumes and rates of runoff for rainfall events of specified duration and return period (frequency of occurrence).

Green Roof – A green roof is a 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. See the GLA's 'Living Roofs and Walls' report: www.london.gov.uk/sites/default/files/uploads/living-roofs.pdf for further information.

Ground Gas: Gas that is produced by the biodegradation of organic material. The gas contains principally a mixture of methane gas and carbon dioxide. Other gases in trace concentrations are also present.

Ground Source Heat Pump – A heat pump that removes heat from the earth or ground water in cold weather and transfers it to the house through an underground piping system. The process can be reversed in warm weather to transfer heat into the ground.

Ground Water – Water within soils and rock layers.

Guideline Values/ SGVs: Generic criteria for concentrations of contaminants designed to be protective of specified receptors in a range of conditions. Soil Guideline Values (SGVs) relate to chronic risks to human health and are derived from the CLEA model for various land use scenarios.

Harm: Defined in Section 78 A (4) of the Environmental Protection Act 1990 as

"harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, includes harm to his property."

Hazard: A substance, feature or situation that has the potential to cause harm, either directly or indirectly, to the environment, including humans (construction workers and site users and occupiers), soil, water, air, flora and fauna, buildings and commercial assets. They may be chemical, biological or physical.

Headspace: The vapour mixture trapped above a solid or liquid in a sealed vessel.

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Heritage asset - A building, monument, site, place, area or landscape (including an archaeological priority area) 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 designated heritage assets (as defined in the NPPF) and assets identified by the council during the process of decision-making or through the plan-making process (including local listing).

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.

Hot Food Takeaway shops have been classified as falling within Class A5 of the Town and country Planning Use Classes Order. Establishments whose primary business is for the sale of hot food for consumption off the premises, fall within this A5 Class.

Highway. The highway is a way over which the public have the right to pass and re-pass. Public Highway is a highway that is maintained at public expense (i.e. by the highway authority). Highways not maintainable at the public expense are nonetheless highways. A highway may also be a waterway or a navigable river.

- Carriageway – part of a highway over which the public have a right of way for vehicles;
 - Footway – part of a highway over which the public have the right of way on foot only.
-

International, national and local sites of importance for biodiversity: All Sites of Special Scientific Interest, Special Areas of Conservation, Special Protection Areas, and Ramsar sites, Local Sites and natural habitats (as identified in the Natural Environment and Rural Communities Act 2006 section 41 list) and areas identified for habitat restoration and creation.

Intrusive Investigations: An investigation of land (for example by exploratory excavations), which involves actions going beyond simple visual inspection of the land, limited sampling or assessment of documentary information.

iTrace. iTrace is centralised software package adopted by all London Boroughs and other authorities nationally that inter alia, allows easier assessment of Travel Plans and monitoring of their efficacy, provides template documents and easier sharing of information between Travel Plan authors in order to encourage the spread of best practice.

Impermeable Membrane or Barrier: Used to describe materials, natural or synthetic, which prevent the passage of liquids or gases. Landfill gas Barriers and membranes are used to prevent gases migrating or entering properties thereby ensuring the building is safe.

In situ: Unexcavated, remaining in the subsurface.

LA90 - the A-weighted noise level exceeded for 90% of the time period, used as a measure of background noise

LAm_{ax} - the A weighted maximum noise level that was recorded during a monitoring period

Landfill Site: An area of land, depression or former quarry which has been or is being infilled with waste materials.

Land Affected by Contamination: See 'Contaminated Land' definition above

Living Roof – See 'Brown Roof' and/or 'Green Roof'.

LnTw - weighted standardized impact sound pressure level of impact sound transmitted between rooms

Major Development – As defined in the London Plan, major developments are defined as:

- For dwellings: where 10 or more are to be constructed (or if number not given, area is more than 0.5 hectares);
- 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.

Methane Gas: A constituent of landfill/ground gas. It is flammable and explosive at concentration between 5-15% vol/vol.

Network Management Duty. As part of the Traffic Management Act 2004 local authorities were given the legal responsibility for the Network Management Duty. The objectives of this duty must be to: Make sure that traffic flows freely on our road network, and help traffic on the road networks of other authorities to flow freely.

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NO₂ – Nitrogen dioxide

NO_x – Nitrogen oxides. NO_x includes both nitric oxide (NO) and nitrogen dioxide (NO₂). Most pollution sources emit NO_x primarily in the form of NO. However, this can react and convert to NO₂ in the atmosphere.

Obesity is a medical condition in which excess body fat has accumulated to the extent that it may have an adverse effect on health, leading to reduced life expectancy and/or increased health problems

Open Space – All land that is predominantly undeveloped other than by buildings or structures that are ancillary to the open space use. A broad range of open space types are included – whether in public/private ownership with unrestricted/limited public access.

Ordnance Datum – (also abbreviated to 'OD') is the mean level of the sea (at Newlyn in Cornwall) from which heights above sea level are taken.

Owner: Defined in Section 78 A (9) of the Environmental Protection Act 1990 as

"a person (other than a mortgagee not in possession) who, whether in his own right or a trustee for any other person, is entitled to receive the rack rent of the land, or where the land is not let at a rack rent, would be so entitled if it were so to let."

Passive Solar Design – This refers to the use of solar energy for the heating and lighting of buildings. Using this approach, the building itself or some part of it can take advantage of the heat/light energy provided by the sun.

Parks for the purposes of this SPD are those parks identified as metropolitan open land, district parks or local parks within Local Plan Appendix 3 – Open Space Hierarchy.

Pathway: One or more routes or means by, or through, which a receptor:

(a) is being exposed to, or affected by, a

contaminant, or

(b) could be so exposed or affected.

Permit Free. A restriction that removes the eligibility of residents within permit-free developments to have Residents' Parking Permits.

Photovoltaic (PV) Cell – Converts solar energy directly into electricity. Interconnected cells are encapsulated into a sealed module that produces a voltage.

PM10 – Fine particulate matter with a diameter of less than 10 microns.

Pollutant Linkage: The relationship between a contaminant, a pathway and a receptor.

Pollution of Controlled Waters: Defined in Section 78 A(9) of the Environmental Protection Act 1990 as:-

"the entry into controlled waters of any poisonous, noxious or polluting matter or any solid waste matter."

Possibility of Significant Harm: A measure of the probability, or frequency, of occurrence of circumstances, which would lead to significant, harm being caused.

Potentially contaminated land sites: Sites identified (while undertaking desk studies/site investigations) as being, or having been, subject to a land use that may give rise to contamination.

Priority habitats and species: The England Biodiversity List under section 41 of the Natural Environment and Rural Communities Act 2006 provides details of all Species and Habitats of Principal Importance.

Protected and Priority species and habitats: In the United Kingdom, legislation exists to provide protection for species and/or habitats if these are categorised as being:

- a) a 'European Protected Species' as identified in the Conservation of Habitats and Species Regulations 2010, which transposes the European Union's Habitats Directive⁽²⁸⁾ into UK law; or
 - b) a nationally 'Protected Species' as listed in the Schedules of the Wildlife and Countryside Protection Act 1981 (as amended); or
 - c) a Priority Species' and/or 'Priority Habitats' as identified under section 41 of the Natural Environment and Rural Communities Act 2006 Act 2006, and/or the UK Biodiversity Action Plan (UK BAP).
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28 Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

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Public Transport Accessibility Level (PTAL). 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 being 'excellent'.

Qualitative Risk Assessment: The evaluation of risk associated with potential source-pathway-receptor linkages by consideration of the hazard severity combined with the probability of occurrence expressed using non-numerical terminology (e.g. high, medium, low).

Quantitative Risk Assessment: The estimation of risk based on modelling of contaminant fate and transport and exposure assessment using site-specific criteria and expressed using numerical terminology (e.g. increased risk of 1 in 105).

Rain Garden – A planted depression that allows rainwater runoff from impermeable areas like roofs, driveways etc to be diverted from the sewer and to be used for irrigation.

Rainwater Harvesting – Collecting water from roofs via traditional guttering and through down pipes to a storage tank. It can then be used for a variety of uses such as watering gardens.

Ramsar sites: Ramsar sites are wetlands of international importance, designated under the Ramsar Convention.

Receptor: "a living organism, a group of living organisms, an ecological system or a piece of property which is being, or could be harmed, by a contaminant, or controlled waters which are being, or could be, polluted by a contaminant."

Reclaimed Material – Material re-used in its existing state, without need for processing or energy intensive alteration.

Renewable and Low-Carbon Energy – Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass. Low-carbon technologies are those that can help reduce carbon emissions.

Renewable and/or low-carbon energy supplies include:

- biomass and energy crops;
- CHP/CCHP (and micro-CHP);
- waste heat that would otherwise be generated directly or indirectly from fossil fuel;
- energy-from-waste;

- ground/air source heating and cooling;
- hydro;
- solar thermal and photovoltaic generation; and
- wind generation

Remediation: A remediation action falling within the definition of Section 78 A (7) the

Environmental Protection Act 1990 is:

"doing any works, the carrying out of any operations or the taking of any steps in relation to any land or waters for the purpose of:-

a) preventing or minimising, or remedying or mitigating the effects of any significant harm, or any pollution of controlled waters, by reason of which the contaminated land is such land, or

b) of restoring the land or waters to their former state."

Remediation Notice: Defined in Section 78E(6) of the Environmental Protection Act 1990 as a notice specifying what appropriate person is to do by way of remediation and the periods within which he is required to do each of the things so specified. It is the mechanism by which the Local Authority or the Environment Agency can ensure that land is remediated if it poses a risk of significant harm or pollution of controlled waters.

Remediation Scheme: The complete set or sequence of remediation actions (preferable to one or more significant pollutant linkages) to be carried out with respect to the relevant land or waters.

Remediation Statement: Defined in Section 78H(7) as a statement prepared and published by the responsible person detailing the remediation actions which are being, have been, or are expected to be done as well as the periods within which these things are being done.

Residential mooring This is a long-term/mooring base for a vessel or floating structure with planning permission and navigation authority consent for use as a person's sole or main residence. The vessel may leave the mooring from time to time to go cruising, undergo repair etc. for any period of time.

Residential Parking Permits These are issued by the council to residents in parking controlled zones, to be used during controlled hours and subject to conditions as specified by the council.

Return Period – A statistical measurement denoting the average recurrence interval over an extended period of time between particular events such as storms or flooding.

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Risk: Is the combination of

- a) the probability, or frequency, of an occurrence of a defined hazard (for example, exposure to property of a substance with potential to cause harm); and
- b) the magnitude (including the seriousness) of the consequences.

Sensitive Use: Housing, schools, hospitals, children's play areas, nurseries, allotments, etc.

Sequential Test – In relation to flooding, the sequential test is 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.

Significant Harm: Any harm which is determined to be significant in accordance with the statutory guidance in Chapter A of DETR Circular 01/2006.

Site Investigation: This term is used to describe the process of carrying out investigations on land to determine whether there is contamination present. The investigation is carried out in several stages. These stage are typically a desk study to assess historical land use, intrusive investigation using trial pits and boreholes, sampling of materials, assessment of risk, and preparation of remediation proposal.

Site reconnaissance/ walkover survey: A site walkover survey to inspect the land, its use, layout and condition.

Sky Glow - the illumination of the night sky, most commonly caused by artificial light that emits light pollution

Sound Limiter - a device that monitors amplified sound and limits the maximum sound level that can be generated by sound equipment

Solar Water Heating – Solar water heating systems consist of a series of tubes inside an insulated box, typically mounted on the roof. The tubes absorb the sun's heat and transfer that heat to water or another liquid flowing through the tubes to heat water to be used in the home.

Special Areas of Conservation: Areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

Special Protection Areas: Special Protection Areas are areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the 'Birds Directive 1979' which provides enhanced protection given by the Site of Special Scientific Interest status all Special Protection Areas also hold.

Special Site: Is defined by Section 78A(3) of the Environmental Protection Act 1990 as

"any contaminated land

a) which has been designated as such by virtue of Section 78C(7) or

b) whose designation as such has been terminated by the appropriate Agency under Section 78Q(4)

The effect of the designation of contaminated land as a special site is that the Environment Agency, rather than the local Authority, becomes the enforcing Authority for the land."

Strategic Flood Risk Assessment – 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.

Substance: Is defined in Section 78A(9) of the Environmental Protection Act 1990 as:-

"any natural or artificial substance, whether in solid or liquid form or in the form of a gas or vapour."

Supplementary Planning Document (SPD) does not form part of the statutory plan. It can take the form of design guides or area development briefs, or supplement other specific policies in the plan. However, it must be consistent with national and regional planning guidance, as well as policies set out in the adopted plan. An SPD is a material planning consideration.

Surface Water – Rainwater lying on the surface or within surface water drains/sewers.

Surface waters/ hydrology: Water present above ground associated with freshwater resources, i.e. rivers, streams and lakes. Hydrology is the study of the distribution, conservation and use of water.

Sustainable Construction – The use of design and construction methods and materials that are resource efficient and that will not compromise the health or well-being of the environment or the building occupants, builders, the general public or future generations.

Sustainable Development – Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

16 Glossary

Sustainable Drainage Systems (SuDS) – An alternative approach to the traditional ways of managing rainwater runoff from buildings and other surfaces. SuDS covers the whole range of sustainable approaches to surface drainage management. 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.

Swale – Grassed depressions which lead surface water overland from the drained surface to a storage or discharge system, typically using the green space of a roadside margin. Compared to a conventional ditch, a swale is shallow and relatively wide, providing temporary storage, conveyance, treatment and the possibility of infiltration under suitable conditions.

Tonal noise - a tone at one or more specific frequencies, generally more noticeable and more annoying than non-tonal noise of the same level

Transport Assessment. A transport assessment is a comprehensive review of all the potential transport impacts of a proposed development or redevelopment, with an agreed plan to mitigate any adverse consequence.

Trial Pits: Trenches dug into land to check what is below the surface and allow samples to be taken for analysis.

Transport Statement. A transport statement to support the smaller scale developments where the traffic impact is limited in both volume and area impact. It should set out the issues relating to a proposed development site (existing conditions) and details of the development proposals (proposed development).

Travel Plans. 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.

TRAVL. A software package allowing access to a range of travel surveys carried out for developments across London

Validation: Confirmation of the likely performance of a particular remedial approach, for example supporting evidence of verified performance on other sites.

Verification: The process of demonstrating that the risk has been reduced to meet remediation criteria and objectives based on a quantitative assessment of remediation performance.

Verification Plan: A plan that sets out the requirements for gathering data to demonstrate that remediation meets the remediation objectives and criteria.

Veteran tree - A tree which, because of its great age, size or condition is of exceptional value culturally, in the landscape or for wildlife. The term veteran tree is one that is not capable of precise definition but it encompasses trees defined by three guiding Policies:

- trees of interest biologically, aesthetically or culturally because of their age;
- trees in the ancient stage of their life;
- trees that are old relative to others of the same species.

Listed below are characteristic features of veteran trees. The more the tree has, the stronger the indication that it is a veteran:

- Girth large for the tree species concerned
 - Major trunk cavities or progressive hollowing
 - Naturally forming water pools
 - Decay holes
 - Physical damage to trunk
 - Bark loss
 - Large quantity of dead wood in the canopy
 - Sap runs
 - Crevices in the bark, under branches or on the root plate sheltered from direct rainfall
 - Fungal fruiting bodies (e.g. from heart rotting species)
 - High number of interdependent wildlife species
 - Epiphytic plants
 - An 'old' look
 - High aesthetic interest
-

Volatilisation: The conversion of a chemical substance from a liquid or solid state to a gaseous or vapour state by the application of heat, by reducing pressure, or by a combination of these processes.

16 Glossary

Waste: Any substance or object which the producer or the person in possession of it discards or intends or is required to discard. (A producer is anyone whose activities produce waste or who carries out pre-processing, mixing or other operations resulting in a change in its nature or composition)

Whole Life Impacts – Assesses the impacts of a product or operation on the environment throughout its life – e.g. from production and manufacture, operational and maintenance, through to final demolition/disposal.

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Appendix 1 - Basements and Lightwells

Appendix 1: Building Regulations Requirements for Basements

17.1 The following are regulations relating to Fire Safety and Means of Escape from Basements. There are two options available for achieving means of escape in case of fire.

17.2 Firstly, if the only means of escape in case of fire is by using the front lightwell area, then there are a number of rules which need to be met.

17.3 A lightwell with 800 mm wide and 1250 mm long (inside measurements) will be large enough to form a reasonable escape route.

17.4 A non-combustible ladder should be provided to allow anyone to step out of the lightwell to ground level. It should have a rake of 70 degrees and be positioned in such a way that 450 mm of the window or door remains clear. A handhold should be provided above ground level.

17.5 Some form of protection is needed to prevent anyone from falling into the lightwell. If this protection is provided by the use of a horizontal grille, a section of it must be capable of being opened by one hand (as someone holds onto the ladder with the other). This could be done by providing spring loading or a counterbalance. The hatch size should be the plan area of the ladder or a minimum of 800 mm x 600 mm, whichever is the greater. Bars to the grille should be spaced at no greater than 50 mm apart. The grille should be fitted only with simple fastenings clearly visible and readily openable without the use of a key.

17.6 Any new basement window should have an unobstructed opening area of no less than 0.33 m² amounting to at least 450 mm by 750 mm clear opening. The bottom of the opening area should be not more than 1100 mm above the floor.

17.7 In order to make the escape route safe from any fire breakout from any existing ground floor window, if that window is within 1.8m of the lightwell, you will need to ensure that the ground floor window sill is at least 1100 mm above ground level, or if the sill is lower than 1100 mm above ground level then glazing to the windows should be made fire resisting and fixed shut. If the latter is not practicable you should install a smoke detector in the ground floor front room which contains, or is linked to, an alarm which will provide early warning to occupants in the basement.

17.8 Secondly, where the means of escape in case of fire is by using the internal staircase, the following rules need to be met.

17.9 All doors to habitable rooms (including the kitchen), entered from the stairway of the dwelling, should be fire resisting and self closing to ensure that a protected route is provided, or

17.10 Where the existing doors to the stairway are not fire-resisting, the dwelling should be provided with a mains operated system of automatic fire detection. A detector should be provided in each habitable room (heat detector in the kitchen). Such a system should accord with the recommendations of BS 5839 Part 6.

17.11 In all the above options, the following additional recommendations (from Approved Document "B" attached to the Building Regulations) should be complied with: -

- The basement room should be separated from the stairway by fire-resisting construction, and
- Smoke detection should be provided within the stairway enclosure, at each landing level.

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17.12 Finally, it is the responsibility of owners, builders and their professional advisers to ensure that all temporary works are carried out in accordance with health and safety (construction) regulations and good building practice. Health and safety (construction) regulations are enforced by the Health and Safety Executive.

17.13 Also, before any work commences planning permission, building regulations approval, and any necessary highways consent must be obtained where excavations are proposed adjacent to public highways (i.e. the edge of the pavement). In addition any necessary party wall notices should be served and agreement reached with the adjoining owners where the proposed works affect the party wall. If this is not done before the work begins, the adjoining owners may take legal proceedings and halt work until such time the works affecting the party walls are agreed with them.

17.14 NB. All calculations and details relating to retaining walls and underpinning works, etc. must comply with the Building Regulations to the satisfaction of the Building Control Officer.

Appendix 2 - Biodiversity

Appendix 2a – Biodiversity

Ecological Survey Seasons

Key: Optimal Survey Time: ■ Extending into: □

| | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC |
|----------------------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|
| Badgers | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Bats (Hibernation Roosts) | ■ | ■ | ■ | | | | | | | | ■ | ■ |
| Bats (Summer Roosts) | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | | |
| Bats (Foraging/ Commuting) | | | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | | |
| Birds (Breeding) | | | ■ | ■ | ■ | ■ | ■ | ■ | | | | |
| BIRDS (Over Wintering) | ■ | ■ | | | | | | | | | ■ | ■ |
| Dormice | ■ | | | | ■ | ■ | ■ | ■ | ■ | | ■ | ■ |
| Great-Crested Newts | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | | |
| | | | | | | | | | | | | |
| Invertebrates | | | | ■ | ■ | ■ | ■ | ■ | ■ | | | |
| Natterjack Toads | | | | ■ | ■ | | | | | | | |
| Otters | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Reptiles | | | ■ | ■ | ■ | ■ | | | ■ | | | |
| Water Voles | | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | | |
| White-Clawed Crayfish | | | | | | | ■ | ■ | ■ | | | |
| Habitats/Vegetation | | | | ■ | ■ | ■ | ■ | ■ | ■ | | | |

Table adapted from Validation of Planning Applications (Association of Local Government Ecologists, 2007)

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Appendix 2b - Biodiversity

Criteria and indicative thresholds for when a Protected Species survey and assessment will be required

(Source: Template for biodiversity and Geological Conservation: Validation checklists, Association of Local Government Ecologists (June 2007))

| Proposals for Development That Will Trigger a Protected and / or Priority Species Survey | Species Likely To Be Affected And For Which A Survey Will Be Required | | | | | | | | | | | | |
|---|---|----------|----------------|-----------------|------------------|-------------------|----------|------------|--------|---------------|---------------|-------------|-------------|
| | Bats | Barn Owl | Breeding Birds | Wintering Birds | Gt. Crested Newt | Schedule 8 plants | Reptiles | Amphibians | Plants | Invertebrates | Harvest Mouse | Stag Beetle | BAP Species |
| <p>Proposed development which includes the modification conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:</p> <ul style="list-style-type: none"> • All agricultural buildings (e.g. farmhouses and barns), whatever their condition, particularly of traditional brick or stone construction and/or with exposed wooden beams greater than 20cm thick. The only exception is modern agricultural buildings of prefabricated construction with steel/sheet materials. • Roofs of any type, or demolition of a built structure, regardless of location, except for those either of prefabricated construction with steel/sheet materials (such as modern warehouses) or flat roof structures with no roof voids, soffit or barge boards. • All unused industrial chimneys, which are unlined and of brick or stone construction; • All tunnels, culverts, mines, kilns, icehouses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; • All bridge structures, aqueducts and viaducts (especially over water and wet ground). | ✓ | ✓ | ✓ | | | | | | | | | | |
| Proposals involving lighting of churches and listed buildings or flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees. | ✓ | | ✓ | | | | | | | | | | |

| Proposals for Development That Will Trigger a Protected and / or Priority Species Survey | Species Likely To Be Affected And For Which A Survey Will Be Required | | | | | | | | | | | | |
|--|---|----------|----------------|-----------------|------------------|-------------------|----------|------------|--------|---------------|---------------|-------------|-------------|
| | Bats | Barn Owl | Breeding Birds | Wintering Birds | Gt. Crested Newt | Schedule 8 plants | Reptiles | Amphibians | Plants | Invertebrates | Harvest Mouse | Stag Beetle | BAP Species |
| Proposals affecting woodland or field hedgerows and/or lines of trees with connectivity to woodland or water bodies | ✓ | | ✓ | | | | ✓ | | ✓ | | | | |
| Proposals affecting established grassland (i.e. not ploughed or seeded for 5 or more years) or 'roughland' (i.e. grassland partially covered with scrub or trees), <i>excluding</i> residential gardens and grassland managed intensively for sports or amenity use and <i>including</i> roadside verges | | | ✓ | ✓ | | | ✓ | | ✓ | ✓ | ✓ | | |
| Proposed tree work (felling or lopping) and/or development affecting: <ul style="list-style-type: none"> • old and veteran trees that are older than 100 years; • trees with obvious holes, cracks or cavities, • trees with substantial ivy cover; • trees with a girth greater than 50cm at chest height; | ✓ | ✓ | ✓ | | | | | | | | | | |
| Proposals affecting gravel pits or quarries and natural cliff faces and rock outcrops with crevices or caves | ✓ | ✓ | | | | | ✓ | | | | | | ✓ |
| Proposals within 250m* of a pond (excluding small garden ponds). Does not apply to Householder applications. Where known records for great crested newt occur this should be 500m. | | | ✓ | | ✓ | | | | | | | | ✓ |
| Proposals affecting or within 200m* of rivers, streams, canals, lakes or other aquatic habitats such as fenland, marshland or reedbed. Does not apply to householder applications. | ✓ | | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | | ✓ | | |

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| Proposals for Development That Will Trigger a Protected and / or Priority Species Survey | Species Likely To Be Affected And For Which A Survey Will Be Required | | | | | | | | | | | | |
|---|---|----------|----------------|-----------------|------------------|-------------------|----------|------------|--------|---------------|---------------|-------------|-------------|
| | Bats | Barn Owl | Breeding Birds | Wintering Birds | Gt. Crested Newt | Schedule 8 plants | Reptiles | Amphibians | Plants | Invertebrates | Harvest Mouse | Stag Beetle | BAP Species |
| Proposals affecting 'derelict' land (brownfield sites), allotments and railway land. | | | ✓ | ✓ | ✓ | | ✓ | ✓ | | ✓ | ✓ | | |
| Proposals affecting bare ground and/or sparsely vegetated sites, wherever they are located. | | | ✓ | ✓ | | | | | | | | | |
| Proposed Development affecting any buildings, structures, feature or locations where protected and / or priority species are known to be present .** | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| <p>* Distances may be amended to suit local circumstance on the advice of the Local Planning Authority or the local Natural England team or the Hammersmith and Fulham Biodiversity Partnership. ** Confirmed as present by either a data search (for instance via GIGL / local environmental records centre) or as notified to the developer by the local planning authority and/or by Natural England, the Environment Agency or other nature conservation organisation.</p> | | | | | | | | | | | | | |

Appendix 2c - Biodiversity

Flowchart showing the steps developers need to take to ensure biodiversity is protected and enhanced

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Pre-application stage

1. Identification of site for proposed development



2. Assess the biodiversity value of the site and its surroundings:

- Does the site or adjacent land have a nature conservation designation?
- Are legally protected species present?
- Are Biodiversity Action Plan (priority) species or habitats present?



3. If the development will have a negative impact on species and / or habitats present on the site, can an alternative site be found?

If an alternative site cannot be found, can the development be redesigned to avoid harm to species and habitats?

If harm cannot be avoided, you must set out how harm will be minimised and compensated for.



4. If trees are present on or adjacent to the site you will need to provide:

- A topographical survey
- A tree survey (including information on any trees protected by Tree Preservation Orders)
- A tree constraint plan

Consult the Trees and Development SPD for further information.

Application stage

5. The Local Planning Authority will consider if the information submitted by the developer is adequate and accurate. Additional information and / or surveys may be required.



6. If European protected species, such as bats or great crested newts, are present the Local Planning Authority must apply the three tests set out in the Habitats Regulations:

- No satisfactory alternative to the development
- Impacts are not detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range
- The development is in the interests of public health or safety, or other imperative reasons for overriding public interest, including those of social, economic and environmental benefit.

A licence from Natural England may also be required.



7. An Arboricultural Implications Assessment and an Arboricultural Method Statement may be required for trees present on and adjacent to the site. Consult the Trees and Development SPD for further information.



8. The planning application will be determined in accordance with national legislation and this Biodiversity SPD.



9. If planning permission is granted conditions may be attached requiring further mitigation, enhancements for biodiversity, tree planting and / or compensation for unavoidable loss.

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Post application stage

10. Where a licence from Natural England is required ensure this has been obtained before work commences.



11. Ensure that landscaping and biodiversity conditions are met. If an Ecological Management Plan is required ensure this is provided and any monitoring requirements are met.

Appendix 2d - Biodiversity

Local requirements for designated sites and priority habitats: Criteria for when a biodiversity site survey and assessment will be required.

1. Designated Sites (as shown on the LDF Policies map)

- Nature conservation areas and NI 160 sites
- Green corridors and NI 160 sites

2. Priority Habitats (Habitats of Principal Importance for Biodiversity relevant to Hammersmith and Fulham under S.41 of the NERC Act 2006)

- Floodplain grazing marsh
- Fen, marsh, swamp and reedbeds
- Lowland heathland and/or dry acid grassland
- Lowland meadows (e.g. species-rich flower meadows)
- Lowland mixed deciduous woodland (ancient woodland)
- Lowland wood-pasture and parkland
- Rivers and streams (e.g. chalk streams)
- Standing open water and canals (e.g. lakes, reservoirs, ponds, aquifer fed fluctuating water bodies)
- Wet woodland
- Traditional orchards

3. Other Biodiversity Features (as identified by the Hammersmith and Fulham Wildlife Partnership - see paragraph 84 ODPM Circular 06/2005).

The features listed below may provide habitat for priority species and may require survey.

- Secondary Woodland and Mature/Veteran Trees
- Disused tunnels (e.g. roosts for bats)
- Tree lines providing sheltered feeding habitat for bats
- Previously developed land with biodiversity interest
- Urban green space (parks, allotments, cemeteries, churchyards flower-rich)
- Road verges and railway embankments)
- Sites identified as Wildlife Corridors

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Appendix 2f – Biodiversity

Environment Agency list of wildflower species and their ecological value, each of which is found either growing wild or cultivated in LBHF

| Common Name | Latin Name | Ecological Value |
|---------------------------|---------------------------------|------------------|
| Thrift | <i>Armeria maritima</i> | Standard |
| Clustered bellflower | <i>Campanula glomerata</i> | Standard |
| Harebell | <i>Campanula rotundifolia</i> | Standard |
| Red valerian | <i>Centranthus rubra</i> | Standard |
| Wild basil | <i>Clinopodium vulgare</i> | Standard |
| Deptford pink | <i>Dianthus armeria</i> | Standard |
| Maiden pink | <i>Dianthus deltoides</i> | Standard |
| Purple toadflax | <i>Linaria purpurea</i> | Standard |
| Pasque flower | <i>Pulsatilla vulgaris</i> | Standard |
| Meadow clary | <i>Salvia pratensis</i> | Standard |
| Spiked speedwell | <i>Veronica spicata</i> | Standard |
| Basil thyme | <i>Acinos arvensis</i> | Medium |
| Agrimony | <i>Agrimonia eupatoria</i> | Medium |
| Blue fleabane | <i>Erigeron acer</i> | Medium |
| Common stork's-bill | <i>Erodium cicutarium</i> | Medium |
| Ladies bedstraw | <i>Galium verum</i> | Medium |
| Common rockrose | <i>Helianthemum nummularium</i> | Medium |
| Field scabious | <i>Knautia arvensis</i> | Medium |
| Musk mallow | <i>Malva moschata</i> | Medium |
| Hoary plantain | <i>Plantago media</i> | Medium |
| Cowslip | <i>Primula veris</i> | Medium |
| Self-heal | <i>Prunella vulgaris</i> | Medium |
| Meadow buttercup | <i>Ranunculus acris</i> | Medium |
| Bulbous buttercup | <i>Ranunculus bulbosus</i> | Medium |
| Salad burnet | <i>Sanguisorba minor</i> | Medium |
| Small scabious | <i>Scabiosa columbaria</i> | Medium |
| Biting stonecrop | <i>Sedum acre</i> | Medium |
| White stonecrop | <i>Sedum album</i> | Medium |
| Reflexed stonecrop | <i>Sedum rupestre</i> | Medium |
| Bladder campion | <i>Silene vulgaris</i> | Medium |
| Wild thyme | <i>Thymus polytrichus</i> | Medium |
| Breckland thyme | <i>Thymus serpyllum</i> | Medium |
| Hare's-foot clover | <i>Trifolium arvense</i> | Medium |
| Hop trefoil | <i>Trifolium campestre</i> | Medium |
| Yarrow | <i>Achillea millefolium</i> | High |
| Kidney vetch | <i>Anthyllis vulneraria</i> | High |
| Common knapweed | <i>Centaurea nigra</i> | High |
| Viper's bugloss | <i>Echium vulgare</i> | High |
| Dove's-foot crane's-bill | <i>Geranium molle</i> | High |
| Fox and cubs | <i>Hieraceum aurantiacum</i> | High |
| Perforate St. John's-wort | <i>Hypericum perforatum</i> | High |
| Autumn hawbit | <i>Leontodon autumnalis</i> | High |
| Rough hawkbit | <i>Leontodon hispidus</i> | High |
| Ox-eye daisy | <i>Leucanthemum vulgare</i> | High |
| Common toadflax | <i>Linaria vulgaris</i> | High |
| Bird's-foot trefoil | <i>Lotus corniculatus</i> | High |
| Black medick | <i>Medicago lupulina</i> | High |
| Common restharrow | <i>Ononis spinosa</i> | High |
| Marjoram | <i>Origanum vulgare</i> | High |
| Fox and cubs | <i>Pilosella officinarum</i> | High |
| Wild mignonette | <i>Reseda lutea</i> | High |
| Dark mullein | <i>Verbascum nigrum</i> | High |
| Great mullein | <i>Verbascum thapsus</i> | High |

Appendix 3 - Land Contamination

Appendix 3a: Land Contamination in LBHF

17.15 The existence of pollutant linkages is dependent upon local conditions and may be preliminary assessed by evaluating the known:-

- Potential sources determined from the current and historical use of a site and surrounding area;
- The pathways determined from local geology, surface, groundwater and built attributes of a site and surrounding area; and
- Potential receptors determined from the geology, surface and groundwater and users of the site and surrounding area

17.16 On a precautionary basis, the possibility of contamination should be assumed when considering both development plans and individual planning applications in relation to all and subject to or near to previous potentially contaminative uses and also where uses are being considered that are particularly sensitive to contamination – e.g. housing, schools, hospitals, children’s play areas, nurseries, allotments.

17.17 The presence of contamination in, on or under land does not itself, necessarily present an unacceptable risk, therefore it does not necessarily require action. Risk arises and land is considered to be adversely affected by contamination where there is a pollutant linkage; that is to say where a receptor that is to say where a receptor (i.e. Humans, controlled waters, ecological systems, property) is impacted upon by a contaminant source via a pathway (e.g. Ingestion, inhalation). A source could be natural, such as ground gases produced from the degradation of organic matter in soil, or man made, including the bi-products of industry such as heavy metals and fuel oils. The hazards may be chemical (toxic, carcinogenic), biological (pathogens), radioactive or physical (asphyxial, explosive). The sections below include examples of potentially contaminative uses (sources) as well as examples, listed by receptor, giving common pathways and effects from land contamination which should be considered. These lists are not intended to be comprehensive and all former industrial land should be regarded as potentially affected by contamination. Further details on these industrial sources are contained in the Department of the Environment Industry Profiles.

17.18 Less stringent pollution control and poor site management in the past has led to a substantial legacy of sites contaminated by former uses. While modern pollution control legislation and good practice in site management have largely reduced the impact of current industrial activity and help to prevent new contamination, a wide range of commercial and other activity has had and still would have the potential to cause contamination.

17.19 Some sites may have been investigated or remediated previously, to varying standards, but this does not preclude the need for further assessment or remediation. Guidance and standards have changed over time, and are regularly evolving. Therefore any previous investigation, assessment or remediation should be reviewed in light of current standards to determine the need for further consideration.

17.20 Potentially hazardous substances, such as methane, carbon dioxide or elevated concentrations of metallic elements may also be present in the ground due to the underlying geology. Since these may pose a risk to human health or to the environment, their presence is a material consideration. It is necessary to consider the potential for both naturally-occurring and industrial contaminants to exist.

17.21 Developers should recognise that contamination may pose problems on land other than the originating site. For example, contaminants may migrate or be transported by wind or water onto land that has no specific association with the contaminating industrial use or ground gases, such as methane or carbon dioxide, may travel onto a site through the ground. Contaminants may also be present on land where there are no specific records of contaminating uses, such as in made ground where unsuitable fill has been used.

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17.22 Particular attention should also be paid to the condition of the site and of neighbouring land where the proposed use would be particularly vulnerable to contamination, where the current circumstances or past use suggest that contamination may be present or where it has other relevant information. Full account should be taken of whether the proposed use or development is likely to be adversely affected by contamination. For example, the addition of a new storey to an existing building is unlikely to be significantly affected by contamination whereas lateral expansion onto former industrial land potentially carries a higher risk and building extensions or undertaking landscaping that disturbs the ground may breach protecting layers and the addition or expansion of a basement may introduce new receptors into an unsuitable environment.

Historical uses

17.23 A rich history of industrial land uses and practices has resulted in the potential contamination of land within the borough. The physical development of the borough has predominantly taken place since the 1860s. Up to the late 19th century the area was largely rural with market gardening and nurseries as well as brickfield excavations and associated swampy land. The main development of the Borough coincided with the arrival of the railways (Metropolitan, District, Central and Piccadilly lines) between 1864 and 1906. Industrial development was focused along the River Thames, the Grand Union Canal and the railways. Since the War and largely since the 1980s, the riverside has gradually undergone (from Fulham Reach towards Hammersmith) transformation from industrial uses and working wharves to private residential and office buildings.

17.24 A number of industrial uses, past and present, are known to have existed across the borough. Some of these uses are outlined in the list of potentially contaminating uses in the Technical Details section and further information on the contaminants associated with these uses may be found in the Department of the Environment (DOE) Industry Profiles.

Surface water

17.25 Surface water features in the borough are the River Thames, Chelsea Creek & the culverted Counter's Creek (runs along boundary with RBK&C) and Stamford Brook (runs along western edge of the borough, though the outlet has been covered since 1936). The Grand Union canal runs along the north-west of the borough, and there are several man-made ponds (e.g. in Ravenscourt Park, Bishop's Park), though these features are not likely to be in hydrological continuity with other water bodies.

Geology and Groundwater

17.26 The solid geology for the whole borough comprises chalk overlain by London Clay. The principal body of groundwater (the principal aquifer) is located in the chalk and is relatively protected by the thick impermeable band of clay (non-aquifer) above. Drift deposits overlying the clay generally comprise:

17.27 River Terrace Deposits (Kempton Park gravels) in the southern area of the borough (northern border approximately Uxbridge Road) - classified as a secondary aquifer; and

17.28 River Brickearths (Langley Silt) between Goldhawk Road and the southern boundary of Wormwood Scrubs – classified as a non-aquifer, though a secondary aquifer (comprising the River Terrace Deposits) may lie beneath.

17.29 Drift deposits are minimal northwards of Wormwood Scrubs. It should be noted that significant areas of the natural geology within the borough have undergone excavation and subsequent infilling with made ground material. Where the relatively impermeable Brickearth layer has been removed or compromised, a pathway to the underlying secondary aquifer may be created.

17.30 Investigations across the borough have noted that made ground material, often of significant (i.e. greater than 1m) thickness, is present above the River Terrace Deposits in areas not previously known to have been excavated.

Ground gas and Vapours

17.31 Ground gas can be generated by the natural lithology within the borough, putrescible constituents of made ground and the degradation of contaminants in soils and/or groundwater. Ground gases of concern typically comprise carbon dioxide (an asphyxiant) and methane (explosive), though in some cases further gases such as hydrogen sulphide or carbon monoxide may be present.

17.32 There have been several unexpected pockets of organic solvents found in the borough, principally Perchloroethene and Trichloroethene, both commonly used for dry cleaning and degreasing metals prior to other treatment. These can release toxic vapours and be transported in groundwater into sites where there has been no historic use of the solvents.

Ecology

17.33 There are not currently any statutorily protected nature sites in the borough, however there are a number of non-statutory sites of importance. Open space, which accounts for approximately 17% of the borough, may constitute a sensitive land use forming pathways to receptors: humans, animals, ecological systems and crops. Open spaces in the borough include parks, nature conservation areas and allotments. It should be noted that some of these open space areas were formed on land where wide scale bombing occurred in the borough during World War II (e.g. Normand Park).

Appendix 3b: Examples of Pathways and Effects from Land Contamination

Human Health

- Uptake of contaminants by food plants grown in contaminated soil – heavy metals (e.g. cadmium, lead) and persistent organic pollutants including certain pesticides and veterinary products may result in an accumulation in food plants to concentrations where they exceed legal limits and/or may pose a hazard to human health. Uptake will depend on concentration in soil, its chemical form, soil pH, plant species and prominence in diet.
- Ingestion and inhalation – substances may be ingested directly by young children playing on contaminated soil, by eating plants which have absorbed metals or are contaminated with soil or dust. Ingestion may also occur via contaminated water supplies. Metals, some organic materials and radioactive substances may be inhaled from dusts and soils.
- Skin contact – soil containing tars, oils and corrosive substances may cause irritation to the skin through direct contact. Some substances (e.g. phenols) may be absorbed into the body through the skin or through cuts and abrasions.
- Irradiation – As well as being inhaled and absorbed through the skin, radioactive materials emitting gamma rays can cause a radiation response at a distance from the material itself.
- Fire and explosion – materials such as coal, coke particles, oil, tar, pitch, rubber, plastic and domestic waste are all combustible. If heated by contact with buried power cables or careless disposal of hot ashes they may ignite and burn underground. Both underground fires and biodegradation of organic materials may produce toxic or flammable gases. Methane and other gases may explode if allowed to accumulate in confined spaces.

Buildings

- Fire and explosion – underground fires may cause ground subsidence and cause structural damage to buildings. Accumulations of flammable gases in confined space leads to a risk of explosion. Underground fires may damage building services.
- Chemical attack on building materials and services – sulphates may attack concrete structures. Acids, oils and tarry substances may accelerate corrosion of metals or attack plastics, rubber and

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other polymeric materials used in pipework and service conduits or as jointing seals and protective coatings to concrete and metals.

- Physical – blast-furnace and steel-making slag (and some natural materials) may expand if ground conditions are changed by development. Degradation of fills may cause settlement and voids in buried tanks and drums may collapse as corrosion occurs or under loading from construction traffic.

Natural Environment

- Phytotoxicity (prevention/inhibition of plant growth) – some metals essential for plant growth at low levels are phytotoxic at higher concentrations. Methane and other gases may give rise to phytotoxic effects by depleting the oxygen content in the root zone.
- Contamination of water resources – soil has a limited capacity to absorb, degrade or attenuate the effects of pollutants. When this is exceeded, polluting substances may enter into surface and groundwater.
- Ecotoxicological effects – contaminants in soil may affect microbial, animal and plant populations. Ecosystems or individual species on the site, in surface waters or areas affected by migration from the site may be affected.

Appendix 3c: Examples of Potentially Contaminating Uses of Land

17.34 A number of industrial uses, past and present, are known to have existed across the borough. Some of these uses are outlined in list below; further information on the contaminants associated with these uses may be found in the Department of the Environment (DOE) Industry Profiles (<https://www.clare.co.uk/useful-government-legislation-and-guidance-by-country/198-doe-industry-profiles>).

- Smelters, foundries, steel works, metal processing & finishing works
- Heavy engineering & engineering works, e.g. car manufacture, shipbuilding
- Military/defence related activities
- Electrical & electronic equipment manufacture & repair
- Gasworks, coal carbonisation plants, power stations
- Oil refineries, petroleum storage & distribution sites
- Manufacture & use of asbestos, cement, lime & gypsum
- Manufacture of organic & inorganic chemicals, including pesticides, acids/alkalis, pharmaceuticals, solvents, paints, detergents and cosmetics
- Rubber industry, including tyre manufacture
- Munitions & explosives production, testing & storage sites
- Glass making & ceramics manufacture
- Textile industry, including tanning & dyestuffs
- Paper & pulp manufacture, printing works & photographic processing
- Timber treatment
- Food processing industry & catering establishments
- Railway depots, dockyards (including filled dock basins), garages, road haulage depots, airports
- Landfill, storage & incineration of waste
- Sewage works, farms, stables & kennels
- Abattoirs, animal waste processing & burial of diseased livestock
- Scrap yards
- Dry cleaning premises
- All types of laboratories

Other uses & types of land that might be contaminated include:

- Radioactive substances used in industrial activities not mentioned above – e.g. gas mantle production, luminising works

- Burial sites & graveyards
- Agriculture – excessive use or spills of pesticides, herbicides, fungicides, sewage sludge & farm waste disposal
- Naturally-occurring elevated concentrations of metals and other substances

17.35 Methane & carbon dioxide production & emissions from natural and made ground

Appendix 3d- Planning Application Submission

17.36 All LPA's in England are now required to use the 1-App planning application. Included within this application is an Existing Use section which requires the applicant to make a statement regarding the potential for land affected by contamination to exist at the subject site.

17.37 The existing use section is shown below in Figure 1 and details for completing this section follow:

15. Existing Use

Please describe the current use of the site:

Is the site currently vacant? Yes No

If Yes, please describe the last use of the site:

When did this use end (if known)?
DD/MM/YYYY
 (date where known may be approximate)

Does the proposal involve any of the following:

Land which is known to be contaminated? Yes No

Land where contamination is suspected for all or part of the site? Yes No

A proposed use that would be particularly vulnerable to the presence of contamination? Yes No

If you have answered Yes to any of the above, you will need to submit an appropriate contamination assessment.

17.38 Figure 1 Extract from Planning Application Form

- Land which is known to be contaminated? – This includes any development on land which is known to be affected by contamination.

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- Land where contamination is suspected for all or part of the site? – This includes development on or near to land which has had a previous contaminative use, but where it is not known whether the land is affected by contamination. It is suggested that the council's specialist team responsible for contaminated land are contacted and an environmental search is commissioned which will provide the applicant with information held by the council regarding the potential for contamination to exist.
- A proposed use that would be particularly vulnerable to the presence of contamination? – This is any use that may be sensitive to the presence of contamination. It should be noted that contamination is not restricted to previously developed land and may occur on Greenfield sites.
- If the answer is 'Yes,' to any of these questions, Phase 1 Preliminary Risk Assessment (as detailed in the submission details section of this document) should be submitted with the planning application. (NB: A factual report ordered over the internet is not a Phase 1 report as required under the planning regime). The council's specialist officers dealing with contaminated land should be contacted as early in the process as possible, ideally when considering the acquisition of a site or during the initial steps of the design. Where the council considers there to be a high risk from land potentially affected by contamination at the site, further working including intrusive investigation, risk assessment and remediation may be required at the application stage.

Appendix 3e: Contaminated Land Assessment Requirements (phases 1-6)

| Reports | Actions |
|--|--|
| Phase 1 Preliminary | Step 1 |
| | Consult Local Authority on specific requirements |
| | Step 2 |
| | Appoint Environmental Consultant to undertake steps 3, 5 of Phase 1 and Phases 2, 3 and 4 |
| Phase 2 Site Investigation Scheme | Step 3 |
| | Compile relevant Preliminary Risk Assessment / Desk study and conceptual site model information and produce a Report |
| | Step 4 |
| Phase 3 Site Investigation | Submit Step 3 Report to the Local Authority with the planning application or towards the satisfaction of a planning condition for approval |
| | Step 5 |
| Phase 3 Site Investigation | After the Local Authority has accepted the Step 4 submission and when a potential risk has been identified, produce a Site Investigation Scheme based on its findings and submit to the Local Authority for approval |
| | Step 6 |
| Phase 3 Site Investigation | Implement site investigation once approval of the scheme in Step 5 is granted by the Local Authority |
| | Step 7 |

| | |
|--|--|
| | <p>Undertake a Risk Assessment of the results from the site investigation by comparison to appropriate criteria and determine whether there are any unacceptable risks.</p> |
| | <p>Step 8</p> <p>Submit a report detailing the findings of the Site Investigation and the Risk Assessment described in Step 7 for approval by the Local Authority</p> |
| <p>Phase 4</p> <p>Remediation</p> | <p>Step 9</p> <p>After the Local Authority has accepted the Step 8 report and where an unacceptable risk has been identified, identify and evaluate options for remediation</p> |
| | <p>Step 10</p> <p>Submit a Remediation Strategy to the Local Authority for approval</p> |
| <p>Phase 5</p> <p>Verification</p> | <p>Step 11</p> <p>After the Local Authority has accepted the Remediation Strategy, implement the remediation</p> |
| | <p>Step 12</p> <p>Undertake verification of the remediation being undertaken</p> |
| | <p>Step 13</p> <p>Submit a Verification Report including all information obtained in Step 11 and Step 12 for approval</p> |
| <p>Phase 6</p> <p>Long Term Monitoring</p> | <p>Step 14</p> <p>If required as identified in Phases 3,4 or otherwise, a Long Term Monitoring Plan should be submitted to the Local Authority for approval</p> |

Phase 1: Preliminary Risk Assessment/Desktop Study

- Purpose and aims;
- Credentials of the person/organisation undertaking the study
- Details of the client; site location and current layout plans (appropriately scaled and annotated, including the National Grid Reference;
- A Site reconnaissance;
- Desktop study to include:
 - Appraisal of the site history based on period maps/aerial photographs (scaled and annotated);
 - Assessment of the environmental setting including interpretation and implications of:

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- geology, hydrogeology & hydrology of the area information from the Local Authority regarding the potential for contaminated land at the site
- information from the Environment Agency on water abstractions, pollution incidents, surface water quality, IPPC authorisations and landfill sites within 250m.
- ecological issues.
- Any archaeological considerations.
- Appraisal of the site reconnaissance.
- Assessment of current/proposed site use and surrounding areas;
- Review of any previous site contamination studies (desk based or intrusive, or IPPC investigations where relevant) and remediation works;
- Review of local authorities planning and building control records, drainage and utilities plans.
- Preliminary qualitative risk assessment to include:
 - initial conceptual model of the site showing the nature and extent of the potential/identified contamination sources in relation to receptors and pathways
 - appraisal of the potential sources, pathways and receptors (pollutant linkages);
 - identification of pollutants associated with potential sources and any potential areas of concern.
- Recommendations for an intrusive investigation to include the identification of the areas most likely to be contaminated, exploratory grid, number and depth of exploratory locations, ground water/gas/vapour monitoring wells with proposed installation specifications, list of the most probable contaminants, sampling protocol and on site/off site testing requirements e.g. methods, LODs.

Phase 2: Site Investigation Scheme

- Liaison with the council's specialist officers dealing with contaminated land;
- Review of any previous site investigation contamination studies (desk-based or intrusive or IPPC investigations where relevant) and remediation works;
- Site investigation scope to assess all potential pollutant linkages identified by the preliminary risk assessment and to include:
 - scaled and annotated maps showing exploration locations, on site structures, storage tanks/facilities, power and water mains, sewage, interceptors, soakaways and other service infrastructure etc.;
 - justification of sampling regime and exploration locations, including the sampling grid, number of samples taken and their depths;
 - sampling and analytical strategies and rationale – must be relevant to the pollutant linkages identified in the preliminary risk assessment;
 - indicative instruments to be used during investigation such as PID, oil/water interface probe, etc.
 - sampling, storage, transportation protocols and analytical procedures;
 - borehole/trial pit logs;
 - ground water/gas and soil vapour monitoring well design, placement and frequency/period of sampling;
 - representative waste acceptance criteria analysis on soils earmarked for removal

17.39 Analysis of samples to be carried out by a UKAS accredited laboratory using MCERTS certified testing methods QA/QC where they exist and must include:

- all contaminants likely to be on site and

- where relevant, the identification of different species and distinction between varying carbon chain lengths etc., for example Polyaromatic Hydrocarbons (PAHs), Total Petroleum Hydrocarbons (TPHs), Volatile Organic Contaminants (VOCs).
- Off-site testing and choice of methods and LODs

Phase 3: Site Investigation and Quantitative Risk Assessment

17.40 Results and findings to include:

- where appropriate, details and justification of any changes from the original site investigation scheme;
- ground conditions with a detailed description of soil and groundwater regimes including details of their interaction, the strata encountered, any signs of contamination or unusual appearance of deposits, the presence of asbestos, and the potential for mobility and leachability;
- testing results from a UKAS accredited laboratory carried out by MCERTS certified testing methods and QA/QC procedures.
- 2-D contour maps or 3-D models/cross sections showing distribution of contaminants of concern in the unsaturated and saturated zones.
- discussion of soil/groundwater/surface water contamination – visual, olfactory and analytical. Comparison of analytical results with appropriate standards is essential;
- discussion of ground gas monitoring and determination of gassing regime
- statistical appraisal of the testing data providing representative concentrations values for chemicals of concern within averaging areas and discussing uncertainties relating to their determinations.
- Tier 1 quantitative risk assessment: comparison of the representative values of chemicals' concentrations with appropriate generic soil guidelines
- Considerations of the GW pollution, presence of ground gases/vapours.

17.41 If the generic soil guideline values are exceeded, a site specific quantitative risk assessment may be required. This should assess the potential risk to human health and/or environmental receptors and include:

- justified/referenced and well documented input parameters
- sensitivity analysis for input parameters; and
- inclusion of raw output data/model printouts as part of the report

17.42 Provide a revised conceptual site model on the basis of the investigation and quantitative risk assessment.

- Provide recommendations for further investigations where potential pollutant linkages remain.
- Recommendations for remediation – these must be appropriate for the 'suitable for use' approach, based on current use and circumstances of the land and its proposed new use;
- Recommendations for soil re-use or disposal.

Phase 4: Remediation Strategy

Objectives, aims, timetable:-

17.43 Options appraisal and the choice of remedial train including an assessment of any by-products of using the chosen remedial technique and justification of chosen method (Sustainability and Integrated Environmental Considerations, as outlined in Section 5 of this document should be considered and implemented when possible).

17.44 The method to include:

- pollutant linkages to be broken (as identified by the site investigation and risk assessment);

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- description of the ground conditions and regimes (soil/gas/surface water and groundwater etc);
- physio-chemical properties of contaminants and their spatial distribution, mobility, bioavailability, toxicity;
- remediation methodology;
- remedial targets, their derivation and justification;
- detailed specification of gas abatement measures (i.e. membrane, sealing at service points, etc.);
- site plans and cross-sections scaled and annotated;
- phasing of works and approximate timescales;
- consents and licenses (e.g. discharge consents, part B authorisations for mobile plant, asbestos waste removal licences etc)
- details of environmental monitoring that will be undertaken;
- site management measures to protect neighbours, environment and amenity during works, including where appropriate:
 - health and safety procedures;
 - dust, noise and odour controls and
 - control of surface run off;

17.45 Details required to verify the remediation objectives will be met, including:

- frequency of sampling, storage, dispatching, analytical protocols;
- on site visual/olfactory observations, logging, photographing;
- chemical analysis;
- proposed clean-up standards;
- soil re-use or importation analytical regime;
- soil removal documentation demonstrating duty of care;
- verification/certification of gas abatement measures placement;
- reporting.
- Details on the lifespan of the recommended remediation works.
- Contingency plan for the discovery of contamination not previously identified at the site

Details of future monitoring requirements (where necessary) once remediation has been completed. Where an agreed remediation scheme includes future monitoring and maintenance schemes, arrangements will need to be made to ensure that any subsequent owner is fully aware of this requirement and assumes ongoing responsibilities that run with the land

NB. During the remediation works, if changes to the strategy have to be made, you must agree these with the Local Planning Authority, in writing, before they are implemented.

Phase 5: Completion and Verification

- Details and justification of any changes from the original remediation strategy (including details of previously unidentified contamination);
- Details and credentials of the appropriate person certifying the report;

17.46 Details of remediation works carried out at the site including::

- chemical laboratory and in-situ/on site test results;
- monitoring of groundwater and gases during remediation and details of monitoring programme post completion of remedial works, where agreed.
- summary data plots and tables relating to the remedial targets achieved or otherwise;
- plans, cross-sections, 2D-3D computer generated models of the site, contour maps showing the residual distribution of the contaminants in soil and groundwater;
- plans showing treatment areas and details of any differences from the original remediation strategy;

- waste management documentation including waste transfer notes showing the class of waste material, any waste treatment, destinations, volumes and hauliers;
- if there has been a capping layer of imported soil installed on the site or part of it, then the following information will be required:
 - a brief history of land use of the site that soil has originated from which should be
 - supplemented by site maps and chemical testing results of the soil imported.
 - chemical testing results of the installed soils.
 - details of testing should be approved beforehand by the Council.

17.47 where gas/vapour abatement measures have been installed, the following information will be required:

- details and justification of any deviation from agreed abatement scheme
- confirmation that the system approved by the Local Planning Authority as per has been implemented;
- photographs;
- certification of implementation;
- details and credentials of the appropriate, independent, person certifying implementation.

17.48 Recommendations on any further long-term monitoring/risk management work needed. Where further long-term monitoring is required the reader should refer back to phase 3.

17.49 Confirmation that remediation objectives have been met, for example, a certificate of completion.

Appendix 4 - Noise and Environmental Pollution

Appendix 4a: Noise and Vibration Survey and Report

Where a noise and or vibration survey and assessment report is required at pre-application stage or by condition, this must be carried out by a qualified and competent acoustic consultant such as a member of the Institute of Acoustics (IOA). The applicant should provide the chosen consultant with the details of the Council’s requirements contained within this SPD so that they can respond accordingly with appropriate noise and/or vibration assessments and report.

| |
|---|
| IOA contact details and information: Tel. 01727 848 195 |
| Email: ioa@ioa.org.uk |
| Web site: www.ioa.org.uk |
| The Association of Noise Consultants web site is www.association-of-noise-consultants.co.uk |

Noise reports should contain the following information, as applicable:

- details of measurement methodology, calculations and predictions;
- plans and photographs of noise measurement positions showing the distance and spatial relationship between source and receiver;
- times and time periods of measurements;

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- weather and wind conditions at time of measurements outside;
- results of noise surveys and conclusion;
- recommendations for mitigation works and specifications where appropriate;
- Architects drawings of the proposed external plant or equipment to include details of any required acoustic enclosures and acoustic screens, showing the location, size, distance and visual impact of such installations on the host building. This is especially important at historical buildings or buildings situated in conservation areas.

- Monitoring points:

for external noise, the noise limit will normally be chosen to protect the nearest noise-sensitive premises and the best position for the monitoring point(s) will usually be outside the noise sensitive premises. In situations where extraneous noise makes monitoring difficult and is likely to give an unrepresentative result, an alternative position without such interference should be chosen. The noise level at the alternative monitoring point should be a reliable indicator of the level at the building or area to be protected from the specific source under consideration.

- Meteorological conditions:

details of wind speed, direction and temperature gradient should be noted. Measurements or predictions should be made under reasonably stable conditions. A suitable condition is a light wind with a vector component up to 2m/s from source to receiver; this will increase the noise level by about 2 dB(A) compared with a no wind case.

- Please see criteria for assessment of different types of developments in the following appendices:

- Transport noise affecting noise sensitive premises
- Building vibration
- Sound insulation and outdoor amenity criteria
- Industrial noise and vibration
- Noise from non-residential uses
- Construction and demolition

Further information about noise surveys and reports for specific applications may be sought from the Environmental Health Department on tel. 0208 753 3376 or email environmentalprotection@lbhf.gov.uk

Appendix 4b: Transport Noise and Vibration affecting Noise Sensitive Premises

Transport Noise

Where an Environmental Impact Assessment is required, the likely effects of noise will be one of the considerations to be dealt with in the environmental statement prepared by the developer.

Where residential developments are proposed in an area where they are exposed to dominant transport or mixed transport/ industrial noise sources, a detailed assessment of the transport noise should be carried out

Table 1 below lists noise levels for various transport sources during day and night time periods. Where a noise assessment shows that transport noise levels exceed those levels, details should also be provided of noise mitigation measures that will protect internal ambient noise levels as well as external private amenity space such as gardens and balconies, to the design criteria specified in Table 4 and paragraph 7.7.3.2 of BS 8233 or successive legislation, policy, standard or guidance.

Table 1

| | |
|---------------|------------|
| road traffic | dBA Leq(T) |
| 07.00 - 23.00 | 63 |
| 23.00 - 07.00 | 57 |
| rail traffic | dBA Leq(T) |
| 07.00 - 23.00 | 66 |
| 23.00 - 07.00 | 59 |
| air traffic | dBA Leq(T) |
| 07.00 - 23.00 | 66 |
| 23.00 - 07.00 | 57 |
| mixed sources | dBA Leq(T) |
| 07.00 - 23.00 | 63 |
| 23.00 - 07.00 | 57 |

Mixed sources may include different types of transport such as road vehicles, rail and aircraft noise as well as non-dominant industrial noise.

The measured noise levels used for the assessment should represent the typically noisiest periods of the week, during daytime between 07:00-23:00 and night time 23:00 to 07:00, at the position of the proposed dwelling facade.

BS 7445-1:2003 defines and prescribes best practice during the recording and reporting of environmental noise. It is inherently applied in all instances when making environmental noise measurements, unless amended or superseded by later policy or standards which should then be followed.

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The number and noise level of individual noise events should be indicated in a noise report for assessment of the suitability of development where multiple events of 45dB Lmax or more (slow time weighting) occur within habitable rooms within any one hour

A reduction of 13 dB(A) from the façade level may be assumed as the noise attenuation provided by a partially open window.

Noise levels should normally be determined at a height of 1.2m to 1.5m above ground level at the position of the proposed dwelling, 1m from the facade. Noise levels at upper or lower floor levels should also be established if significant differences in noise exposure are anticipated at different floor levels. Measured façade levels should be assumed to be 3dB(A) higher than levels measured away from any buildings at free field position.

In areas of high noise levels, applicants must demonstrate not only sound insulation to the recommended design standards of BS8233 or successive legislation, policy, standard or guidance (see Appendix C), but also appropriate room layout and orientation of habitable rooms on quieter facades away from major noise sources, together with details of silenced mechanical ventilation or whole-house system, the air-intake being at the cleanest aspect of building.

Where traffic figures or predictions are required in accordance with “Calculation of Road Traffic Noise”, DOT and Welsh Office, 1988, the Highway authority should be consulted on the traffic flow data.

Vibration

Any site affected by vibration will require an assessment of the impacts of vibration levels. Vibration acceleration (m/sec^2_{rms}) shall be measured on the foundations, ground beams or pile caps if possible, in each of the three orthogonal directions x, y and z, as necessary.

The Vibration Dose Values (VDV) should be calculated and assessed from the measured acceleration levels in accordance with BS 6472-1:2008 or successive policy or standard. For residential and other noise sensitive development, the VDV ($m/s^{1.75}$) should not exceed the levels in Table 2, which indicate low probability of adverse comment.

VDV levels ($m/sec^{1.75}$) with Low Probability of Adverse Comment:

Table 2

| | |
|---------------|----------------|
| 07:00 – 23:00 | 23:00 to 07:00 |
| 16 hours, day | 8 hours, night |
| 0.2 to 0.4 0 | 0.13 |

Measurements of vibration should normally be taken on a building structural surface. In some circumstances, measurements may have to be made outside the structure or on some surface other than points of entry to the human subject. In such situations, the relevant multiplying factor should be used.

Amplification of vertical vibration magnitudes needs to be considered where resonance occurs in certain floor constructions, eg. suspended floors.

Where VDV's exceed those of Table 2, proposals shall be submitted to demonstrate that vibration can be mitigated to acceptable levels.

Building vibration within existing buildings or sites should normally be measured in acceleration terms (VDV) or corrected to derive the VDV. However, in some cases, such as impulsive events (eg. blasting or pile driving), measurement of peak particle velocity PPV is appropriate so that peak values may be identified.

To protect occupants, users and building structures from harm and damage, the following levels of vibration from all sources during demolition and construction are not to be exceeded:

3mm/s PPV (mm/sec for residential accommodation, listed buildings, offices and those properties in a poor state of repair

5mm/s PPV for non-vibration-sensitive buildings.

More stringent criteria may be necessary for commercial premises that are vibration sensitive such as hospitals, photographic studios and educational premises.

Potential vibration and re-radiated noise caused by trains running in tunnels will need to be considered and relevant assessments made.

Re-radiated vibration noise within habitable residential rooms, as a result of vibration from adjacent railways and other sources, should not exceed 35dB LAmax(s). Where it is predicted that noise from this source is likely to exceed 35dB LAmax(s), proposals to mitigate re-radiated noise to acceptable levels shall be submitted for the Council's approval. However, due to the high cost of mitigating vibration effects, this should be subject to early discussion with the Environmental Protection team. Please contact the team on tel. 020 8753 3376 or email environmentalprotection@lbhf.gov.uk

The content of a vibration assessment report shall follow the format suggested in Annex A (informative) of BS 6472-1:2008 (Guide to Evaluation of human exposure in buildings) (1Hz to 80Hz) or adopted successive policy or guidance.

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Appendix 4c: Noise Sensitive Premises – Indoor and Outdoor Noise Standards and Sound Insulation

Residential development

17.50 BS8233:2014 Code of Practice - Sound insulation and noise reduction for buildings, gives guidance on control of noise in and around buildings and suggests limits intended to guide the design of new buildings and those proposed for a change of use. Hammersmith & Fulham Council require the internal ambient noise levels for habitable rooms and gardens or balconies in terms of the overall level LAeq as indicated in Table 3 below of BS8233:2014 are met.

Table 3. Internal ambient noise levels for dwellings

| | |
|--|---|
| Bedrooms | 30 dB LAeq,T (23:00 - 07:00) 35 db LAeq, T (07:00 - 23:00) |
| Living rooms | 35 dB LAeq,T (7:00 - 23:00) |
| Dining Rooms | 40 db LAeq, T (07:00 - 23:00) |
| Gardens and other external amenity areas (balconies etc) | 50 dB LAeq,T (an upper limit of 50 db LAeq, T may be acceptable in noisier environments). |

Ideally, the internal levels should be achieved with windows open. However, on some sites exposed to high levels of traffic noise, windows would need to be acoustically glazed and tightly closed at least for some of the time. Alternative means of ventilation would be required.

Room layout and stacking:

In designing new dwellings and conversions, serious consideration must be given to appropriate room arrangements and stacking of separate adjoining dwellings, ensuring that:-

- large family units are not situated above smaller units,
- similar types in neighbouring dwellings are stacked above each other or adjoin each other, bedroom over bedroom, living room over living room, etc.
- halls are used as buffer zones between noise sensitive rooms of one dwelling and living areas of the adjoining dwelling and communal areas incl. main entrances, staircases, lift shafts, service areas, etc.

Building Regulations 2003 Part E describes the method for testing of airborne noise between rooms and across facades and impact sound insulation of floors. It sets the minimum acceptable levels of airborne sound insulation $D_{nT,w} + C_{tr}$ and impact sound insulation $L'_{nT,w}$ for new dwellings and conversions.

See also: - BS EN ISO 140:1998 - standard for sound insulation testing measurements

BS EN ISO 717 - standard for the calculation from those measurements or successive legislation, policy, standard or guidance.

Enhanced sound insulation between residential dwellings:

It is important to note that Part E of the Building Regulations lists the minimum acceptable levels only. The council will require better sound insulation of adjoining walls, floors and ceilings separating dwellings. Applicants and developers should aim for an enhancement of the minimum levels stated in the Building Regulations by at least 5dB.

Sound Control for Homes 1993, BRE and CIRIA, provides practical advice on sound insulation and control within dwellings of noise from outside sources and noise transmitted within and between dwellings. The sound insulation of building elements such as windows is measured in a laboratory. Good fitting of windows is essential to maintain the laboratory tested insulation value.

Residential / non-residential separation:

Building Regulation minimum values of $D_{nT,w+Ctr}$ for walls and glazing, floors and ceilings, as appropriate, should be significantly enhanced by at least 10-15dB where commercial/ sports/ entertainment and similar non-residential development is intended in the same or attached building or in close proximity to noise sensitive premises. Applications for developments where residential and commercial units adjoin each other should be accompanied by a sound insulation assessment and details of the sound reduction achieved by the proposed separating structures.

Sound insulation assessment

Assessment details of the sound insulation performance and sound reduction achieved by relevant floors, ceilings and/or walls should be submitted, in accordance with above mentioned or successive legislation, policy standard or guidance, together with construction/ installation details of any proposed sound insulation system and structure, in accordance with manufacturers' recommendations.

Mechanical Ventilation

Where mechanical ventilation is required in developments exposed to high noise levels, details should be submitted for the Council's approval, of adequate silencing of the ventilation system, outside and inside. Consideration should also be given to through-the-wall or window passive vents, acoustically lined where necessary and whole building passive stack or mechanical systems. Windows must be openable to allow natural ventilation when desired even in noisy areas. All schemes for ventilation shall comply with Document F1 'Ventilation' The Building Regulations 2000 and BS4142:1997 or successive legislation, policy, standard or guidance.

Amenity areas

Details of environmental noise affecting residential outdoor amenity space where this is provided should be included in a noise survey report. In outdoor amenity areas such as gardens and balconies, the steady noise level should not exceed 50dB_LA_{eq} (16hour, 0700 – 2300), with 55dB_LA_{eq} (16hour) being the upper limit. In order to achieve this noise limit, consideration should be given to carefully siting amenity areas away from noise-exposed facades and/or the provision of acoustic screening.

Non- residential development

Noise levels for reasonable resting/sleeping conditions in developments other than residential dwellings, such as hotels, hospitals, and residential homes should be similar to those for dwellings.

Noise affecting non-residential developments should be mitigated where necessary to achieve the standards recommended by BS8233:2014 or successive legislation, policy, standard or guidance or other more specific documentation that applies to the development.

Acoustic requirements for indoor noise levels for all occupied spaces in schools are currently covered by DfES Building Bulletin 93 "Acoustic Design of Schools" 2003. If superseded, successive legislation, policy, standard or guidance should be adhered to.

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Appendix 4d: Industrial Noise and Vibration Sources / Plant, Machinery, Equipment

BS 4142:2014 Method for rating industrial noise affecting mixed residential and industrial areas.

Noise measurements of externally located machinery or equipment should be carried out at the nearest and/or most affected noise sensitive façade or garden, as appropriate, with all machinery operating together, as intended, at maximum capacity. An assessment of the noise or potential noise should be made by measurement and calculation, in accordance with the procedure outlined in BS4142:2014 or successive legislation, policy, standard or guidance. Such a survey should establish ambient, background and specific noise and rating levels.

A detailed noise report should be submitted for approval by the council (please see Appendix 1). Details shall demonstrate that the combined external noise level at maximum capacity, emitted by plant, machinery or equipment, will be at least 10dBA lower than the typically lowest existing representative background noise level LA90 (1 hour daytime (7am-7pm), 15mins evening (7pm-11pm) and night (11pm-7am)). For tonal noise, a +5dB feature corrections should be added as set out in Paragraph 9.2 of BS 4142:2014. It should be recognised that the planning system is a proactive means of controlling the increase in ambient background noise within the Borough and these requirements will assist in these aim within the NPSE to "where possible contribute to the improvement of health and quality of life" and to the NPPF aim to "identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason".

Where noise sources exceed the Council's noise limit, details of mitigation measures will be required, such as the installation of silencers, screening, enclosures, anti-vibration isolators, relocation of the offending noise source or replacement with quieter alternatives.

Where appropriate, the council may require a post installation noise assessment and regular servicing of plant, machinery or equipment in accordance with manufacturer's instructions or as necessary, depending on the extent of use, to ensure that compliance with the noise limit requirement is maintained.

Where a predictive assessment indicates that complaints from prospective occupiers of residential or other noise sensitive premises would be likely as a result of noise from existing industrial/ commercial noise sources, the application is likely to be refused. The applicant would need to demonstrate that they are in negotiation with the owners of the industrial/commercial facilities to control and reduce noise sufficiently to ensure that complaints will be unlikely. However, the Council cannot impose conditions outside the application site.

Appendix 4e: Noise from Non-Residential Uses such as pubs, clubs, bars, restaurants, take-aways, places of entertainment, sports, religious, cultural, educational, leisure, retail etc. and outdoor uses

Internal noise control

To prevent breakout of noise and ensure that the amenity of occupiers of the surrounding premises is not adversely affected by noise, mitigation measures will be required where appropriate. Details should be submitted to the Council for approval, of mitigation measures that will be implemented. They may include one or more of the following or suitable alternatives:

- adequate sound insulation of the building envelope and party walls, glazing, floors and ceilings;
- acoustic lobbies;
- self closing devices to all external doors;
- sound limiter on amplification systems, with separate controls for bass and overall volume and wired into the mains electric circuit;
- all music amplifiers (incl. those for singing and speech), whether in-house, hired or otherwise brought in, routed via an effective sound limiter;
- loudspeakers fitted with anti-vibration mounts and correctly positioned and angled into the venue;
- keeping external doors and windows closed; etc.

Entertainment noise

The Institute of Acoustics' Good Practice Guide on the Control of Noise from Pubs and Clubs gives guidance on the control of the different types of noise that may arise and, in particular, recommends that, where entertainment takes place on a regular basis, music and associated sources, should not be audible inside noise-sensitive property at any time.

This recommendation has been adopted by the council which requires that amplified and instrumental music, organized singing and amplified voices are not audible at noise sensitive premises.

Health & Fitness clubs

Details of the sound reduction index of the building envelope and internal separating structures will be required to demonstrate compliance with the council's standard for sound insulation between commercial and noise sensitive premises against airborne and vibration noise from the use, especially at low frequencies including music, use of equipment, group movements/ activities, etc.

Proprietary anti-vibration mounts and/or other mitigation measures for the isolation of exercise equipment and loud speakers from the building structure will be required, where appropriate.

Music and amplified voices should not be audible at noise sensitive premises.

Outdoor uses

at non-residential sites incl. petrol station, car wash, play area, delivery route, pub garden, sports field, entertainment and cultural activities, etc.

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Sound Barriers and Enclosures

Where sound barriers are required to minimise noise from continuous or intermittent and impact noise typically associated with the use of non-residential premises such as warehouse activities, car parks, outdoor areas at food outlets, shops, entertainment premises, sports and play grounds, associated vehicles etc., the following points should be considered:

L_{Amax} levels should be used as the most representative measurement of impact and intermittent sounds.

Sound barriers should preferably be constructed of brickwork, concrete, earth banks etc.

Timber is liable to warp and can more easily suffer damage, as such reducing the effectiveness of the barrier and reducing the serviceable life to less than the recommended 40 years.

For sound-absorbent timber barriers, the construction should observe the following or relevant successive guidance or standards: -

HA 65/94, A Design Guide for Environmental Barriers – guidance on installation with regard to the appearance of the noise barrier in the environment.

HA 66/95, Environmental Barriers, technical requirements to build barriers for 20 years low maintenance and a 40 year operational life.

BSEN 1794 Parts 1,2 and 3 - testing of the airborne sound insulation of the proposed barrier and also sound absorptive performance where appropriate.

BS 5589: 1989 - quality and preservations of timber used in barriers.

The standards and criteria specified above can be achieved by thickness and density of panels and cover strips, eg:

Spruce - Abutting panels at least 30mm thick, with joints sealed by cover strips at least 30mm thick and extending at least 25% over adjacent panels.

Tongued and grooved panels to be not less than 35mm thick.

Douglas Fir - Abutting panels at least 22mm thick, with joints sealed by cover strips at least 22mm thick and extending at least 25% over adjacent panels.

Tongued and grooved panels to be not less than 27mm.

Acoustic enclosures for machinery and equipment should be provided with effective absorbent lining to inside surfaces and to any ventilation louvers. Details will be required of the sound reduction provided by the enclosure to achieve compliance with the Council's standard of 10dB below the lowest L₉₀ background level.

Outdoor Music etc.

The use of outdoor areas and the noise level likely to be emitted from activities, music, public address systems, generators etc. may need to be restricted in terms of times of use. In addition, proposed noise sources must be located and directed away from noise sensitive premises. The council may require noise mitigation measures such as sound barriers, enclosures and noise limiters, time limits etc. as necessary to prevent undue disturbance to the amenity of occupiers.

Deliveries and Refuse Collections

Where possible, deliveries should be carried out during weekday business hours between 08:00 -18:00 Monday to Friday. In town centres, these times may be extended to Saturday. Where Sunday deliveries are proposed, the applicant should demonstrate the need for Sunday deliveries. If permitted, times of Sunday deliveries will be restricted as appropriate, eg. to 10:00 – 16:00, to prevent undue disturbance to neighbours.

Where night time deliveries are proposed, justification for not delivering during day time should be provided, together with details of measures to minimise any noise, in accordance with current guidance. Regard should be had to: -

- Transport for London's code of practice for quieter out-of-hours deliveries
- FTA (Freight Transport Association) Guidance 'Delivering the Goods' – a toolkit for improving night-time deliveries
- or successive legislation, policy, standard or guidance

Refuse collections should, where possible, be similarly carried out during weekday daytime hours after 7am and/or in accordance with the above mentioned guidance, as appropriate.

Applications that include deliveries and commercial refuse collections, particularly where night time or Sunday deliveries are proposed, should be submitted with a Servicing and Delivery Plan. Details should include applicable environmental controls on the following points:-

- times and frequency of deliveries and collections;
- location of loading bays and service areas, away from noise sensitive premises or effective enclosure and sealing of loading bay and docking areas;
- vehicle movements, incl. forklifts;
- quiet reversing methods; preference will be given to broadband reversing alarms or alternative quiet safety methods for reversing;
- minimisation of noise in the use of cages, trolleys, pallets and forklifts;
- mitigation measures such as barriers, low noise wheels on cages, low noise surfaces on tail lift decking and delivery routes for trolleys etc, low noise stops etc;
- silent electronically operated shutters;
- charging of mobile refrigerated units on vehicles should be electric, not diesel powered and located remote from noise sensitive premises. Noise emitted from the charging of mobile refrigeration units is subject to a noise limit of at least 10dBA below the existing background noise at any time, as assessed according to the BS4142:1997 procedure (Please see Appendix 4)
- good practice working methods in and around the service yard, incl. handling of pallets and cages;
- vehicle engines should not be left running while vehicles used in conjunction with the development are stationary.
- no music nor loud voices.

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Appendix 4f: Construction and Demolition Work

A Demolition Method Statement and Construction Management Plan will be required for substantial developments and where the site is close to other premises. Details shall include control measures for:

Dust:

Best Practicable Means (BPM) should be used in accordance with the Best Practice Guidance by the GLA 2006 for The Control of Dust and Emissions from Construction and Demolition or successive legislation, policy, standard or guidance. Details should include screening, covering and damping down of stockpiles, surfaces and dusty operations as well as wheel washing for vehicles leaving the site.

Noise and vibration:

Where possible, preparation work should be done at off-site or enclosed locations. Best Practicable Means (BPM) should be used to minimise noise and vibration, including low vibration methods and silenced equipment and machinery for piling, concrete crushing, drilling, excavating etc. in accordance with BS 5228:2009, 'Approved Code of Practice For Noise And Vibration Control On Construction And Open Sites'. This standard also gives guidance on noise monitoring for construction sites. If superseded or amended, successive legislation, policy, standard or guidance should be adhered to.

Where large scale development is proposed close to noise sensitive premises, applicants are advised to apply for consent under S.61 Control of Pollution Act 1974 (Control of Noise and Vibration at Construction Sites).

Working hours:

Construction and demolition works audible at the site boundary, including associated deliveries of materials, equipment and machinery, should only be carried out between the hours of 0800 - 1800hrs Mondays to Fridays and 0800 - 1300hrs on Saturdays and at no other time including Sundays and Bank/Public Holidays.

Neighbour liaison:

Prior to the commencement of any site works, the Environmental Protection team and all noise sensitive occupiers likely to be affected by the works should be notified in writing of the nature and duration of works to be undertaken and of the name and contact details of a responsible person, to whom enquiries/complaints should be directed at any time for the duration of the works. Regular updates on the work progress should be provided to all interested parties in writing.

Lighting:

glare and lighting shall be minimised, in accordance with recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2005'. (Please see Appendix 8)

Smoke:

no waste materials should be burnt on site of the development, unless specifically authorised by legislation or the council (e.g Wood affected by dry or wet rot).

Concrete crushing requires a permit under the Environmental Permitting Regulations 2010 or successive legislation, policy, standard or guidance. Please contact the Council's Environmental Health Department on Tel. 0208 753 3454 or email: environmentalprotection@lbhf.gov.uk

Where works involve materials containing **asbestos**, specialist licensed contractors and carriers should be employed for the safe handling and disposal of asbestos materials. Please contact the Health & Safety Executive on tel. 0845 345 0055 or via www.hse.gov.uk.

All **waste** materials associated with demolition and/or construction should be contained on site in appropriate containers and disposed of at a licensed disposal site.

Where the construction project is worth more than £300,000, a Site Waste Management Plan (SWMP) should be submitted to the Local Planning Authority, in accordance with the Site Waste Management Plans Regulations 2008. For more details, visit www.defra.gov.uk or www.netregs.gov.uk

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Appendix 4g: Smell, Fumes and Steam from Commercial and Industrial Premises

Kitchens in restaurants, cafes, take aways, hospitals, schools etc.

The aim of any ventilation/extraction is to ensure that no nuisance, disturbance or loss of amenity is caused by odour, fumes, food droplets or noise, to nearby properties. Objectionable and offensive odours can cause significant adverse effects on people's lives and wellbeing, therefore details must be submitted for approval by the Council of the risk assessment, installation, operation and maintenance of odour abatement equipment and extract system, in accordance with the information below or successive legislation, policy, standard or guidance. Applications for food production premises without adequate kitchen extract and odour control are likely to be recommended for refusal.

All new or relocated extract ducts on external facades require planning permission.

A suitably qualified and experienced person with specialist knowledge of ventilation schemes should undertake the design and installation of a ventilation system.

In circumstances where the end user of the premises is unknown, or where specific types of food to be cooked is unknown, the installation should be designed to achieve the highest level of odour control in order to cater for a worst case scenario. To enable the Local Authority Planning Department to assess the suitability of a ventilation scheme the following information should be provided:-

1. Information on premises

The following information should be supplied:

- The number of meals to be served per day;
- The method(s) of preparation and cooking;
- The types of meal served, e.g. fish and chips, Chinese food, Indian food, pizzas or Italian dishes, etc; and
- Proposed hours of operation of the business and any ventilation plant

2. Plans and drawings

Provide a scaled plan showing the internal arrangement of the premises and the dimensions/location of the ventilation system. The plan must contain external elevations of the buildings showing the

- dimensions;
- route; and
- exhaust characteristics (i.e. appearance) of the ductwork in relation to the building.

The location of **all** filters and the fan must be clearly marked. Where the location of a filter is shown the type must be clearly identified and cross-referenced to the detailed product specification.

3. Pre-filters

A copy of the manufacturer's product data sheet should be supplied clearly showing:

- manufacturer's name;
- filter name and product code;
- dimensions of the pre-filter; and
- nature of the filter media.
- manufacturer's recommendations on the frequency and type of maintenance of the pre-filter having regard to the conditions that it will be used under.

4. Electrostatic precipitators (where proposed)

A copy of the manufacturer's product data sheet should be supplied clearly showing:

- manufacturer's name;
- ESP name and product code;
- dimensions of the ESP; and
- flow rate rating.

Manufacturer's recommendation on the frequency and type of maintenance of the ESP having regard to the conditions that it will be used under.

5. Carbon Filters (where proposed)

The details and type of carbon filter units should be identified. A copy of the manufacturer's product data sheet should be supplied that clearly shows:

- manufacturer's name;
- filter name and product code;
- dimensions of the filter panel; and
- the total number of filter panels in the filter bed.

The following information should also be included:

- the nature of the carbon (including product type);
- the frequency of replacement of the carbon units having regard to the conditions that it will be used under. The assumptions to this calculation must be clearly stated, including the frequency and duration of use. The manufacturer should provide recommendations on the frequency and type of maintenance required;
- total volume of carbon expressed in cubic metres;
- total mass of carbon expressed in kilograms;
- total surface area of the panels exposed to the exhausted air; and
- dwell time of the gases in the filter compartment and the control setting at which this is achieved. The assumptions to this calculation must be clearly stated, and should include the air change rate for the setting quoted.

6. Odour counteractant or neutralising system (where proposed)

The details and type of counteractant or neutralising system should be identified. A copy of the manufacturer's product data sheet should be supplied that clearly shows:

- manufacturer's name;
- name of delivery system and product code;
- counteractant or neutralising chemical to be used;
- COSHH data sheets for chemical to be used; and
- anticipated counteractant or neutralising delivery rate.

7. Cooker hood

The following information on the characteristics of the cooker hood should be supplied that clearly shows the:

- length that the cooker hood overhangs the appliances;
- face velocity at the cooker hood, expressed in metres per second; and
- dimensions of the opening of the cooker hood.

8. System Operation

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In addition to the specification of the components the following must be provided about the system:

- extract rate (expressed as m³/s) at the proposed rate of extract;
- dwell time of the gases in the carbon filtration zone;
- volume of the kitchen; and
- efflux velocity

Note: The system performance is dependant upon the extract rate of the air. Where the rate can be adjusted by the use of dampers or a variable speed fan, then the conditions under which the extract rate can be achieved must be described.

9. Flue Design

All extract ducts should normally terminate at a minimum height of 1m above the roof ridge, of the main roof of any building within 20m of the building housing the commercial kitchen. Where this height is not acceptable due to visual adverse effects on local amenities, the extract should terminate at least 1m above the eaves of the main building. In exceptional situations, effective alternative systems may be considered at lower levels for small outlets only, additional techniques will be required in order to reduce odours, such as an increase in efflux velocity and additional filters, etc.

The extract duct should discharge vertically upward (ie. without bends) in order to facilitate good dispersion of effluent and minimise downwash.

10. Maintenance

A schedule of maintenance must be provided including details for:

- cleaning of washable grease filters;
- frequency of inspection and replacement of all filters (grease filters, pre-filters and carbon filters where proposed);
- inspection and servicing of fans; and
- if schedule is not based on manufacturer's instructions include the reasons why.

Fumes, smell and steam associated with vehicle workshops, dry cleaners, laundrettes and use of solvents, paint spraying, powder coating, dry-cleaner's etc.

Details will be required for the Council's approval of the installation, operation, and maintenance of suitable arrestment plant and extract system for vehicle workshops, paint spraying and powder coating as well as dry cleaner's etc. Effective spray booths and extract system and ducting will be required for operations and work shops where fumes, smells or steam would be emitted. For requirements of extract ducting – please see above.

Risk Assessment for Odour

Odour control must be designed to prevent odour nuisance in a given situation. The following score methodology is suggested as a means of determining odour control requirements using a simple risk assessment approach. The odour control requirements considered here are consistent with the performance requirements listed in this report.

| Impact Risk | Odour Control Requirement | Significance Score* |
|-------------|---------------------------|---------------------|
|-------------|---------------------------|---------------------|

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| | | |
|---------------|-------------------------------|--------------|
| Low to Medium | Low level odour control | Less than 20 |
| High | High level odour control | 20 to 35 |
| Very high | Very high level odour control | more than 35 |

* based on the sum of contributions from dispersion, proximity of receptors, size of kitchen and cooking type:

| Criteria | Score | Score | Details |
|------------------------|-----------|-------|--|
| Dispersion | Very poor | 20 | Low level discharge, discharge into courtyard or restriction on stack. |
| | Poor | 15 | Not low level but below eaves, or discharge at below 10 m/s. |
| | Moderate | 10 | Discharging 1m above eaves at 10 -15 m/s. |
| | Good | 5 | Discharging 1m above ridge at 15 m/s. |
| Proximity of receptors | Close | 10 | Closest sensitive receptor less than 20m from kitchen discharge. |
| | Medium | 5 | Closest sensitive receptor between 20 and 100m from kitchen discharge. |
| | Far | 1 | Closest sensitive receptor more than 100m from kitchen discharge. |
| Size of kitchen | Large | 5 | More than 100 covers or large sized take away. |
| | Medium | 3 | Between 30 and 100 covers or medium sized take away. |
| | Small | 1 | Less than 30 covers or small take away. |

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| | | | |
|---|-----------|----|---|
| Cooking type (odour and grease loading) | Very high | 10 | Pub (high level of fried food), fried chicken, burgers or fish & chips. |
| | High | 7 | Kebab, Vietnamese, Thai or Indian. |
| | Medium | 4 | Cantonese, Japanese or Chinese. |
| | Low | 1 | Most pubs, Italian, French, Pizza or steakhouse. |

Example application of scoring procedure for four different cooking situation

| Example | Dispersion | Proximity of receptors | Size of Kitchen | Cooking Type | Total Score |
|-----------------------------------|------------|------------------------|-----------------|--------------|-------------|
| 1. Small Indian restaurant | 20 | 10 | 1 | 7 | 38 |
| 2. Pub | 5 | 5 | 5 | 1 | 16 |
| 3. Medium sized French restaurant | 15 | 10 | 3 | 1 | 29 |
| 4. Large burger restaurant | 10 | 10 | 5 | 10 | 35 |

Example 1 Represents a small Indian restaurant with the kitchen ventilation extract discharging into a small court yard.

Example 2 Represents a traditional pub cooking a range of food types with the kitchen ventilation extract discharging at roof ridge. The pub is located

in a rural location with the closest receptors 25 m away.

Example 3 Represents a medium sized French restaurant. The restaurant occupies the ground floor of two story building (adjacent buildings are taller). The kitchen extract discharges at roof eaves.

Example 4 Represents a large burger restaurant. The restaurant occupies a building within 20m of residential properties. The kitchen extract discharges at roof eaves.

Examples 1 and 4 are locations where the risk of problems arising due to these types of cooking activity are very high. In both instances, improving dispersion (e.g. to 1 m above roof ridge) will reduce the risk ranking. Based on this assessment approach the emissions from these restaurants will need a very high level of odour control to prevent nuisance. The level of odour control requirement is reduced with improvement in stack dispersion.

Example 2 is a location where the risk of problem occurring due to this type of cooking activity is low to medium. Based on this assessment approach the emissions from these restaurants will need a low to medium level of odour control to prevent nuisance.

Example 3 is a location where the risk of problems occurring due to this type of cooking activity is high. Based on this assessment approach the emissions from the restaurant will need a high level of odour control to prevent nuisance. The level of odour control requirement is reduced with improvement in stack dispersion.

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Appendix 4h: Artificial Lighting

Floodlights, Security lights and Decorative Lighting

17.51 The recommendations of the Institution of Lighting Professionals in the ‘Guidance Notes For The Reduction Of Light Pollution 2011’ shall be observed in respect of minimising light pollution. If superseded or amended, the successive guidance, legislation, policy or standard should be adhered to.

17.52 Lighting contours should be provided by an experienced lighting engineer for the applicant, to demonstrate that vertical illumination, ie. lux levels at neighbouring facades of premises surrounding the development, will normally be no more than 10lux at ground floor and 5lux at first floor and higher. Further guidance is available from the Institution of Lighting on tel. 01788 576 492 or via www.theilp.org.uk

17.53 Glare should be prevented by:

- correctly locating, aiming and shielding the luminaires;
- using luminaires with double asymmetric beams designed so that the front glazing is kept at or near parallel to the surface being lit;
- keeping the main beam angle of lights, directed towards a potential observer, below 70 degrees.

17.54 Use of lights should be minimised, preferably by installation of an automatic time control switch co-ordinated with dusk and dawn.

17.55 Sky-glow should be prevented by avoiding up-lighters, shielding luminaires and directing the beam downward.

Illuminated signs and advertisements

17.56 The council will require details of lighting levels (cd/m²) before display of illuminated signs and advertisements, demonstrating that the recommendations of the Institution of Lighting Professionals “Guidance Notes For The Reduction Of Light Pollution 2011, in particular the ‘Technical Report No 5, 1991 - Brightness of Illuminated Advertisements’” or successive guidance, legislation, policy or standard is adhered to.

Appendix 4j: Radiation

Telecommunications equipment / Mobile phone installations

17.57 Radiation exposure limits to time-varying electric, magnetic and electromagnetic fields (up to 300GHz) from the installation and the cumulative effect of equipment at any one site shall be in accordance with guidelines by ICNIRP (International Commission on non-ionising Radiation Protection) or successive guidance, legislation, policy or standard.

17.58 Advisory body: Health & Safety Executive, contact tel. no. 0845 345 0055 www.hse.gov.uk

Electricity transformers

17.59 Limits for electromagnetic radiation, separation distance from sensitive buildings and shielding of electricity transformers/ electrical substations and other installations emitting electromagnetic radiation must be observed.

17.60 Based on preventing well established biological effects, the ICNIRP reference levels for public exposure are 100 microteslas and 5 kilovolts per meter.

17.61 Advisory body: Health Protection Agency, www.hpa.org.uk , Email: webteam@hpa.org.uk

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Appendix 5 - Storage of refuse and recyclables

Appendix 5a – Collection requirements for refuse and recycling storage

Siting and Access

By collectors

Each refuse container should be sited at ground level.

In new developments, the siting of storage containers should, wherever possible, allow movement of containers to the nominated collection point without being taken through a building, unless it is a porch, garage, carport or other covered open space.

The distance between the container and the collection vehicle, at the time of collection, should not exceed 10 metres.

All paths between the container enclosures and collection vehicles should be a minimum 2 metres in width, free from kerbs or steps and have a smooth, hard wearing surface capable of withstanding the loading imposed by a fully loaded wheeled container i.e. 1280 litre eurobin- max 500 kilos/940 litres chamberlain bin- max 375 kilos.

All roads and approaches to buildings or refuse storage areas should be level unless the slope falls away from the storage area at a gradient no steeper than 1:12

Residents or, in some cases caretakers are responsible for moving their bins/bags to the collection point on the collection day.

Access for collection must be provided between 6am -9pm, Monday to Sunday.

Any locks to the storage areas must have a standard 'Fire Brigade' 1, 2 or 4 pattern. Where there are electronic gates and /or barriers controlling access to such areas, codes should be provided to the collectors.

The floor and walls of waste stores must be constructed and finished in materials that are impervious and easily kept clean. Where appropriate, a trapped gully and water supply should be provided.

Wherever possible, refuse containers should be located within an enclosure to prevent nuisance from the spread of rubbish, odour and noise, especially in the case of multi-storey developments. The enclosure should be constructed of material in keeping with the surroundings and screened as much as possible, using boundary walls, fencing or planting. Doors/gates to any enclosure are not permitted to open out over the public highway.

Any enclosure, compound or storage area should allow room for filling and emptying and provide a clear space of 150mm between and around containers and be a minimum of 2m high. Communal storage areas should have an impervious floor and permit washing down and draining into the floor via a system for receiving polluted runoff. Unless the waste is to be stored in secure containers with close fitting lids, the compound should be secure to inhibit entry of vermin.

A rubber buffer should be affixed to the surrounding wall and placed at an appropriate height to prevent damage to the storage area walls and unnecessary noise. Doors to the storage area should also be fitted with a hook back facility to prevent damage from bins colliding into doors upon entry or exit.

Adequate lighting that is easily maintained is required within any enclosed storage area.

Consideration should also be given to providing separate rooms for storage of waste and recyclables within any storage area. If separate storage areas are to be provided for each dwelling, an area of 1.2m² is recommended for storage of waste.

By Collection vehicle

These are requirements for the current council collection vehicles. If you intend to use an alternative operator please check their requirements.

Roads providing access to the collection point should have foundations and a hard wearing surface capable of withstanding a fully laden collection vehicle of 26 tonnes gross vehicle weight (GVW), with a minimum axle weight of 11 tonnes. Access ramps need to be capable of supporting this same weight.

Roads should have a minimum width of 5 metres and arranged so that the collection vehicle can continue mainly in a forward direction. Vehicles should not be expected to reverse more than 50 metres to reach a loading position. Vehicles operating in service areas should enter and leave in a forward direction.

If a turning space is necessary, the road layout should permit a turning circle of 18.5 metres, kerb to kerb or 21.1 metres wall to wall.

Any gates or arches on the vehicle route to the storage area should give a minimum clearance of 3.72 width and 4.3 metres height.

Serious consideration must be given to any existing or planned traffic control measures such as controlled parking zones, yellow lines, red routes, bus lanes etc. and access planned so that they do not restrict the times when domestic collections can be made, and do not impede the council's ability to make collections without increasing risks to health and safety.

Underground Containers

For underground facilities, the void space required would have to be completely clear of services and cables to a depth of 3 metres and have a minimum clearance space overhead of approximately 8.8-9.8m, free from overhanging obstructions, to permit the lifting and emptying of containers. The formula for calculating this minimum clearance space is set out below. When considering site locations, the installation must also be within 5m of any overhead power-line.

MINIMUM CLEARANCE SPACE= height of vehicle + size of container + height of attachment + height of crane

3.8 3m³: 3m 1.5m 0.5m

4m³: 3.5m

5m³: 4m

In addition, the distance between the centre line of the bin installation (or the container lifting hooks, whichever is the furthest) and the roadside should not exceed 2.5m to facilitate the lifting and emptying operation.

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Appendix 5b - Containers and maintenance

The council does not provide refuse bins or bags, or smart banks free of charge. It does however provide smart sacks for residential properties with kerbside collections.

Suitable refuse bins and smart banks may be hired by the council to businesses or multi-storey residential blocks where a waste and recycling agreement is taken out. The maintenance, repair and replacement of containers are included within the terms of the hire agreement except where damage is caused through vandalism or the negligence of the lessee. If the developer chooses to hire council bins, they should notify the council in advance and again when they require installation. The containers typically provided by the council are detailed below.

It is not recommended that developers supply their own bins as the management company would then be responsible for all repairs and replacement bins. However, should developers opt to supply their own bins, these must be compatible with council vehicles and lifting equipment.

Technical specification of containers used by the council

Euro bins and chamberlains are acceptable for the storage of refuse. Standard 1100 and 1280 litre euro bins are typically used as recycling bins, however smaller 660 and 330 litre bins are also available if necessary. If you supply your own recycling bins for the council to collect you must ensure that the lid is orange and marked with appropriate signage (i.e. list of accepted materials).

The following are guideline dimensions only. Developers should check the dimensions to ensure adequate space between bins when siting a number of units together, allowing for their manoeuvre, for example in and out of enclosures and where necessary through doorways and gates for collection.

| Container | Height | Length | Width |
|------------------------------|--------|--------|-------|
| Eurobin (1280L) | 1480mm | 1265mm | 985mm |
| Eurobin (1100L) | 1475mm | 1250mm | 980mm |
| Eurobin (660L) | 1330mm | 1250mm | 720mm |
| Eurobin (360L) | 1100mm | 620mm | 860mm |
| Chamberlain- square = (940L) | 1410mm | 1010mm | 950mm |
| Chamberlain- square = (740L) | 1410mm | 1010mm | 765mm |

(= Chamberlains are only recommended and supplied where sites cannot take eurobins, due to restricted space and access)

Appendix 5c - Details to be provided by the developer

The developer should submit a Refuse and Recycling Management Plan which provides details of the following:-

- The likely volume of waste and recycling arisings, in order to assess the number of receptacles that will be required.
- The system proposed to encourage the segregation of wastes for recycling, especially in the case of multi-storey premises.
- The type(s) of container proposed to store wastes and recyclables;
- The location of refuse and recycling storage areas (plans);
- The method and frequency of collections anticipated, including any arrangements for replacement and storage of full containers between collections;
- The arrangements for vehicle access to the proposed area(s);
- The surfacing / screening and accessibility (for both user and waste operatives) for the area
- Details of access for disabled people up to refuse and recycling storage points and of portorage assistance within large developments for disabled people who require it. BS8300:2009 provides further guidance on this.
- The signage and public information that will be provided to residents to encourage recycling and waste management.

Appendix 5d- Commercial Premises

17.62 Specific guidance on waste capacity and storage requirements for different types of commercial premises is outlined below:-

Offices

- 2,600 litres waste storage for every 1,000m² gross floor space. One third of the waste storage capacity should be retained for the storage of separated waste for recycling.

Retail

- 5,000 litres waste storage for every 1,000m² gross floorspace. This is not a generally applicable minimum requirement. Certain food outlets, especially those of the fast food type, would generate substantially greater amounts of waste. Waste Management will assess each proposal individually. One third of the waste storage capacity should be retained for the storage of separated waste for recycling.

Restaurants & Fast Food Outlets

- 10,000 litres waste storage for every 1,000m² gross floor space. This is not generally applicable minimum requirement. Certain food outlets, especially those of the fast food type, would generate substantially greater amounts of waste. Waste Management will assess each proposal individually. One third of the waste storage capacity should be retained for the storage of separated waste for recycling.

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Hotels

- 7,500 litres waste storage for every 1,000m² gross floor space. This is not a generally applicable minimum requirement. The volume of waste produced depends largely on the type of hotel, since these range from short stay bed and breakfast to luxury banqueting facilities. Waste management should be contacted at an early stage in the design process to advise on storage space and equipment requirements. One third of the waste storage capacity should be retained for the storage of separated waste for recycling.

Schools

- 1,500 litres waste storage for every 100 pupils
- 1,000 litres recycling storage for every 100 pupils

Note: Waste Management should be contacted at an early stage in the design process to advise on storage space and equipment requirements.

Additional Considerations for Mixed Use Developments

Each separate user should have its own independent store for waste and recyclable material. Waste storage may be combined when 1100 litre wheeled containers, skips or skip compactors are used, providing a private contract is arranged by the managing agent. In any case, business owners are under legal obligation to comply with the Duty of Care.

The siting of storage areas for waste containers and chutes should not cause householders to carry refuse further than 25m (excluding vertical distance).

Residential units will normally be expected to have independent storage (unless full portorage is provided) but the developer must give consideration to the provision of communal recycling facilities, using either conventional above ground banks or underground containers.

Smaller sack containers are not suitable for mixed use developments.

Commercial Usage

If the Council is to be the intended waste carrier, each business needs to take out a waste and/or recycling agreement with the Council in advance of the supply of bins. Fees apply on the basis of bin rental charges plus a collection charge according to the number and frequency of collections. Developers should consult the appropriate officer .

If the developer is considering engaging a private licensed waste contractor to handle waste arising from commercial premises, they should consult potential waste contractors on the design of purpose built facilities at an early stage, copying their proposals to the Council. The specification details of the kinds of containers that are commonly used by the Council and the private sector are very similar.

Each application will be assessed to ensure that the number of bins provided will meet the need of the business. Normally, this would be on the basis of a weekly collection, except in the case of food premises. However, where this frequency is not sufficient, consideration will be given more frequent collections where more space cannot be afforded for storage.

Owing to the nature of the waste, food premises should have adequate space to store waste in one or more wheeled bins or Eurobins of a suitable size. It is recommended that in order to avoid potential odours, a minimum of two collections per week should be allowed for.

Storage areas for waste and recycling should be clearly defined and a sign erected indicating each area to identify the zone in the event of change in ownership or letting.

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Appendix 2: Schedule of Representations to the Planning Guidance SPD Consultation and Officer Responses (17th November to 15th December 2017)

Including Technical Changes Schedule

The proposed changes are expressed as ~~strikethrough~~ for deletions and underlining for additions to the text.

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General Comments

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|-------------------|-------------------|--|--|
| (2) | Natural England | All | <p>Thank you for your consultation on the above dated and received by Natural England on 17th November 2017. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.</p> <p>While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major impacts on the natural environment. We therefore do not wish to provide specific comments</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p> <p>Please send all planning consultations electronically to the consultation hub at consultations@naturalengland.org.uk.</p> | <p>Comments noted.</p> <p>As it is stated that the SPD “is unlikely to have major impacts on the natural environment. We therefore do not wish to provide specific comments”, no amendments are proposed as a result of these comments.</p> <p>No change required</p> |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|-------------------|-------------------|--|--|
| (4) | HS2 | All | Thank you for consulting HS2 Ltd on the above matter we have no specific comments to make on the document. | Noted. No change required |
| (6) | Sport England | All | <p>Thank you for consulting Sport England on the above named documents. Please find herein our formal comments for your consideration.</p> <p>Sport England has an established role within the planning system which includes providing advice and guidance on all relevant areas of national, regional and local policy as well as supporting local authorities in developing the evidence base for sport.</p> <p>Active Design Sport England would strongly encourage reference to Sport England Active Design guidance within the SPD, which goes far beyond sport and recreation and aims to build physical activity into everyday life.</p> <p>Having reviewed the SPD, I note a commitment to high quality design which would be further underlined by reference to Active Design within the SPD. As well as referring to the guidance, including suggestions within the Active Design guidance, such as the provision of signage telling pedestrians how far a walk it is from one location to the other (in minutes rather than distances) and the provision of public water fountains and public toilets, would also be beneficial to residents' health and wellbeing.</p> <p>Sport England and Public Health England have recently</p> | <p>Comments noted. The Council supports this and the integration of Active Design. To support this, the Council proposes including a reference to Sport England Guidance as proposed:</p> <p>Insert into Design and Accessibility section, add following text to follow paragraph 4.49:</p> <p><u>“In the design of public realm and open spaces, the Council supports the integration of Sport England Active Design Principles for the benefit of all user groups. The objectives are to improve accessibility, enhancing amenity and increasing awareness, as well as the Ten Principles of Active Design. This guidance can be found online (insert hyperlink).”</u></p> |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|-------------------|-------------------|---|------------------|
| | | | <p>refreshed our 'Active Design' guide which provides some really useful advice and case studies with clear reference to the NPPF to maximise the opportunities for design in physical activity.</p> <p>Sport England would commend this to you and suggest the concept of 'Active Design' be incorporated into the SPD – please see website extract and link below:</p> <p>We believe that being active should be an intrinsic part of everyone's daily life – and the design of where we live and work plays a vital role in keeping us active. Good design should contribute positively to making places better for people and create environments that make the active choice the easy choice for people and communities. That's why Sport England, in partnership with Public Health England, has produced the Active Design Guidance. This guidance builds on the original Active Design (2007) objectives of improving accessibility, enhancing amenity and increasing awareness, and sets out the Ten Principles of Active Design.</p> <p>The ten principles have been developed to inspire and inform the layout of cities, towns, villages, neighbourhoods, buildings, streets and open spaces, to promote sport and active lifestyles.</p> <p>The guide features an innovative set of guidelines to get more people moving through suitable design and layout. It includes a series of case studies setting out practical real-life examples of the principles in action to encourage planners, urban designers, developers and health</p> | |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|-----------------------------|-------------------|--|---|
| | | | <p>professionals to create the right environment to help people get more active, more often.</p> <p>The Active Design Principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Active Design has been produced in partnership with David Lock Associates, specialists in town planning and urban design.</p> <p>https://www.sportengland.org/facilities-planning/active-design/</p> <p>Or watch our short video here https://www.youtube.com/watch?v=mDaVBh1Bs7Y</p> <p>Thank you once again for consulting Sport England.</p> | |
| (8) | H&F Biodiversity Commission | All | In general we appreciate the thoroughness of the SPD and especially the extensive section on Biodiversity. We are also very keen on the integration of SuDS schemes with improving biodiversity and people's social wellbeing. | <p>Support welcomed.</p> <p>No change required.</p> |
| (11) | Canal & River Trust | All | Thank you for this recent consultation. However, I am not clear how this affects the Grand Union Canal, due to this now falling within the OPDC area. I have attached our comments, on behalf of the Canal & River Trust, and would welcome a follow up discussion or meeting with you to clarify this and ensure that our concerns for the Grand | <p>Please note the Grand Union Canal is entirely within the boundary of the OPDC. The Canal and River Trust have been contacted to advise.</p> <p>All references to the Grand Union</p> |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|-------------------|----------------------|--|---|
| | | | <p>Union Canal are appropriately addressed.</p> <p>I have also attached the Trust's response to the most recent consultation on the OPDC Local Plan, as this relates to the LB Hammersmith and Fulham stretch of the Grand Union Canal.</p> <p>The Canal & River Trust (the Trust) is the guardian of 2,000 miles of historic waterways across England and Wales. We are among the largest charities in the UK. Our vision is that "living waterways transform places and enrich lives". In LB Hammersmith and Fulham we own and manage the Grand Union Canal and its towpath. Recognised in Chapter Seven of the London Plan, the canals form a key part of the Blue Ribbon Network and do, or have the potential to, provide important areas for recreation, biodiversity, sustainable transport (with a related air quality benefit), business, tourism, a focal point for cultural activities, a heritage asset and, increasingly, are a space where Londoners are choosing to live. Waterways can also provide a resource that can be used to heat and cool buildings, a corridor in which new utilities infrastructure can be installed and a way of sustainably draining surface water away from new developments. These valuable local assets are very well used within London for walking, cycling, jogging, dog walking, angling, rowing, and by boaters. The canals also bring a unique heritage value to the areas they pass through, and contribute to a strong identity of place.</p> <p>The Trust has reviewed the consultation document, and</p> | <p>Canal throughout the SPD have been deleted</p> |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|-------------------|----------------------|--|------------------|
| | | | <p>has the following comments to make.</p> <p>The stretch of Grand Union Canal within LB Hammersmith and Fulham is now within the administrative area of Old Oak and Park Royal Development Corporation (OPDC), and we are therefore unclear how this is treated by the LB Hammersmith and Fulham Planning Guidance SPG. Reference is made to the Grand Union Canal, but particularly in terms of Chapter 15 Residential Moorings, the canal does not appear to be addressed. If the SPD is intended to address development proposals along the Grand Union Canal, within the OPDC area, then the Trust would like to make several comments on the draft document, and in particular the Residential Moorings chapter 15. If however, the OPDC Local Plan and policy guidance supersedes this within their area, then we have very few comments to make. We would therefore welcome further discussion with the Development Plans Team on this.</p> <p>We also note that within the document, the Grand Union Canal is referred to alongside the River Thames, and yet these two watercourses have very varied characteristics and are used and managed differently. We consider that it may be appropriate to separate out policies relating to the River Thames and the Grand Union Canal, so that they may be more appropriately dealt with as unique spaces within the borough.</p> <p>Other Matters There are a range of other issues that affect development around the Grand Union Canal, such as overshadowing</p> | |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|-------------------|-------------------|---|------------------|
| | | | <p>from tall buildings, structural integrity of the waterway walls and associated canal structures, surface water drainage (which can sometimes be accepted into the canal), energy (using the canal water for heating and cooling), sustainable transport, including walking and cycling along the towpath, lighting and ecological impacts. The SPD should make reference to these within a Grand Union Canal key principle.</p> <p>Pre-application Advice We would request that there be a section in the Local Plan encouraging developers to seek pre-application advice from the Canal & River Trust. We would also advise them to consult our Code of Practice for practical advice: https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice</p> <p>We would also request that the Council refer to the Town and Country Planning Association's Policy Advice note: Inland Waterways (2009). Although it refers to British Waterways (we transferred to the Trust from BW in 2012), it is still relevant to waterside development and the Trust's aims. In particular, see Appendix 1 – 'Water proofing of planning policy': https://www.thenbs.com/PublicationIndex/documents/details?Pub=TCPA&DocID=294166</p> <p>We hope to work with you closer as you progress the draft SPD, should this be intended to relate to the Grand Union Canal (within the OPDC area). If so, I would request a follow up meeting to ensure that our concerns for the Grand Union</p> | |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|---------------------|-------------------|--|---|
| | | | Canal are appropriately addressed. Please contact me on the number or email below. Please see comments on OPDC Local Plan Regulation 19 Consultation also. | |
| (13) | Hammersmith Society | All | There appear to be a number of omissions in this draft including a section on Light Pollution for example (Although there are brief references in the text Paras. 5.61 – 5.65 and Appendices 4f and 4g). There is no 'Principle' covering nor reference in the Index | Comments noted. Although there is no specific key principle on light pollution, Key Principle NN7 on Environmental Pollution includes consideration of light pollution with further guidance on lighting outlined in para's 5.61 to 5.65. In addition, the council's Local Plan Policy CC12 on Light Pollution is a detailed policy which provides information on what is required to be submitted. Therefore, a specific key principle on light pollution is not considered necessary. No change required |
| (13) | Hammersmith Society | All | We suggest that the major section and sub-section headings are increased in font size (or type or colour) so that they stand out more. | The SPD is already a large document and we consider the current font size achieves the right balance between being large enough to easily read the text while keeping the document to a |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| | | | | manageable and practical number of pages. No change required |
| (13) | Hammersmith Society | All | <p>We support the Principles and supporting text as set out in the document.</p> <p>We note that in large part the policies set out are similar to those currently contained in the Planning Guidance Supplementary Planning Guidance and Development Management Local Plan documents.</p> <p>It is unfortunate that the draft of the Council's document has preceded the recent issue of the latest draft of the London Plan which has just been published. It would be helpful if any major changes to the London Plan which impact on the Council's Plan could be highlighted in any final version.</p> <p>The Society has previously commented on the Council's draft Local Plan and participated in the E.I.P. We understand that a final version of the Plan, which has been approved by the Inspector, will be put forward for ratification by the Council in the New Year</p> | <p>Comments noted and support welcomed.</p> <p>The SPG provides further guidance to the Council's emerging Local Plan policies.</p> <p>No change required</p> |
| (15) | Environment Agency | All | <p>Overall we consider the guidance within this SPD is very clear and helpful. We do have the following additional comments to make which we hope you find useful.</p> | <p>Support welcomed.</p> <p>No change required</p> |

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| (17) | H&F Historic Buildings Group | All | <p>The Hammersmith & Fulham Historic Buildings Group (HBG) has reviewed the draft document and we have the following comments:</p> <p>We support the principles and accompanying text as set out in the document.</p> <p>The HBG has commented on the Proposed Submission Local Plan 2016.</p> <p>We endorse the detailed comments made by the Hammersmith Society to the SPD.</p> | <p>Comments noted and support welcomed.</p> <p>No change required</p> |
| (19) | H&F Disability Forum | All | <p>Introduction</p> <ol style="list-style-type: none"> 1. Hammersmith and Fulham Disability Forum (DF) is a user led group of volunteers who are local disabled people or older disabled residents. 2. We work on behalf of the 20,403 (27.05%) households with at least one person with a disability or limiting long term illness. <p><i>Source: 2001 census. www.neighbourhood.statistics.gov (KS21) updated 9 November 2004.</i></p> <p>2011 census included 22,958 (12.6%) people in Hammersmith and Fulham who self reported that their day to day activities were limited due to long term illness or disability.</p> | <p>Comments noted. The council will respond directly to each point in the relevant sections.</p> <p>The council will prepare a more online user-friendly version of the document for adoption.</p> <p>No change required</p> |

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| | | | <p>3. Whether we look at statistics on households or individuals with a long term illness or disability they include people with a physical impairment, older disabled people, deaf or hard of hearing people, blind and visually impaired people, people with a learning difficulty or mental health problems as well as people living with long term illness. Please note that disabled people or people with a long term illness are represented in all equality groups as defined by Equality Act 2010. In this response we refer to these people as disabled people or disabled visitors as appropriate.</p> <p>4. Disabled people like everyone else aspire to</p> <ul style="list-style-type: none"> • Accessible and inclusive housing they can afford to rent or buy • Employment opportunities that pay more than being on benefit • Education and training opportunities • take part in community activities • use accessible and inclusive transport and pedestrian environment • being supported by accessible and inclusive housing, health and social care services that meet their needs. <p>5. Disability Forum Planning Group provides advice to Hammersmith and Fulham Council to make sure that new public buildings and new housing are step free and accessible to all (disabled, ill and older people).</p> | |

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| | | | <p>It also provides advice on selected pedestrian improvement proposals in the borough and responses to relevant consultations. We act as a local Access Group for planning and development in Hammersmith and Fulham.</p> <p>6. The Disability Forum Planning Group meets on the first Wednesday every month to discuss planning and development issues. Every month a volunteer comments on relevant planning applications validated in the previous month. The Group selects 4/5 planning applications to review with the relevant case officer on the third Wednesday every month. After each meeting we send formal written advice to the case officer.</p> <p>Our response is based on scanning nearly 5,000 applications, commenting on 280 applications and reviewing in detail 48 to 50 applications a year for nearly 10 years; experience of responding to previous LDF and housing consultations as well as the London Plan; SPGs, SPDs as well as various Examinations in Public.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> • We welcome information on access and inclusion throughout the SPD. • We would like to see a much greater emphasis on | |

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| | | | <p>getting space requirements right at planning application stage (see section 9 on HS2)</p> <ul style="list-style-type: none"> • We consider the national guidance on wheelchair user dwellings to be confusing and unhelpful. (See section 12 on Design and Access) • Inclusive Access Management Plan (IAMP) is about managing the development for the lifetime of the development not demonstrating the highest standard of design (see section 16 on IAMP) • We want to ensure that proposals for historic buildings and historic shopfronts promote solutions to make access easier for disabled people. (see sections 17 to19) • We are keen to ensure that the TA should consider accessibility from the perspective of disabled people or people with mobility impairments. (see section 20) • Finally we understood that this SPD will provide direct electronic links to relevant guidance, chapters etc. I only managed to do this for one document. We did not see this in the draft SPD. Is this still the plan? Otherwise we recommend providing sources of guidance in each section with cross reference to a bibliography. | |

3. Housing Standards

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| (7) | U & I Group | KP HS1 | <p>U+I welcomes the opportunity to be involved in the emerging new Local Plan. The representations offered here provide comment in relation to a small number of the draft policies outlined in the Planning Guidance SPD.</p> <p>The draft policy states:</p> <p><i>“All new dwellings should have access to an area of amenity space, appropriate to the type of housing being provided. The Council will expect to see a more generous provision of outdoor amenity space than the minimum provision standards in the Housing SPG and the Play and Informal Recreation SPG accompanying the London Plan.</i></p> <p><i>Every new family (3 or more bedrooms) dwelling should have access to amenity or garden space of not less than 36 square metres.”</i></p> <p>It is noted that the Housing SPG outlines minimum standards for outdoor amenity space and U+I query the necessity for LBHF to explicitly state within policy its desire for this to be exceeded.</p> <p>Similarly, with regards to the requirement for every new family dwelling to have access to amenity space of</p> | <p>Comments noted. Supplementary Planning Guidance contains guidance for applicants and officers when assessing applications. The purpose of the 36 square metres is used as a guide and there is sufficient flexibility provided in this Key Principle.</p> <p>No change required.</p> |

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| | | | <p>36sqm or more, this is clearly unduly restrictive and risks prejudicing the acceptability or otherwise of potential development schemes. This is a quantum which is unlikely to be possible to provide for in flatted schemes, particularly on constrained sites and would undermine the high delivery targets arising from the London Plan.</p> <p>U+I considers that the policy should be instead worded to recognise that, in some instances, the provision of outdoor amenity space in excess of the minimum standards and of >36sqm for family dwellings may not always be realistically achievable or feasible in higher density schemes.</p> | |
| (7) | U & I Group | KP HS8 | <p>U+I suggests that the draft policy is amended, as below:</p> <p><i>“Planning permission will not be granted for roof terraces or balconies if the use of the terraces or balcony is likely to cause unreasonable harm to the existing amenities of neighbouring occupiers by reason of noise and disturbance; or, if it would result in an additional opportunity for material overlooking or result in a significantly greater degree of overlooking and consequent loss of privacy than from the access point onto the proposed roof terrace/balcony.”</i></p> | <p>Comments noted. The Council considers this to be an important matter in the determination of planning applications. Matters such as loss of sunlight, daylight, outlook and privacy are frequent reasons for objection to new development in the borough. The Council is keen to ensure new development does not adversely impact upon existing amenity and therefore considers this relevant as a key principle in the</p> |

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| | | | <p>U+I considers it important to clarify that new overlooking implications should be material to be included in a planning balance, rather than just notional as expressed in the draft policy. Whilst U+I recognises the importance of minimising overlooking, it notes that national and local policy promotes the optimisation of development and concentration of higher densities and as a result development, particularly in urban areas, often results in a level of increased overlooking between properties.</p> | <p>SPD.</p> <p>No change required.</p> |
| (8) | H&F Biodiversity Commission | KP HS4 Rear Extensions | <p>iii) Re planning permission. In the SPD you say it would not normally be granted if the proposed extension would cover more than 50% of the open area at the rear of the property.</p> <p>Similarly re lightwells under Alterations and Extensions, BL1 Lightwells, you say :</p> <p>Rear lightwells “should not result in the loss of more than 50% of the original rear garden area.” We wish to contest allowing as much as 50% of garden green space being lost.</p> <p>In our report we say under Planning Policy and Practice,</p> | <p>The Council notes the comments provided by the H&F Biodiversity Commission.</p> <p>The Council is committed to the value of private gardens upon the borough’s urban environment, and to all forms of urban greening. However, we are highly aware of the high house and land values in the borough and the restrictive effect this has upon residents, particularly families, wanting more space. Household</p> |

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| | | | <p>Recommendation 4 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”.</p> <p>Gardens make a crucial contribution to biodiversity, especially in a densely built- up borough like H&F. The current trend of paving over front gardens and sometimes back gardens too (or replacing lawns with gravel or artificial grass) is already diminishing this resource, and we cannot afford to permit building extensions to take away a further 50% of garden green space. Green walls and roofs to make up the lost space would at least mitigate this to some extent.</p> <p>The Commission was so concerned about loss of garden green space that we also recommended: “The Council to take a more active role in preventing building developments in gardens and in promoting diversity within gardens.</p> <p>a) H&F to undertake a study of the decline in garden green space within the Borough since 2000.....</p> <p>b) The Council to assist householders to covenant their gardens to prevent development.</p> <p>c) H&F to pioneer an initiative to designate areas</p> | <p>extensions provide a way for people to extend without requiring to move house and potentially, outside of the borough.</p> <p>To mitigate this impact upon gardens, the Council has included a requirement in policy CC4 – Minimising Surface Water Run-off with Sustainable Drainage Systems in the Local Plan for all new flat roofs be either brown or green roofs.</p> <p>The SPD does not explicitly deal with cellars and cellar extensions, however, the Council would apply Basement policy and further guidance.</p> <p>No change required.</p> |

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| | | | <p>of the Borough “Sites of Special Garden Interest”.</p> <p>See the report for more details on these ideas. Because so many gardens have already been paved over and are no longer green spaces for biodiversity, we also recommended under Greening Policy and Practice, Recommendation 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.”</p> <p>We also consider education to be crucial for residents to understand the importance of preserving the green space in their gardens and indeed of enhancing it. We are therefore very pleased that the Council have published 10 Tips for improving biodiversity in one’s garden, balcony or windowbox. We want to ensure that this is ongoing through having an ecology officer and an ecology centre, and through reviving Greenfest.</p> <p>Re Cellars and Cellar Extensions</p> <p>It should also be noted that the Commission was concerned about the practices deployed by some developers which reduced tree planting flexibility. To ensure that additional impediments are not presented to tree</p> | |

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| | | | planting in existing streets and give maximum flexibility for tree planting in new housing developments, the Commission recommended that all cellar/lower ground floor extensions in existing properties and cellars in new housing developments should not protrude beyond their ground level footprints. | |
| (12) | Fulham Society | KP HS1: Amenity Space | <u>P9 HS1 Amenity space.</u> "The council will expect to see a more generous provision of outdoor amenity space than the minimum provision standards in the Housing SPG and the Play and Informal Recreation SPG accompanying the London Plan." We strongly support this and hope that you can enforce it. | Support noted. No change required. |
| (13) | Hammersmith Society | KP HS1 | Housing: We are pleased to note that the Council is retaining higher standards policy for amenity space (Key Principle H) than the London Plan, and that the SPD includes space standards for conversions (HS3). | Support noted. No change required. |
| (19) | H&F Disability Forum | Para 3.3 | We would like this SPD to specifically mention providing play space for disabled children not just leave it to a general statement of "where communal open space is provided it is important that it is well designed, safe and | Comments noted. |

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| | | | can be used by all residents and has a range of functional uses”. | <p>For clarity, we propose the following amendments:</p> <p>Paragraph 3.3</p> <p>“...Where communal open space is provided it is important that it is well designed, safe and can be used by all residents <u>including wheelchair users</u> and has a range of functional uses.”</p> <p>Change required.</p> |
| (19) | H&F Disability Forum | KP HS2 | <p>We note that the SPD expects proposals to adhere to London Plan internal space standards (based on nationally described space standards) and applicants encouraged to exceed these where possible. We are very surprised that para 3.6 in the SPD does not make any cross reference to</p> <ul style="list-style-type: none"> Approved Document M: access to and use of | <p>Comments noted. The Council agrees that the SPG should reflect the guidance on wheelchair accessible space and will add reference to Part M of the Building Regulations.</p> <p>Add further paragraph to follow</p> |

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| | | | <p>buildings, volume 1; M4(2) accessible and adaptable dwellings or M4(3) wheelchair user dwellings.</p> <p>Part M in Chapter 4 under Accessible and Inclusive Design but we recommend a simple cross reference to Housing Standards.</p> <p>Approved Document M “Access to and use of buildings” Volume 1</p> <ul style="list-style-type: none"> • Technical housing standards – nationally described space standard para 9: “<i>The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.</i>” <p>We understand that the nationally described space standards are for compliance with M4(1) visitable dwellings but that an experienced architect could adapt minimum London Plan internal space standards to comply with M4(2) accessible and adaptable dwellings. The Technical Housing Standards Para 9 above confirms</p> | <p>‘Notes’ in Key Principle – HS2:</p> <p>4. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required (or may be in the case of Category 2 homes) to accommodate increased circulation and functionality to meet the needs of wheelchair households.</p> <p>Policy HO6: Accessible Housing sets out the Council’s requirement in terms of the standards required to ensure that housing is accessible and adaptable. The policy includes M4(2) and M4(3) as requirements in all new developments. The SPD is subsidiary to the Local Plan and is policy.</p> <p>The Council can confirm it has</p> |

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| | | | <p>that these space standards are not sufficient to ensure compliance with M4(3) wheelchair user dwellings. We strongly recommend that this SPD makes this clear to both developers and case officers.</p> <p>We understand that planning permission is normally granted on the assumption that the space for the footprint or building envelope is sufficient to deliver the detailed residential standards at a later stage. Our experience with DET or RES applications at the later stage is that this assumption of sufficient space is not always well founded. The consequence is that the applicant may not have the space</p> <ul style="list-style-type: none"> • to provide drawings compliant with M4(2) or more likely M4(3) 2(a) wheelchair adaptable dwellings or M4(3)2(b) wheelchair accessible dwellings • so may need to change the number of housing units or housing mix approved at planning approval stage • We know from our conversations with developers that many are unaware of para 9 above. Our impression is that there is a misplaced belief that compliance with minimum Internal space | <p>nomination rights for all affordable housing in the borough. Furthermore, sites built within land previously in LBHF planning control in the Old Oak and Park Royal Development Corporation (OPDC) area, the OPDC have proposed that LBHF will have 70% nomination rights for all affordable housing units.</p> <p>Change required.</p> |

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| | | | <p>standards in the London Plan provides enough space to comply with</p> <ul style="list-style-type: none"> • M4(2) accessible and adaptable dwellings for market and affordable housing • M4(3) 2(a) wheelchair adaptable dwellings for market and affordable housing • M4(3)2(b) wheelchair accessible dwellings for affordable rent or social rent housing where the local authority has nomination rights. <p>Some developers have discovered that the only way they can achieve compliance with M4(3) wheelchair user accessible dwelling within the M4(2) footprint at DET stage is, for example, to reduce the number of bedrooms from the number approved at planning application stage. This means eg a purchaser thinks they are buying a 3B wheelchair adaptable dwelling as approved by the planning authority but in reality if the occupier needs to adapt it to be a wheelchair accessible dwelling they may be faced with accepting poor circulation areas; reducing the number of bedrooms or making structural alterations beyond the scope of M4(3) wheelchair user dwellings. We do not believe this is acceptable. Other examples are</p> <ul style="list-style-type: none"> • no space for corridors outside the apartment wide enough for wheelchair users; | |

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| | | | <ul style="list-style-type: none"> • no 1500x 1500 circulation space immediately outside communal lifts or entrance door to apartment enable wheelchair user to navigate entrance doors; • no storage or transfer space for wheelchairs close to the entrance door. We have seen drawings where the storage and transfer space is either in the middle or at the far side of the living room well away from the entrance door. Outdoor wheelchairs can be muddy so there is a reason for locating this by the entrance door. <p>This is a very important point of principle for the Disability Forum Planning Group. DF as a group of volunteers are discouraged by the number of times we repeat advice that developers should know if they read the regulations and existing guidance. Unfortunately the London Housing Design SPG does not make it clear that the minimum London internal space standards does not automatically confer compliance with space requirements in Part M.</p> <p>We strongly recommend that the Planning Guidance SPG confirms that “Planning permission will not be granted unless the applicant provides evidence that the</p> | |

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| | | | <p>proposed development is based on the correct footprint and building envelope to deliver detailed drawings at a later stage compliant with</p> <ul style="list-style-type: none"> • M4(2) accessible and adaptable dwellings for market and affordable housing • M4(3) 2(a) wheelchair adaptable dwellings for market and affordable housing • M4(3)2(b) wheelchair accessible dwellings for affordable rent or social rent housing where the local authority has nomination rights”. <p>In this context it will be very helpful to clarify whether the local authority has nomination rights to shared ownership affordable housing. see also section 13 of representation below.</p> | |
| (19) | H&F Disability Forum | Para 3.8 | <p>para 3.8 conversions</p> <p>We recommend confirming that wherever practicable conversions should comply with M4(2) accessible and adaptable dwellings and M4(3) wheelchair user dwellings rather than “take account” of M4(2) and M4(3).</p> | <p>Agreed. Change last sentence in paragraph 3.8:</p> <p>“...The size and shape of rooms should allow for a satisfactory layout and adequate range of furniture and equipment, taking account of <u>where practicable should comply with</u> Building Regulations M4(2)</p> |

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| | | | | <p>'accessible and adaptable' dwellings and M4(3) 'wheelchair user dwellings', where relevant.</p> <p>Change required.</p> |
| | Cllr Phibbs | KP HS2 | <p>I do think it is very prescriptive about ceiling height, bedroom sizes and so on. Really none of our business and very obstructive in terms of getting affordable new homes built. Also thus perversely making it harder to alleviate overcrowding.</p> <p>In practical terms what relevance do you think these requirements have in terms of the feasibility of demolishing all these empty garages we own and converting them into micro homes? I would imagine this very restrictive approach would prevent new homes being viable on some sites. Please may I have your comments.</p> | <p>Comments noted. The internal space standards for new build residential (Key Principle HS2) reflect the statutory government guidance published in March 2015. The purpose of including them in the Planning Guidance SPD is to signpost these standards for developers and residents. The Mayor of London has adopted these standards in the London Plan and they are already being used as guidance in the determination of planning applications.</p> <p>These standards identify the minimum gross internal area for new build property. The purpose is to ensure adequate floorspace for the</p> |

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| | | | | <p>number of likely occupants, commonly required furniture and the spaces needed for different activities and moving around, in line with Lifetime Home Standards.</p> <p>Our development plan policies seek to promote housing delivery beyond our London Plan targets and optimise housing delivery on brownfield sites. We also want to ensure the quality of individual homes and neighbourhoods are not compromised given the higher density flatted developments that are common in London.</p> <p>The Planning Guidance SPD is guidance to the development plan policies and while being a material planning consideration, it does not present new policies. Internal floorspace that falls below space guidelines may be permitted if the scheme proposal is demonstrated to</p> |

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| | | | | <p>be of exemplary design and contributes to achievement of other objectives and policies of the development plan.</p> <p>The Council's preference is to construct homes that meet the national and London size standards. However, we would consider smaller homes on a case by case basis, in appropriate locations and with communal amenity that could compensate for lack for private space.</p> <p>No change required.</p> |

4. Design & Conservation

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| (10) | Peterborough Road & Area Residents Association | Section 4: Design & Conservation | <p>Thank you for your letter of 17th November inviting PRARA to comment on the draft Planning Guidance Supplementary Planning Document.</p> <p>The section of most relevance to us is Section 4, Design & Conservation, and we are therefore confining our main observation to this section.</p> <p>All the guidance proposed appears to be beneficial to our area and to the borough and we are therefore pleased to be able to provide PRARA's endorsement of this section.</p> <p>Additionally we would like to note our appreciation of the very clear and easy to understand way in which the SPD document is written.</p> | <p>Comments noted and support welcomed.</p> <p>No change required.</p> |
| (12) | Fulham Society | Para 4.15 | <p><u>Para 4.15ff. Basements.</u> We cannot see that it is explicitly stated in this guidance that basements of more than one level will not be allowed although we know it is council policy.</p> | <p>Noted. Policy DC11 in the Local Plan sets out this requirement. The guidance in the SPD and the policies in the Local Plan are consistent and do not need to be repeated.</p> <p>No change required.</p> |
| (12) | Fulham Society | Para 4.32 | <p><u>Para 4.32. Buildings of Merit.</u> It would seem sensible to support Historic</p> | <p>The Council fully endorses Historic England's criteria for identifying Buildings of Merit.</p> |

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| | | | England's criteria. | By listing Historic England's criteria (Paragraph 4.32) for adding new Buildings of Merit to the council's existing Register, we feel that we are fully supporting their approach. No change required. |
| (12) | Fulham Society | Para 4.133 | <u>Para 4.133. Heritage assets.</u> The danger is that the owners of an important building do nothing with it and it gradually falls into disrepair. We are pleased the council will not then be forced to accept their proposals, but it does not solve the problem of what happens to the building. | We welcome your support in our approach to safeguarding Heritage Assets. The Council is keen to ensure heritage assets do not fall into disrepair - paragraph 4.133 outlines that where there are signs of deliberate neglect, applicants will not gain any undue advantage in gaining planning consent. We hope that this approach will deter owners from deliberately letting their buildings fall into disrepair. The Council has a range of planning and listed building powers available to deal with buildings in disrepair. No change required. |
| (13) | Hammersmith Society | Section 4: Design & Conservation (Accessible & Inclusive Design) | Accessible and Inclusive design: We note the assumption that the Principles are consistent with Part M of the Building Regulations. In respect of the Design of ramps and stairs, it should be noted that designs should also conform to Part K1 of the Building Regulations. | Comments noted and agree to make reference to Part K1 of the Building Regulations. "4.50 ...most affected. <u>When designing ramps and stairs, Part K1 of the Building Regs. Should be used.</u> " No change required. |

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| (13) | Hammersmith Society | Section 4: Design & Conservation (Basements & Lightwells) | <p>We welcome the expanded policies covering 'Basements and Lightwells', but the overlap between this draft SPD and the Local Plan Policy DC11 needs to be clarified.</p> <p>The documents should advise that Article 4 directions will apply across the Borough as from April 2018.</p> | <p>We welcome your support for Policy DC11 – Basements and Lightwells in the emerging Local Plan. The guidance in the SPD and the policies in the Local Plan are consistent with each other.</p> <p>Agreed – reference to the Basement development Article 4 Direction will be added above paragraph 4.17:</p> <p><u>“4.17 The council will be bringing an Article 4 Direction to remove permitted development rights for basement development in April 2018. Applicants will be required to submit planning applications for any basement development, lightwells or any other development below the dwellinghouse or curtilage. The Local Plan and following guidance will be used to assess any applications (https://www.lbhf.gov.uk/planning/planning-policy/consultation-article-4-directions).</u> The creation of lightwells by the excavation of all or part of the front garden of a residential property will require planning permission.</p> <p>4.18 Where lightwells already exist...”</p> <p>Change required.</p> |
| (13) | Hammersmith Society | KP AH2 Archaeological Priority Areas | <p>The description of 'Ravenscourt Manor House (Palingswick) APA needs to be clarified. If it is the house within Ravenscourt Park, it is obviously not 'south of' the Park, which implies Palingswick House in King Street is</p> | <p>Archaeological Priority Areas are set out on the Policies Map by the Council on the advice of Historic England.</p> <p>Historic England is currently reviewing APAs across London and updates to existing APA boundaries</p> |

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| | | | being referred to. The recent excavations by Museum of London should also be mentioned. | <p>and descriptions and new designations are expected shortly. This work will be informed by the results of recent archaeological investigations which have advanced understanding of the significance of archaeological remains in the Borough.</p> <p>Reference to updated Historic England work to be included. See below for full change.</p> |
| (13) | Hammersmith Society | Section 4: Design & Conservation (Archaeology & Heritage Assests) | In the 'Archaeology and Heritage Assets' section, the abbreviation APA should be clarified and their status explained. APA should also be included in the Glossary. | <p>We have noted your comments regarding Archaeological Priority Areas (APA) and agree that a fuller description of what they are and their function will be beneficial in understanding their significance. A definition of an APA is available in the Local Plan glossary.</p> <p>Add the following text above paragraph 4.142:</p> <p><u>“An Archaeological Priority Area (APA) is a defined area of particular archaeological significance or vulnerability. APAs inform the practical use of national and local planning policies for the recognition and conservation of archaeological interest. APAs are set out on the Policies Map by the Council on the advice of Historic England. Historic England is currently reviewing APA boundaries and descriptions; new designations are expected in the near future. This work will be informed by the results of recent archaeological investigations which have advanced understanding of the significance of archaeological remains in the Borough.”</u></p> |

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| | | | | <p>The following text will be added to the glossary:</p> <p><u>“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 Historic England. In these areas, the council’s policies and proposals for archaeological sites will apply. Planning applications affecting such areas will generate appropriate consultation, which could in turn lead to further processes of site assessment.”</u></p> |
| (13) | Hammersmith Society | KP BM2 | <p>Under BM2, we would like to see it more explicitly required that in the event that a building is allowed to be demolished, it <u>must</u> be fully recorded. It should also be clarified as to where such records are to be stored. (ie. Borough Archives).</p> | <p>KP BM2 requires that full recording takes place prior to a building of local townscape, architectural or historic interest being demolished. In practice records are already deposited at the Borough Archives, as this is the only local facility.</p> <p>No change required.</p> |
| (13) | Hammersmith Society | Section 4: Design & Conservation | <p>There is no reference to ‘Continuity and Historic Names’ (Existing SPD Design Policy 57), for example: It would be helpful to have a schedule, which lists the existing SPD Design, Amenity and other policies and where they will be found in the revised documents. Some items (Eg. Roller Shutters and</p> | <p>Comments noted.</p> <p>Roller shutters and burglar and fire alarms have not been included in the index because they are covered within the broad topic of shopfront design.</p> <p>No change required.</p> |

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| | | | Burglar and Fire Alarms are covered in the draft but not included in the Index). | |
| (13) | Hammersmith Society | Section 4: Design & Conservation | As regards the layout and order of the proposed SPD, we found the Design and Conservation sub-sections confusing in that 'Conservation Area Guidelines', 'Buildings of Merit' and 'Archaeology and Heritage Assets' have been interspersed with other topics. We suggest that it would be more logical if these could be kept together, and also that 'Basement and Lightwells' and 'Shopfront Design' are grouped, and the section concluded with 'Accessible and Inclusive Design'. | Comments noted. We intend to reorder the chapters in the following way so that they will be easier to navigate and will follow a more logical flow. These changes have not yet been implemented, but will be incorporated into the published version of the document. |
| (13) | Hammersmith Society | Para 4.166 | The reference to a 'future review of the Core Strategy' (Para 4.166) is confusing as we understand that the term has now been replaced by 'the Local Plan'. | Agreed. Amend paragraph 4.166 to: "The council has designated its existing APAs through the Core Strategy <u>Local Plan</u> process and <u>are</u> identified these on the <u>Policies Proposals</u> Map..." |
| (16) | Berkeley Group (Quod) | KP CAG1 | I am writing on behalf of the Berkeley Group in response to the London Borough of Hammersmith and Fulham | Comments noted and support welcomed. We have noted your comments and agree that |

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| | | | <p>(‘LBHF’) consultation on the Draft Planning Guidance Supplementary Planning Document (‘draft SPD’). The Berkeley Group is a significant investor in the borough, having delivered 2,772 homes, 1,131 of which are affordable, at developments including Imperial Wharf, Chelsea Creek, Fulham Reach and Sovereign Court (St George), and Hurlingham Walk and Lime Grove Mews (St James). At present Berkeley has several land interests in the borough, including St William’s proposed development at Fulham Gasworks, the remaining phases of St George’s development at Chelsea Creek, and St James’ development at White City Living and proposed development at Centre House.</p> <p>The purpose of the draft Planning Guidance SPD is to provide supplementary detail to policies concerned with a variety of topics within LBHF’s emerging Local Plan. We are broadly supportive of the emerging plan and welcome the use of the draft SPD to provide additional guidance that will assist with the preparation of successful applications and aid the delivery of infrastructure. It is on this</p> | <p>reference to new uses within Regeneration Areas should be included.</p> <p>Additional text to be added to para 4.6:</p> <p><u>“Within Regeneration Areas and where significant areas of new townscape are proposed, the impact of introducing new uses will need to be carefully considered in conjunction with other strategic objectives.”</u></p> |

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| | | | <p>basis that we provide comments about the draft guidance below.</p> <p>The objective in the Local Plan to create a high quality urban environment that respects and enhances its townscape context and heritage assets is fully supported. The draft SPD seeks to support this by requiring new uses within a Conservation Area to be configured and accommodated in a manner that is consistent with the character of the Conservation Area and its architectural form, scale and features. However, as currently drafted the wording of this key principle does not reflect the fact that some Conservation Areas overlap with strategic development sites where significant changes to land use are encouraged. For example, the Imperial Square and Gasworks Conservation Area.</p> | |
| (17) | Historic England | Section 4: Design & Conservation | Thank you for consulting Historic England on the draft Planning Guidance Supplementary Planning Document (SPD). As the Government's Adviser on the historic environment, Historic England is keen to ensure that conservation and enhancement of the | <p>We welcome your comments in support of our SPD and the approach we have taken in its preparation.</p> <p>We believe that we are proactive in terms of providing a positive framework for addressing issues and opportunities relating to the historic environment across the borough. This is reflected by the fact that</p> |

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| | | | <p>historic environment is taken fully into account at all stages and levels of the planning process.</p> <p>We are pleased to see that the SPD includes sections providing detailed advice on conserving the borough's heritage assets and local character. This additional guidance will prove extremely helpful to applicants and should assist in de-risking the planning process. We have a small number of points on the consultation document, as set out in the attached annex. The National Planning Policy Framework and Planning Policy Guidance see conservation as an active, rather than passive exercise.¹ As a general comment, the SPD could be even more effective if some elements were identified for proactive enhancement, for instance, in relation to shopfronts and signage. Alternatively you could consider preparing a separate heritage strategy to provide a positive framework for addressing issues and opportunities relating to the historic environment across the borough. If you would like to discuss this further please do not hesitate to contact me.</p> | <p>we follow the guidance in the NPPF in terms of conservation and enhancement of the historic environment.</p> <p>Our Local Plan contains a robust planning framework to ensure that the borough's heritage assets are safeguarded or enhanced by any development affecting them.</p> <p>No change required.</p> |

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| (17) | Historic England | p.21 | Conservation Area Character profiles (p21) We are pleased that the Council is continuing with preparation of these important appraisals. If you would like to forward a small number of your statements as they are prepared in draft we would be pleased to comment on them. | Noted. No change required. |
| (17) | Historic England | P25/6 and p49-51) | Shopfronts (p25/6 and p49-51) - It would be good to see a strategy for positive enhancement of certain shopping parades through targeted assistance with design and renewal and, if necessary, through enforcement to secure removal of signage that does not have consent. Perhaps a joint initiative with the Hammersmith Business Improvement District (BID) could achieve enhancement along King Street, for instance. - The preservation of independent access to upper floors, next to the access to ground floor shops, could be highlighted as desirable in the guidance on shopfronts. The SPD makes a good connection between use as part of the character of conservation areas. Retaining or re-using upper floors for residential accommodation | Noted. The Council is working on the Hammersmith Town Centre SPD, which may address some of the issues raised here. No change required. |

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| | | | will be increasingly important as a contributor to local vitality and as a source of residential units. | |
| (17) | Historic England | Para 4.90 | Archaeology and Heritage Assets - Para 4.90. We suggest amended phrasing here, as follows: <i>'Once the impact upon archaeology has been fully understood, any further assessment or mitigation may be expressed as a condition to any planning permission'</i> . The current phrasing otherwise may imply that archaeology is usually expressed as a condition of planning permission. This is not always the case as in some instances an assessment of the impact may be possible by Greater London Archaeological Advisory Service (GLAAS) early on so that an informed planning decision can be taken. | The SPD text does not state this, Key Principle AH1 and supporting text sets the Council's requirements in terms of heritage assets and sites containing archaeological interest. No change required. |
| (17) | Historic England | Para 4.3.11 | There are revisions needed here to change from English Heritage to Historic England London Planning. Further information on GLAAS is available on the Historic England website but a phrase could be added <i>'The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in</i> | Comments noted. We will update any references to Historic England and amend paragraph 4.128 to read: "4.128 See also Greater London Archeology Advisory Service (GLAAS) Charter as a source of archaeological best practice, pre-app advice and best practice principles." |

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| | | | <p><i>accordance with the National Planning Policy Framework and GLAAS Charter and provides pre-application advice on archaeology on their behalf.</i></p> <p>There are currently 15 APA's and we note the intention to update the riverside/foreshore APA when the SPD is next reviewed. This is appreciated, however, it should also be noted that all of the APA's may be subject to change following a GLAAS review of all Borough's APA's. It would be helpful if the riverside APA was added now for consistency with neighbouring boroughs and as we requested when we were consulted on the draft Local Plan. In the meantime Historic England's Greater London Archaeological Advisory Service should be consulted during the pre-application stage to ensure that archaeology is appropriately scoped.</p> | <p>Noted. We have noted the forthcoming review of all APAs in the borough, to avoid potential confusion we do not propose to change APA descriptions prior to the review taking place.</p> <p>We do propose to make reference to this on-going work and to clarify what an APA is, by adding the the following text underneath the title, Archaeological Priority Areas:</p> <p><u><i>“An Archaeological Priority Area (APA) is a defined area of particular archaeological significance or vulnerability. APAs inform the practical use of national and local planning policies for the recognition and conservation of archaeological interest. APAs are set out on the Policies Map by the Council on the advice of Historic England. Historic England is currently reviewing APAs boundaries and descriptions and new designations are expected in the near future, this work will be informed by the results of recent archaeological investigations which have advanced understanding of the significance of archaeological remains in the Borough.”</i></u></p> |
| (17) | Historic England | Para 4.125 | The SPD states <i>‘The council will encourage developers to inform local archaeological societies of the start of any archaeological excavation and to</i> | Comments noted. We have proposed to update the reference to GLAAS in para. 4.128 and consider this further reference adequate. (Please see previous comment). |

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| | | | <p><i>make arrangements for public viewing of excavations in progress, wherever possible, and for subsequent analysis, interpretation and presentation to the archaeological societies and the public of any archaeological results and finds’.</i></p> <p>Although this quite helpfully covers public archaeology – we think the above should be amended to <i>‘the council will encourage developers to appoint a Registered Archaeological Organisation to undertake archaeological work in accordance with a Written Scheme of Investigation to be agreed by the LPA and GLAAS which includes arrangements for....’</i> Should you wish to discuss this further, please contact GLAAS.</p> | <p>No change required.</p> |
| (17) | H&F Historic Buildings Group | Section 4. Design & Conservation | <p>4. Basements There appears to be no specific mention of basements under listed buildings in section 4 Design and Conservation.</p> <p>There appears to be no specific mention of studios in rear gardens which by virtue of having a basement are in reality 2-storey houses.</p> | <p>Comments noted. The Council agrees that further reference to basements should be made in this section and will provide further guidance to the Local Plan policies.</p> <p>In light of this comment, we propose the following amendments to bullet point 2 in Key principle BL1:</p> <ul style="list-style-type: none"> • “Rear lightwells should not be excessive in size and should not <u>either on its own or in combination with a basement excavation</u> result in the loss of more than 50%... |

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| | | | | <p>We propose to amend the BL2 to read:</p> <p>“Key Principle – BL2</p> <p>Lightwells <u>and basement excavation relating to listed buildings and lightwells in</u> conservation areas</p> <p>In the case of a listed building whose special character <u>interest</u> would be harmed by the construction of a lightwell, such a development would almost always be unacceptable <u>unless outweighed by public benefits.</u></p> <p><u>Proposals for lightwells or basement excavation relating to listed buildings or their curtilage should be informed by an assessment of the significance of the designated heritage asset and the impact of the proposals on that significance, paying special attention to the type, period, character and setting of the listed building; its historic fabric, plan form, volume, floor to ceiling heights; and original spatial hierarchy within both the listed building and its curtilage.</u></p> |

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| | | | | <p><u>Details of the method of construction and excavation; details of any temporary internal or external works required to facilitate the construction and excavation process such as the removal of spoil; and details of measures to protect the existing fabric during construction and excavation will be required with any application relating to a listed building or a building within its curtilage.</u></p> <p>In some parts of some conservation areas, even the recommended forms of <u>model</u> lightwell <u>designs</u> <u>included in Figure BL1</u> enclosed in this guidance may be harmful, for example where the front garden is clearly visible from the street, or where there is no front boundary enclosure.</p> <p>Additional paragraph to follow 4.25:</p> <p><u>The significance of listed buildings can be adversely affected by the construction of lightwells or basement excavation, therefore careful consideration is required in relation to impact of such proposals on both the internal and external character and appearance of the listed building and on the spatial hierarchy within the listed building and its curtilage. Some designated heritage asset types such as dwelling houses built with a clear hierarchy of floors and a cellular plan form can be particularly</u></p> |

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| | | | | <u>vulnerable to harmful change from proposals for lightwells and basement excavation. It will be important to consider not only the impact of the permanent alterations, but also the impact of any temporary works that will be required to facilitate the proposed works. Listed buildings and buildings in conservation areas can be sensitive to proposals for lightwells or basement excavation, especially where the forecourt or front garden space provides the setting for the building or terrace and contributes to the significance of the heritage asset.</u> |
| (17) | H&F Historic Buildings Group | KP BM2 | <p>Proposals affecting buildings of merit (demolition, loss or harmful alteration to buildings) – Key principle BM2</p> <p>Under section (b) The proposed replacement would bring substantial benefits to the community and which would decisively outweigh the loss.... Is this consistent with the Local Plan?</p> | <p>Comments noted. We believe that the highlighted text under key principle BM2 is consistent with Local Plan Policy DC8 Heritage and Conservation.</p> <p>No change required.</p> |
| (17) | H&F Historic Buildings Group | Para 4.80 | <p>Shopfront Design</p> <p>Insensitive Designs – We are pleased to note the detailed guidance on the impact of insensitive design especially 4.80 It is now widely recognised that shopfronts and signs which disregard the architecture above and around them are the most damaging to an</p> | <p>We welcome your support regarding our approach.</p> <p>No change required.</p> |

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| | | | area's character and appearance.....The integrity of the building and character of the street is eroded by such insensitive proposals. | |
| (19) | H&F Disability Forum | Para 4.11 | <p>Historic shopfronts. 2nd para: We recommend inserting a new sentence " Applicants are encouraged to provide level access into the building" after "the rest of the building" with a cross reference to SF2 below. Reason: see Accessible London SPG paras 4.12 – 4.12.7; Easy Access to historic buildings, English Heritage, 2012</p> | <p>Comments noted and agreed. We propose to amend Disabled Access at paragraph 4.10 to read:</p> <p>4.10...</p> <p>"Disabled Access:...wherever possible and practicable, <u>for example, level access.</u>"</p> |
| (19) | H&F Disability Forum | Para 4.14 | <p>Trees: The Disabled People Commission received evidence from disabled residents that trees on the footway can result in uneven surfaces making it difficult for wheelchair users and ambulant disabled people to use the footway. We need to deal with this. We suggest a possible way forward is for either this SPD or the StreetSmart Guide to have mitigating actions to avoid trees becoming a hazard and unsafe for disabled pedestrians.</p> | <p>Trees on the public highway are not normally subject to planning controls. This issue is best dealt with through Highways Streetscene Design Guidance.</p> <p>No change required.</p> |

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| (19) | H&F Disability Forum | Para 4.37 | <p>Buildings of Merit</p> <p>After “Any alterations should only be carried out in a way that respects the scale, character and materials of the building” insert “Applicants are encouraged wherever practicable to provide level access into the building”</p> <p>Reason: see Accessible Londonot SPG paras 4.12 – 4.12.7; Easy Access to historic buildings, English Heritage, 2012</p> | <p>Comments noted and agreed.</p> <p>Comments noted and agreed. We propose to amend Disabled Access at paragraph 4.10 to deal with this concern, to read:</p> <p>4.10...</p> <p>“Disabled Access:...wherever possible and practicable, <u>for example, level access.”</u></p> |
| (19) | H&F Disability Forum | Section 4: Design & Conservation (Accessible & Inclusive Design) | <p>Design and Access</p> <p>p40 We consider that the national policy as described is confusing and unhelpful to both case officers and developers.</p> <p>The SPD should confirm whether shared ownership wheelchair user dwellings should also be wheelchair accessible on completion. Does the local authority allocate shared ownership to people on the shared ownership waiting list? If so M4(3)2(b) wheelchair accessible dwelling standard should also apply to these dwellings.</p> <p>We have suggested some</p> | <p>Both Key Principles – DA2 (Accessible and adaptable Dwellings M4(2) and Key Principle -DA3 (Wheelchair accessible and wheelchair adaptable M4(3), reflect national and strategic policy standards. Local Plan policy HO6 Accessible Housing also sets out the Council’s requirements for accessible and adaptable housing.</p> <p>Neither the national or strategic standards specifies the type of housing (i.e. market, social rented, shared ownership, affordable rent) that should meet these standards. Instead national and strategic standards require that all new homes have to meet this requirement regardless of their tenure.</p> <p>For information the Council has nomination rights for all affordable housing.</p> |

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| | | | <p>amendments in red below.</p> <p>“Approved Document M of the Building Regulations introduces minimum specifications for Wheelchair User Dwellings M4(3). This is subdivided into</p> <ul style="list-style-type: none"> • Wheelchair Adaptable Dwellings M4(3)(2a) • Wheelchair Accessible Dwellings M4(3)(2b), which are fitted out at completion for occupation by a wheelchair user. <p>The National Planning Practice Guidance states that category M4(3)(2b) wheelchair accessible dwellings may only be required where the local authority is responsible for allocating or nominating a person to live in that dwelling. M4(3)(2b) wheelchair accessible dwellings applies to social rented and affordable rented homes.</p> <p>Wheelchair user dwellings for market sale may only be conditioned to meet M4(3)(2a) wheelchair adaptable standard on completion”.</p> | <p>No change required.</p> |

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| (19) | H&F Disability Forum | KP DA1 | <p>Key Principle: DA1</p> <p>We think it would be helpful to provide some drawings compliant with</p> <p>M4(2) accessible and adaptable dwellings; M4(3)2(a) wheelchair adaptable dwellings M4(3)2(b) wheelchair accessible dwellings</p> <p>To illustrate important differences in space requirements.</p> | <p>Comments noted.</p> <p>This information can be accessed in Building Regulations Part M. We proposed to include a link to the Approved Document M and update references to the document in the Policy Context, to read:</p> <p>“Policy Context – Design and Access National Policy</p> <p>Approved Document M of the Building Regulations introduces minimum specifications for wheelchair User Dwellings M4(3). This is subdivided into Wheelchair Adaptable <u>and Accessible</u> Dwellings M4(3)(2a)(2) and Wheelchair <u>User</u> Dwellings M4(3)(2b), which are fitted out for occupation by a wheelchair user. <u>Approved Document M link for reference:</u> <u>https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m</u></p> <p>The National Planning Practice Guidance states that category M4(3)(2b) may only be required for wheelchair user dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. M4(3)(2b) may therefore only apply to social rented and affordable rented homes, all other wheelchair user dwellings may only be conditioned to meet M4(3)(2a) standard.</p> |
| (19) | H&F Disability | Para 4.43 | We do not understand this paragraph. | This paragraph should not be read in isolation from |

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| | Forum | | We believe Planning is responsible for approving the space in the footprint and building envelope to provide drawings that can comply with the Building Regulations in due course. It can't be correct to prevent the council from requiring drawings that provide assurance that the space provided will comply with Part M | <p>Key Principle – DA1 Access and Inclusive design. The main policy guidance shows that the council is committed to ensuring that, “Applications for new buildings, changes of use, extensions and other building work should ensure that the building is designed to be accessible and inclusive to all who may use or visit the building”</p> <p>Paragraph 4.43 outlines that the local planning authority cannot require applicants to prove that standards relating to Building Regulations will be met. Instead, detailed drawings relating to Building Regulations will need to be provided to Building Control officers to meet their approval.</p> <p>No change required.</p> |
| (19) | H&F Disability Forum | Para 4.4 | It would be helpful to include the requirement for clear landing 1500 x 1500mm in front of the lift at every floor level. Developers often forget to include space for this on drawings | <p>We have noted and agree. We propose to add a further bullet point to para. 4.41:</p> <ul style="list-style-type: none"> • <u>“circulation space within the building, for example, landing space outside of lifts and sufficiently wide corridors for wheelchair and other users.”</u> <p>No change required.</p> |
| (19) | H&F Disability Forum | Para 4.5 | it would be helpful to insert M4(3) 2(a) after wheelchair adaptable dwelling | <p>We have noted your request and agree. As per the NPPF, wheelchair adaptable and accessible dwellings are referred to as M4(2).</p> <p>Amend paragraph to read:</p> |

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| | | | | <p>“4.45 –A wheelchair adaptable <u>and accessible dwellings (M4(2))</u> is one which is <u>are</u> designed and built for potential occupation by wheelchair user (possibly after minor, non-structural, alterations). Also, we propose to move paragraph 4.45 to follow Key Principle DA2, as they follow.</p> |
| (19) | H&F Disability Forum | Para 4.46 | <p>It would be helpful to in insert M4(3) 2(b) after wheelchair accessible dwelling: delete “day one” and replace with “completion”. This is important as many housing associations do not realise this. We understand that Housing are keen to ensure that wheelchair accessible dwellings are compliant on completion.</p> | <p>Agreed. To comply with the NPPF, we propose to include M4(3) when referring to wheelchair user dwellings.</p> <p>Amend para. 4.46 to read:</p> <p>“A wheelchair accessible- <u>user</u> home (M4(3)), however- is constructed and fitted to a standard suitable for “day one” occupation by wheelchair user without the need for alterations.”</p> <p>In light of the above, we propose the following change to the heading of DA2:</p> <p>“Key Principle DA2 Wheelchair <u>user dwellings</u> accessible and wheelchair adaptable M4(3)</p> <p>To ensure that residential accommodation offers standards of accessibility that can be relied upon, and to make provision for wheelchair accessible and adaptable homes, the Council requires 10% of all new housing to be designed to meet the standards prescribed in Approved Document M to the Building</p> |

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| | | | | <p>Regulations for an M4(3) home.”</p> <p>We do not agree however with the request to delete “day one” and replace it with completion. This is because there is a debate as to what fully constitutes a “completion” as there is no legal definition as to what constitutes a completion.</p> |
| (19) | H&F Disability Forum | Para 4.47 | <p>The SPD needs to alert applicants that there are differences in space between M4(3)2(a) wheelchair adaptable dwellings and M4(3)2(b) wheelchair accessible dwellings. Where applicants are required to provide M4(3)2(b) wheelchair accessible dwellings they must demonstrate at planning application stage they have the space for M4(3)2(b).</p> <p>The SPD should clarify that the list of reasonable provisions in this para is not exhaustive and that applicants need to refer to the building regulations themselves for the full list. We suggest this list also includes:</p> <p>Wheelchair storage (min1100 x 1700mm including power socket) and transfer space (minimum clear width 1200mm) within dwelling close to the principal private entrance. Our experience is that this space</p> | <p>Comments noted. This information can be accessed in Building Regulations Part M.</p> <p>The local planning authority cannot require applicants to prove that standards relating to Building Regulations will be met. Instead, detailed drawings relating to Building Regulations will need to be provided to Building Control officers to meet their approval.</p> <p>No change required.</p> |

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| | | | requirement is often over looked or put in the middle or far end of the sitting room. | |
| (19) | H&F Disability Forum | KP DA5 | Key Principle: DA 5 Change in level in public spaces What is important is that DA 5 confirms that alternative routes must provide level access | We have noted your comments and propose to amend the description of Disabled Access at paragraph 4.10, to deal with this concern. Proposed amendment: 4.10... “ Disabled Access :...wherever possible and practicable, <u>for example, level access.</u> ” |
| (19) | H&F Disability Forum | Para 4.57 | Para 4. 57 it would be worth stating that Part M is in 2 Volumes: Volume 1 Dwellings and Volume 2 Buildings other than Dwellings. | We have noted your request. Amend paragraph 4.57 to insert the following words: “The guidance above does not take the place of Building Regulations Part M that require new construction to provide accessibility to disabled people and the features in new buildings and extensions that will prevent anyone being excluded from using them. <u>Building Regulations Part M consists of 2 Volumes: Volume 1 Dwellings and Volume 2 Buildings other than dwellings. Standards relating to accessibility and inclusive design within this document refer to standards as outlined in Part M Volume 1.</u> ” |
| (19) | H&F Disability Forum | KP DA9 | Key Principle: DA 9 Hotels and student accommodation Inclusive Access Management Plan (IAMP) | Comments noted. The reference to an AMP is consistent with London Plan policy 4.5. The SPD also clearly states that the AMP should demonstrate |

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| | | | <p>London Plan Policy 4.5 encourages IAMP “to ensure that the management and operation of facilities are fully considered at the outset of the design....” This is relevant to hotels but also applies to other facilities open to the public such as a public car park, retail, educational establishments, public toilets etc.</p> <p>The IAMP is NOT a document that demonstrates the highest standard of accessible and inclusive design: that is the role of the Design and Access Statement.</p> <p>The DAS should set out the physical provision and design rationale. (for more information on the difference between DAS and IAMP see p 131 para 9: London Plan 2011: Accessible London: Achieving an Inclusive Environment SPG 2014)</p> | <p>the highest standards of accessibility and inclusion.</p> <p>No changes required.</p> |

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| | | | <p>The IAMP should include: NB details to vary according to type of development.</p> <ul style="list-style-type: none"> • Concise description of the development • Nomination of person responsible for monitoring to ensure compliance with IAMP for duration of the development • Lifts: who is responsible for maintaining lift and ensuring 24/7 lift maintenance contract to ensure no one trapped on upper floors • Means of escape procedures • Parking: who is responsible for monitoring and enforcing blue badge/accessible parking to prevent abuse by non blue badge holders; • provision of compliant accessible parking equates to future demand from blue badge holders (including allocation of bays to blue badge holders in wheelchair housing units and lifetime homes) • ensuring accessible parking bays not sold during lifetime of | |

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| | | | <p>the development</p> <ul style="list-style-type: none"> • ensuring accessible parking for visiting blue badge holders • ensuring entrance barriers and ticket machines are accessible and inclusive • ensuring maximum height (if less than 2.6m) shown at entrance to car park to enable blue badge holders to avoid the car park or being in a queue they cannot escape. Alternative provision for • blue badge holders high topped vehicles to be identified. • Public realm: who is responsible for ensuring adequate lighting, ongoing step free access free from obstructions etc for the duration of the development. • Public Toilets/Changing Places toilets: who is responsible for ensuring all toilets including are secure, kept clean and usable at all times. | |

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| | | | <ul style="list-style-type: none"> • Retail: Responsibility of the developer to include in any lease that the tenant is responsible for fitting out retail units so they are accessible and inclusive (e.g provision of accessible toilets; accessible changing rooms etc). • developer to ensure occupying tenants comply with lease conditions. • Signage: who is responsible for ensuring all signage is up to date and is accessible and inclusive for the duration of the development. • Staff training: who is responsible for ensuring all managers and frontline staff are trained to respond appropriately to any disabled person using facilities. | |

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| (19) | H&F Disability Forum | KP SF2 | <p>Key Principle: SF2 Shopfronts We are concerned that the emphasis on preserving historic shopfronts may over rule the requirement to provide level access. The SPD should indicate that planning permission will not be granted unless proposals comply with SF 2.</p> | <p>Key Principle - CAG4 – Historic Shopfronts should be read in conjunction with Key Principle – SD2 Shopfront access. Key Principle - SD2 states that “The Council will expect new or altered shop fronts to accommodate the needs of disabled people”. Key Principle SD2 further states that:</p> <p>“Doorways should therefore be at least 800mm wide, should have doors that are to open and should provide a level entrance or a non-slip ramp within the unit”</p> <p>Therefore your request for level access in shopfronts (whether historic or new), has been addressed in Key Principle SD2.</p> <p>We also propose to amend the description of Disabled Access at paragraph 4.10 to read, to meet these concerns. Proposed change:</p> <p>4.10...</p> <p>“Disabled Access:...wherever possible and practicable, <u>for example, level access.</u>”</p> |
| (19) | H&F Disability Forum | KP SD6 | <p>Key Principle SD6: we consider this policy should include a requirement for lettering and logos to be large enough so people can read the signs</p> | <p>Comments noted. This key principle seeks to find the balance between accessible public realm and ensuring that signage and fascia panel is proportionate and respects the built environment. We consider the current wording appropriate.</p> |

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| | | | | No change required. |
| (19) | H&F Disability Forum | Paras 4.121-141 | <p>Archaeology and heritage assets (paras 4.121 – 4.141)</p> <p>We are concerned that the SPD has overlooked ensuring that heritage assets can be used by the whole community including disabled people.</p> <p>London Plan policy 7.8 Heritage Assets and Archaeology includes improving access to the historic environment and heritage assets and their settings where appropriate.</p> <p>We recommend this section ensures planning applications relating to heritage assets promote solutions to make access easier for disabled people.</p> <p>It would be helpful to include references to the guidance below in the text to help applicants.</p> <p>Guidance Accessible London SPG paras 4.12 – 4.12.7 Easy access to historic buildings English Heritage 2012 Easy access to historic landscapes English Heritage 2013</p> | <p>Comments noted. The Council is keen to ensure that all the borough is accessible for all user groups. The Local Plan Policy DC8 – Heritage and Conservation outlines that heritage assets should be accessible to everyone in a community, including disabled people.</p> <p>This policy will work in conjunction with the principles in the SPD, and will help to ensure that heritage assets are accessible to all groups.</p> <p>The Council agrees that reference may be made in the SPD regarding accessibility and heritage assets to other external documents that may be of assistance. Proposed additional paragraph to follow para. 4.43:</p> <p><u>“Access and inclusive design should also apply to heritage assets in the borough, in accordance with the Key Principles in the Archaeology and Heritage Assets chapter. The council also advises applicants to refer to external up to-date guidance on this matter from Historic England and London Plan guidance.”</u></p> <p>We have also proposed a change to para. 4.10 Disabled Access (please see previous comment).</p> |

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| | | | London Plan SPG London World Heritage Sites 2012 paras 4.48 - 4.52 | |
| (20) | The Friends of Ravenscourt Park | Para 4.148 | <p>We wish to submit the following comments as there are a series of inaccuracies in paragraph 4.148 on page 65. All sources can be referenced and verified.</p> <p>1.2 A suggested replacement draft entry follows, below. Given the time constraints, we hope this is helpful.</p> <p>1.3 The comments are based on my own ongoing research using primary sources in the London Metropolitan Archives (LMA), local archive sources and elsewhere, plus work done by the Friends in partnership with the Museum of London, and the results of a geophysical survey and subsequent trial dig carried out in 2015 by Archaeology South East, a department of UCL.</p> <p>1.4 Our work on this project was supported and highly commended by the Greater London Archaeological Advisory Service (GLAAS), who added the ensuing report to the Greater London Historic Environment record</p> | <p>We note your comments and concerns.</p> <p>Archaeological Priority Areas are set out on the Policies Map by the Council on the advice of Historic England. Historic England is currently reviewing APAs across London and updates to existing APA boundaries and descriptions and new designations are expected in the near future, this work will be informed by the results of recent archaeological investigations which have advanced understanding of the significance of archaeological remains in the Borough. We therefore do not consider it appropriate at this stage to make alterations to the Ravenscourt Manor House (Palingswick) APA, until this research is complete.</p> <p>We will alert Historic England to your research when the Borough's APAs are reviewed. We do propose to make reference to this on-going work and to clarify what an APA is, by adding the following text underneath the title, Archaeological Priority Areas:</p> <p><u>"An Archaeological Priority Area (APA) is a defined area of particular archaeological significance or vulnerability. APAs inform the practical use of national and local planning policies for the recognition and conservation of archaeological</u></p> |

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| | | | <p>(GLHER). This is one of the most important archaeological areas in the borough, located in one of the borough's two flagship parks.</p> <p>2 Comments on para 4.148</p> <p>2.1 The house now known as Palingswick House in King Street, built in the middle of the 19th century, was part of an estate called Seagreens. It was only given the name Palingswick in the 1950s and should not be confused with either the manor or the manor house of Ravenscourt/Palingswick.</p> <p>2.2 The correct Archaeological Priority Area is shown on a map in the ASE report (p19 figure 1), and should be amended on maps etc elsewhere in the SPD.</p> <p>2.3 The paragraph confuses 'manor' and 'manor house' and uses these terms indiscriminately. The heading: Ravenscourt Manor House (Palingswick) should be replaced by: Ravenscourt Park: manor house site (see suggested replacement draft entry, at 3 below).</p> | <p><u>interest. APAs are set out on the Policies Map by the Council on the advice of Historic England. Historic England is currently reviewing APAs boundaries and descriptions and new designations are expected in the near future, this work will be informed by the results of recent archaeological investigations which have advanced understanding of the significance of archaeological remains in the Borough."</u></p> |

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| | | | <p>2.4 The third sentence is inaccurate in employing the anachronistic term 'mansion': it was always a relatively small manor house. (This accounts for the number of owners through the centuries as until the 19th century it was used as a pied-a-terre near the city of London for those with larger estates further afield.)</p> <p>2.3 The site can be identified in maps from the 16th century onwards, and was described in detail in the comprehensive and scholarly Survey of London published by the LCC in 1915, and confirmed by our trial excavations carried out in 2015. (See also aerial photographs from the 1930s from Historic England.)</p> <p>2.4 Contemporary scholars view Alice Perrers as a prominent medieval landowner, dismissing the misogynist stereotype employed in earlier times. She owned over 50 manors across England, and it is not confirmed whether she ever lived at Ravenscourt for any length of time - or at all.</p> <p>2.4 The manor house was refurbished and rebuilt many times over the</p> | |

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| | | | <p>centuries, not as stated.</p> <p>2.5 The Georgian building was damaged by an incendiary bomb in January 1941, but although demolished was not in fact too damaged to be saved, as photographs dated May 1941 reveal (LCC archive in the LMA).</p> <p>3 Suggested draft replacement SPD entry</p> <p>Ravenscourt Park: manor house site</p> <p>The APA is located in the north east of Ravenscourt Park, between the lake and the park boundaries along Paddenswick and Ravenscourt Roads. It marks the site of the medieval moated manor house in what was originally known as the manor of Palingswick, itself part of the much larger manor of Fulham, then owned by the Bishop of London. First reliably documented in the 14th century, the Palingswick estate then consisted of “ forty acres of land, sixty of pasture and one and half of meadow” while the house itself was said to possess halls, chapels, kitchens, bakehouses and stables. At this time, this was one of</p> | |

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| | | | <p>the many manors owned by Alice Perrers, medieval landowner and lady in waiting to Queen Phillippa at the court of the Plantagenet King Edward III.</p> <p>Rebuilt and refurbished on the same site by a succession of well-documented owners, including Lord Mayors of London, Members of Parliament, a speaker of the House of Commons , court officials and one Lord Chancellor, the manor house was rebuilt in its final form in the 18th century. It was also renamed as Ravenscourt during this period. The LCC Survey of London describes it in 1915 as a very good example of an early Georgian structure “excellent alike in arrangement and in its architectural detail”. This comprehensive 20th century account also records that the house retained numerous features dating back to Elizabethan and Stuart times. After the death of its last family owners, the estate was saved from development by the Metropolitan Board of Works, who purchased it in 1887 for use as a public park. Opened in 1890 as Hammersmith’s first public library, the house was hit by an incendiary bomb</p> | |

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| | | | in January 1941 and subsequently demolished. | |

5. Noise & Nuisance

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| (3) | Port of London Authority | All/ Section 5: Noise & Nuisance | <p>As a general point, the PLA are disappointed that the boroughs three Safeguarded Wharves, Hurlingham Wharf, Swedish Wharf and Comley's Wharf are not referred to in the planning guidance SPD, particularly as part of the noise section of the SPD. These sites are subject to relevant policies in the London Plan, notably policy 7.26, as well as policy SI15 of the draft new London Plan, and in line with the current safeguarding directions all three sites remain safeguarded. Through this safeguarding all three of these safeguarded wharves are deemed to be viable or capable of being made viable for cargo-handling, and must be protected from alternative development and indeed their use for waterborne transport promoted. With this in mind any proposed development adjacent, or opposite these safeguarded wharves must be designed in such away to address any potential conflicts, even if the wharf sites are not currently in use. In the draft new London Plan, the Agent of Change principle is introduced, which places the responsibility of mitigating the impact of noise from existing noise generating businesses on proposed new developments close by, thereby ensuring that residents of the new development are protected from noise, this is particularly relevant for safeguarded wharf sites. The PLAs specific comments on the draft SPD are below:</p> | <p>Comments noted.</p> <p>As requested, reference to the boroughs three safeguarded wharves has been included in the SPD as part of chapter 5 on noise & nuisance. Reference to London Plan Policy 7.26 on safeguarded wharves has also been included in section 15 of the SPD on residential moorings.</p> <p>Please see the officer response & proposed changes (below) to specific points you have raised in your representation.</p> <p>No change required</p> |

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| (3) | Port of London Authority | Para 5.10 | <p>Noise</p> <p>It is noted that paragraph 5.10 states the borough will ensure that existing waste and recycling sites are protected by ensuring any proposed new residential developments that might be exposed to noise from the sites are carefully planned, with appropriate noise mitigation installed to maintain appropriate internal noise levels, to protect future residents. This must be expanded to also include the boroughs three safeguarded wharves, Hurlingham Wharf, Swedish Wharf and Comley's Wharf. There are also two safeguarded wharves opposite in the London Borough of Wandsworth at Smugglers Way and Pier Wharf which should also be considered. This would be in line London Plan policy 7.26 and paragraph 7.79, as well as the draft new London Plan, which states that in order for safeguarded wharves to remain capable of continuing to be viable for waterborne freight handling uses, new development next to or opposite wharves should utilise the layout, use and environmental credentials of buildings to design away potential conflicts, including noise, to minimise the potential for conflicts of use and disturbance. This would also be supported by paragraph 5.106 of the boroughs Local Plan regarding the protection of safeguarded wharves in the borough.</p> | <p>Comments noted.</p> <p>A paragraph referring to the boroughs three safeguarded wharves will be added to chapter 5 on noise & nuisance.</p> <p>Add new para following para 5.10 as follows:-</p> <p><u>“There are three safeguarded wharves in the borough which are located within the South Fulham Riverside Regeneration Area. They are, Hurlingham Wharf, Comley's Wharf and Swedish Wharf. The development of sites adjacent or opposite to the boroughs safeguarded wharves should be designed in a way as to minimise the potential for conflicts of use and disturbances, including noise.</u></p> |
| (3) | Port of London Authority | KP NN1 & NN2 | <p><i>NN1 (Noise and Vibration – survey & report) & NN2 (Noise sensitive development – noise and vibration)</i></p> <p>The PLA broadly supports these key principles, but as noted above safeguarded wharves must be referenced in</p> | <p>Comments noted.</p> <p>Reference to the boroughs three safeguarded wharves to be added into KP NN1 (Noise and Vibration- survey</p> |

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| | | | <p>the second bullet point of paragraph 5.11 in regards to noise and/or vibration surveys. For example this could read– “ Residential and other noise sensitive developments proposed in areas that would be exposed to existing noise from sources including transport, commercial and industrial uses, (including at safeguarded wharves).....</p> <p>Key Principle NN2 on noise sensitive development must also specifically refer to safeguarded wharves. Development proposals at sites adjacent to or opposite safeguarded wharves, whether they are in operation or not, must also be accompanied by an acoustic report detailing existing or potential noise levels for night time and daytime periods, as well as noise mitigation measures, as mentioned in the second paragraph of the key principle NN2.</p> | <p>& report).</p> <p>Amend second bullet point of para 5.11 as follows:-</p> <p>“Residential and other noise sensitive developments proposed in areas that would be exposed to existing noise from sources including <u>such as</u> transport, commercial and industrial uses (<u>including the boroughs three safeguarded riverside wharves</u>) and vibration.....”</p> <p>Comments noted. Reference to the boroughs three safeguarded wharves to be added into KP NN2 (Noise Sensitive Development- noise & vibration).</p> <p>Amend first paragraph of KP NN2 as follows:-</p> <p>“Wherever possible and practicable, residential and other noise sensitive development including hospitals, sheltered and nursing homes, offices, schools & similar establishments proposed in areas where they would be exposed to existing external noise shall be designed so as to be located</p> |

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| | | | | <p>away and protected from significant transport , industrial (<u>including the boroughs three safeguarded riverside wharves</u>) and/or commercial.....”</p> <p>Amend second para of KP NN2 as follows:-</p> <p>“Planning applications for sites near substantial transport and/or other non residential noise (<u>including the boroughs three safeguarded riverside wharves</u>) must be accompanied.....”</p> |
| (3) | Port of London Authority | KP NN7 | <p><i>NN7 (Environmental Pollution)</i></p> <p>The PLA broadly supports this key principle, which sets out a list of guidance & criteria regarding applications for developments that have the potential to emit pollution from various environmental elements, including dust & lighting. The PLA consider that under the dust section on page 81 of the document, where it mentions the requirement for a demolition method statement, construction management statement, and a list of control measures, such as using ‘sustainable alternative and/or additional measures’ the use of the River Thames for the transportation of construction and waste materials must be specifically referenced, in line with London Plan policy 7.26 of the London Plan, and the PLAs Thames Vision.</p> | <p>Comments noted.</p> <p>Amend KP NN7 (Environmental Pollution) to refer to the River Thames as part of demolition/construction method statements, under the heading ‘Dust’ as follows:-</p> <p>Demolition & Construction</p> <ul style="list-style-type: none"> • “Suitable alternative and/or additional measures, <u>including the use of the River Thames for the transportation of construction and/or waste materials where feasible</u>” |

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| (13) | Hammersmith Society | Para 5.64 & 5.65 | Under 5.64 and 5.65, please change 'should' to 'must' in each case. | <p>Comments noted.</p> <p>As this is only guidance, the Council considers the current wording is acceptable.</p> <p>No change required</p> |

6. Air Quality

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| (3) | Port of London Authority | KP AQ2 | <p><i>AQ2 – Mitigation of Emissions caused by new developments</i></p> <p>The PLA broadly supports key principle AQ2 on the mitigation of emissions caused by new developments. The PLA request that in this section as part of the potential mitigation of emissions during the construction / demolition phase of a development, there must be a reference to using the River Thames for the transportation of construction materials and waste. The PLAs Thames Vision (July 2016) includes the goal to move more goods off roads and onto the river; this will significantly help to reduce congestion in London and improve air quality. For developments near to the river, Construction Environmental Management Plans (CEMPs) must be submitted which include consideration for waterborne transport methods. There are also references to using the River Thames for the transportation of goods and materials in the GLAs Supplementary Planning Guidance (SPG) on the Control of Dust and Emissions during Construction and Demolition which is mentioned in paragraph 6.21 of this document.</p> | <p>Support welcomed.</p> <p>The comments on highlighting the use of the River Thames to transport construction/demolition waste is noted and a revision is proposed to add the following text at the end of the supporting text in Para 6.21 for Key Principle AQ2: “<u>Emissions from vehicles delivering construction materials and removing waste should be minimised and where feasible, the river should be used to transport construction materials and waste</u>”.</p> <p>With regard to the need for Construction Environmental Management Plans (CEMPS), the draft SPD document already includes in Appendix 4 guidance on requirements for Construction Management Plans. This is currently mainly referenced in the Noise and Nuisance Chapter, although the guidance is relevant for air quality and other issues. It is therefore proposed to refer to the Appendix in the Air Quality Chapter as follow:</p> |

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| | | | | <p>Para 6.21, add the following text to follow on from the first sentence: <u>“Further guidance on requirements in relation to Demolition Method Statements and Construction Management Plans are provided in Appendix 4”.</u></p> <p>It is also considered to be appropriate to include reference to this issue in the Chapter on Sustainable Design & Construction, as follows: Para 12.17, add the following text to the end of the existing text: <u>“Further guidance on requirements in relation to Demolition Method Statements and Construction Management Plans are provided in Appendix 4”.</u></p> |
| (8) | H&F Biodiversity Commission | Section 6: Air Quality | Air quality affects wildlife as well as human beings , so we agree with the aim for developments to be “Air Quality neutral” and for more planting of trees and hedges as buffers. As with all planting, we would want this to consist wherever possible of native trees and shrubs to simultaneously provide habitats for wildlife. And we agree with the recommendation in the Air Quality Commission report that pruning/pollarding of street trees should be done on a one- in three basis, so that the air quality buffers and also the habitats they provide are not all removed at once. | <p>Support for Air Quality Neutral approach is welcomed.</p> <p>Accept the comment regarding use of native planting being prioritised where possible and propose to revise the supporting text for Key Principle AQ3 as by adding the following text to the end of Para 6.24: <u>“Where possible, the use of native plants should be prioritised as these are likely to provide increased biodiversity benefits</u></p> |

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| | | | | <p><u>over non-native invasive species”.</u></p> <p>Regarding, pollarding of street trees, this is outside the remit of the Planning Guidance SPD. However, this recommendation has been noted by the council’s Arboricultural Officer and it is understood that there are plans to modify the approach to pollarding along main roads with high traffic volumes so future maintenance is staggered to avoid all trees being done at the same time.</p> <p>No amendments necessary.</p> |
| (9) | Transport for London | Section 6: Air Quality | <p>Thank you for consulting TfL for our view on your Council’s Planning Guidance SPD. It is understood this provides supplementary detail to policies on a variety of topics. . The following comments are made by TfL City Planning officers on a ‘without prejudice’ basis and are intended to ensure that this policy document is in line with relevant London Plan transport policies and reflects the draft Mayor’s Transport Strategy. You should not interpret them as indicating any subsequent Mayoral decision and these comments do not necessarily represent the views of the GLA.</p> <p>Suggested changes that should be considered are set out in the attached table/annex. TfL previously confirmed that the transport policies in the draft Local Plan the Council</p> | <p>Support welcomed.</p> <p>The comment on the importance of the council applying its policies principles in relation to air quality issues is noted.</p> <p>With regards to the suggestion of following the LLAQM SPD template, this is felt to be more appropriate if the Air Quality SPD was a standalone document, but the council’s current approach is to combine all SPD documents into a single document. However, use of the template will be considered when the next opportunity</p> |

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| | | | <p>consulted on earlier this year are broadly in line with strategic transport policies in the London Plan. However the Mayor has last week published his new Draft London Plan, the policy changes in which are a material consideration in some of our comments below.</p> <p>It is welcomed that the SPD places due importance on Air Quality (AQ) and its assessment for impacts of new development, it will be especially important the Council applies its key principles and policies on AQ to assessment of planning submissions, given the whole of the Borough is an Air Quality Management Area. It is recommended the London Local Air Quality Management template SPD for AQ is more widely utilised/referenced in the SPD – the link is https://www.london.gov.uk/sites/default/files/template_supplementary_planning_guidance.pdf</p> | <p>arises.</p> <p>No changes proposed.</p> |
| (9) | Transport for London | Para 6.1 | Reference needs to be made to the full range of Draft London Plan Policies relevant to AQ i.e. SI1, SI2, SI3 and SI4 | <p>Comment noted.</p> <p>The Draft London Plan is at an early stage of consultation ending 2nd March 2018. Because of this very little weight has been given to the draft policies and where relevant Adopted London Plan policies are used throughout the SPD.</p> <p>No changes proposed.</p> |
| (9) | Transport for London | Para 6.17 | In this paragraph on reducing emissions, reference should also be made to the Non-Road Mobile Machinery Low | <p>Comment Noted.</p> <p>Non-Road Mobile Machinery is used</p> |

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| | | | Emission Zone (NRMM LEZ). | during the construction/demolition phase which is dealt with in Para 6.21. It is therefore proposed to add the following text at the end of Para 6.21: <u>“Hammersmith & Fulham is located within the Non-Road Mobile Machinery (NRMM) Low Emission Zone which means that during the construction/demolition phase, that machinery that complies with the emissions requirements outlined here: http://nrmm.london/ will need to be complied with. It should be noted that for the majority of construction sites in the borough, compliance with the Stage IIIB NRMM emission criteria of Directive 97/68/EC and its subsequent amendments will be expected”.</u> |
| (12) | Fulham Society | Para 6.1 | <u>Para 6.1. An environmentally sustainable borough.</u> If you want to make the borough the greenest and reduce pollution & congestion, think home working and local work places. Fast communications are an integral part of the success of most business operations. It is up to BT how fast the superfast fibre is available but the council should actively encourage them to expand across the whole borough. | Comment Noted. The Proposed Local Plan includes a commitment to work with partner organisations to reduce social exclusion and facilitate access to high speed internet across the borough. No changes proposed. |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| (13) | Hammersmith Society | Section 6: Air Quality | Air Quality : There seems to be no mention of the Council's Air Quality Commission or its report and recommendations which approved by the Council during 2017. We would appreciate confirmation that the AQC have endorsed the proposals as set in this document. | <p>Comment noted.</p> <p>The Air Quality Commission provided detailed comments on the draft Local Plan and a number of their recommendations were adopted by amending and revising Policies and supporting text in the final version. Further details can be found here: https://www.lbhf.gov.uk/sites/default/files/section_attachments/rep_schedule_with_officer_comments.pdf</p> <p>The Commission did not comment on the draft SPD. However, it is proposed to include an acknowledgement in the SPD of the AQ Commission's work as follows:</p> <p>Amend para 6.1 to include the following text to the last sentence: "It is important for air quality issues to be considered early in the planning process and to be assessed in detail where necessary as mitigation measures may be required to reduce emissions and reduce exposure, <u>as highlighted by the Air Quality Commission in its 2016 report</u>".</p> |

7. Energy

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| (16) | Berkeley Group | Para 7.15 | <p>Paragraph 7.15 states that ‘where a new CHP/CCHP system is deemed to be viable, the developer should also assess whether there is any potential to extend the system beyond the site boundary to adjacent sites. Where future network opportunities are identified, proposals should be designed to connect to these networks.’</p> <p>Whilst the ambition of the guidance is supported, the current drafting does not specifically reference the need for opportunities to extend a CHP/CCHP system to be viable. The text should be amended to clarify that the assessment should also take into account the viability of extending the CHP/CCHP system to ensure that the draft SPD complies with paragraph 173 of the NPPF, which sets out that sites should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.</p> | <p>Comments Noted.</p> <p>Suggest amending the text in para 7.15 in line with the comments to read as follows:</p> <p>“Where a new CHP/CCHP system is deemed to be viable, the developer should also assess <u>the feasibility of</u> whether there is any potential to extend the system beyond the site boundary to adjacent sites. Where future network opportunities are identified, proposals should be designed to connect to these networks”.</p> |

8. Land Contamination

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| (15) | Environment Agency | KP LC3 | <p>Land Contamination</p> <p>We support the policies within this chapter and would only comment that proposers of potentially contaminated sites should also refer to Environment Agency guidance on groundwater protection available: https://www.gov.uk/government/collections/groundwater-protection</p> <p>This could be included in Key Principle LC3.</p> | <p>Comments noted and support welcomed.</p> <p>Reference to the Environment Agency's guidance on groundwater protection will be added to para 8.1 on "further guidance & legislation".</p> <p>New bullet point to be added to para 8.1 as follows:-</p> <ul style="list-style-type: none"> • <u>"Environment Agency Guidance- The Environment Agency is responsible for the protection of controlled waters (both ground and surface waters) and suitable guides can be downloaded from their website."</u> (insert link: www.gov.uk/government/collections/groundwater-protection) |

9. Sustainable Urban Drainage Systems

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| (5) | Thames Water | Section 9: SuDs | <p>Thank you for consulting Thames Water on the above document. Thames Water is the statutory water and sewerage undertaker for the area and is hence a “specific consultation body” in accordance with the Town & Country Planning (Local Development) Regulations 2012. Thames Water have the following comments to make on the SPD consultation.</p> <p>Section 9 – Sustainable Drainage Systems (SuDs) Thames Water support the content of Section 9 in relation to the requirements for SuDs. The provision of SuDs through new development help to ensure that there is sufficient capacity within the sewerage network by reducing surface flows entering the network. This can free up capacity within the network to deal with increased dry weather flows arising from population growth. The delivery of SuDs in new development can therefore help to ensure that the sewerage network is resilient to increased pressures arising as a result of population growth and climate change.</p> | <p>Support welcomed.</p> <p>No change required.</p> |
| (7) | U & I Group | KP SuD5 | <p>Whilst the draft policy states: <i>“All flat roofs in new developments should be living roofs to help contribute to reducing surface water run-off”</i>.</p> <p>U+I considers this draft policy to be unnecessarily or inherently generic, applying it to all flat roofs in all new developments. Whilst U+I recognises the benefits of living roofs, it also notes that the feasibility of implementation on</p> | <p>Comments noted.</p> <p>This principles reflects Local Plan policy has been through a full process of public consultation and Examination in Public overseen by a Planning Inspector. It is not appropriate to use the SPD consultation process to seek</p> |

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| | | | all flat roofs is limited by other planning factors. In addition, this may be costly and have consequent implications on the viability of schemes and impact on affordable housing and its delivery. | <p>changes to Local Plan Policies at this late stage.</p> <p>Our assessment and use of living flat roofs shows that they can be used without entailing excessive costs. Where necessary, the viability of their inclusion can be assessed on a case by case basis as part of the planning process.</p> <p>No change required.</p> |
| (8) | H&F Biodiversity Commission | Para 9.24 | <p>Householders are not now allowed to install hard surfacing above 5m² in their front garden.</p> <p>We say that any new hard surfacing, if allowed for a compelling reason, must be offset by a green roof or a green wall of at least equal area. (See our recommendation re rear extensions above.)</p> <p>We enthusiastically endorse the new greening provided when SuDS schemes replace a stretch of road, as well as the social benefits. However we would emphasise that native planting of species that promote wildlife should be the norm. (We note that Australia Road raingarden is planted with Himalayan birches and exotic grasses.)</p> | <p>Comment noted.</p> <p>A new requirement for new flat roofs to be living roofs has been introduced into Policy CC4 of the Local Plan which will provide biodiversity benefits. We cannot amend the Policy at this stage in the way recommended by the Commission.</p> <p>The comments regarding use of native plant species are noted. It is considered more appropriate to include reference to this issue in para 9.27 as follows:</p> <p>“Above ground SuDS can also provide amenity space or be integrated into existing open spaces,</p> |

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| | | | | increase biodiversity levels, help reduce the urban heat island effect and also provide improvements in local air quality. Green infrastructure SuDS can help create visually attractive developments which help improve people's quality of life and general health and also help to comply with Local Plan Policies on Open Space i.e. Policy OS4 on Nature Conservation and Policy OS5 on Greening the Borough. <u>Where possible, the use of native plants should be prioritised as these are likely to provide increased biodiversity benefits over non-native invasive species.</u> There is also scope to integrate SuDS measures into streetscapes where these form part of development proposals, contributing to improved environments for cyclists and pedestrians. |
| (15) | Environment Agency | Section 9: SuDs | The Lead Local Flood Authorities (LLFA's) are responsible for advising on surface water flood risk. | Comment noted. No change required. |
| (18) | H&F Historic Buildings Group | Para 9.23 | 9. Sustainable Drainage Systems (SuDs) We are only commenting on SuDs in minor developments as we know from 9.9 that major applications that do not | Comment noted. The inclusion of SuDS measures in minor developments is something that |

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| | | | <p>include a Sustainable Drainage Strategy will not be validated by the planning authority.</p> <p>9.23 Small-scale works such as householder extensions can provide an opportunity for installing Suds. We do not consider that most householders are aware of this. We suggest a condition requiring permeable paving or a rain garden or water butt should be inserted prior to their planning permission/permitted development rights being granted.</p> | <p>the Local Plan requires and the SPD provides guidance on the types of measures that should be considered, such as those suggested by the HBG – i.e. permeable paving, soft landscaping and water butts.</p> <p>Conditions will be used to require SuDS as appropriate for minor developments where permission is to be granted. Making changes to permitted development rights, which are laid down by the national Permitted Development Order, is not something that the council can do unilaterally in a Local Plan or SPD document.</p> <p>No change required.</p> |
| (18) | H&F Historic Buildings Group | Para 9.24 | <p>9.24 Installation of hard surfacing in front gardens.</p> <p>We do not think that most householders are aware of the requirement to use permeable surfacing. We do not think that most householders are aware of the need for permission to pave over front gardens if they are not applying for a cross over.</p> <p>(We have recently noticed in Greenside Rd and Goldhawk Rd instances of both the front and back gardens being paved over with impermeable surfaces).</p> | <p>Comments noted.</p> <p>If residents are aware of works carried out at properties in the borough that they suspect contravene permitted development rights, then details can be provided to the Planning Enforcement Team who will investigate further and take action as appropriate.</p> <p>No change required.</p> |

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| (18) | H&F Historic Buildings Group | KP SUD7 | <p>SuDs Maintenance Key Principle – SuD7 Where installed, SuDs measures on all developments must be retained and maintained for the lifetime of the development and details of their planned maintenance must be provided to the council.</p> <p>(We have noticed that the excellent SuDs scheme on the Queen Caroline Estate is in reality to be maintained by the residents. This is also the case for the SuDs scheme in Melina Rd/Cathnor Park. Both schemes were beautifully planted and landscaped but in reality it is up to the residents to maintain the beds i.e. weed and prune when necessary. We consider that some initial training should have been afforded to those residents and this should have been conditioned).</p> | <p>Comment noted. The inclusion of residents in ongoing maintenance of the SuDS schemes referenced by the Group was done with their agreement and involved residents throughout the design and implementation process. It is generally considered to be a positive aspect of the schemes. Also, it should be noted that residents are not required to maintain the schemes on their own, but in partnership with the council and our contractors. Residents were provided with training in this respect.</p> <p>No change required.</p> |
| (18) | H&F Historic Buildings Group | Section 9: SuDs | <p>Drafting Notes SuDS is now interpreted as Sustainable Drainage Systems (the Urban emphasis has been removed)</p> | <p>Comment noted.</p> <p>“Sustainable Urban Drainage System” is not used in the SuDS Chapter, but it has been noted that in Para 11.49 (Biodiversity) and Para 13.83 (Transport) that “Urban” has been included and will need deleting as recommended.</p> |

10. Flood Risk & Water Efficiency

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| (3) | Port of London Authority | KP FR9 | <p>Flood Risk</p> <p><i>FR9 – Thames Estuary 2100 Plan Requirements</i></p> <p>The PLA supports this principle regarding meeting the requirements of the Thames Estuary 2100 Plan for developments adjoining the River Thames.</p> | <p>Support welcomed.</p> <p>No change required.</p> |
| (5) | Thames Water | Section 10.42 | <p>Thames Water welcome the acknowledgement within Section 10.42 that basement development is susceptible to sewer flooding. However, it is considered that the recommended mitigation measures are revised to ensure consistency with the emerging Local Plan. Currently the mitigation measures set out include non-return valves or pumped sewage devices being installed to prevent sewer flooding. Emerging Policy DC11 requires the provision of active drainage devices (i.e. pumped solutions) to minimise the risk of sewer flooding. Supporting text at 6.2.41 of the submission Local Plan states <i>“To protect against sewer flooding, developments must include the provision of a pumped solution or</i></p> | <p>Comments noted.</p> <p>As recommended, amend Para 10.42 as follows:</p> <p>“Basement developments are susceptible to sewer flooding so in addition to the structural water-proofing measures outlined above, it is recommended that where kitchens, bathrooms or other water related installations are planned at basement level, that mitigation measures in the form of <u>provision of a pumped solution or 'active drainage devices' incorporating non-return valves</u> non-return valves or pumped sewage devices are installed to prevent surcharge flooding from the sewer system during intense storm events.”</p> |

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| | | | <p><i>'active drainage devices' incorporating non-return valves to prevent water entering a property from drains and sewers."</i></p> <p>Provision of a non-return valve alone while providing protection from sewers surcharging may not prevent flooding as once closed any wastewater from the property will not be able to enter the sewer. As such properties can be at risk from flooding from wastewater from within their own property which has nowhere to drain to. The provision of active or pumped solutions prevent this risk by pumping flows into the network. It is therefore considered that the text in Section 10.42 is revised to match the text in Section 6.2.41 of the submission Local Plan as set out above.</p> | |
| (5) | Thames Water | Section 10.45-47 | <p>In relation to the delivery of development, where development will take place over or in close proximity to existing water or wastewater assets there will be a need to ensure that the assets are protected from damage in order to prevent adverse impacts such as burst water mains or collapsed sewers.</p> <p>Where such assets cross a site or lie in close proximity to a site developers should contact Thames Water Developer Services to discuss any protection measures or build over agreements required. It is therefore suggested that the following text is inserted into the SPD:</p> <p><i>"Where water or wastewater assets cross a</i></p> | <p>Comment noted.</p> <p>Suggest we insert the following text at the end of Para 10.46:</p> <p><u><i>"Where water or wastewater assets cross a site, or lie in close proximity to a site, developers are advised to contact Thames Water Developer Services to discuss any protection measures or build over agreements that may be required"</i></u>.</p> |

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| | | | <p><i>site, or lie in close proximity to a site, developers are advised to contact Thames Water Developer Services to discuss any protection measures or build over agreements that may be required.”</i></p> <p>I trust the above and enclosed comments are satisfactory, but please do not hesitate to contact me if you have any queries.</p> | |
| (15) | Environment Agency | KP FR1 | We support Key Principle – FR1 but suggest the following amended changes to the text for clarification purposes (blue text). | <p>Support for Key Principle FR1 welcomed.</p> <p>No change required.</p> |
| (15) | Environment Agency | Para 10.5 | <p>Section 10.5 page 123 identifies that FRA’s should make use of relevant flood risk information. From June 2017, we have begun using updated modelling data for the tidal Thames floodplain upriver of the Thames Barrier. This more comprehensive model replaces our previous modelling created in 2015; which is also used in your Strategic Flood Risk Assessment (SFRA). This means that some areas that appear to be in breach in your SFRA are now not and similarly areas which were before not considered to be in breach are now at risk. We expect FRA’s to make use of the most relevant flood risk information available. Our 2017 breach flood risk data can be requested from hnenquiries@environment-agency.gov.uk in the form of a Product 4 or Product 8 and will be supplied within 20 working days.</p> | <p>The comments on the updated EA modelling are noted. The council is in the process of updating the breach map information contained in its SFRA document. This information will be made available on the council’s website in due course.</p> <p>With regard to the template issue, amend the text in para 10.5 in line with the EA’s comments as follows:</p> <p>“The Environment Agency also provides detailed advice on flood risk issues, including FRA templates which can be used for minor applications. These are available on the EA website: www.gov.uk/government/organisations/environment-agency– providing guidance on establishing when a FRA is required, how to complete one and how it’s processed. Further information, including guidance on FRA requirements for minor applications, is available on the EA website:</p> |

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| | | | <p>Section 10.5 goes on to say that the Environment Agency also provides detailed advice on flood risk issues, including FRA templates which can be used for minor applications. We do not provide templates as such, but do provide guidance on establishing when a FRA is required, how to complete one and how it's processed. This is available https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications as mentioned in section 10.8.</p> <p>10.5 FRA's must make use of the most relevant flood risk information, including but not exclusive to that provided in the councils Strategic Flood Risk Assessment and Surface Water Management Plan and the Environment Agency. The Environment Agency provides detailed advice on flood risk issues including Product 4 data that provides flood extents, historic flood extents, flood depth flood levels and defence information and through their cost recovery process they can also provide detail site specific advice. FRA guidance for minor applications can be found at the EA website: https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications</p> | <p>www.gov.uk/guidance/flood-risk-assessment-for-planning-applications"</p> |

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| (15) | Environment Agency | KP FR2 | We support Key Principle - FR2. | Support welcomed. No change required |
| (15) | Environment Agency | Para 10.11 | Section 10.11 page 124 identifies that all parts of the borough are considered as potentially suitable for development and there is no need for FRAs to include a Sequential Test Assessment – this is noted | Comments noted. No change required |
| (15) | Environment Agency | Tables 1&2 | We are pleased to see that Tables 1 and 2 adapted from the Governments Planning Practice Guidance clearly outlines when the Exception Test should be applied. We accept that contrary to national guidance highly vulnerable development is considered appropriate in the borough subject to the Exception test being passed. | Comments noted. No change required |
| (15) | Environment Agency | KP FR3 | We support Key Principle – FR3 | Support welcomed. No change required |
| (15) | Environment Agency | Para 10.21 | We are pleased to see that section 10.21 page 126 identifies the importance of FRA's to consider the scenario of a breach or over-topping of defences. In 2012 we undertook a flood risk modelling study which mapped | Comment noted. No change required |

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| | | | areas which would be at risk of flooding if flood defences along the tideway were to breach or fail (updated in 2015 and 2017). In instances where a site is shown as being within Flood Zone 3 from the River Thames but outside the area impacted by a breach/failure of the flood defences, we would consider this to be at low risk of flooding | |
| (15) | Environment Agency | KP FR4 | We support Key Principle - FR4 it is very clear and helpful. | Support welcomed. No change required |
| (15) | Environment Agency | KP FR9 | We support Key Principle – FR9 and are pleased to see that the Thames Estuary 2100 Plans are given clear recognition. | Support welcomed. No change required |
| (16) | Berkeley Group (Quod) | KP FR6 | (‘LBHF’) consultation on the Draft Planning Guidance Supplementary Planning Document (‘draft SPD’). The Berkeley Group is a significant investor in the borough, having delivered 2,772 homes, 1,131 of which are affordable, at developments including Imperial Wharf, Chelsea Creek, Fulham Reach and Sovereign Court (St George), and Hurlingham Walk and Lime Grove Mews (St James). At present Berkeley has several land interests in the borough, including St William’s proposed development at Fulham Gasworks, the remaining phases of St George’s development | Comments noted in relation to basement flood-proofing. Para 100 of the NPPF states that “Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere”. Th Local Plan includes Policy CC3 which requires developments to minimise current and future flood risk by implementing a range of measures, including structural waterproofing for all developments that |

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| | | | <p>at Chelsea Creek, and St James' development at White City Living and proposed development at Centre House.</p> <p>The purpose of the draft Planning Guidance SPD is to provide supplementary detail to policies concerned with a variety of topics within LBHF's emerging Local Plan. We are broadly supportive of the emerging plan and welcome the use of the draft SPD to provide additional guidance that will assist with the preparation of successful applications and aid the delivery of infrastructure. It is on this basis that we provide comments about the draft guidance below.</p> <p>Key principle FR6 requires all developments that include a subterranean element to provide details of the structural waterproofing measures to be integrated to prevent any increase in on or off-site groundwater flood risk. The supporting text at paragraph 10.39 then follows to state that the use of internal drained cavity protection with a sump and pump is the recommended type of waterproofing. However, the recommendation for this specific type does not accord with BS8102:2009, from which the guidance is derived. This is a matter for Building Regulations, not for planning policy. We therefore consider that the sentence should be removed.</p> | <p>include a subterranean element. This is to prevent any increase in on or off-site groundwater flood risks. Protecting new developments (and neighbouring land uses) from flood risk is within the remit of the planning system.</p> <p>It is considered appropriate to provide guidance on this topic and reasonable to highlight our recommendations in terms of structural flood-proofing measures.</p> <p>No change required</p> |

11. Biodiversity

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| (3) | Port of London Authority | Para 11.23 | <p>Biodiversity</p> <p>The PLA support and welcome the key principles introduced as part of the biodiversity section of the draft Planning Guidance SPD, specifically paragraph 11.23 on development adjacent to the River Thames and Grand Union Canal, and Key Principle BD8 which includes a requirement for a green buffer between the River Thames and the Grand Union Canal and any development site, where appropriate. This could be made stronger by clarifying on what the principle means by 'where appropriate' in regards to the green buffer.</p> | <p>We welcome your support regarding our policy approach on safeguarding and promoting biodiversity in the borough. We accept your comment that there should be clarity in relation to the term "Where appropriate" in regards of the green buffer.</p> <p>We will seek to highlight this point by adding the following as a bullet point to Para 11.55 (Supporting text for Key Principle BD8):</p> <ul style="list-style-type: none"> • <u>Assess the suitability of riverside sites for inclusion of green buffers between developments and the river.</u> |
| (8) | H&F Biodiversity Commission | Section 11 Biodiversity: Surveys | <p>Re Surveys:</p> <p>You say that a survey may not be required if there are no Protected or Priority species present on the site. But biodiversity is the total web of life.</p> <p>As John Goodier, one of the commissioners, says: "Important to biodiversity are the LBBS-</p> | <p>Comments noted. Amend KP BD1 (protection of existing biodiversity) as follows:-</p> <p>"Applications for development proposals should:</p> <ol style="list-style-type: none"> 1. ensure thorough initial investigations <u>and/or surveys</u> are |

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| | | | <p>little brown bugs, little brown birds and little brown bacteria.” It really needs to be appreciated that there can be no bats, barn owls or peregrine falcons without sufficient provision for the creatures at the bottom of the food chain and all the way up to flourish.</p> <p>We therefore recommend that all green space and brownfield sites should be presumed to be supporting biodiversity and should be surveyed for all kinds of wildlife before any development is considered.</p> | <p>conducted on the proposed development site to assess existing levels of biodiversity”</p> |
| (8) | H&F Biodiversity Commission | KP BD6: Ecological Management Plan | <p>We endorse aims like: putting in “measures to increase the ecological value of the site once development is complete” but would emphasise that every bit of nature that is destroyed for development is a real loss and can never be replaced exactly as it was. (See the Introduction to our report: What is biodiversity and why is it important?) It is particularly important as you say to take all possible measures to preserve mature trees. They will have provided habitat for a great variety of wildlife and it will take another 30 years or more (maybe over 200 years) to replace them. Even planting 3 younger trees in their place will not replace them, and if the” replacement trees” are smaller and less supportive of biodiversity, there will be permanent loss.(eg in Lyric Square a very big</p> | <p>We welcome your comments in relation to KP BD6: Ecological Management Plan. We agree with your sentiments that every bit of nature destroyed for development is a real loss. KP BD6 seeks to create a framework to ensure that nature is safeguarded.</p> <p>We acknowledge your concern in relation to preserving trees. Key principle BD9 – Biodiversity and Tree Planting fulfils the function of seeking to preserve trees.</p> <p>We are committed to maintaining biodiversity in nature conservation areas for the long term.</p> |

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| | | | <p>tree was replaced with multiple smaller trees, but these are not being allowed to grow to their full size.)</p> <p>Of course we endorse putting in “measures to ensure the biodiversity value of the site is maintained for the long term” but why does this mean only 5+ years? As explained above, biodiversity needs support into the next century -and the next millennium!</p> | <p>Therefore we will amend KP BD6 by deleting (5+ years) in the fourth bullet point as follows:-</p> <ul style="list-style-type: none"> • “measures to ensure the biodiversity value of the site is maintained for the long term (5+ years) after development is complete, including a monitoring program” |
| (8) | H&F Biodiversity Commission | KP BD7: Enhancement of Biodiversity | <p>This section is excellent. But we would like some clarification as to what “new green infrastructure” actually means. For the flourishing of biodiversity the new trees and hedges should be native as the norm and among those that support the most invertebrates. Mixed hedges support more biodiversity than those of one species only. And special attention needs to be paid to planting trees and shrubs with fruit and berries for birds and blossoms and flowers with accessible and plentiful nectar and pollen for pollinators. (NB not all accessible flowers have plentiful nectar and pollen).If non-native trees, shrubs, flowers or herbs are planted, this should be because they are known to support wildlife in this country.</p> | <p>Support welcomed. Paragraph 11.48 describes Green Infrastructure as being “the network of functional green space which supports natural and ecological processes and is integral to the health and quality of life of communities”</p> <p>As noted below by the Commission (Rep 8), Key Principle BD8 also refers to the fact that some species provide higher quantities of nectar and these should be chosen where they can be demonstrated not to become invasive non-native species.</p> <p>No change required.</p> |

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| (8) | H&F Biodiversity Commission | KP BD8: Landscape & Planting | <p>You do mention planting nectar-rich plants and trees here but it would be good to highlight the current plight of bees and butterflies and other pollinators and the need to ensure they are finding sufficient food.</p> <p>We question the stipulation that only 50% of plants should be native if they are not near a Nature Conservation Area or a green corridor. A German study suggests there has been a 70% decline in insects of all types in the last 30 years, and Paul de Zylva, nature expert at Friends of the Earth believes this may well be due to general loss of habitat so that even nature reserves are low in insects. To quote: “The German study is quite significant and although one study cannot be assumed to apply universally, the findings – of large declines in</p> | <p>Comments noted. Include reference for the need to ensure sufficient food for bees, butterflies and other pollinators as follows:-</p> <p>Amend 4th bullet point of para 11.55 as follows:-</p> <ul style="list-style-type: none"> provide flowering periods scattered throughout the year and have food sources accessible to native fauna i.e. not be composed of double flowered cultivators, that prohibit access to nectar or do not have nectaries. <u>It is also important to ensure there is sufficient food for bees, butterflies and other pollinators.</u> <p>KP BD8 states “aim for at least 50% of plants used for landscaping to be native (both species and planted area) and preferably of local provenance”. Therefore, this does not provide a restriction and allows for more native species to be provided where feasible.</p> <p>With regard to the comments about large scale developments alongside Wormwood Scrubs. This area is now</p> |

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| | | | <p>insects in nature reserves – is surprising and may well underline the point that landscapes need to be treated as a whole, not “zoned” in ways that allow all manner of activity in one place while others are “protected”.</p> <p>.....The review led by Professor Lawton from 2010-2011 found that the network of nature reserves, National Parks, Areas of Outstanding Natural beauty and Sites of Special Scientific Interest was not operating as a coherent network because it is too fragmented and affected by development and activities elsewhere”</p> <p>This surely means that provision for biodiversity needs to be EVERYWHERE, not just in designated areas like NCAs and “green corridors”. We feel this is particularly concerning with regard to the huge developments planned next to Wormwood Scrubs</p> | <p>within the boundary of the OPDC and so Hammersmith and Fulham Council no longer have planning control of this area.</p> <p>The OPDC are preparing their own Local Plan for the Old Oak area which includes policies for Wormwood Scrubs.</p> |
| (8) | H&F Biodiversity Commission | KP BD11: Green & Brown Roofs | <p>We are impressed with the amount of detail here, but for reasons given above question the provision that on intensive roofs, only 25% of planting should be native and 50% non-native.</p> <p>Why shouldn't at least 75% of vegetation be of known value to wildlife? (Why not 100%?)</p> <p>We are also a little puzzled at the stipulation that wildflowers on an “extensive” green roof should</p> | <p>Thank you for your supportive comments. We will amend para 11.66 to address your concerns on the targets as follows:-</p> <p>Intensive roofs - Intensive and semi-intensive roofs are similar to gardens and parks and are valuable for biodiversity. Public access is allowed</p> |

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| | | | <p>include at least 10 species of “medium” ecological value, and at least 10 species of “standard” ecological value as well as at least 10 species of “high” ecological value. Would it not be good to plant mostly species of high ecological value?</p> <p>The description of a living wall is excellent, but could a few other plants that flower at different times of the year be mentioned, apart from ivy?</p> | <p>on these roofs (to residents for example) and the green roof is in effect a roof garden. The council will expect intensive roofs to be designed to the following criteria:</p> <ul style="list-style-type: none"> • Intensive roofs should aim to cover at least 70 per cent of the roof area in soil, vegetation and water features. This will reduce water run-off from the roof and ensure the roof’s effectiveness in the drainage strategy for the development; • At least 25 per cent of the vegetation should be native. <u>The use of native vegetation should be maximised;</u> (preferably endemic native species that occur on or within 250m of the development site) No more than 50 per cent of the vegetation used should to be non-native; The use of non- |

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| | | | | <p>native vegetation should be minimised;</p> <ul style="list-style-type: none"> • At least 25 per cent of the vegetation should be of known value to wildlife; The use of vegetation of known value to wildlife should be maximised and be 100% where possible; • No more than 25 per cent of the vegetation should be purely ornamental; The use of purely ornamental vegetation should be minimised; • A range of bird nesting boxes, invertebrate boxes, logs and log piles should be included to create habitat niches for biodiversity. <p>We will also amend para 11.69 to:</p> <p>A mix of wildflowers and sedums. The wildflower species should preferably be species that already</p> |

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| | | | | <p>occur on or within 250m of the development site. Where these are not available species should be chosen <u>to maximise the ecological value of the living roof</u>, based upon the guidance provided by the Environment Agency below. A complete list of these species and their ecological value is provided in Appendix 2.</p> <ul style="list-style-type: none"> • at least 10 species of high ecological value • at least 10 species of medium ecological value • at least 10 species of standard ecological value |
| (11) | Canal & River Trust | Para 11.23 | <p>We are not clear what is meant by the term 'managed retreat of the riverbank' and how this would be implemented or affect the Grand Union Canal. The canal has a hard edge and towpath, which reflects its manmade nature and industrial heritage, and it is therefore unlikely to be appropriate to address it in this way, particularly given the very limited space available around the canal (currently and historically, as warehouses were often built hard up against the canal to make use of it for transport of goods).</p> | <p>Comments noted.</p> <p>"Managed retreat" does not apply to canals and it is only relevant for the riverside.</p> <p>No change required.</p> |

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| (11) | Canal & River Trust | KP BD8 | <p>The Trust has concerns about this key principle, which states that “Where appropriate a green buffer should be planted between the River Thames and the Grand Union Canal and any development site.” We do not consider that a blanket requirement for a green buffer is effective or appropriate for canalside developments, where this may constrain the design of active and animated waterspaces and waterside places. As above, it is an historic characteristic of the canals that development often took place directly up to the waterside.</p> | <p>Comments noted. The Grand Union Canal now lies within the boundary of the OPDC area. All reference to the Grand Union Canal throughout the SPD have been deleted.</p> <p>Amend text in Key Principle BD8 as follows:</p> <p>Development sites adjacent to, or in the vicinity of a designated nature conservation area, green corridor or green / blue infrastructure, should use native plant species, preferably of local provenance in landscape schemes. Where appropriate a green buffer should be planted between the River Thames and the Grand Union Canal and any development site.</p> |
| (15) | Environment Agency | Section 11: Biodiversity | <p>Biodiversity</p> <p>We consider the guidance on Biodiversity within this SPD a sound approach to retaining, enhancing and conserving biodiversity through the borough. We do have the following comments and recommendations to make:</p> | <p>Support welcomed.</p> <p>No change required.</p> |

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| (15) | Environment Agency | KP BD8 | <p>We support Key Principle BD8 page 145, specifically the text that a green buffer zone should be planted between the River Thames and the Grand Union Canal and any development site. River corridors and the adjacent buffer zones create an important natural network of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. We suggest that where feasible there should be a minimum of 8 metre buffer zones for all watercourse, and 16 metres for the Tidal Thames measured from the top of the bank.</p> <p>With any development alongside watercourses, consideration should be given to the requirements of the Water Framework Directive (WFD) which includes causing no overall deterioration in water quality or the ecological status of any waterbody.</p> | <p>Support welcomed. Key Principle FR9 on the Thames Estuary 2100 Plan Requirements refer to the need (in Para 10.50) for setting back of flood defences and other measures to manage flood risk from the River Thames.</p> <p>We have noted your suggestions regarding the distances of the buffer zone, but we consider that it is not appropriate to provide a specific figure in the key principle in order to ensure greater flexibility. Applications will be assessed on their merits and considered on a case by case basis.</p> <p>Reference to the Water Framework Directive will be added into para 11.11 as follows:-</p> <p>“Proposed developments adjacent to or in the vicinity of a designated nature conservation area will also need to ensure that landscaping schemes provided as part of the development do not adversely affect the nature conservation area and are biodiversity friendly. <u>For developments alongside the watercourse, consideration should be given to the requirements of the</u></p> |

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| | | | | <u>Water Framework Directive (WFD)</u> ". |
| (17) | H&F Historic Buildings Group | Section 11: Biodiversity | 11. Biodiversity The HBG has an interest in parks, open spaces and in the wider streetscape. We have a particular interest in the Grand Union Canal. The HBG is in general agreement with the text of the document | Support welcomed. No change required. |
| (17) | H&F Historic Buildings Group | Para 11.5-11.13 | We welcome the strengthening of Biodiversity in the Planning Process. (11. 5-11.13) | Support welcomed. No change required. |
| (17) | H&F Historic Buildings Group | Para 11.14-11.31 | We welcome the criteria and structures provided for the conduct of surveys (11.14 -11.31) | Support welcomed. No change required. |
| (17) | H&F Historic Buildings Group | Para 11.33-11.38 | We welcome the comments about invasive plant species (11.33-11.38). | Support welcomed. No change required. |
| (17) | H&F Historic Buildings Group | Section 11: Biodiversity | Japanese Knotweed. We comment that there is a serious Japanese Knotweed problem on the railway embankment north of Wormwood Scrubs. We believe an aquatic invasion may be a particular problem as there are several ponds in LBHF and these could become invaded if any part of the Japanese Knotweed were to become | Comments noted. No change required. |

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| | | | present. It is additionally present in many H & F domestic gardens. | |
| (17) | H&F Historic Buildings Group | Section 11: Biodiversity | We note the guidance and regulations only apply to alien species. We believe some consideration should be given to invasive native endemic species e.g. Blackberry (<i>Rubus fruticosus</i>). | Noted. Key Principle BD5 on Invasive Plant Species states that “where a site is to be redeveloped, developers should identify the presence of any invasive plant species (i.e. not just “alien species”) at an early stage and introduce measures to prevent the spread of these species during and after construction”. No change required. |
| (17) | H&F Historic Buildings Group | Para 11.39-11.40 | We welcome the Ecological Management Plans (EMP) , and suggest that these should apply to the Council’s Parks and Gardens 11.39-11.40. We support the idea of encouraging householders to adopt simplified EMP. | Support welcomed. No change required. |
| (17) | H&F Historic Buildings Group | 11.41-11.5 | The guidance on Enhancement is welcome 11.41-11.5. | Support welcomed. No change required. |
| (17) | H&F Historic Buildings Group | Section 11: Biodiversity | We note that light pollution is a problem. The HBG wrote to the Council pointing out the number of bats on Wormwood Scrubs was lower | Comments noted. No change required. |

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| | | | that expected for that type of habitat. We suggested that the lights at night on Linford Christie Stadium are the probable cause. | |
| (17) | H&F Historic Buildings Group | Para 11.48 | Clause 11.48: we suggest adding playing fields to 2 nd bullet point. Areas such as the playing fields on Wormwood Scrubs are habitats for sub soil creatures i.e insect larvae. | Comments noted Amend second bullet point of para 11.48 as follows: • Amenity Greenspace – informal recreation spaces, housing green spaces, domestic gardens, village greens, urban commons, <u>playing fields</u> , other incidental space, green roofs; |
| (17) | H&F Historic Buildings Group | Para 11.59-11.62 | Trees are important for street and garden design and the HBG takes an interest in them (11.59-11.62). We report a matter raised by Stephen Smith (Historic Gardens Consultant) in a lecture to London Parks and Gardens Trust (13 November 2017) that some tree species such as Sycamore (<i>Acer Pseudoplatinus</i>) which we might not plant today were planted as specimen trees in the 18 th C. A more flexible approach should be taken with historic landscapes when planting and removal plans are being drawn up. | Comments noted. No change required. |
| (17) | H&F Historic | Para 11.63 | H & F Council has done well with SuDS on housing estates, parks and highways. The Group | Comments noted and support welcomed. |

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| | Buildings Group | | believes SuDS contribute to biodiversity and landscape (11.63). | No change required. |
| (17) | H&F Historic Buildings Group | Para 11.64-11.76 | Green and brown roofs are valuable for biodiversity and add to the total green areas. They can also add value and architectural interest to buildings (11.64-11.76). The levels stated for inclusion of species are helpful. The HBG will comment on green and brown roofs and living walls in future Planning Applications | Comments noted. No change required. |
| (17) | H&F Historic Buildings Group | Section 11: Biodiversity | <p>Drafting Notes SuDS is now interpreted as Sustainable Drainage Systems (the Urban emphasis has been removed)</p> <p>There should be consistency in the use of plant names</p> <p>Butterfly Bush (<i>Buddleia davidii</i>) is probably the easiest for non-biologists</p> <p>Japanese Knotweed is given the scientific name <i>Reynoutria Japonica</i> in Weber E, <i>Invasive Plant Species of the World</i> 2017 Wallingford CABI.</p> | Comments noted. Amend text of first bullet of para 11.49 as follows: <ul style="list-style-type: none"> • Naturalised Sustainable Urban Drainage System such as swales, rain-gardens and ponds; |

12. Sustainable Design & Construction

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| (3) | Port of London Authority | Para 12.41 | <p>Sustainable Design and Construction</p> <p>The PLA broadly support paragraph 12.41 regarding Site Waste Management Plans, and associated criteria, for what should be included in such a plan, including for a plan to state the proposed means of transport for waste disposal. The PLA consider that there should be a reference to using the River Thames for the transportation of waste materials, as mentioned in comments above.</p> | <p>Comments noted.</p> <p>Add the following text to the end of Para 12.42: <u>“Emissions from vehicles removing waste materials should be minimised and where feasible, the river should be used to transport waste away from site”.</u></p> |

13. Transport

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| (3) | Port of London Authority | KP TR14 | <p>Transport</p> <p><i>TR14 – River Thames</i> The PLA notes that this key principle broadly replicates the boroughs Local Plan policies RTC1 (River Thames) and RTC2 (Access to the Thames Riverside and Foreshore).</p> <p>The PLA consider that there must be specific reference to the boroughs three safeguarded wharves in this principle. The Local Plan policy RTC1 promotes the use of the River Thames for transport uses including passengers and freight, in order to fully support this key principle it should be noted in this document that there are three wharves in the borough, Hurlingham, Swedish and Comleys, and through the Secretary of States Safeguarding Directions they are all currently safeguarded and should be treated as such. Through the safeguarding directions and the associated London Plan policy, these sites must be protected from alternative development and their use for waterborne transport promoted.</p> <p>Regarding access to the foreshore, as</p> | <p>Noted. KP TR14 - River Thames and supporting text has been deleted. This key principle merely replicates Local Plan Policies RTC1 and RTC2 and adds no additional information to the SPD. The three safeguarded wharves are adequately referenced in the Local Plan.</p> <p>Delete KP TR14 as follows:-</p> <p>Key Principle - River Thames As set out in Local Plan Policy RTC1 – River Thames, the council promotes the use of the River Thames for Transport uses including passengers and freight. Local Plan Policy Policy RTC2 - Access to the Thames Riverside and Foreshore seeks 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 Park National Trail (the riverside walk). The riverside walk should generally be at least 6m wide and should be accessible to cyclists if this can be achieved without risk to the safety of pedestrians and river users.</p> <p>13.38 The River Thames is of considerable benefit to the borough and is of strategic importance to London as a whole. Further details of the qualities and character of the river and riverside can be found in the Thames Strategy – Kew to Chelsea – 2002.</p> <p>13.39 The Mayor supports the increased opportunities for transport on the Thames within sustainable limits. The London Plan policies for this matter are contained in 7.25, 7.26 and 7.27.</p> <p>13.40 Although priority will be given to pedestrians, the council also wants to encourage cycling. Measures will be taken to reduce</p> |

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| | | | <p>noted in previous consultations in relation to policy RTC2 (Access to the Thames Riverside and Foreshore) the PLA consider that the policy as it stands is unclear in regards to where it requires access to the foreshore to be safe, regardless of whether the foreshore in the vicinity of any access is actually safe to be on. In addition, there should be reference to the need to provide riparian life saving equipment (such as such as grab chains, access ladders and life buoys) as part of any enhancements to the Thames Riverside and Foreshore.</p> <p>In addition, within this SPD guidance it should be specifically stated that the PLA will need to be consulted on all proposals concerned with or affecting access to the riverside and foreshore, as stated in the justification of policy RTC2 of the Local Plan. The PLA also requests that consideration be given to the PLAs Thames Vision Document (July 2016) as part of this principle. This document sets out the PLAs goals and priority actions, which include more trade and more jobs associated with the River Thames, improved use of the River for the transportation of freight, use of the Thames for the transportation of passengers, use of the Thames for sport and recreation, improved environment and river heritage and as a hub for community</p> | <p>riverside pedestrian/cycle conflicts by providing separate paths where appropriate or measures to slow cyclists. 13.41 Development proposals on sites extending to the river edge will be required to ensure that safe access to and from the foreshore is maintained or, where appropriate enhanced. 13.42 The inclusion in appropriate development proposals of facilities that improve managed access for pedestrians and cyclists to the Grand Union canal will also be welcomed.</p> <p>In terms of access to the foreshore, the Local Plan policies adequately refer to the Port of London Authority in RTC1, RTC2 and supporting paragraphs including 6.172 (of Proposed Submission Local Plan version). Therefore, issues of safety can be dealt with at application stage.</p> <p>No change required.</p> |

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| | | | and culture. | |
| (9) | Transport for London | KP – TR3 | The supplementary detail on a wide range of transport policy approaches is generally supported. However the parking section should be stronger and more explicit about the housing developments and office developments in areas best connected by public transport will now be expected (by the Mayor, in the draft London Plan) to be car-free, with no parking provided, other than for disabled people. | <p>In light of this comment, the following changes are proposed to include this addition and to make the principle clear. Amend KP TR3 as follows:-</p> <p>“Vehicle parking standards-<u>including car parking permit free</u></p> <p><u>Vehicle parking</u></p> <p>For residential development In order to achieve compliance with the principle of London Plan Policy the council will require car parking permit free measures on all new development (major and minor applications) unless evidence is provided to show that there is a significant lack of public transport available, which is most likely to apply to PTAL Levels 1-3. In these circumstances there will need to be an assessment to ensure that the level of on-street overnight parking resulting does not result in parking stress.</p> <p><u>Development in areas well connected by public transport will be expected to be car-free, with no parking provided, other than for disabled people.</u> Where a development is accepted as only partly car free the smaller residential units will generally be considered to be permit free.</p> <p><u>Proposals for residential development in areas of PTAL 1-2 may be issued parking permits. In these circumstances, this will require an assessment to ensure that the level of on-street overnight parking resulting does not result in parking stress. This will be assessed on a case by case basis.</u></p> <p> Holders of disabled persons Blue Badge parking would be</p> |

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| | | | | excluded from car permit free arrangements. However, developers are expected to address the needs of Blue Badge holders by provision of appropriate facilities as set out in key principle TR6 below.” |
| (9) | Transport for London | Para 13.20 | In this paragraph on Blue Badge Holders, please refer to Draft London Plan Chapter 10, Policies T6.1 and T6.5 | The Draft London Plan is at an early stage, consultation ending 2 nd March 2018. Because of this, very little weight has been given to the draft policies and where relevant Adopted London Plan policies are used throughout the SPD. No change required. |
| (9) | Transport for London | Para 13.26 | The parking guidance (including on accommodating electric vehicles) referred to is found in the Draft London Plan’s Chapter 10, policies T6.1 and T6.5. | The Draft London Plan is at an early stage with consultation ending 2 nd March 2018. Because of this very little weight has been given to the draft policies and where relevant Adopted London Plan policies are used throughout the SPD. No change required. |
| (9) | Transport for London | Para 13.29 | In regard to the Mayor’s current proposed strategy for facilitating and encouraging cycling, its is suggested reference is made to a) the aim (Draft London Plan) that by 2041, 80% of Londoners’ trips to be on foot, by cycle or by using public transport and b) the opening paragraph of Policy T5 Cycling: “Development Plans and development proposals should help remove barriers to cycling and create a healthy environment”. | The Draft London Plan is at an early stage with consultation ending 2 nd March 2018. Because of this, very little weight has been given to the draft policies and where relevant Adopted London Plan policies are used throughout the SPD. No change required. |
| (9) | Transport for London | Para 13.70 | Please refer also to TfL’s guidance on “Construction & Logistics Plan[s]” published | Agreed. The following link will be added to Paragraph 13.70: |

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| | | | July 2017 http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf | “... This plan should be based upon the Mayor's Construction Logistics Plan (2017) (http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf) and include:...” |
| (9) | Transport for London | Para 13.81 | Suggest change ‘likely to’ ‘ <i>will be</i> ’ in following “Forecourt parking and vehicle crossovers are likely to resisted on the TRLN and Strategic Road Network. Supplement the reference to SUDS to refer to use of materials which reduce/retard run-off to drains – check latest policy wording | Agreed. Add the following text change to Paragraph 13.81: “Forecourt parking and vehicle crossovers are likely <u>will be resisted</u> on the TRLN and Strategic Road Network. ” The details of SuDs requirements are contained in Section 9 of the SPD – Sustainable Urban Drainage (SuDs). |
| (9) | Transport for London | Para 13.96 | Suggest addition of reference to TfL guidance on delivery & service plans published 2017 http://content.tfl.gov.uk/delivery-and-servicing-plans.pdf | Agreed. The following link will be added to Paragraph 13.96: after the sentence In accordance with Transport for London’s Guidance and Service Plans.... http://content.tfl.gov.uk/delivery-and-servicing-plans.pdf |
| (9) | Transport for London | KP 25, 26 & 30 | TfL Streetscape guidance should be referred to in these principles. http://content.tfl.gov.uk/streetscape-guidance-.pdf | Agreed. Reference will be added to TfL’s Street Scape guidance. KP TR 25 First sentence of text to read: <u>Refer to TFL StreetScape Guidance</u> http://content.tfl.gov.uk/streetscape-guidance-.pdf). KP TR 26 Add in new final sentence <u>TFL StreetScape guidance should be referred to when applying for tables and chairs</u> (add link). KP TR 30 Add in new final sentence <u>TFL StreetScape guidance</u> |

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| | | | | should be referred to when applying for street furniture (add link). |
| (11) | Canal & River Trust | Para 13.42 | <p>“13.42 The inclusion in appropriate development proposals of facilities that improve managed access for pedestrians and cyclists to the Grand Union canal will also be welcomed.”</p> <p>The Trust supports this statement.</p> | <p>KP TR14 - River Thames and supporting text including Para. 13.45 have been deleted. This key principle merely replicates Local Plan Policies RTC1 and RTC2 and adds no additional information to the SPD.</p> <p>No change required.</p> |
| (11) | Canal & River Trust | Para 13.45 | <p>“13.45 Development about the use of the River Thames and Grand Union Canal for the operation of public transport services will be welcomed, particularly between central London, Chelsea Harbour, South Fulham and Hammersmith.” We would also suggest that a water taxi/trip boat service could be promoted between Park Royal and Paddington.</p> | <p>The reference to the Grand Union Canal has been removed from Paragraph 13.45 as this is entirely within the OPDC.</p> |
| (12) | Fulham Society | Para 13.6 | <p><u>Para 13.6. Developers’ travel plans.</u> Fulham is very aware that the borough suffers bad congestion and overcrowded underground travel. Much of any travel plan will refer to public transport but this involves TfL. Even if extra money is forthcoming and is in a s106, any major change needs TfL to agree and implement.</p> | <p>Comments noted.</p> <p>No change required.</p> |
| (12) | Fulham Society | p.168: Parking | <p>We agree with parking free developments in principle, but it is a problem for the</p> | <p>Disabled parking is an exception to car-free development as set out in KP-TR3 and KP-TR6.</p> |

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| | | | elderly or mildly disabled. They cannot stand on the tube for half an hour, nor can they get up the stairs at Putney Bridge Station. Nor does it help the concern expressed in the Local Plan that families are moving away from the borough: one or two bed flats do not need parking but family units are likely to own a car. | No change required. |
| (12) | Fulham Society | p.174: Access for All | <u>P174 Access for All</u> . "accessible routes from bus stops and stations" but what is also needed is accessible stations. Fulham Broadway station is good but Parsons Green and Putney Bridge stations are appalling. Both urgently need some step-free access. Putney Bridge is a busy transport hub, with a nearby hotel, and caters for a large number of both elderly residents and young families. But this cannot be solved by developers or the council but, again, is the responsibility of TfL. How can it be influenced? | Comments noted. The Council is keen to improve and enhance transport connections for all users. Add additional sentence to paragraph 13.48 as follows: <u>"We will lobby and work with TFL and other local stakeholders to improve access to tube stations within the borough."</u> |
| (12) | Fulham Society | Para 13.40 | <u>Para 13.40 Cycling</u> . "Although priority will be given to pedestrians, the council also wants to encourage cycling. Measures will be taken to reduce riverside pedestrian/cycle conflicts by providing separate paths where appropriate or measures to slow cyclists." This refers to the river but is needed in the borough as a | KP TR14 - River Thames and supporting Paragraph 13.40 have now been deleted. This key principle merely replicates Local Plan Policies RTC1 and RTC2 and adds no additional information to the SPD. TfL consulted on a proposed cycle superhighway in 2017. The Council will work with TfL to implement this project and will be designed to minimise pedestrian-cyclist conflict and the aim is to |

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| | | | whole. But there are no specifics as to what measures and when. The fear of aggressive speeding cyclists led to a lot of the disquiet over the super cycleway. | encourage people who don't currently cycle due to fear of traffic, such as older people, to take up cycling. The Council has also proposed other measures such as reducing the speed limit in the borough. No change required. |
| (13) | Hammersmith Society | Para 13.99 | Under 13.99, it should be clarified that this is initiative <u>to limit A frame type advertising hoardings</u> on the public highway. | Comments noted. The following changes have been made to paragraph 13.99 to clarify the point: "The council is considering an initiative for <u>limiting</u> advertising boards (A <u>frame</u> boards) on the public highway. <u>This is to ensure they don't impede the safe and convenient passageway of pedestrians.</u> " |
| (13) | Hammersmith Society | KP TR11 | Within the 'Transport' section, TR11 should be clarified that the Cycle Superhighway is 'proposed' at this stage and is subject to final agreement by TfL <u>and the Council</u> (ie. Not just TfL). Any approval must reflect the views and concerns of local people, and be a balanced policy. Para. 13.31 should be amended to read . . . running from 'outer or outside' London instead of 'out London'. | Comments noted. New text will be added to the end of 13.32 as follows: <u>"Any proposed Cycle Super Highway will be subject to extensive public consultation with the final agreement approved by both the council and TfL on the borough's roads.</u> Text changed in 13.31 as follows: "Cycler super highways are cycle routes running from <u>out-outer</u> London into and across central London." |
| (16) | Berkeley Group (Quod) | KP TR3 | I am writing on behalf of the Berkeley Group in response to the London Borough | |

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| | | | <p>of Hammersmith and Fulham ('LBHF') consultation on the Draft Planning Guidance Supplementary Planning Document ('draft SPD').</p> <p>The purpose of the draft Planning Guidance SPD is to provide supplementary detail to policies concerned with a variety of topics within LBHF's emerging Local Plan. We are broadly supportive of the emerging plan and welcome the use of the draft SPD to provide additional guidance that will assist with the preparation of successful applications and aid the delivery of infrastructure. It is on this basis that we provide comments about the draft guidance below.</p> <p>For residential development, Key Principle TR3 requires <i>'car parking permit free measures on all new development (major and minor applications) unless evidence is provided to show that there is a significant lack of public transport available, which is most likely to apply to PTAL Levels 1-3'</i>.</p> <p>There is some ambiguity in the phrasing of the principle as it is currently worded. This principle should be amended to specify that this relates only to on-street parking permits, and a definition of</p> | <p>The wording of KP TR3 is consistent with the London Plan and the Local Plan.</p> <p>A glossary definition will also be added to define what is meant by residential parking permits: <u>Residential Parking Permits</u></p> <p><u>These are issued by the council to residents in parking controlled zones, to be used during controlled hours and subject to conditions as specified by the council.</u></p> |

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| | | | <p>'Residents' Parking Permits' should be included in the glossary to explain that these permits relate only to on-street car parking.</p> | |
| (16) | Berkeley Group (Quod) | KP TR9 | <p>Key Principle TR9 states that a Cycling Environment Review should 'normally' be included as part of a Transport Assessment.</p> <p>Whilst the objective of the Cycling Environment Review is broadly supported, the draft SPD must ensure that the requirements it sets for planning applications are appropriate and proportionate to the likely scale of impact resulting from the application, in accordance with paragraph 193 of the NPPF, which requires requirements for applications, to be proportionate to the nature and scale of development proposals.</p> <p>It is recognised that such a review would reasonably be required as part of an application for the redevelopment of a strategic site, however, it may not be appropriate for all other applications requiring a Transport Assessment. The principle should, therefore, be amended to reference the need for a Cycling Environment Review to be carried out</p> | <p>Transport Assessments are only required for Major Development. Paragraph 13.3 states the following: The level of detail required within a Transport Assessment (TA) or Transport Statement (TS) will be dependent upon the size/type of scheme.</p> <p>This approach is considered in accordance with paragraph 193 of the NPPF, which requires requirements for applications to be proportionate to the nature and scale of development proposals.</p> <p>No change required.</p> |

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| | | | only where developments will have an impact on local facilities and routes. | |
| (19) | H&F Disability Forum | Section 13. Transport | <p>Transport</p> <p>The Disabled People Commission received evidence during 2017 from disabled residents on they barriers they still face on using transport and the pedestrian environment.</p> <p>Currently Transport Assessments, Travel Plans; PTAL and PERS assessments do not routinely review transport issues from the perspective of disabled people. We would like to change this culture with a more proactive approach on ensuring transport and the pedestrian environment in Hammersmith and Fulham is accessible to disabled residents.</p> <p>The Disability Forum Planning Group warmly welcomed the addition of a new sentence to paragraph 6.314 in the new Local Plan as follows:</p> | <p>Comments and support noted. Additional text in terms of PERS will be added to KP - TR13: <u>The PERS should include an assessment of disabled people and people with mobility impairments.</u></p> <p>Support for Local Plan Paragraph 6.314 is welcome.</p> |

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| | | | <p>“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” Source: MC195</p> <p>A good start will be to encourage all Transport Assessments, Travel Plans; PTAL and PERS assessments to routinely review transport issues from the perspective of disabled people and to make recommendations for mitigating actions.</p> | |
| (19) | H&F Disability Forum | KP TR6 | <p>Parking for blue badge holders This comes under residential dwellings, buildings other than dwellings and the public realm.</p> <p>TR 6 Blue Badge parking We recommend that the narrative on blue badge parking be expanded to cover our advice on blue badge parking together with reference to relevant guidance.</p> <p>DF advice on parking for blue badge holders</p> <p>Location and correct dimensions of accessible parking bays at current standards to be clearly marked out on</p> | <p>Comments noted. The technical guidance H&F Disability Forum referenced has been included as an additional paragraph as follows:</p> <p><u>“Further information on disabled parking can be found in The Mayor of London’s Accessible London SPD (Paragraph 4.3.7 - 4.3.23).”</u></p> <p><u>https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/creating-london</u></p> <p><u>There are many building control standards for disabled parking including:</u></p> <ul style="list-style-type: none"> • <u>BS8300:2009 + A1: 2010 for current parking standards and key issues</u> • <u>BS 9266 2013 Design of Accessible Housing (Paragraph 5.2.1 - communal parking, Paragraph 5.2.2 -designated</u> |

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| | | | <p>drawings Ensure</p> <ul style="list-style-type: none"> • Standard 4.8m x 2.4m designated parking space with 1.2m wide marked access zone between designated parking spaces and 1.2m wide safety zone for boot access and cars with rear hoists. • pillars and columns do not obstruct access to accessible parking bays. • vertical clearance 2.6m to allow high topped vehicles to reach an accessible bay. • If less than 2.6m vertical clearance essential maximum height (eg 2.1m) is clearly shown at entrance to car park to enable blue badge holders to avoid the car park or being in a queue they cannot escape • Signage to direct blue badge holders to alternative parking bay with 2.6 vertical clearance • Level access routes to accessible parking bays • Ticket dispensing machines accessible and inclusive • Vehicular control barriers accessible and inclusive <p>Car park management plan needed to ensure:</p> <ul style="list-style-type: none"> • provision of accessible parking | <p>accessible parking bays, Paragraph 5.3 - setting down points, Annex A – car park management</p> <ul style="list-style-type: none"> • Park M Building Regulations (Vol 1: dwellings and Vol 2 buildings other than dwellings). |

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| | | | <p>equates to demand from blue badge holders (including allocation of bays to blue badge holders in wheelchair user dwellings)</p> <ul style="list-style-type: none"> • accessible parking bays effectively policed to ensure only blue badge holders use accessible parking bays • accessible parking bays never sold during lifetime of the development • accessible parking for visiting blue badge holders <p>Guidance Accessible London SPG Paras 4.3.7 to 4.3.23 BS 8300:2009 + A1: 2010 for current parking standards and key issues. BS 9266 2013 Design of Accessible Housing .</p> <ul style="list-style-type: none"> • See Para 5.2.1 on communal parking, • para 5.2.2 on designated accessible parking bays • and para 5.3 on setting down points. • Annex A on car park management <p>Part M Building Regulations Vol 1: dwellings and Vol 2 buildings other than dwellings</p> | |

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| (19) | H&F Disability Forum | Para 13.34 | Para 13.34: para needs to be updated to reflect M4(2) accessible and adaptable dwellings and M4(3) wheelchair user dwellings not lifetime homes etc | Agreed, M4(2) and M4(3) need to be reflected in the document. Rather than in para 13.34 a more suitable location for this information is as part of KP TR16 Access for all. 13.46 will include the following additional text: <u>“Further advice on accessible and adaptable dwelling can be found in Building Control guidance M4 (2) accessible and adaptable dwellings and M4(3) for wheelchair user dwellings.”</u> |
| (19) | H&F Disability Forum | Para 13.26 | electric vehicle bays Para 21: 13.26: we recommend advice provided on ensuring a clear footway for pedestrians and level access routes around electric vehicle parking bays in car developments. | Comments noted. Additional text added to paragraph 13.26 as follows: <u>“A clear footway for pedestrians and level access routes will be required around electric vehicle parking bays.”</u> |
| (19) | H&F Disability Forum | P.175 | p 175 PERS from perspective of disabled people (See no 19 above) | Agreed and as set out above additional text in terms of PERS will be added to KP - TR13: <u>“The PERS should include an assessment of disabled people and people with mobility impairments.”</u> |
| (19) | H&F Disability Forum | Para 13.47 | para 13.47 need to delete DDA 1995 replace with Equality Act 2010 | Agreed, this reference will be changed at paragraph 13.47, as follows: <u>“Disability Discrimination Act 1995 (as amended) <u>The Equalities Act 2010</u>”</u> |
| (19) | H&F Disability Forum | Para 13.54 | Tactile Paving 13.54. We recommend including a statement either here or in policy TR25 | Agreed, an additional sentence will be added to Paragraph 13.54 as follows: <u>“The council has produced guidance on providing tactile paving, which can be found here:</u> |

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| | | | <p>Kerbs and Pedestrian crossings on providing correct and accurate tactile paving</p> <p>Guidance Understanding Tactile Paving on Pedestrian Crossings (attached to this reponse)</p> | <p>https://www.peoplefirstinfo.org.uk/media/1233740/understanding_tactile_paving_at_pedestrian_crossings_29_sept_2015_tcm21-198689.pdf</p> |
| (19) | H&F Disability Forum | Para 13.78 | <p>need revised version of StreetSmart. We strongly recommend co-producing (working together) with disabled residents a revised version of StreetSmart once the new BS 8300 is available in 2 volumes in 2018. We understand that for the first time this BS includes standards in Volume 2 for the public realm.</p> | <p>StreetSmart is currently being revised and a new version will be produced and H&F Disability forum will be consulted on this document, along with other stakeholders. The text of 13.78 will be amended to provide a clearer statement regarding this matter:</p> <p>13.78: ... These reviews are published in January of every new year and can be viewed on the council website. <u>As part of this all stakeholders including the H&F Disability Forum will be consulted</u></p> |
| (19) | H&F Disability Forum | KP TR30 | <p>TR 30 New Street furniture</p> <p>Main issues for DF: pedestrian safety; colour contrast between footway and any street furniture including telephone boxes; street clutter including distances between different types of street furniture. We recommend a paragraph to include these points</p> | <p>Noted. The revised StreetSmart Guidance will cover the design issues regarding street furniture.</p> <p>KP TR26 - Tables and chairs sets out the principles for the placing of tables and chairs to ensure safe unobstructed access including those with visual or mobility disabilities (including wheelchair users).</p> <p>KP 30 – New Street furniture including broadband cabinets and telephone boxes sets out the principles for the placing of street furniture to ensure safe unobstructed access including those</p> |

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| | | | | with visual or mobility disabilities (including wheelchair users). No Change required. |

14. Waste Management

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| (13) | Hammersmith Society | KP WM4 | Under 'Waste Management', the Table at Principle WM4 is confusing as it requires that containers are required for 'Food Waste' although Para. 14.32 confirms that 'at present the Council does not provide a separate food waste collection'. | There is the potential for food waste to be collected in the future so there is a need to futureproof developments. No change required. |
| (14) | Resource London | Section 14: Waste Management | Overall the waste section contained some very good points, particularly futureproofing by including the requirement to provide space for food waste containers, despite the Council not yet collecting this waste stream separately. It makes reference to the Mayor of London's environment strategy and the proposed updates from the London Plan. | Support welcomed. The SPD includes reference to the fact that the Mayor has produced a draft Environment strategy which was published for consultation late 2017. However, the SPD does not include reference to the new draft London Plan (2017) policies as this does not currently hold material weight until it progresses further through the plan process. No change required. |
| (14) | Resource London | Para 14.23 | the table for container provision suggests a need for multiple 23litre food waste containers for a family of 4-6 people. The maximum that would be required is two. 23 litres contains a lot of food waste due to the high bulk density of this material. It is standard for LAs to only provide one 23 litre caddy per household. They don't tend to offer more as standard – only upon request. | Comments noted. Amend para 14.23 as follows: "Additional space of at least 160 Litres is also needed for recycling sacks and at least space for a 23 litre s for the storage of food waste food waste caddy. |

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| | | | | <p>Amend table 'recommended capacities for properties served by kerbside collections' under the heading 'Food waste' as follows:-</p> <table border="1" data-bbox="1581 467 2047 743"> <thead> <tr> <th data-bbox="1581 467 2047 539">Food waste</th> </tr> </thead> <tbody> <tr> <td data-bbox="1581 539 2047 639">4-6 1 23 Litre food waste caddy (minimum 4)</td> </tr> <tr> <td data-bbox="1581 639 2047 743">4-3 1 23 Litre food waste caddy (minimum 1)</td> </tr> </tbody> </table> | Food waste | 4-6 1 23 Litre food waste caddy (minimum 4) | 4-3 1 23 Litre food waste caddy (minimum 1) |
| Food waste | | | | | | | |
| 4-6 1 23 Litre food waste caddy (minimum 4) | | | | | | | |
| 4-3 1 23 Litre food waste caddy (minimum 1) | | | | | | | |
| (14) | Resource London | Para 14.26 | 14.26 – this point does not mention food waste, only the provision of recycling and refuse receptacles. | <p>Noted. Amend para 14.26, 14.27 & 14.28 to refer to food waste.</p> <p>Amend para 14.26 as follows:</p> <p>“The refuse and recycling bins are emptied weekly or more frequently if necessary. <u>Although a food waste collection service is not currently in operation within the borough, space must be made available to shared external food waste bins, as this service may be offered in the future.</u> The exception to providing the communal recycling..... “</p> <p>Amend para 14.27 as follows:-</p> | | | |

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| | | | | <p>“Internal storage for waste and recycling <u>and food waste</u> must be located in an accessible and commonly used area....”</p> <p>Amend para 14.28 as follows:-</p> <p>“Internal storage must be provided <u>d</u> for both non-recyclable waste and mixed-recyclables <u>and food waste</u>. If residents will be.....”</p> <p>Amend para 14.28 as follows:-</p> <p>“it is recommended that between 100 and 150 litre capacity is provided internally, split approximately 50:50 between refuse and recycling. <u>In addition space for a 7 litre food waste caddy should be provided internally.</u> The council provides reusable bags.....”</p> |
| (14) | Resource London | KP WM7 | Key Principal WM7 – have you considered requesting underground bins being utilised? This saves space on site and can ensure the site looks a lot neater than a row of bins. | <p>Comments noted. Underground bins would require a boroughwide shift in underground storage, unless it can be accommodated in considerably large developments.</p> <p>Underground waste systems e.g. Envac are promoted by the Council, particularly for large flatted developments proposed in the council’s regeneration areas. (Please see section in the SPD on alternative waste management technologies.)</p> |

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| | | | <p>For flats that cannot accommodate underground storage, can you request that bin frames or locking posts are provided? This will help to ensure the bins are less prone to anti-social behaviour and can help reduce contamination, by keeping the lids closed.</p> <p>I'd also push back as much as possible on bins being stored in a basement.</p> | <p>Amend para 14.38 to include reference to bin frames and locking posts as follows:-</p> <p>“if bins are to be located in the open then these must have a fence or wall on at least three sides. However, they must be safe for users by being well lit and visible from public vantage points. <u>For flats that cannot accommodate underground storage, bin frames and locking posts will be requested.</u>”</p> <p>To clarify, bins are not collected from a basement unless a vehicle can access the basement.</p> |
| (14) | Resource London | Para 14.43 | please consider requesting all communications utilises the Recycle for London branding and brand guidelines | <p>Comments noted. In para 14.43, applicants are advised to speak to the council's recycling team who will instruct them to do this.</p> <p>No change required.</p> |
| (14) | Resource London | KP WM11 | Key Principal WM11 – It's great that you have put in a requirement for every planning application to be supported by a Refuse and Recycling Waste Management Plan. LWARB worked on producing a template waste management strategy for all London boroughs to encourage their developers to complete at the pre-planning stage. We encourage you to | <p>Support welcomed.</p> <p>Make reference to the recommended guidance from the LWRB on preparing a Refuse and Recycling Waste Management Plan.</p> |

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| | | | utilise this document which can be found on LWARB's website http://www.lwarb.gov.uk/what-we-do/resource-london/successes-to-date/efficiencies-programme-outputs/ A link to these documents currently feature in the Mayor of London's housing SPG. | Add sentence to end of para 14.85 as follows:- " <u>In addition to the Council's requirements, the London Waste and Recycling Board have also produced some useful guidance for developers to consider, which can be found on their website</u> "(add hyperlink). |
| (14) | Resource London | 14.70-75 | Points 14.70 – 14.75 do not mention food waste, only residual and recycling. | Comments noted. At this stage, the council is only aware of alternative technologies for waste management (refuse and recycling) but this doesn't stop these from coming forward as part of new developments in the future if proposed. The council will investigate other possible alternative waste management technologies that may be available for food waste. No change required |

15. Residential Moorings

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| (1) | West London River Group | | <p>Many thanks for your time on 23 November when Angela Dixon and I met with you to discuss the new SPD. We spoke specifically about section 15 Residential Moorings.</p> <p>The West London River Group and others have been concerned that there is not sufficient policy guidance in place to regulate the size and type of vessels in the river used for residential purposes. If a residence was to be built on shore there is extensive guidance. If it was close by but on the water there appears to be none. We are therefore very pleased to see that this omission is to be rectified, and in general we think the proposals are appropriate and thorough.</p> <p>However we would like to make the following observations:-</p> | <p>Support welcomed.</p> <p>No change required.</p> |
| (1) | West London River Group | Policy Context | <p>We suggest the <i>Thames Strategy - Kew to Chelsea</i> is relevant and should be listed. We attach our original note on this subject which includes references to specific Policy Recommendations</p> | <p>Comments noted.</p> <p>Agree, policy context of residential moorings to be amended to include reference to the Thames Strategy Kew: to Chelsea.</p> <p>Under the heading Local Plan, add reference to Thames Strategy: Kew to Chelsea as follows:-</p> <ul style="list-style-type: none"> • “Policy RTC4- water-based activity |

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| | | | | The Thames Strategy: Kew to Chelsea also provides further local guidance for the stretch of the River Thames within Hammersmith & Fulham ". |
| (1) | West London River Group | 15.7 | <p>Para 15.7 refers to the PLA's responsibilities. We found the link given does not work.</p> <p>You said the PLA is a consultee so this will be followed up.</p> | <p>Noted. Officers will ensure all hyperlinks are working for the final published version.</p> <p>The PLA were consulted on the Planning Guidance SPD and provided detailed comments to the consultation on the section on river moorings. Please see their comments for further information.</p> <p>No change required.</p> |
| (1) | West London River Group | 15.13 | <p>Para 15.13 also refers to the PLA's policies. The PLA needs to give a River Works Licence for the construction of the necessary bollards, piles etc needed to hold the vessel in place. It is not clear what policies the PLA has as to the size, character, etc of the vessel itself, if any, or their method of enforcement.</p> <p>We very much hope the PLA's policies on the matter will fit with the Borough's.</p> | <p>Comments noted.</p> <p>The PLA's Vision for the Tidal Thames document (July 2016) includes a goal to create new appropriate residential moorings accommodating suitable vessels. Please also see their representation for further information. In their representation, the PLA broadly supports the key principles on residential moorings, but also provided some detailed comments where changes could be made.</p> <p>No change required.</p> |

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| (1) | West London River Group | 15.8 | Para 15.8 We note that the Environment Agency is also a statutory consultee, and very much hope it will support this guidance. | The Environment Agency were consulted on the Planning Guidance SPD and submitted representations. However, no specific comments were made in relation to section 15 on residential moorings. No change required. |
| (1) | West London River Group | 15.11 | Para 15.11 distinguishes between residential craft and vessels whose primary use is leisure and recreation. As these uses might overlap we suggest this will need careful but strict enforcement. | Noted. The Council considers that Key Principle RM4 adequately deals with the design of permanently moored vessels in terms of characteristics of moored vessels and will be enforced through planning conditions and/or S106 agreements. No change required. |
| (1) | West London River Group | KP RM4 | RM4 Characteristics of moored vessels We very much welcome this key principle and paras 15.24 and 15.25 which set out the detail. | Support welcomed. No change required. |
| (1) | West London River Group | 15.24 | Para 15.24 Amend as follows <i>A key objective of the council is for these developments to complement and enhance the distinctive existing character...</i> As worded this reads as if residential mooring are being promoted <i>in order to</i> complement and enhance. | Comments noted. Amend para 15.24 for clarity as follows:- “ A key objective of t The Council in promoting is keen to ensure that residential moorings is for these developments to complement and enhance the distinctive existing character of their waterside location.....” |
| (1) | West London River | 15.25 | Para 15.25 We very much support the terms of the first bullet point of this paragraph and the first sentence of | Comments noted. |

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| | Group | | the second bullet point, (noting the typo <i>oin</i> to read <i>in</i> ?) We are curious about the second sentence: we don't see what exceptions might be appropriate, and would ask for it to be deleted. | Amend para 15.25 as follows:- Correct typo and amend second bullet point of para 15.25 to clarify as follows:- <ul style="list-style-type: none"> “Conform to the typical attributes of houseboats on the waterway they are to be located on ie. The River Thames o in terms of their size, appearance and design .Exceptions may be made in instances <u>and</u> where these would relate to or enhance the surrounding area, the existing character of the river or canal and will contribute to the ecological and visual amenity of the area.” |
| (1) | West London River Group | 15.25 | The word <i>navigation</i> is used to mean different things: In 15.25 a vessel <i>capable of navigation</i> means it has the necessary methods of propulsion and steerage | Comments noted. Amend para 15.25 for clarity as follows:- “Vessels moored on a permanent basis at approved residential moorings should:- <ul style="list-style-type: none"> Be capable of navigation, moving under their own power <u>with necessary propulsion and steerage</u>. The vessel’s superstructure....” |
| (1) | West London River Group | KP RM5 | Key principle RM5 <i>Impacts on Navigation</i> refers to whether the vessel would obstruct other vessels. The guidance includes specifically "recreational boat use". | Comments noted and support welcomed. No change required. |

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| | | | We think that important because sometimes it is taken to refer to powered vessels using the channel only | |
| (1) | West London River Group | 15.27 | We ask that 15.27 second bullet point be amended to read "... established water-based uses including rowing, <i>sailing, kayaking etc</i> and recreational cruising." | Comments noted. Amend second bullet point of Para 15.27 to include reference to other water based uses as follows:- <ul style="list-style-type: none"> “the range and operation of established water based uses including rowing, sailing, kayaking etc. and recreational cruising.” |
| (3) | Port of London Authority | Residential Moorings | <p>Residential Moorings</p> <p>Broadly the PLA welcome the section on residential moorings in the draft planning guidance SPD, and note that the borough considers that there is potential to develop additional residential moorings in the South Fulham Area, between the Hurlingham Club and Cremorne railway bridge – is there any background work regarding this area being identified as suitable for residential moorings?</p> <p>The PLA’s Vision for the Tidal Thames document (July 2016) includes a goal to create new, appropriate residential moorings accommodating suitable vessels, and this should be referenced in this SPD, along with a link to the vision. The PLAs Thames Vision also has a goal to see new visitor moorings provided within the Tidal Thames area and would welcome reference to the provision of visitor moorings within this SPD as well as residential moorings.</p> | <p>Comments noted and support welcomed.</p> <p>The Thames Strategy: Kew to Chelsea provide further guidance on the potential for additional new residential moorings along the stretch of the River Thames within Hammersmith and Fulham.</p> <p>Amend para 15.7 to make reference to PLA’s Thames Vision & Boating on the Thames document (2016) as follows:-</p> <p>“The Port of London Authority policy on residential and visitor moorings on the tidal river Thames is available at www.pla.co.uk and further guidance can be found in the PLA’s Vision for the Tidal Thames (2016) and the Boating on the Thames website.” (insert Link)</p> |

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| | | | <p>www.boatingonthethames.co.uk is another useful website that should be referred to specifically in regards to visitor moorings.</p> <p>I hope these comments are useful; the PLA would welcome a future meeting with the Hammersmith and Fulham Planning Policy Team to discuss this SPD and future proposals concerning the River Thames. Please contact me on the details below to discuss.</p> <p>The PLA note that nine key principles have been identified in this section and have the following comments to make:</p> | |
| (3) | Port of London Authority | KP RM1 | <p><i>RM1 – Proposals for Residential Moorings</i></p> <p>The PLA broadly supports this policy on proposals for new residential moorings and welcome reference to the need for a licence to be required from the PLA for any new mooring, along with a link to the PLA website</p> | <p>Support welcomed.</p> <p>No change required.</p> |
| (3) | Port of London Authority | KP RM2 | <p><i>RM2 – Provision of suitable infrastructure</i></p> <p>The PLA broadly supports key principle RM2 regarding the provision of suitable services for proposed residential moorings. This principle should also include reference to the need to provided appropriate riparian life saving equipment (such as grab chains, access ladders and life buoys) along the river edge to a standard recommended in the 1991 Hayes Report on the Inquiry into River Safety, to help to improve the safety and security of the River Thames.</p> | <p>Support welcomed, make reference to the need to provide riparian life saving equipment in KP RM2 (provision of suitable infrastructure).</p> <p>Add new bullet point to KP RM2 as follows:-</p> <ul style="list-style-type: none"> • <u>“Appropriate riparian life saving equipment”</u> <p>Also amend para 15.16 to include reference to the need for provision of riparian life saving equipment in justification text as follows:-</p> |

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| | | | | “As vessels moored on residential moorings are taken to constitute the primary residence for occupants, the council will normally expect new mooring developments to be provided with basic infrastructure and facilities. <u>This includes provision of appropriate riparian life saving equipment (such as grab chains, access ladders and life buoys) along the river edge to a standard recommended in the 1991 Hayes Report on the inquiry into River Safety to help improve the safety and security of the River Thames</u> ”. |
| (3) | Port of London Authority | KP RM3 | <p><i>RM3 – Preserving the character and amenity of the River Thames and waterside locations.</i></p> <p>The PLA broadly support this key principle. The PLA note paragraph 15.22 which states that generally planning consent will not be granted for development proposed alongside the boroughs public parks and other open space if these will result in a loss of the open character or amenity of the area.</p> | <p>Support welcomed.</p> <p>No change required.</p> |
| (3) | Port of London Authority | KP RM4 | <p><i>RM4 – Characteristics of moored vessels.</i></p> <p>The PLA broadly support this policy, however note that this is very detailed and may be difficult to enforce in some circumstances. For example what sort of evidence would be required from an applicant to justify that their houseboat conforms to the typical attributes of houseboats on the waterway they are located in? Would it be to show evidence of similar vessels</p> | <p>Comments noted and support welcomed.</p> <p>Amend KP RM4 (Characteristics of Moored Vessels) to refer to the council using S106 agreements as well as planning conditions when controlling the design and other attributes of vessels as part of new residential moorings.</p> <p>Amend KP RM4 as follows:-</p> |

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| | | | located in a similar area elsewhere on the Thames? If so this should be stated in the supporting text. | <p>KP RM4 Characteristics of Moored Vessels</p> <p>“When granting planning permission for new residential moorings, the council will use planning conditions <u>and/or S106 Agreements</u> aimed at controlling the design and other attributes of the vessels to....”</p> <p>Add the following text to second bullet point at paragraph 15.25:</p> <ul style="list-style-type: none"> • <u>“demonstrate the above with relevant evidence in a supporting statement.”</u> |
| (3) | Port of London Authority | KP RM5 | <p><i>RM5 – Impacts on navigation</i></p> <p>The PLA strongly supports this policy stating that any new moorings should not impede or pose any risk to navigation on the River Thames. This must also be referenced at the start of this section as a key consideration for any new development / moorings in the Thames.</p> | <p>Support welcomed.</p> <p>The SPD includes a specific policy on impacts of navigation (KP RM5) which requires new moorings to be suitably designed and located so as not to impede or pose any risk to navigation on the River Thames.</p> <p>However, add specific reference to navigation into para 15.13 as follows:-</p> <p>“The PLA has policies in place to determine whether to grant licenses for new moorings developments. Links to these policies are provided in the section above. <u>As explained further in KP RM4 (Impacts of Navigation) new moorings need to be suitably located and</u></p> |

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| | | | | <u>managed as to not impede or pose any risk to navigation on the River Thames”.</u> |
| (3) | Port of London Authority | KP RM6, 7 & 8 | <p><i>RM6 – Access for Emergency Services to residential moorings</i> <i>RM7 – Residential Moorings and Flood Risk Management</i> <i>RM8 – Parking for Residential Moorings</i></p> <p>The PLA broadly supports these principles, and has no specific comments.</p> | <p>Support welcomed.</p> <p>No change required.</p> |
| (3) | Port of London Authority | KP RM9 | <p><i>RM9 – Residential moorings and access for all</i></p> <p>The PLA broadly supports this principle, which aims to ensure that any new development is designed to allow safe access to and from the moored vessels for people of all ages and abilities. To strengthen this policy further, it could be made clearer in the supporting text what the responsibilities of the applicant are in regards to this principle - if the applicant cannot deliver the development in accordance with the principles of accessible and inclusive design – how should this be justified? Through the submitted Design and Access Statement or equivalent document?</p> | <p>Support welcomed.</p> <p>No change required.</p> |
| (15) | Canal & River Trust | Section 15: Residential Moorings p.204 | <p>Thank you for this recent consultation. However, I am not clear how this affects the Grand Union Canal, due to this now falling within the OPDC area. I have attached our comments, on behalf of the Canal & River Trust, and would welcome a follow up discussion or</p> | <p>Comments noted.</p> <p>The Grand Union Canal now falls within the boundary of the Old Oak and Park Royal Development Corporation (OPDC). Therefore</p> |

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| | | | <p>meeting with you to clarify this and ensure that our concerns for the Grand Union Canal are appropriately addressed.</p> <p>I have also attached the Trust's response to the most recent consultation on the OPDC Local Plan, as this relates to the LB Hammersmith and Fulham stretch of the Grand Union Canal.</p> <p>The stretch of Grand Union Canal within LB Hammersmith and Fulham is now within the administrative area of Old Oak and Park Royal Development Corporation (OPDC), and we are therefore unclear how this is treated by the LB Hammersmith and Fulham Planning Guidance SPG. Reference is made to the Grand Union Canal, but particularly in terms of Chapter 15 Residential Moorings, the canal does not appear to be addressed. If the SPD is intended to address development proposals along the Grand Union Canal, within the OPDC area, then the Trust would like to make several comments on the draft document, and in particular the Residential Moorings chapter 15. If however, the OPDC Local Plan and policy guidance supersedes this within their area, then we have very few comments to make. We would therefore welcome further discussion with the Development Plans Team on this.</p> <p>We also note that within the document, the Grand Union Canal is referred to alongside the River Thames, and yet these two watercourses have very varied characteristics and are used and managed differently. We consider that it may be appropriate to</p> | <p>all references throughout the Planning Guidance SPD relating to the Grand Union Canal will be deleted.</p> <p>The OPDC's Local Plan and any future planning guidance they produce will include policies/guidance for development along the Grand Union Canal.</p> |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| | | | <p>separate out policies relating to the River Thames and the Grand Union Canal, so that they may be more appropriately dealt with as unique spaces within the borough.</p> <p>This chapter provides extensive advice on the development of residential moorings, and yet refers to the 'canal' only once, and the Canal & River Trust are not referred to at all (or within any other part of the supplementary planning document), despite being a statutory consultee for planning applications and statutory undertaker for the canals, as well as licencing authority for boats on our network.</p> <p>It would appear that the chapter is really intended to address residential moorings along the River Thames, and not the Grand Union Canal, and we consider that it should therefore be amended to clarify this, with the heading changed to 'Residential Moorings on the River Thames'. If the SPD is intended to also address development within the OPDC area, then we would request that residential moorings (and other canalside development matters) should be dealt with by way of a separate chapter for the Grand Union Canal. Should the Development Plan Team disagree and intend to retain the document as it currently stands, then we would request the opportunity to add more comments on this chapter.</p> <p>Please see comments on OPDC Local Plan Regulation 19 Consultation also.</p> | |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|---------------------|----------------------------------|--|---|
| (13) | Hammersmith Society | Section 15: Residential Moorings | Under Residential Moorings, we support the submission made by the West London River Group, but would also like to see the following amendments : | Support for the West London River Group's representation is noted. Please see their representation (above) to see how their comments have been addressed. No change required. |
| (13) | Hammersmith Society | Section 15: Residential Moorings | Although the Paddington Arm of the Grand Union Canal which runs through the Borough, is now within the OPDC area, this may not always be the case. We therefore ask that any residential moorings on the canal comply with both the policies in this section and with the moorings strategy and rules of the Canal and River Trust. | As acknowledged, the Grand Union Canal now falls within the boundary of OPDC. As the OPDC have planning control of this area, it would be inappropriate for LBHF to provide planning guidance for the Grand Union Canal. In the event of future change, policy documents would be updated/reviewed. No change required. |
| (13) | Hammersmith Society | Para 15.20 | RM3 Para. 15.20, please change 'are unlikely to' to 'will not' and at the beginning of para 15.22, take out the words 'generally' and further on 'normally'. Under 15.25, add an extra sentence at the end of the first bullet point 'It will never be acceptable for the superstructure to be more than a single deck'. Delete the second bullet point as this would allow multiple deck boats which have been allowed further up the Thames causing much controversy. | Comments noted. As this is guidance, the Council considers the current wording is acceptable. Amend second bullet point of para 15.25 for clarity as follows:- <ul style="list-style-type: none"> Conform to the typical attributes of houseboats on the waterway they are to be located on ie. The River Thames in terms of their size, appearance and design .Exceptions may be made in instances and where these would relate |

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
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| | | | | to or enhance the surrounding area, the existing character of the river or canal and will contribute to the ecological and visual amenity of the area. |
| (17) | H&F Historic Buildings Group | Section 15. Residential Moorings | We endorse the new section 15 on Riverside Moorings submitted by Roger Weston on behalf of the West London River Group | Support for the West London River Groups Representation is noted. Please see their representation (above) to see how their comments have been addressed. No change required. |

16. Glossary

| Rep No. | Name/Organisation | Section/ Para No. | Comment | Officer Response |
|---------|---------------------|-------------------|---|--|
| (13) | Hammersmith Society | Glossary | Also within the Glossary, we suggest the abbreviation 'FRA' for 'Flood Risk Assessment' precedes the full text. | Noted. No change required. |
| (13) | Hammersmith Society | Glossary | In the 'Archaeology and Heritage Assets' section, the abbreviation APA should be clarified and their status explained. APA should also be included in the Glossary. | Noted. Proposed amendment: add definition of Archaeological Priority Areas to glossary- <u>“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.”</u> |

Appendix 3: Technical Changes to the Planning Guidance SPD (changes not arising from consultation responses)

The proposed changes are expressed as ~~striketrough~~ for deletions and underlining for additions to the text.

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|--|--|---|
| KP - TR3 Vehicle Parking Standards | <p>Amend KP TR3 as follows:-</p> <p>“In these circumstances, there will need to be an assessment to ensure that the resulting level of on-street overnight parking does not result in parking stress, <u>which will be assessed on a case by case basis.</u> Where a development....”</p> | This addition clarifies that an individual assessment will be carried out for each application to determine parking stress. |
| KP – TR26 Tables and Chairs | <p>Amend KP TR26 as follows:-</p> <p>Key Principle - TR26 Tables and chairs The placing of tables and chairs outside premises on the public highway will normally require planning permission because it will involve a change in the use of the land on which they are placed. The use of a private forecourt for purposes which are ancillary to the main use of the building itself will not normally require planning permission.</p> <p>It is not considered generally practical to provide tables and chairs within a depth of less than 1.5 metres from the building line allowing for space to reach the table. Applications for tables and chairs in particular types of location will be considered as follows:</p> <ul style="list-style-type: none"> ● in fully pedestrianised streets a minimum clear path 2.3 metres wide for pedestrians must be maintained 0.9 of a metre either side of the centre line. Where the street is wider than 5.4 metres the depth provided for tables and chairs should not exceed 1/3 of the width of the street on each side. If access is required for emergency vehicles, the clear width between tables and chairs on either side should be increased to 5.4 metres to allow pedestrians to stand clear to the emergency vehicles' path ● in streets with a carriageway and footways provided an absolute minimum of 1.8 metres is kept clear. Footways are provided primarily for the convenience and safety of | The revised policy sets out clearer and more concise guidance. |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|---|---|--|
| | <p>pedestrians. Where footway widths exceed 3.6 metres, the area considered should not exceed ½ the available footway width</p> <ul style="list-style-type: none"> • as part of an overall environment improvement scheme, subject to the same considerations listed above. • <u>A minimum width of 3.5m clear and unobstructed footway will usually be required in Town Centres.</u> • <u>A minimum width of 1.8m clear and unobstructed footway will usually be required outside Town Centres.</u> • <u>In both above locations where there is a high level of footfall, even over short bursts a greater width of clear and unobstructed footway than specified above will be required.</u> <p>13.87 It is essential in all cases that an absolute minimum width of 1.8metres of unobstructed highway to the line of any fixed infrastructure e.g. streetlights, litter bins etc. is kept free for safe and convenient pedestrian movement and to include those who use wheelchairs and people with mobility and visual impairment. Where there are heavy pedestrian flows, even over very short periods or in concentrated bursts, widths of 3.5 metres will be required.</p> <p><u>Key Principle TR26 ensures the safe and convenient movement of pedestrians including those with visual or mobility disabilities (including wheelchair users).</u></p> | |
| KP – TR30 New Street Furniture including Broadband Cabinets | Amend KP TR30 and justification text as follows:- Key Principle - TR30 New Street Furniture including Broadband cabinets and <u>telephone boxes</u> The proposed locations for new street furniture will only be acceptable if there is an appropriate clear and unobstructed width of footway. An absolute minimum width of 1.2m of clear and unobstructed footway will be | The Key Principle has been changed to provide conformity with KP TR26 and simplify advice for street furniture. The title has been changed to make clear that Telephone boxes are also included. |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|---|---|---------------------------------------|
| | <p>applied in appropriate locations. In busy pedestrian areas this minimum is likely to be 1.8m.</p> <ul style="list-style-type: none"> • <u>A minimum width of 3.5m clear and unobstructed footway will usually be required in Town Centres.</u> • <u>A minimum width of 1.8m clear and unobstructed footway will usually be required outside Town Centres.</u> • <u>In both above locations where there is a high level of footfall, even over short bursts a greater width of clear and unobstructed footway than specified above will be required.</u> • <u>In special circumstances, where Broadband cabinets are required to meet Local Plan Strategic Objective 18 to facilitate access to high speed internet across the borough, a minimum width of 1.2 clear and unobstructed footway will be required, except within Town Centres and areas with a high level of footfall where a greater width than 1.2m will be required.</u> <p>13.100 Although there is a minimum width, other local criteria such as footfall, land use, local desire lines, and where people including those in wheelchairs or using wider double buggies will need to pass others, for example, may dictate a wider pathway. Street furniture should be provided in accordance with the H&F Streetsmart guidance and should also be appropriately protected against graffiti and fly posting and be regularly maintained.</p> <p>13.102 A scaled drawing showing the proposed location for the Street furniture as well as the dimensions should be provided.</p> | |
| Section 17: Technical Appendices (Para 17.29) | <p>In para 17.29 Change the word 'Goldhawk' to 'Uxbridge' as follows:-</p> <p>"River Terrace Deposits (Kempton Park gravels in the southern area of the borough (northern border approximately Goldhawk <u>Uxbridge</u> Road)....."</p> | To correct error in current document. |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|-------------------------------------|--|--|
| Section 17: Technical Appendices | Amend heading to include reference to vapours as well as ground gas as follows:- “Ground Gas <u>and Vapours</u> ” | There are several pockets of vapours known in the borough which should be mentioned in addition to ground gas. |
| Section 17: Technical Appendices | Add new para on the known vapours in the borough as follows:- “ <u>There have been several unexpected pockets of organic solvents found in the borough, principally Perchloroethene and Trichloroethene, both commonly used for dry cleaning and degreasing metals prior to other treatment. These can release toxic vapours and be transported in groundwater into sites where there has been no historic use of the solvents.</u> ” | There are several pockets of vapours known in the borough which should be mentioned in addition to ground gas. |
| Section 17: Technical Appendices | Amend first bullet point under the heading ‘Phase 2:Site Investigation Scheme’ as follows:- “Liaison with the <u>council’s specialist officers dealing with contaminated land</u> Local Authority Contaminated Land Officer ” | To correct the name of contaminated land officers. |
| Section 17: Technical Appendices | Amend second bullet of para 17.39 to include reference to Volatile Organic Contaminants as follows:- <ul style="list-style-type: none"> Where relevant, the identification of different species and distinction between varying carbon chain lengths etc, for example Polyaromatic Hydrocarbons (PAHs), Total Petroleum Hydrocarbons (TPHs), <u>Volatile Organic Contaminants (VOCs).</u> | To include reference to Volatile Organic Contaminants (VOCs) in relation to analysing samples. |
| Section 8: Contaminated Land | Add reference to history of light industrial uses in the borough to the introductory section on contaminated land. Amend as follows:- “ In a heavily built up borough such as Hammersmith & Fulham where there has been a long history of heavy <u>and light</u> industry, contamination is known to exist.....” | To add reference to history of light industrial uses in the borough. |
| Throughout document | Remove references to out-of-date documents. | To update references to out-of-date documents (for example, ‘Proposals’) |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|---|---|--|
| Section 4: Design and Conservation (Lightwells paragraph) | <p>Amend paragraph:</p> <p>Where lightwells are considered to be appropriate they must be sensitively designed and proportioned to accord with the ‘Design Guidelines for Lightwells’ <u>Basements and Lightwells chapter of</u> in this SPD. The creation of lightwells by the excavation of all or part of the front garden of a residential property to provide windows to basements requires planning permission, as does the enlargement of an existing lightwell. The loss of a substantial part of front gardens that form an integral part of the character of the terrace and street will be resisted.</p> | <p>map)</p> <p>To give more specific guidance on lightwells.</p> |
| Section 4: Design and Conservation (Lightwells paragraph) | <p>Insert the following additional paragraphs after Lightwells:</p> <p><u>Basement excavation: More detailed guidance can be found in the Local Plan, Policy DC 11. The excavation of basements beneath existing or proposed buildings will generally be limited to one storey in depth beneath the original lowest floor level. Exceptions may be acceptable on larger redevelopment sites. The excavation of basement accommodation beneath front and side gardens will not normally be acceptable in accordance with Local Plan, Policy DC11. The excavation of basements beneath rear gardens will be limited to the criteria set out in the Local Plan, Policy DC 11. The excavation of basements beneath existing or proposed outbuildings will be resisted in order to preserve the spatial hierarchy between main building and outbuilding.</u></p> <p><u>Rear and side gardens: Rear and side gardens are an important element of the character of most of the borough's Conservation Areas and contribute to amenity value, local biodiversity, privacy and sustainable drainage. Views across rear and side gardens are often important elements in the townscape, providing relief in the streetscene and glimpses of planting. The retention and maintenance of rear and side gardens will be encouraged and their significant erosion to create extensions, basements, lightwells or outbuildings will be resisted. The retention of trees and soft landscaping in rear or side gardens and the provision of new planting will be encouraged.</u></p> | <p>To provide clarity on developments within Conservation Areas that relate to the highlighted topics.</p> |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|---|---|---|
| | <p><u>Outbuildings:</u> Any outbuilding should be clearly subservient in height, volume and purpose to the original property. they should relate to size of the garden, should not create a terracing effect at the rear of existing properties and should comprise of only one storey. Their materials should complement their garden setting; traditionally domestic outbuildings have been constructed of brick or timber rather than render, metal or ceramic tiles. The excavation of basements beneath existing or proposed outbuildings or creation of lightwells to serve proposed basements will be resisted in order to preserve the spatial hierarchy between main building and outbuilding.</p> <p><u>Continuity and Historic Names:</u> The retention of historic names of buildings and sites will be encouraged. the retention of historic signage, particularly in relation to public houses will also be encouraged. Historic names and associations will be considered when naming any new developments. The use of historic information plaques on existing buildings and in new developments will be encouraged. The Hammersmith and Fulham Historic Buildings Group has worked closely with the Council to develop a high-quality model design for historic information plaques.</p> | |
| Section 4: Design and Conservation: Key Principle CAG4 | Amend the title of Key Principle CAG4: Key Principle – CAG4 Historic Shopfronts <u>in Conservation Areas</u> | To provide certainty that development in Historic Shopfronts relates to Conservation Areas. |
| Section 4: Design and Conservation (Street Furniture paragraph) | <u>Street Furniture:</u> The Council is committed to improving the streetscene. The aim is to promote high quality design and to eliminate visual clutter by removing redundant items of street furniture. Historic cast iron bollards, railings and cast iron or enamel street name plates add to the visual character of an area and should be retained and repaired or, if appropriate, replicas installed. New lighting columns and lanterns should be designed in keeping with the local character and context within the conservation area. <u>Telephone kiosks and other telecommunication facilities should be of a high quality design and materials and should not generate visual clutter in the streetscene through their appearance or siting. particular care should be paid to the setting of Listed Buildings and Buildings of Merit.</u> | To provide further guidance on telephone kiosk design in Conservation Areas |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|---|--|---|
| Section 4: Design and Conservation Key Principle – BL1 Assessment of Lightwells | Add additional bullet point in Key Principle BL1 and add the following text: <u>Front lightwells should be designed in accordance with the model designs for lightwells in figure BL1.</u> | To provide guidance in relation to front lightwells and recommend that applicants refer to the associated diagrams to check the council's standards on lightwell designs. |
| Section 4: Design and Conservation Key Principle – BL1 Assessment of Lightwells | Amend original text on second bullet point to read: Rear lightwells should not be excessive in size and should not result in the loss of more than 50% of the original rear garden area in accordance with Local Plan Policy DC11. | To bring into line the guidance of rear lightwells with Local Plan Policy DC11. |
| Section 4: Design and Conservation Key Principle – BL1 Assessment of Lightwells | Amend original text on fourth bullet point to read: Where a basement is being excavated to form additional living space, lightwells should <u>may</u> be formed in the rear and/or side garden, where one exists. | It is unreasonable to force applicants to provide a lightwell if they do not want one. |
| Section 4: Design and Conservation Archaeological Priority Areas | Move the title Archaeological Priority Areas from its current position to sit above Fulham Village APA. Add Scheduled Ancient Monuments and Fulham Palace as separate titles. | To prevent confusion. The title in its current position suggests that Fulham Palace Scheduled Ancient Monument is an Archaeological Priority Area which it is not. |
| Section 5: Noise & Nuisance (Policy Context) | Amend the Policy Context under the heading 'London Plan' as follows:- Mayor of London's Draft Environment Strategy The Mayor of London has <u>also</u> published a draft London Environment Strategy for consultation, <u>which is due to be adopted in early 2018.</u> The strategy brings together all current GLA environmental strategies into a single document and covers a a number of environmental issues including noise. The strategy sets out an ambitious vision for London that will sit alongside the Mayor's other strategic plans such as the London Plan. The strategy sets out a series of aims and actions for noise. Some of the key proposals in the draft strategy include:- | To shorten section, specific detail on draft proposals not needed at this stage. Just keep reference to the document and its status. |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|---|---|-----------------------------|
| | <ul style="list-style-type: none"> • Reducing adverse impacts by targeting locations in London with the highest noise pollution from transport. • Protecting and improving the acoustic environment of London • Support the Agent of Change Principle • Promotion of the night time economy <p>Consultation on the draft environment strategy ended on Friday 17th November 2017, the Council submitted detailed comments on numerous issues outlined in the strategy including noise.</p> | |
| Section 14: Waste Management (KP WM11 planning application requirements for refuse & recycling) | <p>Amend KP WM11 (planning application requirements for refuse & recycling) as follows:-</p> <p>Planning applications should be supported by a Refuse and Recycling Management Plan. which clearly identifies The proposed refuse and recycling storage points and the access routes for collection vehicles <u>should be clearly identified on submitted plans.</u></p> | To improve clarity |
| Section 14: Waste Management (KP WM11 planning application requirements for refuse & recycling) | <p>Amend title of KP WM11 as follows:-</p> <p>“Planning Application Requirements for refuse & recycling”</p> | To make title more concise. |
| Section 14: Waste Management (paragraph 14.83) | <p>Amend para 14.83 to include reference to the refuse and recycling management plan as follows:-</p> <p>“Appendix 5 indicates the information that is required to be submitted <u>as part of</u></p> | To improve clarity |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|---|--|---|
| | <u>a Refuse and Recycling Management Plan</u> | |
| <p>Section 14: Waste Management (Other Guidance p.188)</p> <p>Section 14: Waste Management (Policy Context)</p> | <p>Delete section on 'Other Guidance' from para 14.8 to 14.10 as follows:-</p> <p>Other Guidance Sustainable Design & Construction SPG (2014) 14.8 Promoting sustainable waste behaviour is an important element of the Mayor's Supplementary Planning Guidance SPG on Sustainable Design and Construction, 2014.</p> <p>The SPG provides guidance on the implementation of London Plan Policy 5.3 on sustainable design and construction. It also features guidance on a range of other policies, primarily in chapters 5 and 7 which focus on matters relating to the environment and sustainability. The three main priorities in the strategy include:-</p> <ul style="list-style-type: none"> ● Maximising use of existing resources and minimising waste generated during the construction process through implementing the waste hierarchy. ● Minimising use of resources in the design of development including designing to use prefabrication elements, sustainably sourced and, so not harm health and robust. ● Ensuring developments contain sufficient and well designed storage for recycling, organic material and waste. ● <p><u>Mayor of London's Draft Environment Strategy</u></p> <p>The Mayor of London has also published a draft London Environment Strategy for consultation. The strategy brings together all current GLA environmental strategies into a single document and covers a number of environmental issues including waste. The strategy sets out an ambitious vision and targets for London that include becoming a zero waste city by 2050. Once adopted,</p> | <p>To shorten section, specific detail on 'other guidance' is not needed.</p> <p>Reference to be made to the Mayor's draft Environment Strategy, the Housing SPG and the Sustainable Design & Construction SPG to be added under the heading London Plan within 'Policy Context' of section 14.</p> |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|---|---|--|
| | <p>the Environment strategy will be used by the Mayor to deliver his vision for London, alongside his other strategic plans such as the London Plan. The strategy sets out a series of aims and actions for waste. Some of the key proposals in the draft strategy include:-</p> <ul style="list-style-type: none"> • Collection of food waste (kerbside) by 2020 • Improving recycling in flats • Focus on waste minimisation • By 2026, no biodegradable waste will be sent to landfill • By 2030, 65% of London's waste will be recycled • Encouraging circular economy principles <p>Consultation on the draft environment strategy ended on Friday 17th November 2017, the Council submitted detailed comments on numerous issues outlined in the strategy including waste.</p> <p>Add reference to Mayor's draft Environment strategy, the Housing SPG and the Sustainable Design and Construction SPG under the heading 'London Plan' within the Policy Context of section 14 as follows:-</p> <p><u>"The Mayor of London's Housing SPG and Sustainable Design & Construction SPG provides further guidance for applicants on waste management. Alongside this, the Mayor has also published a draft Environment Strategy for consultation which is due to be adopted in early 2018. This contains a number of proposals for waste including the aim of collecting food waste."</u></p> | |
| Section 14: Waste Management (Policy Context) | <p>Add reference to London Plan Policy 5.3 on sustainable design and construction under the heading 'London Plan' as follows:-</p> <ul style="list-style-type: none"> • "Policies 5.16 and 5.17 of the London Plan are particularly relevant to waste and recycling, <u>as well as Policy 5.3 on sustainable design and construction.</u>" | To include reference to related policy within the London Plan. |
| Section 14: Waste | | To improve clarity |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|--|--|--|
| Management | Amend para 14.73 as follows:- “This <u>For major developments, the council recommends underground Envac systems</u> and other technological waste solutions...” | |
| Section 14: Waste Management (Alternative Waste Management Technologies, para 14.70) | Add reference to commercial and residential developments in para 14.70 as follows:- “For large developments, <u>(commercial and residential)</u> such as those within the boroughs...” | To make reference to both commercial and residential developments. |
| Section 15: Residential Moorings (Policy Context) | Add relevant London Plan policy into Policy Context as follows:- London Plan <ul style="list-style-type: none"> • <u>Policy 7.26- Safeguarded Wharves (Hurlingham Wharf, Swedish Wharf & Comley's Wharf)</u> | To include reference to relevant London Plan policy |
| Section 5: Noise & Nuisance | Amend KP NN3 as follows:- Sound Insulation between dwellings and between commercial and residential premises Careful consideration should be given to the design of stacking and adjoining similar rooms in adjoining dwellings and to sounds insulation or separation of dwellings from communal and commercial areas. <u>In the design of new residential dwellings (including changes of use/conversions) careful consideration should be given to stacking and layout</u> | To include guidance for residential dwellings to provide enhanced sound insulation for all parts of adjoining dwellings including where an adjoining room is of a similar use. |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|--|--|--|
| | <p><u>of rooms in relation to adjoining walls/floors/ceilings.</u></p> <p><u>To ensure the amenity of occupiers is not adversely affected by noise, the council expects all parts of adjoining dwellings to enhance the sound insulation, including where the adjoining room is of a similar use.</u></p> <p><u>Where a residential dwelling adjoins a commercial premise, substantially enhanced sound insulation will be expected.</u></p> <p>Amend justification text of para 5.23 as follows:-</p> <p><u>“ In residential dwellings, even where rooms of a similar use are adjoining one another, noise disturbances can still arise. With this in mind, the council expects all parts of adjoining dwellings to enhance the sound insulation above that in the Building Regulations. Where the arrangement of rooms is shown to be unsuitable and likely to give rise to neighbour noise nuisance, e-Enhanced sound insulation will be required by condition or in situations...”</u></p> | |
| Section 17: Technical Appendices (Appendix 4c: Noise Sensitive Premises) | <p>Amend title and paragraph as follows:-</p> <p>Enhanced sound insulation between different residential uses <u>dwellings</u></p> <p>It is important to note that Part E of the Building Regulations list the minimum acceptable levels only. Therefore, where the arrangement of rooms in separate adjoining dwellings is shown to be unsuitable in terms of preventing transmission of household noise and consequently is likely to give rise to neighbour noise complaints, t <u>The council will require better sound insulation of adjoining relevant walls, floors and ceilings. Applicants and developers should aim for an enhancement of the minimum levels stated in the Building Regulations by at least 5dB.</u></p> | To include guidance for residential dwellings to provide enhanced sound insulation for all parts of adjoining dwellings including where an adjoining room is of a similar use. |
| Section 4 (Design & Conservation) | Add new Key Principle DA14 on fire safety as follows:- | To ensure fire safety is considered as part of new developments taking place |

| Paragraph/Section | Technical Change Proposed | Reason for Change |
|--------------------------------|--|---------------------|
| Accessible & Inclusive Design) | <p><u>Key Principle DA14</u> <u>Fire Safety</u> <u>In the interests of fire safety, and to ensure the safety of all building uses, the council expects development proposals to achieve the highest standards of fire safety. How a building will function in terms of fire, emergency evacuation, and the safety of all users should be considered at the outset to ensure the most successful outcomes are achieved.</u></p> <p><u>Justification Text</u></p> <p><u>Fire safety is covered by Part B of the Building Regulations, but applications should consider issues of fire safety before the building control application stage</u></p> | within the borough. |

4 Design and Conservation

Conservation Area Guidelines

4.1 Most of the borough's built fabric dates from the extensive building programmes in the nineteenth and early twentieth centuries. Hammersmith and Fulham has maintained a much-valued built heritage, much of which falls within the Borough's 44 designated conservation areas.

4.2 Of the borough's residential areas those that were laid out to a consistent design and are of high architectural quality are also included in the borough's conservation areas. In many of these areas, the street provides a sense of scale and the setting for the consistent terraces of uniform architectural design.

4.3 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. In recognition of the importance of these areas in the sustainable regeneration of the borough, it is essential that development is encouraged which is mindful of the areas' historic form and which is of an appropriate high quality architectural design to complement the existing character and ensure the long term vitality and viability of these centres.

4.4 The current land use structure of Hammersmith and Fulham with its three town centres, local shopping parades, residential areas, open spaces, riverside and industrial/commercial areas is the main generator of the Boroughs rich and varied character.

4.5 The varied character of Hammersmith's riverside is reflected both in the Mall Conservation Area including Upper and Lower mall, and in the contrasting old industrial areas such as the Sands End Conservation Area. The River Thames is the main topographical feature in the Borough, defining its southern boundary. It contributes to the character and development patterns of Hammersmith and Fulham in many ways . There is a strong relationship between the river, the river edge, landward development and open spaces within the borough. The riverside in Hammersmith and Fulham has seen many changes over the centuries, and the last thirty years are no exception. Several key sites have been subject of major development proposals.

4 Design and Conservation

Policy Context - Conservation Areas

National Policy

The Government's overarching aim is that the historic environment and its heritage assets should be conserved in a manner appropriate to their significance and enjoyed for the quality of life they bring to this and future generations. Section 12 of the NPPF is titled 'Conserving and enhancing the historic environment' and condenses the former PPS5. However, it maintains the essence of the PPS in upholding the general policy that heritage assets should be "sustained" and "enhanced" for the benefits they bring to the community.

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"Every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and shall designate those areas as conservation areas."

Designation introduces a general control over the demolition of unlisted buildings and provides the basis for policies designed to preserve and enhance all the aspects of character and appearance that detract/contribute to an area's special interest.

Under Section 71 of the Act, once an area has been designated:

"It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas."

London Plan

The London Plan policy 7.8 on heritage assets includes the following:

- London's historic environment, including natural landscapes, conservation areas, heritage assets, World Heritage sites, Scheduled Ancient Monuments and memorials should be identified, preserved and restored.
- Development should preserve, refurbish and incorporate heritage assets where appropriate
- New development in the setting of heritage assets, and conservation areas should be sympathetic to their form, scale, materials and architectural detail.

Local Plan

Local Plan policy DC1 states, amongst other things, that all development within the borough 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 considers how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.

Local Plan policy DC8 Heritage and Conservation which states, amongst other things, that "the council will aim to protect, restore or enhance the quality, character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument".

Character Profiles

The council is producing a Conservation Area Character Profile for each conservation area. The "profile" is an appraisal which aims to give a clear assessment of the special interest, character, and appearance which justified the designation of the area as a Conservation Area. It also identifies key components that define the character or those which affect it, introduces relevant background material and suggests design guidelines to deal with each one. Some design guidelines are generic and these are reproduced here to aid all concerned in their efforts to preserve or enhance the character and appearance of all conservation areas in the Borough.

The profiles and these design guidelines support the council's statutory Local Development Framework which sets out the planning policy framework for the development of the Borough and development control decisions.

The Borough has 44 conservation areas with the first being designated in 1971. These are reviewed on a regular basis. All published and approved profiles are available on the council's web site. Profiles for each of the remaining conservation areas are to be produced as part of the council's ongoing work programme.

Key Principles

Key Principle - CAG1

Land Use in Conservation Areas

The mixture of uses within a conservation area is a component of character and often reinforces the role and quality of its individual buildings and local townscape. The impact of changing the balance of uses on that character must be carefully considered. Where new uses are proposed, they should be configured and accommodated in a manner that is consistent with the character of the conservation area and its architectural form, scale and features.

4.6 The experience of the particular mix of uses within a historic area helps determine its character. This often reinforces the role and quality of its individual buildings and local townscape. The balance of uses within a conservation area is, therefore, important in defining its character, particularly if they reflect the historic development of the area. Conservation Area designation is seen as the means of recognising the importance of such factors and in ensuring that appropriate policies are adopted to address the preservation or enhancement of such character by maintaining the balance of uses where it exists. Within Regeneration Areas and where significant areas of new townscape are proposed, the impact of introducing new uses will need to be carefully considered in conjunction with other strategic objectives.

Key Principle - CAG2

Urban Design in Conservation Areas

New development should contribute positively to the townscape and visual quality of the area and achieve a harmonious relationship with its neighbours to preserve or enhance the character and appearance of the conservation area. A successful design will take account of the characteristics of setting, urban grain, key townscape features, architectural details, landscape features, views, landmarks of the conservation area.

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4.7 New development will be considered on the basis of the following urban design characteristics:

Setting: The setting of the conservation area is determined by its surroundings within which the area is experienced and describes its relationship in particular to the spatial, visual, historic and topographic context. The setting may contain buildings or features that have a positive, neutral or negative impact on the significance of a conservation area. Where necessary, applicants should describe the impact of their proposals on the setting of a conservation area in accordance with the method outlined in Historic England's Good Practice Advice Note: The Setting of Heritage Assets (GPA 3) (2015).

Urban Grain: The urban grain of an area is composed of the plot layout, form and scale of buildings, the public realm and street pattern that define the distinct character of the conservation area and give clues to its historic development.

Key Townscape Features: All new development should respect the key townscape features, such as height and massing, building types and density, that define the sense of place. Proposed works within consistent groups of buildings such as terraces or set piece developments should respect the established homogeneity of the townscape.

Architectural Detail: The scale, proportion, alignment, style and use of features and materials must be carefully conceived to achieve high quality buildings that form a harmonious relationship with their neighbours.

Landscape Features: All new development should respect terrain and landscape features of the site and surroundings and respect their relationship to the built context.

Views: Significant views in and out of a conservation area and within it that can be appreciated from the street should be protected and opportunities to enhance existing views and shape or define new ones should be sought when considering new development.

Landmarks: Established landmarks, such as a church, theatre, town hall, rail station, an imposing office or mansion block or industrial building, should be retained as visual focal points where they make a positive contribution to defining and identifying the character of the conservation area.

4.8 (1)

4.9 The council will require applications for planning permission, whether outline or full, to be in sufficient detail for a judgement to be made in relation to the impact of the proposal on the character and appearance of the adjoining buildings and street scene and the conservation area as a whole. For this reason an outline application without any details is unlikely to provide sufficient information. The council has statutory powers to ask for additional details within one month of the lodging of a planning application, if these are necessary to enable it to make a decision.

Key Principle - CAG3

New Development in Conservation Areas

New buildings, extensions and alterations should be sympathetic to the architectural character of the built context and should not have a harmful impact on the character and appearance of the conservation area. Characteristics such as building heights, building lines, roof forms, rear and side additions, front gardens and boundary treatment, lightwells, materials, windows and building features as well as disabled access measures should be considered in this context.

1 Further guidance can be found in 'Building in Context: New Development in Historic Areas', CABE 2001.

4.10 The following building characteristics are relevant when planning new development:

Building Height: Any new development should respect the general townscape and prevailing height of buildings in each area where there is general consistency in height and scale. Where this is not the case, a townscape analysis would be required that supports the judgement about appropriate building heights on a site.

Building Line: The relationship between the frontages of buildings and the street space they are enclosing is an important townscape characteristic. New development should respect the dominant building line and the general rhythm of the facades within a street. The building line of the rear of buildings, often with a repetitive pattern of original subordinately designed rear extensions, can also be important in its relationship with gardens. It should be respected by the careful design of any proposed rear extensions.

Roof Extensions: Front roof extensions are likely to interrupt continuous parapet and eave lines in the townscape and are generally unacceptable for typical buildings styles within the Borough. Rear roof extensions should be sympathetic and special attention should be paid to their design where they are visible from the street and from surrounding properties. Alterations to the ridge height and the front roof slope are considered to be unacceptable where they harm the uniformity of a terrace or the proportions of a building. The use or reinstatement of original rainwater goods, decorative detail and materials including tiling patterns will be expected where appropriate. The demolition of original chimney stacks that are a significant feature in the roofline and silhouette of a building or terrace is considered to be a material alteration to the roofscape and shape of a dwelling house. Their removal may require planning permission and will be resisted. Similarly, original chimney pots should be retained wherever possible.

Hip to Gable Roof Extensions: Hip to gable roof extensions can undermine the symmetry of groups of properties or terraces. Where hipped roofs form part of the pattern of original development in an area their loss will be resisted.

Extensions: Extensions should never dominate the main building and should meet the policies in the section of the SPD on Housing Quality with regard to the provision of garden space, its proportions and quality. The size of rear and side extensions should have regard to existing building patterns within a conservation area and respect the symmetry of original additions in terraces. The design and materials of such extensions should integrate successfully with the host building and its neighbours.

Front Gardens: Front gardens define the edge of the public realm and form an important element of the character of most of the Borough's streets and terraces. Planted front gardens improve privacy, the appearance of properties and their relationship to the street, amenity value and local biodiversity. The retention and maintenance of planted front gardens will be encouraged and their destruction in order to create vehicular crossovers, access and hard standings will be resisted. Further guidance can be found in the Sustainable Drainage Systems, Biodiversity and Transport sections of this SPD.

Boundary Treatment: Traditional front boundaries are important in defining the character of a street and visually unite street frontages of buildings. Alterations to or removals of front boundaries that interrupt the sense of enclosure and rhythm in the relationship between private and public space will be resisted, and where missing, front boundaries should be replaced to their original design. Boundaries of the 19th & early 20th Century can vary from the earlier style of metal railings on a stone plinth with matching gates, to the later style of low brick walls with stone copings (simple flat blocks or more distinctively moulded) surmounted by metal railings or panels, and matching gates all flanked by stone or terracotta capped piers, and hedges, or a combination of these. In the majority of cases black or dark green is the most appropriate colour to paint metal railings and gates, but wherever possible the original colour scheme should be investigated. Invisible Green⁽²⁾ is often used. Visible side and rear

4 Design and Conservation

boundary treatments can be of equal visual importance and their original design should be retained or reinstated. Any new structure over one metre in height on a boundary adjoining the highway and over two metres in height on a boundary at the rear of properties would require planning permission. Where the installation of bin, cycle or meter enclosures in gardens is considered to be acceptable, their design should be in proportion to the height of the boundary treatment and the size of the garden, and the enclosures should not be accessed through new openings in boundary walls, hedges or railings.

Lightwells: Where lightwells are considered to be appropriate they must be sensitively designed and proportioned to accord with the Basements and Lightwells chapter of in this SPD. The creation of lightwells by the excavation of all or part of the front garden of a residential property to provide windows to basements requires planning permission, as does the enlargement of an existing lightwell. The loss of a substantial part of front gardens that form an integral part of the character of the terrace and street will be resisted.

Basement excavation: More detailed guidance can be found in the Local Plan, Policy DC 11. The excavation of basements beneath existing or proposed buildings will generally be limited to one storey in depth beneath the original lowest floor level. Exceptions may be acceptable on larger redevelopment sites. The excavation of basement accommodation beneath front and side gardens will not normally be acceptable in accordance with Local Plan, Policy DC11. The excavation of basements beneath rear gardens will be limited to the criteria set out in the Local Plan, Policy DC 11. The excavation of basements beneath existing or proposed outbuildings will be resisted in order to preserve the spatial hierarchy between main building and outbuilding.

Rear and side gardens: Rear and side gardens are an important element of the character of most of the borough's Conservation Areas and contribute to amenity value, local biodiversity, privacy and sustainable drainage. Views across rear and side gardens are often important elements in the townscape, providing relief in the streetscene and glimpses of planting. The retention and maintenance of rear and side gardens will be encouraged and their significant erosion to create extensions, basements, lightwells or outbuildings will be resisted. The retention of trees and soft landscaping in rear or side gardens and the provision of new planting will be encouraged.

Outbuildings: Any outbuilding should be clearly subservient in height, volume and purpose to the original property, they should relate to size of the garden, should not create a terracing effect at the rear of existing properties and should comprise of only one storey. Their materials should complement their garden setting; traditionally domestic outbuildings have been constructed of brick or timber rather than render, metal or ceramic tiles. The excavation of basements beneath existing or proposed outbuildings or creation of lightwells to serve proposed basements will be resisted in order to preserve the spatial hierarchy between main building and outbuilding.

Continuity and Historic Names: The retention of historic names of buildings and sites will be encouraged. the retention of historic signage, particularly in relation to public houses will also be encouraged. Historic names and associations will be considered when naming any new developments. The use of historic information plaques on existing buildings and in new developments will be encouraged. The Hammersmith and Fulham Historic Buildings Group has worked closely with the Council to develop a high quality model design for historic information plaques.

Brickwork and Stonework, Painting, Render and Cladding: External brick or stone walls (including pilasters to shop surrounds) should be retained in their original condition and should not be painted, rendered or clad in any material. Existing brick or stone elevations including chimney stacks should be properly maintained and appropriate repointing undertaken where necessary (usually with lime based mortar in a flush finish). Properties that have original unpainted stucco rendering, or have stucco mouldings, should preferably be left in their original state and specialist advice should be sought where re-rendering or repairs are necessary. Where render or stucco is painted, it should be repainted an appropriate matt colour (or colours) i.e. white, pale or pastel shades rather than vivid colours. Glazed

Design and Conservation 4

bricks or tiles and terracotta tiles or decorative panels should not be painted. Planning permission may be needed for changes to original facades and consultation with the Borough's conservation officer should be sought.

Windows and Original Features: Original architectural features such as timber sash windows, timber or metal casement windows, panelled doors, decorative stucco, moulded window surrounds and door cases, and historic shopfronts should be maintained and repaired wherever possible. Where renewal is unavoidable, owners are encouraged to reinstate these with exact replicas in the original style, detailing and materials. New windows should be designed with matching frame materials and profiles, pattern of glazing bars and glazing types. The type of glazing including secondary glazing options and design details should be carefully considered on a case by case basis. Planning permission may be needed for replacement windows and advice from the Borough's conservation officer should be sought. Owners of properties with unsuitable replacement windows, including PVC (plastic) windows, will be encouraged to change them for those of a more appropriate design and materials to match the originals when an opportunity arises.

Disabled Access: Applications for development affecting heritage assets should achieve accessible and inclusive design wherever possible and practicable, for example, level access. The Council supports the dignified and easy access for disabled people to and within historic buildings and historic public spaces. Suitable access for disabled people, which does not compromise a building's or areas special interest, can normally be achieved if treated as part of an integrated review of access requirements for all visitors or users, and if a flexible and pragmatic approach is taken. The Historic England publication – Easy Access to Historic Buildings (2015) provides useful guidance.

Key Principle - CAG4

Historic Shopfronts in Conservation Areas

The removal of historic shopfronts will be resisted and where they have been fully or partially removed, restoration will be encouraged. New shopfronts, including signage, lighting and other external installations, should incorporate high quality designs and materials which are appropriate to the architectural character of the building.

4.11 Proposed works to shopfronts will be considered with regard to their characteristic setting and features:

Shopfronts: New shopfronts and alterations should be designed to achieve a satisfactory visual relationship between the frontage and the rest of the building. Shopfronts spanning more than one original shop unit should not disrupt the vertical emphasis by the removal of intermediate pilasters and corbel brackets that originally divided the individual shop units.

Shopping Parades: A group of shops within a terrace normally has a unified appearance within well designed surrounds common to each shop and with related shopfront designs. The replacement of shopfronts with individual features and surrounds that are not common to the group would harm the unified appearance of the terrace. The retention, repair or restoration of original shop surrounds and frontages therefore is of high importance to the character and appearance of historic buildings and conservation areas.

Shop Fascias, Signage and Lighting: Fascia panels and shop signs should be integrated into the design of a shopfront, respect architectural details, use appropriate materials of high quality and should be located below the perceived floor level of the first floor. Internally illuminated box fascias and signs are considered to be inappropriate for shops within conservation areas.

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Shop Security Shutters and Canopies: Security grilles, where absolutely necessary, should consist of an open mesh to avoid dead frontages and be located internally. Shutter boxes should always be hidden from external views. Canopies should be traditionally designed and integrated into the shopfront.

4.12 More detailed guidance can be found in the Local Plan, Policy DC5, and in the Shopfronts chapter of this SPD.

Key Principle - CAG5

External Installations in Conservation Areas

Any external installations, such as solar/PV panels, satellite dishes and antennas, must be integrated into the design of a building by installing these within the envelope of the building or in a discrete manner in the least intrusive locations to minimise their visual impact both in ground level and high level views. Such installations within a conservation area will require planning permission and need careful consideration.

4.13 The proposed details of the installation of the following external additions must be considered:

Energy efficiency measures: Installation of energy efficiency technologies such as micro-generation equipment must be sensitively designed and situated to limit their visual impact on heritage assets. Internal alterations to increase energy efficiency, such as secondary glazing or heat pumps that require the installation of external grilles, should be designed to be sympathetic to the exterior character.

Satellite Dishes: Satellite dishes will not be permitted where they would be visually obtrusive and where alternative locations are possible.

Other Additions: External impedimenta such as original rainwater goods must be replaced in their original form and material. In some cases, powder coated aluminium may be acceptable but the use of PVC (plastic) is considered visually inappropriate. The installation of small size equipment such as alarm and antenna boxes and cameras should be limited and sited away from important architectural details and screened appropriately. The routing of cables should be internal – where this is not possible, cables routes should be in the least prominent locations with a colour finish to match the background.

Key Principle - CAG6

Open Spaces, Trees and Streets in Conservation Areas

Open spaces, trees and streets make a significant contribution to the character and appearance of conservation areas. It is important that any proposed changes preserve the character and reinforce local distinctiveness of the area.

4.14 Proposals will be assessed with regard to the following considerations:

Open Spaces: Public and private open spaces within a conservation area have a major visual and amenity value and impact upon the character of a otherwise built up area. Many open spaces within the Borough's conservation areas are identified within the Council's Local Plan as Nature Conservation Areas or Metropolitan Open Spaces. Any development should be designed to ensure it is harmonious with the open space context, and views within and from the outside of open spaces should be given special consideration. Where sports pitches, playgrounds and associated lighting are appropriate and satisfy these policies, they must be carefully integrated within the original layout and landscape to minimise their visual intrusion and enhance their surroundings.

Trees: Mature planting and trees are an important characteristic of historic areas and most trees in a conservation area, including those in rear gardens, are protected [see the Town and Country Planning [Trees] Regulations 2012]. Owners are urged to look after trees on their land and plant new ones, and the Council will continue to re-instate and plant new street trees where appropriate, in order to ensure a continuing stock of mature trees for future generations and to provide an opportunity for biodiversity. Trees and shrub planting along boundaries of properties is a common characteristic in conservation areas, and their retention and maintenance will be encouraged.

Streets: Roads, pavements and public spaces should form a neutral setting for buildings within the conservation area and all work should be carried out in accordance with the Council's street design guide "Street Smart". Original kerb stones and historic paving should be kept and repaired. Where this is not possible, high quality natural materials such as York stone and granite setts can greatly add to the visual interest of an area, however, surfaces should be visually subordinate within the townscape, providing a coherent character throughout the conservation area. Any hard and soft landscaping, paving, road surfaces or footpaths should be designed to contribute where necessary to managing surface water run-off in accordance with the Flood Risk Mitigation and Sustainable Drainage section of this SPD.

Street Furniture: The Council is committed to improving the streetscene. The aim is to promote high quality design and to eliminate visual clutter by removing redundant items of street furniture. Historic cast iron bollards, railings and cast iron or enamel street name plates add to the visual character of an area and should be retained and repaired or, if appropriate, replicas installed. New lighting columns and lanterns should be designed in keeping with the local character and context within the conservation area. Telephone kiosks and other telecommunication facilities should be of a high quality design and materials and should not generate visual clutter in the streetscene through their appearance or siting, particular care should be paid to the setting of Listed Buildings and Buildings of Merit.

4 Design and Conservation

Basements and Lightwells

4.15 In London, many of the larger Georgian terrace houses had separate front access to the basement to allow for coal, waste and service matters to be dealt with separately from the main entrance to the house. In smaller houses basement access would be to the coal cellars which were to be found under the pavements. However, later medium sized and smaller London houses had no separate access and coal and bins were moved through the same main entrance. Towards the end of the 19th Century (after 1870) all medium sized houses and many smaller houses were built with a front garden (even those with basements). Gardens were regarded as adding status and, if kept in good order, improving privacy and the appearance of the house. Iron railings (most removed during the Second World War), sometimes on a low brick wall, often enclosed the gardens. By the end of the 19th Century, almost all new houses had a front garden, or at least a forecourt, [a paved stretch of ground of the depth of a bay window].

4.16 These front gardens now form the character of most of the Borough's streets and terraces, and when planted, provide a welcome greening of an otherwise hard urban environment. Rear landscaped gardens can also contribute to the street scene, particularly where there are important gaps between terraces and a general open aspect in which trees and large shrubs in rear gardens are visible. The street scene can be enhanced by borrowing from the landscape in these private rear spaces. The value of these spaces for their planting and potential tree planting is great, not only for aesthetic reasons but also for biodiversity and habitats and dealing with surface water run-off.

Policy Context - Basements and Lightwells

National policy

The NPPF encourages good design. It warns that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. It states that high quality and inclusive design should be the aim of all those involved in the development process. Planning authorities are encouraged to prepare robust policies on design and access. A key objective of these policies is to ensure that developments respond to their local context and create or reinforce local distinctiveness.

London Plan

The London Plan promotes good design, for example see **policy 7.6 Architecture** and others concerned with London's Living Places and Spaces. It acknowledges that the quality and function of neighbourhoods and places, and local character, contribute to making London a special place and improve the quality of life.

Local Plan

The council's policies for the control of development and the improvement of the environment are set out in its Local Plan.

The council's Local Plan includes **policy DC4: Alterations and Extensions**. This states, amongst other things, that 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, their neighbours and their setting. In addition, policy DC11 provides guidance on basement accommodation and lightwells.

The council's Conservation Area Character Profiles generally discourage the excavation of front gardens. The Guidelines state :

"The creation of lightwells by the excavation of all or part of the front garden of a residential property to provide windows to basements to increase the light to basement rooms requires planning permission, as does the enlargement of an existing lightwell. Where there is no tradition of a lightwell in a particular property or street the introduction of an over-large, visible and inappropriately designed lightwell could be harmful to the appearance of an area. This has a negative impact and will not normally be permitted where the lightwell would take up more than 50% of the front garden or would result in the loss of a substantial part of any planted area of the front gardens that forms an integral part of the design of the street or terrace."

Assessment of Proposals for Lightwells and Basement Excavation

4.17 The council will be bringing an Article 4 Direction to remove permitted development rights for basement development in April 2018. Applicants will be required to submit planning applications for any basement development, lightwells or any other development below the dwellinghouse or curtilage. The Local Plan and following guidance will be used to assess any applications ⁽³⁾

3 (<https://www.lbhf.gov.uk/planning/planning-policy/consultation-article-4-directions>).

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4.18 Where lightwells already exist, and are to be enlarged, planning permission will also be required for that enlargement. Some schemes for excavation and lightwells at the side and rear of properties may not require planning permission. Applicants are advised to discuss proposals for such work at an early stage with the Council's Planning Division.

4.19 The introduction of an overly large, visible and inappropriately designed lightwell could be harmful to the appearance and architectural integrity of the property, the street scene, and the area generally. For example, the scale of a property can be increased, and the relationship of the property to its front garden threshold space and the street can be eroded, or the softness given by a planted front garden can be lost with consequent damage to the street scene. The addition of further protective railings can add unnecessary clutter to the appearance of the street scene.

4.20 In addition, there are parts of the Borough that are designated as Archaeological Priority areas. Where excavation is required in these areas the council will take into account the Heritage Conservation policies in the Local Plan. The requirement to fully understand any impact on archaeology is normally expressed as a condition to any planning permission.

Assessment of Lightwells

Key Principle - BL1 Any application for a lightwell will be treated on its individual planning merits, taking into account local circumstances, impact and the proposed size of the excavated area.

Key Principle - BL1 The following key points should be considered when creating a lightwell:

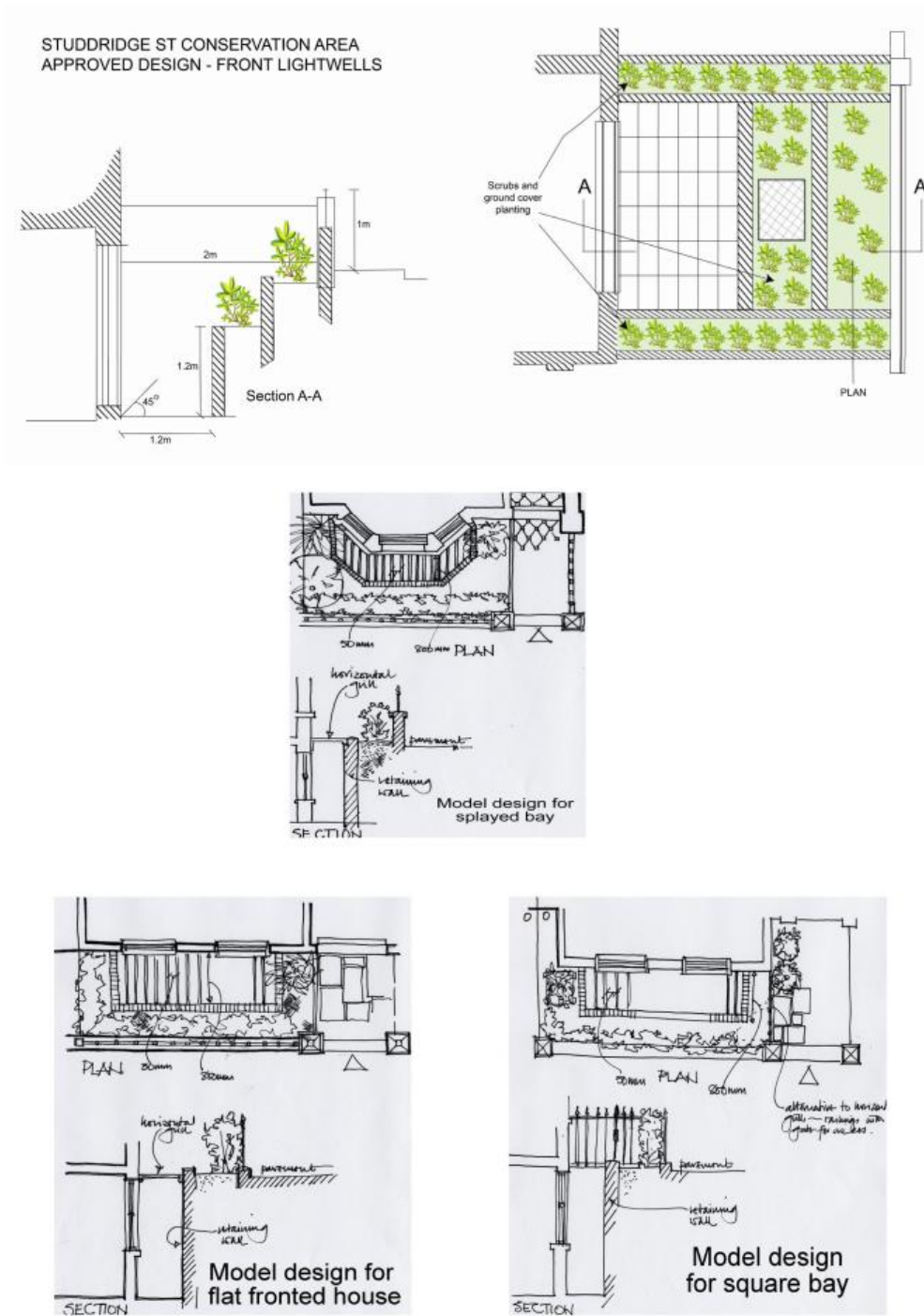
Key Principle - BL1

- Proposals for excavation and a lightwell where the whole of the front or rear garden would be lost would normally be refused permission.
- Front lightwells should be designed in accordance with the model designs for lightwells in figure BL1.
- Rear lightwells should not be excessive in size and should not either on its own or in combination with a basement excavation result in the loss of more than 50% of the rear garden area in accordance with Local Plan Policy DC11.
- Where they are not part of the original design, proposals to insert stairs into the front lightwell would normally be resisted.
- Where a basement is being excavated to form additional living space, lightwells may be formed in the rear and/or side garden, where one exists.

4.21 There will be instances where excavation and the construction of a lightwell could be detrimental to the character of a building or the street scene and could be refused permission. Examples of such cases would be where front gardens or forecourts (both residential and commercial) are particularly small and excavation and the creation of a lightwell would result in the loss of the entire garden, or where a large lightwell would be clearly visible from public areas. Figure BL1 below provides examples of model lightwell designs for different types of property. Where lightwells exist already in a particular street or terrace, such as on the Peterborough Estate in the Studdridge Street Conservation Area, and where a different model has already become established, further lightwells which match the predominant design may be considered acceptable.

Figure - BL1

4.22 Recommended lightwells are shown in the drawings on the next page, these show a plan and section from front to back, for each type of property, together with dimensions. The examples have been designed to comply with building regulations requirements for means of escape in case of fire, if the only possible means of escape is through the front lightwell area.



4 Design and Conservation

4.23 Rear gardens are important for providing the space and environment within which flora and fauna have the opportunity to thrive and, therefore, sufficient space should be left for trees and shrubs to grow. The presence of trees and shrubs in rear gardens provides a green foil to the surrounding development and can enhance the sense of privacy, especially in densely built up areas.

4.24 Providing access to the basement via the front lightwell increases the size of the lightwell and erodes the remaining area available for planting. Stairs and railings would also give a cluttered appearance to the front garden area which often provides a soft landscaped setting for the property and the street. Such proposals would detract from the appearance of the front elevation of the house and the character of the street scene.

4.25 Ideally, where a basement is being excavated to form additional living space, lightwells should be formed in the rear and/or side garden, where one exists. Such a location would almost always be more appropriate. There would be scope at the rear for the provision of light and air to any new basement room, and there would also be the opportunity to create links with any rear garden.

Key Principle - BL2

Lightwells and basement excavation relating to listed buildings and lightwells in and conservation areas

In the case of a listed building whose special interest would be harmed by the construction of a lightwell, such a development would almost always be unacceptable unless outweighed by public benefits.

Proposals for lightwells or basement excavation relating to listed buildings or their curtilage should be informed by an assessment of the significance of the designated heritage asset and the impact of the proposals on that significance, paying special attention to the type, period, character and setting of the listed building; its historic fabric, plan form, volume, floor to ceiling heights; and original spatial hierarchy within both the listed building and its curtilage.

Details of the method of construction and excavation; details of any temporary internal or external works required to facilitate the construction and excavation process such as the removal of spoil; and details of measures to protect the existing fabric during construction and excavation will be required with any application relating to a listed building or a building within its curtilage.

In some parts of some conservation areas, even the model lightwell designs included in Figure BL1 may be harmful, for example where the front garden is clearly visible from the street, or where there is no front boundary enclosure.

4.26 ~~Some heritage assets will be extremely sensitive to changes in level at the threshold of a building~~ Listed buildings and buildings in conservation areas can be sensitive to proposals for lightwells or basement excavation especially where the forecourt or front garden space provides the setting for the building or terrace and contributes to the significance of the heritage asset.

4.27 The significance of listed buildings can be adversely affected by the construction of lightwells or basement excavation, therefore careful consideration is required in relation to impact of such proposals on both the internal and external character and appearance of the listed building and on the spatial hierarchy within the listed building and its curtilage. Some designated heritage asset types such as dwelling houses built with a clear hierarchy of floors and a cellular plan form can be particularly vulnerable to harmful change from proposals for lightwells and basement excavation. It will be important to consider not only the impact of the permanent alterations, but also the impact of any temporary

works that will be required to facilitate the proposed works. ~~Listed buildings and buildings in conservation areas can be sensitive to proposals for lightwells or basement excavation, especially where the forecourt or front garden space provides the setting for the building or terrace and contributes to the significance of the heritage asset.~~

Key Principle - BL3

Front lightwells

Where a new front lightwell is acceptable in policy, it should be as discreet as possible, and allow the scale, character and appearance of the property, street or terrace to remain largely unchanged. The design of any basement elevation, in its form and fenestration [and in particular the material, opening style and subdivision of any fenestration], should relate to the design of the ground floor elevation.

The following key points should be considered when creating a front lightwell:

- **The excavation should retain a significant amount of accessible and usable planting area at ground level.**
- **Fences, glazed screens or vertical railings to surround the lightwell should be avoided, as they draw attention to the change, and would look cluttered especially if there are differing styles. It would be acceptable however, to put a railing from the front to back adjacent to the garden path in order to give protection.**
- **In the case of splay bay and square bay windows, the lightwell should follow the shape of the bay window on the ground floor.**
- **In the case of a flat fronted property the excavation should be no wider than the outer edge of the window or windows in the ground floor elevation.**
- **All excavations should not exceed 800mm from front to back**
- **A horizontal metal grille flush with the surface of the garden should be used to achieve such protection over the excavation**
- **Where a lightwell is used as a means of escape, a ladder will also need to be provided to affect the escape arrangements from the basement.**

4.28 Many houses in Hammersmith and Fulham have a splayed bay window on the front elevation (a result of the late Victorian love of fresh air and extra space); others have a square bay, while fewer have a flat elevation. The majority of terraced houses have small front gardens where the formation of a lightwell would have the greatest impact. These guidelines are predominantly aimed at these small gardens. The guidelines may only be relaxed where the proposals relate to larger front gardens (i.e. more than 6 metres when measured from the main front wall). All excavations should not exceed 800mm from front to back, except on the Peterborough Estate where a more generous model design incorporating a secondary planter in the lightwell has become established.

4.29 The Council is not seeking to prevent the use of fences and railings on the front property boundary, or along the path leading to the front door. The Building Regulations require that in order to prevent any one falling into a lightwell where it is deeper than 600mm, the opening should be protected by a guard. In order to avoid a cluttered appearance in the front of a property a horizontal metal grille flush with the surface of the garden should be used to achieve such protection over the excavation. The need for a grille can be avoided if a vertical railing is erected from the front entrance gate to the front door.

4 Design and Conservation

4.30 If the lightwell is not used as a means of escape, or required for ventilation, other traditional measures such as glass blocks could be used. These features should be included in any planning application. Any proposal should have sufficient space left in the front garden to provide the opportunity for planting, and in the case of small gardens, there should be at least sufficient space left for a hedge.

4.31 Any planning permission will have conditions attached relating to the grilles, materials, windows, tree protection measures for any adjacent trees and a requirement to build the proposals in their entirety. The removal of permitted development rights for railings may also be conditioned.

Buildings of Merit

4.32 The borough has an established local register of Buildings of Merit which has been drawn up and maintained in close collaboration with local amenity groups ⁽⁴⁾. The list gives a clear indication of those buildings which are valued by the local authority and local community, and a better understanding of the locally important heritage assets and their contribution to the character and distinctiveness of each local area. The buildings on the list are now widely recognised as local heritage assets in the planning process.

4.33 The borough's Buildings of Merit are important for the contribution they make to the local area, reinforcing local historic and architectural distinctiveness. They are also important in the preservation and enhancement of local character and appearance of areas.

Policy Context - Buildings of Merit

National Policy

The Government's overarching aim regarding the historic environment and its heritage assets is that they should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Section 12 of the NPPF is entitled 'Conserving and enhancing the historic environment' and condenses the former PPS5. However, it maintains the spirit of the PPS in upholding the general policy that heritage assets should be "sustained" and "enhanced" for the benefits they bring to the community. There is a clear direction to local authorities in paragraph 126 that these general aspirations should be linked into a positive strategy for conservation within local plans.

London Plan

The London Plan recognises that London's built and landscape heritage provides a depth of character that has immeasurable benefit to the city's economy, culture and quality of life. Crucial to the preservation of this character is the careful protection and adaptive re-use of heritage buildings and their settings. The Plan contains a policy on heritage assets (see Policy 7.8).

Local Policy

Local Plan Policy Built Environment DC1 states that all development within the borough should create a high quality urban environment that respects and enhances its townscape context and heritage assets.

The Council's Local Plan includes policy DC8 Heritage and Conservation. This states amongst other things that: "The council will aim to protect, restore or enhance the quality, and character, appearance and setting of the borough's conservation areas and its historic environment, including listed buildings, historic parks and gardens, buildings and artefacts of local importance and interest, archaeological priority areas and the scheduled ancient monument".

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Key Principles

Key Principle - BM1

Designation of Buildings of Merit

Given the importance of non-designated heritage assets to the local townscape of the Borough, it is considered that the opportunity to add to, or in exceptional cases remove buildings from the Local Register, is available, and such additions may be put forward from time to time, 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 by the Secretary of State. A regular review and update of the local register will be carried out to ensure it remains relevant as a record of the boroughs locally important historic environment.

4.34 Historic England suggest that similar selection criteria to that currently used for national designation would be appropriate for local listing. The criteria for adding new buildings to the list would include:

- Age – where the age of a building may be important in the local context
- Rarity – maybe rare in the borough but not nationally so not fulfilling national criteria
- Aesthetic value – where the design is important in the local context
- Group value – where the grouping has a clear design or historic relationship
- Evidential value – where the significance of the asset is supported by written record
- Historic association – would include association with important local persons and events
- Archaeological interest – where the asset is locally significant
- Designed landscape – locally important designed landscapes and gardens
- Landmark status – an asset with strong historical associations or particularly striking design value
- Social and communal value – relating to places perceived as a source of local identity

Key Principle - BM2

Proposals affecting buildings of merit

Development will not be permitted if it would result in the demolition, loss or harmful alteration to buildings, structures and artifacts that are of local townscape, architectural or historic interest, including all buildings identified on the council's Register of Buildings of Merit unless:

- 1. (a) The building or structure is no longer capable of beneficial use, and its fabric is beyond repair; or**
- (b) The proposed development would outweigh the loss or harm to the significance of the non-designated heritage asset; and**
- (c) The proposed development cannot practicably be adapted to retain any historic interest that the building or structure possesses; and**
- (d) The existing building or structure has been fully recorded; and**
- 2. In the case of artifacts, they cannot practicably be retained in situ or, failing that, retained for re-use elsewhere within the site.**

4.35 All applications relating to Buildings of Merit or their setting should include a description of the significance of the heritage asset. The level of detail in the description should be proportionate to the importance of the heritage asset. An assessment of the effect of any proposal on the setting and significance of the Building of Merit should be included with the application. The council will be keen to ensure that any proposals preserve those elements that make a positive contribution to, or better reveal the significance of the Building of Merit.

4.36 The council wishes to encourage the retention of the architectural, townscape and historic character of the borough. There are many buildings in the borough on the Local Register of Buildings of Merit which are of merit and which contribute to the character of the locality because of their townscape value, architectural quality, or historic associations. 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 buildings also have a valuable interior.

4.37 Many terraces, parades and other groups of buildings make an important contribution to the townscape and local distinctiveness of the borough which is greater than the individual importance of each building. Several of these groups have been identified as Buildings of Merit. Every effort should be made to protect these facades of terraces, parades or groups of buildings, especially the rooflines and any architectural detailing which adds to their character.

4.38 Both within and outside conservation areas, proposals for demolition or alteration should have particular regard to the effect of that proposal if the building is part of a terrace, parade or group because the consequences of demolition or unsympathetic alteration could be detrimental to the value of that group.

4.39 Locally important buildings are heritage assets of high local value in terms of townscape, architectural or historic interest, and it is especially important that they shall be retained in any development. Any alterations should only be carried out in a way that respects the scale, character and materials of the building. Within conservation areas, there are statutory controls over the demolition

4 Design and Conservation

of buildings and consent is normally required. Outside conservation areas specific consent for demolition is not normally required. Nevertheless, the council will seek to protect locally important buildings because they contribute to the character and heritage of the borough.

Accessible and Inclusive Design across the borough

4.40 Hammersmith and Fulham is a generally flat borough with few steep inclines. However, many buildings are of older construction and some multi-storey buildings were built without lift access. It is therefore important to improve accessibility in the built environment when development, including new buildings, alterations or extensions and changes of use, takes place.

4.41 The council considers that much of the guidance in the London Plan and the additional guidance in the Housing and Accessible London SPGs is relevant to the local circumstances in H&F and supports the policies in the Local Plan relating to accessible and inclusive development. Therefore where the London Plan policies and accompanying SPG provides more detailed guidance, the council will use it in assessing relevant planning applications. For some types of development more detailed supplementary policy guidance will be considered necessary.

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Policy Context - Design and Access

National policy

Approved Document M of the Building Regulations introduces minimum specifications for wheelchair User Dwellings M4(3). This is subdivided into Wheelchair Adaptable and Accessible Dwellings M4(2) and Wheelchair User Dwellings M4(3), which are fitted out for occupation by a wheelchair user. Approved Document M link for reference: <https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>

The National Planning Practice Guidance states that category M4(3) may only be required for wheelchair user dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. M4(3) may therefore only apply to social rented and affordable rented homes, all other wheelchair user dwellings may only be conditioned to meet M4(3) standard.

The National Planning Policy Framework (NPPF 2012) recognises the need for an accessible and inclusive environment, including accessible adaptable general purpose housing and specialised housing as being among the ways that Local Plans can aim to meet the housing needs of older people.

Paragraph 35 of the NPPF states that where practical, the location and design of development should create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and consider the needs of disabled people to arrive by any modes of transport.

London Plan

London Plan policy 7.2: An Inclusive Environment seeks to ensure that future development requiring planning permission is accessible and inclusive. This policy also outlines the information that should be included with design and access statements submitted with development proposals, including whether relevant best practice standards such as British Standard 8300:2009 have been complied with.

Other relevant London Plan policies include:

- London Plan Policy 3.1 for ensuring equal life chances for all;
- London Plan 3.8: Housing Choice which seeks to ensure that 90% of housing meets building regulation requirement M4(2) and 10% to meet M4(3).
- London Plan Policy 4.5: London's Visitor Infrastructure which seeks inclusive and accessible visitor accommodation, including 10% of hotel bedrooms to be wheelchair accessible; and
- London Plan Policy 2.15: Town Centres which promotes measures to improve accessibility, including Shopmobility schemes in town centres.

Local Plan

Hammersmith and Fulham Council in discharge of its planning function, must engage with public body duties in the Equality Act 2010. One of these duties requires it to take active steps to generally advance equality of opportunity for groups protected by the Equality Act 2010 and to ensure that disabled people in particular are not more disadvantaged than groups who are not disabled, where this might be a consequence of the council's decision or policy applied to a particular development.

The Local Plan seeks accessible and inclusive development and policy DC1 specifically states that “development throughout the borough should be attractive, durable, adaptable and accessible in order to achieve good sustainable and inclusive design.” The Local Plan also includes more specific policies on the need for inclusive and accessible development in relation to different types of development. For example, **Policy H06** of the Local Plan seeks high quality accessible homes in all developments, specifically 90% of housing to meet building regulation requirement M4(2) and 10% to meet M4(3).

Key principles

Key Principle - DA1

Access and inclusive design

Applications for new buildings, changes of use, extensions and other building work should ensure that the building is designed to be accessible and inclusive to all who may use or visit the building.

Drawings submitted for planning approval should show external access features for detailed approval and how in general, internal facilities (including those requiring detailed building regulations approval) will cater inclusively for all categories of user.

Key inclusive design issues

- **how any innovative feature is expected to achieve a particular building design objective**
- **potential barriers to accessibility and the means to overcome these barriers for all members of the community and for specific groups of disabled people such as wheelchair users and other mobility impaired people, blind and partially sighted people, hearing impaired people, and people with learning difficulties**
- **plans that show how the proposal integrates into the urban fabric and circulation routes**
- **sources of inclusive design advice and guidance used**
- **how accessibility will be managed when the development has come into use**

4.42 The Design and Access statement should be appropriate for the type and scale of the planning application. For example Design and Access statement for:

- a new shop front should explain how level access to the building will be achieved
- a change of use application from a shop to a café should show how an accessible toilet will be designed in
- a school extension will explain how it will assist in improving accessibility for pupils and other users of the building.

4.43 When considering potential barriers to inclusive access developers should consider:

- getting to and from a development
- moving around a development
- signage and information
- surfacing materials
- open space
- entering a development
- getting use of facilities
- accessible housing for disabled people

4 Design and Conservation

- historic buildings and historic areas
- circulation space within the building, for example, landing space outside of lifts and sufficiently wide corridors for wheelchair and other users.

4.44 It is recognised that for some conversions and changes of use it may not be possible to incorporate fully accessible and inclusive facilities. In these cases applicants should demonstrate in the design and access statement how they have sought to achieve as high a level of accessibility as possible. Planning applications for developments required with some urgency for the use of a home or other building by an occupier or employer can be given priority on request.

4.45 National advice is that it is not necessary for a planning application, or the Design and Access Statement attached to a planning application, to state that Building Regulations requirements under Building Acts will be met. Nor need they show detail that would fall to be approved under Building Regulations requirements, or submit information about service access arrangements that might satisfy an Equality Act 2010 requirement on service providers to remove physical barriers confronting disabled people (see paragraph 4.51).

4.46 Access and inclusive design should also apply to heritage assets in the borough, in accordance with the Key Principles in the Archeaology and Heritage Assets chapter. The council also advises applicants to refer to external up- to-date guidance on this matter from Historic England and London Plan guidance.

Key Principle - DA2

Accessible and adaptable dwellings M4(2)

To ensure that residential accommodation offers standards of accessibility that can be relied upon, and to ensure that homes are adaptable without the need for post-construction alterations, the Council requires in Local Plan Policy H06 that 90 % all new homes are designed to the standards set out in Approved Document M to the Building Regulations M4(2).

4.47 A wheelchair adaptable and/or accessible dwellings (M4(2)) is one which is designed and built for potential occupation by a wheelchair user (possibly after minor, non-structural, alterations).

4.48 M4(2) will be met where a new dwelling makes reasonable provision for most people to access the dwelling and incorporates features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users. Reasonable provision is made if the dwelling complies with all of the following:

1. Within the curtilage of the dwelling, or of the building containing the dwelling, it is possible to approach and gain step-free access to the dwelling and to any associated parking space and communal facilities intended for the occupants to use.
2. There is step-free access to the WC and other accommodation within the entrance storey and to any associated private outdoor space directly connected to the entrance storey.
3. A wide range of people, including older and disabled people and some wheelchair users, are able to use the accommodation and its sanitary facilities.
4. Features are provided to enable common adaptations to be carried out in future to increase the accessibility and functionality of the dwelling.
5. Wall-mounted switches, socket outlets and other controls are reasonably accessible to people who have reduced reach.

Key Principle - DA3

Wheelchair user dwellings M4(3)

To ensure that residential accommodation offers standards of accessibility that can be relied upon, the Council requires 10% of all new housing to be designed to meet the standards prescribed in Approved Document M to the Building Regulations for an M4(3) home.

4.49 A wheelchair user home (M4 (3)) is constructed and fitted to a standard suitable for 'day one' occupation by a wheelchair user without the need for alterations.

4.50 M4(3) will be met where a new dwelling makes reasonable provision, either at completion or at a point following completion, for a wheelchair user to live in the dwelling and use any associated private outdoor space, parking and communal facilities that may be provided for the use of the occupants. Reasonable provision is made if the dwelling complies with all of the following:

1. Within the curtilage of the dwelling or of the building containing the dwelling, a wheelchair user can approach and gain step-free access to every private entrance to the dwelling and to every associated private outdoor space, parking space and communal facility for occupant's use.
2. Access to the WC and other accommodation within the entrance storey is step-free and the dwelling is designed to have the potential for step-free access to all other parts.
3. There is sufficient internal space to make accommodation within the dwelling suitable for a wheelchair user.
4. The dwelling is wheelchair adaptable such that key parts of the accommodation, including sanitary facilities and kitchens, could be easily altered to meet the needs of a wheelchair user or, where required by a local planning authority, the dwelling is wheelchair accessible.
5. Wall-mounted switches, controls and socket outlets are accessible to people who have reduced reach.

Key Principle - DA4

Public realm and open spaces

Where new public and open spaces/areas are created or enhanced planning applications should indicate how the interests of disabled people are to be protected:

- How access to public space and walking routes will be enhanced.
- Where pavement or open air dining is proposed, loose or movable furniture and tables should be confined to areas around which there is a rail, planter or other form of visual guarding whose lower part is rigid enough to be detectable with a long cane up to height of between 150mm and 300mm above ground.
- Bollards in a public space should be a minimum of 1000mm high, and be in a contrasting colour or texture to paving or have a high visibility collar.
- Where public seating is provided in public space, it should have:
 - A seating surface 450 - 470mm high, heel space underneath and central or end of seat arms to help people to rise, and
 - at one end, a hard surfaced draw back space for a wheelchair user or a buggy to stand on.

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4.51 Local organisations of disabled people and their caregivers can assist designers. An example of two community groups in Hammersmith and Fulham who have come together to do this, are the Parents Active group of parents with young disabled children, and the Borough Mencap organisation. Their local guidance entitled “We want to play too” (2012) is written to help ensure that the needs of children with impairments who often need to spend longer in play or may need more choices in public play settings than do their peers, are fully catered for.

4.52 “We want to play too” guidance comments on the need for carer seating and fencing to allow social play in free-play parts of a playground, what to consider when choosing from playground equipment products when each have a strong visual appeal, and the positive message sent by signs that welcome all users.

4.53 In the design of public realm and open spaces, the council supports the integration of Sport England Active Design Principles for the benefit of all user groups. The objectives are to improve accessibility, enhancing amenity and increasing awareness, as well as the Ten Principles of Active Design. The Guidance can be found on the following link: <https://www.sportengland.org/facilities-planning/active-design>

Key Principle - DA5

Changes of level in public spaces

Where level changes cannot be levelled off or sloped away across larger sites, the public space affected should be made accessible by handrailed steps and short ramps starting and finishing at the same point, or by signposted alternative route options. Signposted alternative route options should include steps and lifts where long ramps and steeper slopes would be too tiring or steps too high even with rest landings for all people to use without discomfort.

The BS 8300:2009 Code Of Practice recommends the provision of lifts in urban contexts where changes of level exceed 2m.

Gradients in excess of 1:12 will be resisted unless alternative and acceptable step-free routes are provided.

4.54 Changes of level pose problems for people with mobility impairment, and for care givers who may be parents, partners or children of disabled public space users. If insufficient attention is given to making designs for routes and level change options work for everyone, disabled users, and older people who are frail, are likely to be those most affected. When designing ramps and stairs, Part K1 of the Building Regs. should be used.

Key Principle - DA6

Entry into a building

Entrances to a building and to residential block entrances which are above or below street level or positioned to be level should be level or the slope should not exceed a gradient of 1 in 20 from the street, and any doorway threshold chamfer should be less than 50mm. Where this cannot be achieved there should be:

- adjustment of the internal floor level, or
 - a ramped access cut into the floor slab to meet building regulations requirements, or
 - a short ramp access, or
 - a handrailed stair with a ramp or with an open air platform lift at least 1000mm wide x 1250mm and a 900mm wide gate, all of which should be to building regulations guidance
- Where there is a stair up to the entrance of a building, and there is the space, there should always be standard warning texture on the landing above the topmost stair to warn a blind person of the descending stair ahead, or, failing this, handrailing that leads around the landing.
 - At least one of the main doorways into a service use building should have a level threshold and a door (or one door in a pair when in use on its own) that when fully open, has a clear opening width of 800mm, is lightly sprung or power-assisted, and is readily identifiable as an accessible entrance from the street.

4.55 Planning guidance aims to ensure that all the entrances to buildings are practically accessible from the public realm, usually the street.

4.56 The guidance will normally apply to non-residential and mixed use sites, new shopfronts and to new and altered public or visitor entrances.

4.57 However in LBHF there are also some residential sites entered above or below street level. For example there are some that are on back land sites below street level; other sites may be over railway tracks. In these cases, the guidance above should apply outside the entrances to residential sites and buildings, on any sites where there are not to be unstepped street entrances with level access to internal lifts that meet London Plan Supplementary Planning Guidance for circulation in residential buildings.

4.58 In neighbourhoods where flooding is a concern, the March 2012 National Planning Framework Technical Guidance on flood risk states that where the lowest floor level of a new development or a conversion to create a new dwelling is raised above predicted flood level, consideration must be given to providing access for those with restricted mobility.

4.59 For existing non-residential development, the guidance reflects the reality that many business and service premises in LB Hammersmith and Fulham have been built with floor slabs slightly above street level. This is the case even with modern blocks constructed before Building Regulation level access requirements first came into force.

4.60 This guidance aims to help businesses and other service providers of all sizes to consider how to remove access barriers from existing premises as required by the Equality Act 2010. For further information about Equality Act 2010 and Building Regulations access requirements see Appendix 1 below

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Key Principle - DA7

Access to facilities inside a building

Facilities that are essential to disabled people enjoying full access to a building in its planned use should normally be designed to be all-purpose. Plans submitted for new development or change of use should indicate generally how facilities and circulation will be available to each main area of general public or business visitor use, or to the main area, such as an entrance level, where fully accessible services are to be provided. Guidance on ensuring that sufficient space has been allowed for lifts, toilets, and interview rooms is given below:

- Lifts to main general public use areas should have an 1100mm wide door and lift cars that are 2000mm x 1400mm inside in accordance with BS 8300:2009. Otherwise lifts in or at the entrances to public use areas should meet building regulation Part M Approved Document requirements. They should have space at each end clear of gates and door swings for wheelchair users to approach, and 1500mm turning squares outside the doors.
- In larger buildings, plans should identify which enclosed car passengers lifts (other than fire-fighting lifts) are to have a secondary or backup power supply and are equipped to function as Evacuation Lifts for disabled people.
- Accessible unisex toilets in main general public use areas should be 2.0m x 2.2m in size, and meet the recommendations for internal fittings and layout set out in Fig 51b of BS 8300:2009. Such toilets can be regarded as meeting all user needs, as an alternative to building regulations compliant separate sex toilets with 800mm and 1200mm wide cubicles and at least one unisex wheelchair user facility.
- In a main general public or business visitor use area, the minimum size of an accessible interview room, quiet room, or one-to one support teaching room, should be 2.1m x 2.3m, as recommended in BS 8300:2009 [Fig. 30].
- New buildings or major building extensions on smaller school campuses can be designed to provide small group tutorial rooms and all-user or assisted user toilet facilities, as an element in school accessibility plan enhancements that provide ramp entrances and enhance acoustics in other existing school buildings on the campus.

4.61 The guidance above does not take the place of Building Regulations Part M that require new construction to provide accessibility to disabled people and the features in new buildings and extensions that will prevent anyone being excluded from using them. Building Regulations Part M consists of 2 Volumes: Volume 1 Dwellings and Volume 2 Buildings other than dwellings. Standards relating to accessibility and inclusive design within this document refer to standards as outlined in Part M Volume 1.

4.62 There are many old buildings in LBHF. Existing buildings can be made more sustainable for future use by being updated with the accessibility features, and facilities that are recommended in BS 8300:2009 and the other best practice codes that the London Plan considers should be applied when planning applications are submitted.

4.63 An accessible and inclusive local environment enables disabled and older people in particular, with family or neighbourhood support, to remain mobile and to live fully independent everyday lives.

4.64 The most efficient arrangements for inclusive access are usually those where rooms, acoustics, facilities and entrances are designed for all people to use: options that separate people with different needs can be far more costly to manage and maintain.

Key Principle - DA8

Additional facilities in larger buildings

Larger buildings may require the following additional facilities:

In major conference and education centres, and in large leisure, shopping centres, health and education buildings, there should be:

- A 3m x 4m changing room facility in the building with shower, changing table and other BS 8300:2009 recommended fittings, that is identified for exclusive use by disabled people needing care by one or two assistants. The equivalent facility in a large primary or secondary school setting is a 12m² hygiene room fitted out for either staff assistance or independent use.
- Rooms, halls and atria in the main general public or business visitor use areas of a building where people gather to learn, train, meet, dine, socialise or be entertained, should have an acoustic suitable for the use of microphone systems. Microphones in turn can amplify speech through soundfield or auditorium loudspeakers, and through the induction loop or other hearing enhancement transmitters that BS 8300:2009 recommends are in place for hearing impaired building users to tune their hearing aids into.
- Sign systems that guide people around buildings or complexes. BS 8300:2009 gives advice on how pictogram information on signs should have text to explain them, and where notches should be cut into signs so that blind users can feel where Braille text is positioned.

4.65 The guidance above does not take the place of Building Regulations that require new construction to provide accessibility to disabled people, and key features in new buildings and extensions that will prevent anyone being excluded from using them.

4.66 Larger buildings when first built or converted to new use can provide important new facilities for people to use, if comprehensively re-designed for inclusion.

4.67 In LBHF itself, larger public buildings make an essential contribution to the social infrastructure of the Borough. These range from older church buildings converted or extended for learning and public use, to new complexes that bring new business and entertainment or leisure opportunity into town centres, or that create hubs of new activity in neighbourhoods.

4 Design and Conservation

Key Principle - DA9

Hotels and student accommodation

In all building types, (including hotels, nursing and residential homes, university and college halls of residence, and relatives accommodation in hospitals), a proportion of sleeping accommodation should be designed for use by disabled people.

In accordance with London Plan policy 4.5, an Accessibility Management Plan that demonstrates the highest standards of accessibility and inclusion should accompany development applications proposing visitor accommodation.

Accessible accommodation should:

- be located close to lifts on upper floors and close to reception on the ground floor;
- be located along accessible routes;
- be situated so that they have equal access to views enjoyed from standard bedrooms;
- feature an en-suite bathroom;
- cater for a wide range of disabilities;
- provide some rooms with a connecting door to an adjoining room for use by someone assisting;
- allow manoeuvring space for a mobile hoist (where ceiling hoists are not installed);
- ensure walls are capable of supporting the required fittings, e.g. grab rails and drop down support rails.

In line with BS 8300: 2009, the total number of accessible rooms as a percentage should be:

- 5% without a fixed tracked-hoist system;
- 5% with a fixed tracked-hoist system (or similar system giving the same degree of convenience and safety);
- 5% capable of being adapted in the future to accessibility.

Overnight accommodation should ensure a mixture of bathtub and continental style level access shower (Wet Room) en-suite rooms.

The requirements for accessible accommodation applies to new build, conversions and refurbishments.

4.68 Inclusive travel is a growing market opportunity yet many hotel operators fail to integrate accessible room into their business model. The council consider that disabled and older people should enjoy the same level of access and service provided to all other customers. The aim of this supplementary planning document and the London Plan Policy is to encourage all hotel operators to provide an inclusive hotel experience. This requires the whole hotel premises and experience to be welcoming and accessible, achieved through the integration of an appropriate physical environment, room fit-out and equipment and management practices, thereby implementing the London Plan aim of an accessible and inclusive visitor experience for all visitors.

4.69 It is important that proposals achieve the suitable standards of inclusive design. Applicants proposals for student accommodation will be required to demonstrate how the principles of inclusive design, including the specific requirements that some disabled people have, have been integrated, including access to all student facilities, accessibility to all accommodation rooms (encouraging social opportunities).

Key Principle - DA10

Automatic Teller Machines (ATMs)

ATMs should be located where outside ground or internal floor levels allow access to controls at the all-user recommended height.

4.70 The all user recommended height is for angled keypads, screens and slots altering elevations where this requires planning permission should be more than 900mm, but no more than 1200mm above the ground/floor where the user stands.

4.71 Where the screen or keypad is at or near horizontal, and the user has to look down to operate the ATM, no part of the screen or keypad viewed from above should be higher than 900mm. The host business should position the ATM, as advised in national guidance, on level ground, and where it can be read without excessive solar glare.

4.72 ATM's are a form of access to a service, often from a public street or pavement. They are not covered by building regulations when there is no structural opening or alteration to a regulated means of access formed in a building to install the facility, but good practice guidance ⁽⁵⁾ has been prepared to cover product design issues that in turn facilitates access to controls, software and services for disabled people.

Key Principle - DA11

Design of ramps and steps

Ramps and steps in public gardens, parks and other public places should be fitted with handrails and rest landings to suit designs and to integrate with adjoining features such as companion stairs, balustrades, parapets, or landscaping to guard open edges, and barriers installed for crowd safety reasons.

4.73 In open public spaces the principles for inclusive access design are how stairs can be designed to be safe for users with limited sight, and useable by people who need to grip a handrail going up or down, and the way that ramps are designed for wheelchair users both when propelling themselves or being helped by people who are themselves of limited strength.

4.74 Accepted best practice for ramps and companion stairs is as follows:

- ramps should be at least 1.5m wide, and have level rest landings without tactile warning surfacing at least 1.5m by 1.5m across where ramp legs join.
- On long ramps and on ramps that are busy enough for people to have to need to pass each other in both directions, ramps should be 1.8m wide.
- Where ramp legs are longer e.g. than about 3m, or where there is not a more direct companion stairway across the route for walking people to use, there should be handrails each side of ramps and around top and intermediate landings.
- Stairways should have handrails each side with extenders that run on beyond the top and lowest steps;
- Stair nosings and kerbs should visibly contrast with tread and riser surfaces in brightness and hue or stand out in other ways under natural and artificial light.

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Key Principle - DA12

Consulting with disabled people on shared space plans

Public space when shared with cyclists and vehicles, should be designed to ensure the safety and comfort of all users of the space, including older and disabled people.

Where shared space is planned, developers should carry out consultation with communities of disabled people, in particular communities of people with little useful and with limited sight

4.75 The Department of Transport has issued research-based recommendations in Local Transport Note 1/11 “Shared Space” October 2011, for shared space design that there should be “comfort space” safe zones provided in any space shared with traffic or parked vehicles.

4.76 Disabled people can use a safe zone to make their way around a public space that is shared with vehicles, if it has a detectable kerb upstand or corduroy surface edge paving that blind people can readily identify. This can operate in conjunction with the de-cluttering, lighting and streetscape enhancement objectives for streets that are sought in the London Plan 2011.

4.77 There is a nationally standardised raised white line with tactile paving markings at each end and at intervals along it, that can be laid along tarmac surfaces to stream cyclists away from pedestrians, where routes are shared with cyclists. This should be provided wherever the flow of pedestrians or speed of approach of cyclists justifies “a safe zone” approach, and where signage has been shown to be ineffective in preventing aggressive or inconsiderate cycling.

Key Principle - DA13

Major regeneration projects

Where there are major regeneration projects involving public spaces and large facilities with public access disabled people should be enabled to engage in the design processes.

4.78 A way that has been used successfully to engage disabled people in such design processes, and where public space extends into and around large new shopping and sports complexes such as in the 2012 Olympics legacy developments, is for the developers, or the lead developer to set up a Consultative Access Group. The Consultative Access Group or CAG is drawn from national and local organisations of disabled people, to consider and review outline and more detailed plans prior to the construction of large new public spaces.

4.79 The developer is responsible for the reasonable costs of establishing the CAG, convening regular meetings, making accessible accommodation and media available at meetings, and covering administration costs. Public and private bodies who manage new public space can find it helpful for a CAG who has been involved in the planning process, to be engaged in any monitoring of new public space in use, e.g. as at Exhibition Road in Kensington, where a CAG will help to review the design assumptions.

Key Principle - DA14

Fire Safety

In the interests of fire safety, and to ensure the safety of all building uses, the council expects development proposals to achieve the highest standards of fire safety. How a building will function in terms of fire, emergency evacuation, and the safety of all users should be considered at the outset to ensure the most successful outcomes are achieved.

4.80 Fire safety is covered by Part B of the Building Regulations, but applications should consider issues of fire safety before the building control application stage.

4 Design and Conservation

Shopfront Design across the borough

4.81 Shop fronts 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 shop fronts, therefore, needs careful attention.

4.82 The Council has encouraged a significant improvement in the standard of shop front design and the aim of this document is to maintain this trend of raising the quality, and promoting better designs.

4.83 There has been a revival of interest in shop front design which stems largely from the damage that inappropriate designs and the erosion of key architectural features have caused to our shopping streets.

4.84 Many of Hammersmith and Fulham's Victorian terraces of shops were originally unified in appearance by having their shop fronts installed within a well proportioned framework of pilasters and fascias which were finished in a uniform manner and provided the architectural base for the building. The individual shop fronts were inserted within this strong framework.

Insensitive Designs

4.85 The character and individuality of many of our shopping terraces has been eroded by insensitive shopfront design. Important architectural components and interesting architectural details which make buildings attractive have been discarded over a period of many years to make way for off-the-shelf replacements. It is now widely recognised that shopfronts and signs which disregard the architecture above and around them are the most damaging to an areas character and appearance.

4.86 Nevertheless, the Council still receives some applications for either new shop fronts or illuminated signs which involve designs that are unrelated to the buildings which house them and their location. The inherent qualities of a building, such as architectural character, scale and proportion are largely ignored, resulting in proposed alterations which are unsympathetic and inappropriate to the building and local street scene.

4.87 The shopfront with large areas of uninterrupted glazing in a standard square section aluminium frame and bulky internally illuminated box signs together with the crude imposition of a corporate identity, are usually the most visually discordant elements in shopping areas. The integrity of the building and character of the street is eroded by such insensitive proposals.

4.88 Fascia signs, canopies and roller shutters are often regarded as a later addition distinct from the shop front and building façade. This is inappropriate in most cases, creating a projection which ignores both the design and structure of the building. Excessive fascia depth can also destroy the unity of both the façade and shopping street. Standard projecting box signs can be equally as intrusive where they are unrelated to the architectural character and design of the building or context of other neighbouring signs. The cumulative effect of these when viewed along the street can be one of visual chaos.

4.89 These guidelines are aimed at encouraging an approach to shop front design which acknowledges the relationship between the proposed shop front and the building into which it is set. The age and architectural character of the building will determine the approach to the design of the shop front.

4.90 The opportunity will be taken with each application to apply this guidance in conjunction with Development Plan policies to inspire good design adapted to individual circumstances. Thus each approved application could add to the general upgrading in the quality of shop fronts whilst enhancing the attractiveness and character of the street. The proposed designs for new shop fronts should recognise this aim and seek to be appropriate to their location.

4.91 The cumulative effect of better shopfront designs will be the enhancement of the visual appearance of the Boroughs 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 and encourage investment and spending, bringing rewards which will ultimately benefit traders.

Planning Permission

4.92 Planning permission is required for new or replacement shop fronts or any other alterations materially affecting the external appearance of the building. Routine maintenance, such as replacing a door or window with one of the same design and materials, or repainting the existing shop front does not normally require planning permission.

4.93 When submitting planning applications for new shop fronts, applicants should submit elevation drawings, sections and floor plans showing the proposed shop front in its context. Its relevant context may vary from solely the upper floors of the building to a setting which incorporates existing shop fronts adjoining the application site. Drawings should be annotated to make reference to proposed materials and colour.

Building regulations

4.94 Even if planning permission is not required, approval for changes to a shopfront may be required under the Building Regulations. These make sure that buildings are constructed or adapted in the right way, and with suitable materials. In particular, Fire Regulations have to be checked both from the structural aspect and also to ensure fast and easy escape from a building. Building regulations are completely separate from planning control: 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 the – Building Control for further guidance and advice.

4 Design and Conservation

Policy Context - Shopfront Design

National Policy

The NPPF encourages good design. It warns that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. It states that high quality and inclusive design should be the aim of all those involved in the development process. A key objective of these policies is to ensure that developments respond to their local context and create or reinforce local distinctiveness.

London Plan

The London Plan promotes good design. It acknowledges that the quality and function of neighbourhoods and places, and local character, contribute to making London a special place and improve the quality of life.

Local Plan

Local Plan policy DC1 states that all development should “*create a high quality environment that respects and enhances its townscape context and heritage assets*”, whilst Local Plan policy DC5 Shopfronts states, amongst other things, that:

“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”

In addition, policy DC9 Advertisements states that, amongst other things:

“The council will require a high standard of design of advertisements which are in keeping with the character of their location and do not impact on public safety and will resist excessive or obtrusive advertising and inappropriate illuminated signs. The design of advertisements should be appropriate to their context and should generally be restrained in quantity and form. The council will use its powers to remove unsightly and inappropriate signs”.

Key Principles

Key Principle - SD1

Shopfront Design

In order to improve the appearance of our streets, the council will encourage high quality frontages 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. Architectural detail such as decorative pilasters, console brackets and other attractive features should be retained intact and restored where necessary.

4.95 The scale of the shop front needs to be carefully considered with its proportions, detailing [including vertical and horizontal subdivision] and materials, which have an affinity with the building. It may be appropriate in areas of consistent terraces or shopping parades for the shop front to reflect the scale and height of stallrisers and fascias of its neighbours thereby harmonising with the overriding character of the street scene.

4.96 All buildings, old and new, will provide a framework into which a shop front can be inserted. Many of Hammersmith and Fulham's 19th century buildings provide a framework of classical elements – pilasters, fascia and cornice which have a proportional relationship with the building. These elements are an integral part of the building façade and should be regarded as such in any design. The area for change is clearly defined within this framework. It is visually disruptive both for the building and street when the new shop front spills out beyond this framework obliterating architectural decoration and features.

4.97 It is important that redevelopment proposals which include retail areas similarly provide a framework into which a shop front of a suitable scale can be inserted. In some schemes it would be appropriate for the detailed design of the shop front to be considered at the same time as the architectural detail on the upper floors in order to ensure that the elevation in its entirety is consistent in terms of design and quality. An area of appropriate scale to accommodate a fascia sign for incoming shop tenants should be clearly defined.

4.98 Provision should be made for satisfactory integration of building services in the overall design where these cannot be located in less sensitive locations. The design of the shop front should not be compromised by unsightly rows of louvres which interfere unacceptably with the proportions of the ground floor. Installations such as louvres and access to refuse stores should be designed to be in keeping with and subservient to the shop front appearance and proportions. In some instances, such installations should be screened by decorative panels that relate to the features and materials of the shop front or building.

4.99 Existing shop windows should not be blanked out by internal or external installations or applications to the glazing in order to retain active frontages. Where a shop front is part of a parade of shops of matching or similar design or within one building, the frontage including any signage should be designed to retain the unified appearance of the parade.

4.100 Fully openable shopfronts will be resisted. They visually erode the base of the building and destroy the established proportions of the façade, and the relationship between the ground floor and the rest of the building. Where the building forms part of a shopping parade, the continuity, cohesion and rhythm of the shopping frontage will be interrupted to the detriment and harm of the local townscape.

4.101 The emphasis is on quality and the flexibility of the design to adapt to individual circumstances. Good shop front design requires skill and sensitivity. Many of the most successful shop fronts in Hammersmith and Fulham have evolved through negotiation. Early consultation with the Council's Planning Division is encouraged.

4 Design and Conservation

Key Principle - SD2

Shopfront access

The Council will expect new or altered shop fronts to accommodate the needs of disabled people.

In particular the following should be taken into account:

- Doorways should therefore be at least 800mm wide, should have doors that are easy to open and should provide a level entrance or a non-slip ramp within the unit
- Entrance doors should be clearly distinguished from their surroundings.
- Vision strips should be introduced on large unbroken areas of glazing.

4.102 The design of shop fronts should secure easy access for everyone by taking account of differing needs, such as the needs of people with partial sight and people who have an ambulant disability and use a walking aid such as a stick or wheelchair ⁽⁶⁾. Large areas of glazing can be confusing and potentially dangerous for partially sighted people and children.

Key Principle - SD3

Shopfront canopies & blinds

Shopfront blinds should be appropriate to the period and character of the building and sensitively integrated into the overall design. Blind boxes should not project forward of the fascia panel, nor obscure any architectural detail or features. Drawn sections will be required with the application.

Canopies and blinds should:

- Be located between the pilasters, respecting the architectural sub-division of the building or terrace. They should not span more than one unit.
- Only be sited at ground floor fascia level. Blinds will not be permitted over doors alone or upper storey or basement windows
- Not interfere with the visibility of traffic signals or signs

4.103 Blinds can add colour and interest to the street scene. They should be appropriate to the period and character of the building and sensitively integrated into the overall design.

4.104 The need to achieve sufficient headroom on the public footway beneath the blind means that the mounting position of the blind needs to be considered in the overall context of the architectural features of the building and the shop front and fascia design. The erection of a blind will not always be feasible given these considerations. The purpose of canopies and blinds should be to afford weather protection, not act as a permanent and prominent substitute for a fascia or projecting sign. They should be retractable so that they may be pulled down only when required and so that the fascia is not permanently obscured.

6 (See the section of the SPD on Accessible and Inclusive Design)

4.105 Traditional canvas roller blinds were a common addition to 19th century shop fronts. These blinds were housed in boxes which were traditionally located internally behind the fascia or retracted to form a moulded panel within the cornice above the fascia. This model should be used for any proposed blinds on the 19th century buildings.

4.106 Rigid bolt-on blinds made of acrylic or similar shiny materials can often mar an otherwise pleasant shop front design. They are often erected as a means of increasing advertising space. Their structure tends to obscure the fascia and introduces a dominant shape which would be out of character with much of Hammersmith and Fulham’s townscape.

Key Principle - SD4

Shopfront burglar alarms & fire alarms

Burglar alarms & fire alarms should:

- not be mounted on the front elevation of the building, and key architectural features such as corbel brackets on the pilasters should be avoided.
- be positioned on the soffit or on the door returns of recessed entrances
- on new shop fronts be incorporated into the design of the frontage, where it should be possible to modify one part of the design to successfully accommodate the unit.

4.107 Burglar alarms and fire alarms are necessary for many premises, their insensitive siting can be visually detrimental to a building. They should not be mounted on the front elevation of the building and on key architectural features.

Key Principle - SD5

Shopfront roller shutters

Roller shutters covering the whole of the frontage of an individual ground floor façade will be discouraged. Efforts should be made to minimise any impact.

Applicants should:

- Plan for and accommodate roller shutters internally, where possible
- Incorporate security glass in shop windows as an alternative to shutters.
- Only provide security grilles, where absolutely necessary and these should be open mesh and located internally.
- Mount all box housings containing roller shutters or grilles internally behind the fascia.
- Consider removable external window security grilles of an open mesh form in certain circumstances.

4.108 Roller shutters covering the whole of the frontage of an individual ground floor façade will be discouraged as they inevitably detract from the architectural integrity of the building. Where they form part of a continuous run of security shutters along a shopping parade, they have a particularly deadening effect on the street scene.

4 Design and Conservation

4.109 Shop traders are entitled to protect their goods and premises and many feel this is best achieved by installing security shutters. However solid roller shutters give the impression that an area is particularly unsafe and tend to provide a canvas for graffiti artists or flyposting to the detriment of the local visual amenity.

Key Principle - SD6

Shopfront advertisements

In the interests of amenity the design of advertising should respect and enhance its locality and use materials of high quality. Particular care will be necessary within conservation areas. All signs should be designed as an integral part of the shop front and not as free-standing items.

The following should be considered for all shop front advertisements:

- Fascia panels should be in proportion with the shop front and building and should be designed as an integral part of the shop
- Where corbels / console brackets remain at the top of the pilasters, the fascia panel should normally be no deeper than the height of these architectural features and positioned below the cornice line, and line through with the capital mouldings on the pilasters.
- New fascia panels should not project forward from the face of the surrounding framework, and should not extend uninterrupted across a number of distinct buildings or architectural bays.
- The temptation to conceal a bulkhead of a suspended ceiling by increasing the depth of the fascia sign should be avoided. A visually more pleasing solution is to set the false ceiling back from the glazing line.
- The size of the lettering should be related to the area of the fascia.

Projecting or hanging signs

The following should be considered for all projecting or hanging signs:

- They should be at fascia level and fixed centrally on a pilaster avoiding damage to architectural detail and ornamentation.
- The size of the sign should be no greater than 900 x 600mm
- The leading edge of the sign should be set back from the kerb by at least 500mm, and the sign should allow for a clearance height of at least 2.6m from the underside of the sign to the pavement [similar dimensional clearances should be used for canopies and awnings].
- No more than one sign per business per elevation will normally be acceptable
- On multi-occupied premises, advertisements should be restricted so as to avoid the appearance of clutter and should be displayed so as to achieve harmony in the appearance of the elevation and in the context of the street scene.

Design and Conservation 4

4.110 All signs should be designed as an integral part of the shop front and not as free-standing items. "A" boards on the pavement outside the shopfront cause clutter and can be particularly hazardous for pedestrians, especially partially sighted and blind persons.

4.111 Projecting or hanging signs can add interest to the appearance of the shopfront and street. In some cases, the scope for fixing a projecting sign may be limited or non-existent due to minimum clearance distances for safety reasons, and the architectural detailing of the shopfront or building concerned.

4.112 Visually, the fascia is the most prominent part of the shopfront and in some cases the whole building. It is therefore important that any proposed fascia is appropriate. Traditionally the fascia displayed the name of the shop, the nature of the business and the street number. This is still important today. The fascia area to receive this information is usually determined by the framework of the buildings ground floor. In some instances, where there is no natural fascia zone to install signage, such as in some modern designs, internal signage displayed behind or within the glazing of the shop front would be acceptable.

4.113 Where premises are multi-occupied advertisements should be restricted so as to avoid the appearance of clutter and should be displayed so as to achieve harmony in the appearance of the elevation and in the context of the street scene.

4.114 Individually applied lettering or hand-painted signs will be encouraged as they give the shop a unique character respecting the individual approach necessary for each shopfront project. Gilding on a dark background can be visually prominent and particularly effective at night where it remains clearly visible.

4.115 Where illumination is considered to be appropriate it should be achieved by using unobtrusive light fittings without, or with limited physical impact [e.g. LED strips, LEDs behind lettering or on the edges of individual letters. Individual back-lit or halo-lit letters can give a subtle but effective form of illumination and will avoid clutter of multiple light fittings across the fascia. Lighting from an external source e.g. swan neck lamps or light troughs will be appropriate for traditional shopfronts or public houses. In order that they are a discrete addition to the elevation, they should be restricted in size and number.

Signs

4.116 Alterations to signs and signboards may require consent under the Advertisement Regulations. Detailed drawings which show the design of the proposed signs, the proposed position and materials, in relation to the shopfront and surrounding architectural detail should be submitted with any application. Applicants are advised to consult the Regulations and contact the councils Planning Division for further advice on the type of signs considered to be appropriate for a particular location.

Conservation Areas

4.117 Many areas of special architectural or historic interest within Hammersmith and Fulham are designated as conservation areas in order to protect their character and appearance. Shop fronts of interest and character make a significant contribution to the street scene within conservation areas, and so their retention will, where appropriate, be sought.

4.118 Sometimes, original features survive hidden under later installations. These should be revealed and retained as they are likely to contribute to the special architectural and historic interest of the area.

4.119 The design of a new shop front should preserve or enhance the character or appearance of the conservation area by the sensitive use of appropriate design styles and materials.

4 Design and Conservation

Listed Buildings

4.120 Any alteration to a shop front which is part of a listed building will require Listed Building Consent if the proposed works affect the special character of the building. Even relatively small-scale changes to the exterior such as those to shop window frames and decorative detail would require listed consent, and may require planning permission. In addition, repainting and alterations to the interior of the shop where they affect the special character of the building require consent.

Local Register of Buildings of Merit

4.121 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. These buildings are included in a Local Register contained within a Supplementary Planning Document. Although alterations to Buildings of Merit on the Local Register do not require Listed Building Consent, planning permission is required for new or replacement shop fronts or any other alterations materially affecting the external appearance of the building. Development will not be permitted if it would result in harmful alteration to Buildings of Merit identified on the Local Register. Any alterations should only be carried out in a way that respects the scale, character and materials of the building.

Additional Guidance

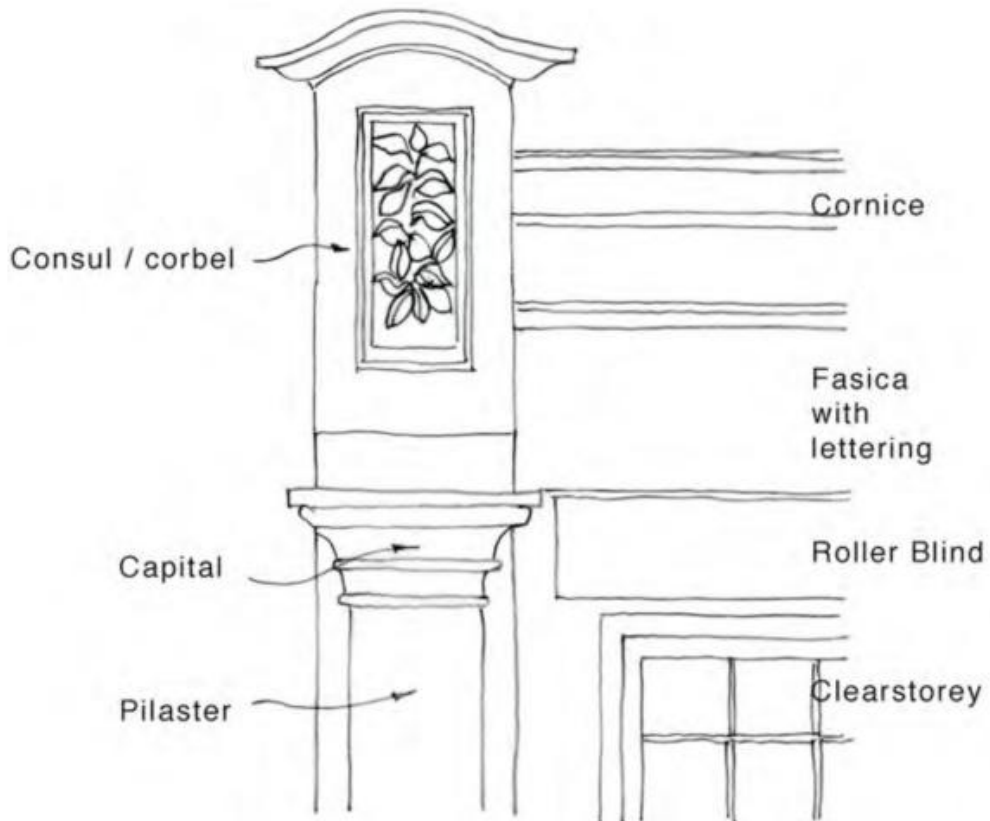
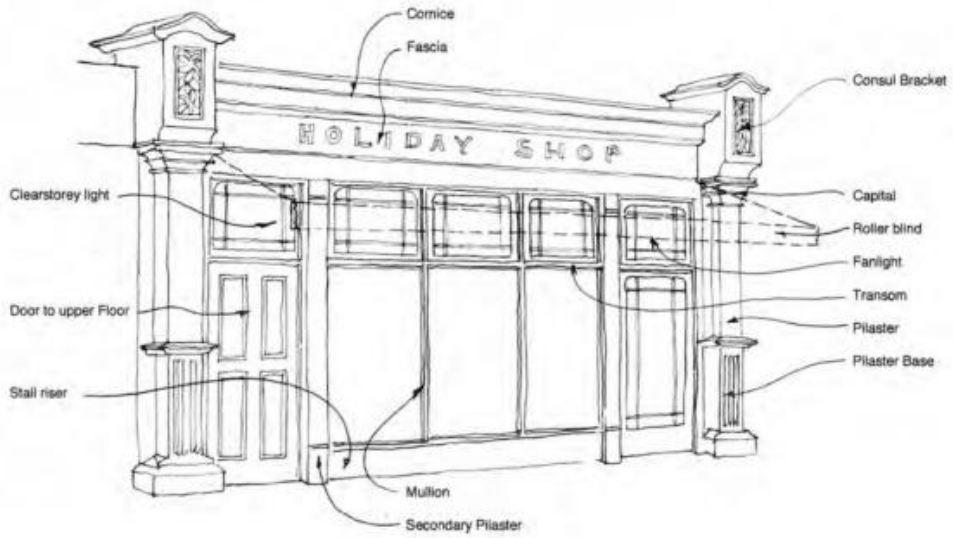
4.122 The council has issued guidance on shopfront design as part of the guidelines for frontage improvements to nos. 54 – 108 Uxbridge Road, a key terrace of buildings on the Local Register of Buildings of Merit forming an important frontage in Shepherds Bush Town Centre and Shepherds Bush conservation area.

4.123 The shopfront design guidance in the Uxbridge Road document has been informed by, and is complementary to, the generic guidance in this publication.

4.124 The Department has also contributed to a shopfront design study for Latymer Court in Hammersmith Road, in conjunction with the Latymer Court Freehold Company. The aim of this project is to encourage the general improvement to the ground floor frontages of the building with a consistent design based on the proportions and form of the original shopfronts.

4.125 You are encouraged to discuss your proposals at an early stage with planning officers. More detailed advice on the appearance of shopfronts and signs for particular locations within Hammersmith and Fulham can be obtained by contacting the Planning Division.

Example shopfronts



4 Design and Conservation

Archaeology and Heritage Assets

4.126 The Borough's rich and varied townscape character that is evident today is largely a result of its historical development. Archaeological remains including prehistoric, Roman, Saxon, Medieval and post Medieval have been discovered in the Borough in areas which today form the focus for development and new information on the borough's archaeological heritage is regularly being provided through excavations linked to redevelopment schemes.

4.127 The current townscape and landscape structure of the Borough can be clearly traced through the successive layers of development over the past two hundred years. Most of the Borough's earliest buildings are now statutorily listed along with historic parks and gardens, and most of the early patterns of development are recognised in conservation area designation. For example, the small crossroads and village greens that first shaped the Borough are now the focus of conservation areas at Parsons Green, Walham Green, Brook Green, Starch Green and Shepherds Bush Green. There are also a number of buildings and artefacts of local importance and interest.

4.128 Historic England has identified one ancient monument and 15 archaeological priority areas (APAs) in the borough. These are identified on the Local Plan Policies Map and are provided with a brief description below. In some cases further details may be found in the identified conservation area character profiles.

Policy Context - Archaeology and Heritage Assets

National policy

The National Planning Policy Framework (NPPF) published in March 2012 has as one of its 12 policies to:

“conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”.

Section 12 of the NPPF is entitled ‘Conserving and enhancing the historic environment’ and condenses the former PPS5. However, it maintains the spirit of the PPS in upholding the general policy that heritage assets should be “sustained” and “enhanced” for the benefits they bring to the community.

English Heritage is the Government's lead advisory body for the historic environment and has a statutory role in the planning system. The Greater London Archaeology Advisory Service (GLAAS) is part of English Heritage London Region and seeks to promote understanding and enjoyment of the archaeological heritage through its protection, management and interpretation.

London Plan

London Plan **policy 7.8** is concerned with heritage assets and archaeology. This states in sub policy F that:

“Boroughs should, in LDF policies, seek to maintain and enhance the contribution ofburied heritage to London’s environmental quality, cultural identity and economy as part of managing London’s ability to accommodate change and regeneration”.

Local Plan

The council’s Local Plan **policy DC1** on the Built Environment states that:

“all development in the borough.... should create a high quality urban environment that respects and enhances its townscape context and heritage assets” and adds that development throughout the borough should “protect and enhance the character, appearance and setting of the borough’s conservation areas and its historic environment, includingarchaeological priority areas and the Fulham Palace Moated Sites scheduled ancient monument”.

Local Plan **policy DC8** on Heritage and Conservation states that, amongst other things:

” The presumption will be in favour of the conservation and restoration 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 ”.

Key principles

4.129 The archaeological key principles establish more detailed guidance on the application of policies within the Local Plan. In applying these policies the council will use Historic Environment Planning Practice Guide which has been published to assist local authorities, owners, applicants and other interested parties in applying archaeological principles.

4 Design and Conservation

Key Principle - AH1

Information requirements for applications for consent affecting heritage assets

The council will require an applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance.

4.130 The level of detail should be proportionate to the importance of the heritage asset (see Glossary) and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the relevant historic environment record should have been consulted and the heritage assets themselves should have been assessed using appropriate expertise where necessary given the application's impact. Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, the council will require developers to submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation. 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 societies and the public of any archaeological results and finds.

4.131 This information together with an assessment of the impact of the proposal should be set out in the application (within the design and access statement when this is required) as part of the explanation of the design concept. It should detail the sources that have been considered and the expertise that has been consulted.

4.132 The council will not validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.

4.133 See also Greater London Archaeology Advisory Service (GLAAS) Charter as a source of archaeological best practice, pre-app advice and best practice principles.

Key Principle - AH2

Protection of Heritage Assets

There will be a presumption in favour of the conservation of ~~designated~~ heritage assets and the more significant the ~~designated~~ heritage asset, the greater the presumption in favour of its conservation will be. The council will seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset) taking account of:

- (i) evidence provided with the application
- (ii) any designation records
- (iii) the historic environment record and similar sources of information
- (iv) the heritage assets themselves
- (v) the outcome of the usual consultations with interested parties; and
- (vi) where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice (from in-house experts, experts available through agreement with other authorities, or consultants, and complemented as appropriate by advice from heritage amenity societies).

Where the loss of the whole or a material part of a heritage asset's significance is justified, the council will require the developer to record and advance understanding of the significance of the heritage asset before it is lost, using planning conditions or obligations as appropriate.

4.134 In considering the impact of a proposal on any heritage asset, the council will take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding will be used by the council to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.

4.135 If the evidence suggests that the heritage asset may have a special significance to a particular community that may not be fully understood from the usual process of consultation and assessment, then the council will take reasonable steps to seek the views of that community.

4.136 The council will take into account:

- the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping; and
- the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality.

4.137 The council will take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design will include scale, height, massing, alignment, materials and use.

4 Design and Conservation

4.138 Where there is evidence of deliberate neglect of or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset will not be a factor taken into account in any decision.

4.139 Where loss of significance is justified on the merits of new development, the council will not permit the new development without taking all reasonable steps to ensure the new development will proceed after the loss has occurred by imposing appropriate planning conditions or securing obligations by agreement.

4.140 Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset will require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden will be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, including scheduled monuments, grade I and II* listed buildings and grade I and II* registered parks and gardens, will be wholly exceptional.

4.141 Where the application will lead to substantial harm to or total loss of significance to designated heritage assets the council will refuse consent unless it can be demonstrated that:

- (i) the substantial harm to or total loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or
- (ii) (a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and
 - (c) conservation through grant-funding or some form of charitable or public ownership is not possible; and
 - (d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use.

4.142 To be confident that no appropriate and viable use of the heritage asset can be found, the council will require the applicant to provide evidence that other potential owners or users of the site have been sought through appropriate marketing and that reasonable endeavours have been made to seek grant funding for the heritage asset's conservation and to find charitable or public authorities willing to take on the heritage asset.

4.143 Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases the council will:

- (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and
- (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

4.144 Not all elements of a Conservation Area will necessarily contribute to its significance. The above policy will apply to those elements that do contribute to the significance. When considering proposals, the council will take into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole. Where an element does not

positively contribute to its significance, the council will take into account the desirability of enhancing or better revealing the significance of the Conservation Area, including, where appropriate, through development of that element. This should be seen as part of the process of place-shaping.

4.145 The process of investigating the significance of the historic environment, as part of plan-making or development management, should add to the evidence base for future planning and further the understanding of our past. The council will make this information publicly available, including through the relevant historic environment record.

4.146 A documentary record of the past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the past will not be a factor in deciding whether a proposal that would result in a heritage asset's destruction should be given consent. The extent of the requirement to record the past should be proportionate to the nature and level of the asset's significance. Developers should publish this evidence and deposit copies of the reports with the relevant historic environment record. The council will require any archive generated to be deposited with a local museum or other public depository willing to receive it. The council will impose planning conditions or obligations to ensure such work is carried out in a timely manner and that the completion of the exercise is properly secured.

Scheduled Ancient Monuments

Fulham Palace

4.147 Historic England has classified the Fulham Palace Moated Site as a Scheduled Ancient Monument. This is the most important archaeological site in the borough and lies in the Bishops Park Conservation Area. Excavations at Fulham Palace have uncovered Neolithic pottery, flint implements and features dating to circa 3,000-4,000 BC. Some of the flints may date to the even earlier Mesolithic period.

4.148 There is also evidence of Iron Age occupation, but the most extensive settlement evidence to date is of the Roman-British period, 3rd-4th centuries and possibly 5th century AD. Ditches, pits, gravel surfaces, coins, pottery, animal bones and items of women's jewellery; as well as building materials, stone brick and tiles, infer a substantial settlement. Its exact nature though is not yet known. The settlement appears to be centred on a road or trackway, probably in use since pre-Roman times, connecting with a ford across the Thames, linking Fulham with Putney. There is evidence of similar occupation there.

4.149 The gardens to Fulham Palace were first documented in the 16th century when Bishop Grindal established a botanic garden between 1559-70. Bishop Compton (Bishop between 1675-1713) was a horticulturalist and collector of rare plants and his collection included species from North America. It is thought that a formal garden layout recorded by Rocque in 1746 was the work of George London who advised Bishop Compton during the 1670s. These gardens were replaced by a less formal layout for Richard Jarvis in the 1760s. Further alterations took place between 1813-28 and 1828-56 and were undertaken by Bishops Howley and Blomfield. In 1973, Fulham Palace ceased to be the official residence for the Bishops of London and the gardens were opened as a public park.

Archaeological Priority Areas

4.150 An Archaeological Priority Area (APA) is a defined area of particular archaeological significance or vulnerability. APAs inform the practical use of national and local planning policies for the recognition and conservation of archaeological interest. APAs are set out on the Policies Map by the Council on the advice of Historic England. Historic England is currently reviewing APAs boundaries and descriptions

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and new designations are expected in the near future, this work will be informed by the results of recent archaeological investigations which have advanced understanding of the significance of archaeological remains in the Borough.

Fulham Village APA

4.151 This was the main settlement of the parish from Saxon times onwards and now lies in the Bishops Park Conservation Area. According to documentary evidence, the principal Medieval settlement at Fulham was concentrated on the eastern side of Fulham High Street in the Fulham Park Gardens Conservation Area. However, this settlement included the parish church (All Saints for the whole of the Borough) and the Bishop's Manor House at Fulham Palace, which are situated within the Bishops Park Conservation Area. The Bishops of London held the Manor from 704, when the Bishop of the East Saxons bought the estate from the Bishop of Hereford. The Medieval palace was demolished in 1506. By 1086, the time of the Domesday Book, Fulham appears to have been fairly prosperous with ample ploughland, meadows, woodland and a small weir, or fish trap. Areas of land were allocated to Normans and some burgesses of London, the latter of whom were possibly the predecessors of the affluent Londoners who held large estates in Fulham during the Medieval period.

4.152 There is no evidence from the Domesday Survey that in the 11th century Fulham village possessed a church. However, the first known rector was appointed in 1242 when a church must have existed. This Medieval church at All Saints was demolished in 1880 except for its 15th century tower. Bear Street was the original name for Fulham High Street, and it was used up to the end of the 18th century. Prior to the construction of the old Fulham bridge across the river Thames in the early 18th century, Bear Street extended from the river front, where the ferry docked, for a short distance north-easterly and then almost due north to the high ground by Colehill. Here the way divided, with one way extending north-west to Hammersmith (the existing Fulham Palace Road), and the other way extending eastwards to Walham Green.

Ravenscourt Leper Hospital APA

4.153 This area (now to the south of Ravenscourt Park station) had long had a reputation as a healthy place to live and provided the location for the most distant of the leper hospitals set up in and around London at the end of the mediaeval period. Known to have been in use from c. 1500 to the mid-17th century. The APA is situated within the Ravenscourt and Starch Green Conservation Area.

Ravenscourt Manor House (Palingswick) APA

4.154 The APA is situated within the Ravenscourt and Starch Green Conservation Area south of Ravenscourt Park. The house was first recorded in the 12th century and became one of the most significant houses after Fulham Palace. By 13th century there was a large moated mansion situated in the ecclesiastical manor of the Bishop of London. In 14th century it was much enlarged and probably had an outer court occupied by Alice Perrers, the companion of Edward III's declining years. It was rebuilt as a brick mansion in the 16th century and again in 18th century. The Georgian brick building was too badly damaged by incendiary bombs in 1941 to be refurbished and was demolished.

Hammersmith Creek, Queen Caroline Street and Broadway APA

4.155 The APA lies within the King Street East, Mall and Hammersmith Broadway Conservation Areas. includes the possible original Saxon settlement of Hammersmith around the mouth of the now culverted Creek. It includes the Medieval and post-medieval settlement of Hammersmith along riverfront,

and Roman coins and pottery have been uncovered from foreshore of Queen Caroline Street and Broadway. A 17th century convent and 17th century Portuguese embassy were on Hammersmith Road. The town brewery was established in 1780 by Thomas Cromwell and existed near the mouth of the Creek.

4.156 The village of Hammersmith was described in the mid 1720's by Defoe as "formerly a long scattering place, full of gardeners grounds with here and there a house of some bulk." In the first quarter of the 19th century Hammersmith Village was extending outwards from the Broadway and its principal thoroughfare King Street was lined with terraces.

Winslow Road Area APA

4.157 This APA, consisting mainly of the Hammersmith Embankment development site, has revealed prehistoric and Saxon settlements, a 17th century mansion, subsequently Brandenburg House, and an 18th century theatre. On the southern edge of the grounds of Brandenburg House an early Saxon settlement of the 5th/6th centuries AD was discovered during trial archaeological excavations in the 1980's. This is one of the most important early Saxon settlements in the London area discovered to date. Finds include the sunken floors of several huts, pottery, and the skeleton of a horse.

Parson's Green APA

4.158 Situated in the parsons Green Conservation area this APA is centered on Roman, medieval and post-medieval settlement around the green and Peterborough House to the south. The area was formerly part of the Manor of Fulham. Records state that Peterborough House once stood on the south-east of the green, having been built on the site of a famous mansion, formerly as Brightwells. Near to Peterborough House stood an ancient mansion which was formerly owned by Sir Edward Saunders, Lord Chief Justice of the King's Bench in 1682, and later became the residence of the famous novelist, Samuel Richardson.

Walham Grove APA

4.159 Medieval and post-medieval settlement and market place of the parish.

Sandford Manor House APA

4.160 The APA on the south side of King's Road extends from the borough boundary east of Stamford Bridge west as far as Cambria Street, and south to include Glyn Close. It relates to Sandford Manor House, a Grade II* listed building which was a sub-manor house from medieval times. The post-medieval manor house had saltpetre works, stoneware and tin-glaze pottery works, and cask and dye works within its curtilage

William De Morgan Pottery Works (Townmead Road Estate) APA

4.161 Late-19th and early-20th century, of interest to collectors and historians of the Arts and Crafts Movement. In 1888 the business was moved, for the last time, to Sands End (Fulham), where De Morgan began a ten-year partnership with the architect Halsey Ricardo. It was here that De Morgan created much of his finest work.

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Hurlingham Park APA

4.162 Neolithic finds and 17th century plague pit. From before 1066 the land within this conservation area belonged to the Bishops of London and formed nursery gardens and meadows along the riverside. Hurlingham House, to the south of the APA, which was built from 1760 as a villa fronting the River Thames, now forms the main part of the Hurlingham Club House.

Broomhouse APA

4.163 Medieval and possible Saxon settlement.

Martin Brothers Pottery Works APA

4.164 Site of 19th century works of interest to collectors and historians. The Pottery was started in Fulham in 1873. The pottery is considered to represent the transition from decorative Victorian ceramics to twentieth century studio pottery in England.

Lygon Almshouses and corner of Finlay Street/Fulham Palace Road APA

4.165 This area was occupied in Neolithic times. Site of the village windmill from at least the beginning of the 15th century.

Rowberry Close APA

4.166 The riverside area has been occupied since pre-historic times. Archaeological work in the 1970's, during the redevelopment of Rosebank and adjoining wharves, produced Neolithic flint implements and pottery (circa 3,000 BC), late Iron Age pottery and an isolated Roman coin of the 4th century AD.

4.167 There is a high and dry sandbank here in a marshy stretch along the edge of the Thames and there may well have been a ford across the Thames in earlier times. The trackway connecting it is today represented by Crabtree Lane and Lillie Road.

4.168 Until the 19th century there was evidence of man-made earthworks along the riverside, possibly dating back to pre-Roman times.

4.169 Next to the Crabtree public house was a pottery operating in the 18th century and referred to in contemporary documents as the pot-house. Some green-glazed waste pottery fragments, possibly from this site, were found on the Crabtree Wharf opposite, during its redevelopment as Adam Walk in the 1970's.

King Street APA

4.170 Iron Age prehistoric earthwork, a short section of which was excavated at 120-124 King Street. May have protected a single farmstead, but may have been a more substantial settlement - a "proto-town", or possibly have been a long linear territorial boundary.

Archaeology elsewhere in the borough

4.171 The archaeological heritage of the borough does not stop at the boundaries of the ancient monument and the APAs, and heritage assets have been found elsewhere in the borough. The Greater London Archaeological Advisory Service (GLAAS) are of the view that it would be beneficial to have an APA designation along the whole riverside/foreshore area of the borough, given the highly significant potential of the River Thames to yield archaeological finds and sites both generally and in this section of the River more specifically.

4.172 The council has designated its existing APAs through the Local Plan process and are identified on the Policies Map. The council considers this to be the appropriate process for such designations, and whilst it is open to the possibility of a riverside/foreshore APA it is not intending to designate a new APA through this SPD. Instead it acknowledges the possibility of designating an additional APA at a future review of the Local Plan and recognises the Thames to be an important area of archaeological potential.

4 Design and Conservation

Agenda Item 13

| | |
|---|--|
| <p>London Borough of Hammersmith & Fulham</p> <p>CABINET DECISION</p> <p>5 FEBRUARY 2018</p> |  |
| <p>APPROVAL TO PROCURE A MAJOR WORKS CONTRACTOR TO DEVELOP SANDS END ARTS & COMMUNITY CENTRE</p> | |
| <p>Report of the Cabinet Member for Economic Development & Regeneration, Councillor Andrew Jones</p> | |
| <p>Open Report</p> | |
| <p>Classification: For decision Key Decision: Yes</p> | |
| <p>Consultation: Finance, Legal and Procurement</p> | |
| <p>Wards Affected: Sands End Ward</p> | |
| <p>Accountable Director: Jo Rowlands, Lead Director of Regeneration, Planning & Housing</p> | |
| <p>Report Author: Matt Rumble, Head of Area Regeneration,</p> | <p>Contact Details: Tel: 07786747488 E-mail: Matt.Rumble@lbhf.gov.uk</p> |

1. EXECUTIVE SUMMARY

- 1.1. This report updates on the Council's progress in implementing February 2017 Leader's decision to procure a Design Team to develop plans at the former Sands End Community Centre.
- 1.2. A Cabinet Member Decision Report (9th November 2017) was approved to progress the procurement of an Enabling Works Contractor to start on site in early 2018.
- 1.3. Cabinet approved the creation of a 'Community Trust' to oversee the operations of the Sands End Arts and Community Centre (SEA & CC) on 4th December 2017.
- 1.4. A planning application for the SEA & CC was approved by the Planning and Development Control Committee (PADCC) on 5th December 2017.

- 1.5. Officers now seek Cabinet approval to next stage of the programme which includes:
 - Approval to proceed with the proposed designs for the SEA & CC.
 - Procurement of a Main Works Contractor to develop the site.

2. RECOMMENDATIONS

- 2.1. To approve the designs for the new Sands End Arts and Community Centre.
- 2.2. Authority to implement the Procurement Strategy (Appendix 1) for Phase 2 relating to the 'Major Works Contractor' which has an estimated value of £2.5m.
- 2.3. Delegate authority to the Lead Director for Regeneration, Planning & Housing Services in consultation with Cabinet Member for Economic Development and Regeneration to appoint the successful contractor.

3. REASONS FOR DECISION

- 3.1. The Council has committed to redeveloping the Sands End Community Centre on the site of the existing Clancarty Lodge Depot in South Park, Fulham. The key aim is to deliver a sustainable community asset for local residents.

4. PROPOSAL AND ISSUES

- 4.1. The new centre will provide a range of flexible new spaces for community use, changing rooms and WC's, a café, and a nursery within a new single storey structure totalling 760sqm. The existing Clancarty Lodge will be refurbished and extended to provide community space for residents to use.
- 4.2. Detailed planning permission has now been achieved for the scheme to redevelop the existing Clancarty Lodge and depot site.
- 4.3. An Enabling Works Contractor will start on site early February 2018 to carry out all preparatory works by April 2018. There will be some selective demolition of existing structures, though Clancarty Lodge itself is to be retained and re-modelled as part of the new Centre.
- 4.4. The procurement exercise can be run directly by Officers with support from Procurement Services using the CapitalESourcing procurement portal to manage the process.
- 4.5. The tender returns will be a fixed sum and JCT Intermediate Building Contract with Contractor's Design 2016 (ICD2016) contract will be entered in to.
- 4.6. It is anticipated that the procurement process will require a 6 – 8-week tender period, which includes a Selection Questionnaire (SQ) process, followed by an Invitation to Tender (ITT).

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. **Option 1:** Do nothing.
- 5.2. **Option 2:** Run an open public procurement process and select a major works contractor.
- 5.3. **Option 3:** Access existing Frameworks such as the London Construction Programme Framework or Southern Construction Framework and carry out mini-competitions.
- 5.4. Officers recommend progressing Option 2 and further details of the options and recommendations are set out in Appendix 1 – Procurement Strategy.

6. CONSULTATION

- 6.1. Further details are set out in Appendix 1 – Procurement Strategy.

7. EQUALITY IMPLICATIONS

- 7.1. There are no specific equalities implications concerning this report or the open procurement process recommended for approval in this report.
- 7.2. *Implications verified by Peter Smith Head of Policy and Strategy, 020 8753 2206*

8. LEGAL IMPLICATIONS

- 8.1. The value of the proposed works contract falls below the threshold requiring full compliance with the Public Contract Regulations 2015 ("PCR"). There is therefore no requirement for the Council to publish an OJEU contract notice.
- 8.2. However, the Council must still comply with Part 4 of the PCR which requires that:
 - 8.2.1. where the opportunity is advertised by the Council (e.g. on CapE), an advertisement must also be placed on the Government's Contracts Finder. The contract award notice must also be published on Contracts Finder
 - 8.2.2. The Council does not include a pre-qualification stage in the procurement (for the purposes of the reducing the number of candidates who proceed to a later stage of the procurement)
 - 8.2.3. Where the Council assesses suitability of tenderers, it uses the Crown Commercial Services' standard selection questionnaire

- 8.3. Officers should ensure that all contractual terms (including any necessary amendments or additional to the JCT contract) are sent out with the tender documents. Legal services can provide any assistance on this that may be required.
- 8.4. Under Contract Standing order 17.3.1 provided the successful tender is within 10% of the estimated contract value (of £2.5m) the contract can be awarded by the Cabinet Member

Implications verified/completed by: Catherine Tempest, Senior Solicitor (Contracts), telephone 02087532774

9. FINANCIAL IMPLICATIONS

- 9.1. There is £2.6m allocated in the Councils' capital budget for the development of the Sands End Arts & Community Centre which is sufficient for the anticipated £2.5m value of the works. The budget is made up of a combination of s106 and grant funding from Tideway.

S106 Funding

- 9.2. The s106 element of the budget comprises of £1.6m from the Stamford Bridge Section 106 agreement. The Planning Change Manager has confirmed that the s106 funding available for the project is £2m which exceeds what is in the budget (see section 10). The excess £0.4m can be held back as contingency for the works contract and if not needed can be used for other development or operational costs associated with the Community Centre.

Tideway Grant Funding

- 9.3. The grant funding element of the budget amounts to £1m of the £2m total grant funding to be paid to the council from Tideway.
- 9.4. The funding agreement specifies that £1m must be allocated for spend on the main structure (capital) which is what is in the budget. The remaining £1m is more flexible and can be used for expenditure on fit out, medium term operation, other land assembly and third-party costs.

Implications verified/completed by: Firas Al-Sheikh, Acting Head of Financial Investment and Strategy, Ext. 4790.

10. S106 IMPLICATIONS

- 10.1. The S106 funding for this project will be from the S106 agreement for the Stamford Bridge development, the Council currently holds £2m specifically for this purpose. The funds cannot be used for any other purpose as such it is legitimate to commit them to this project.

Implications verified/completed by: Peter Kemp, Planning Change Manger, Ext. 6970.

11. IMPLICATIONS FOR BUSINESS

11.1. The construction contract and employer's requirements will place an obligation on the successful bidder to:

- undertake targeted recruitment and training for local residents
- encourage the use of local supply chains

11.2. As part of the procurement exercise bidders will be scored on their approach community engagement, local supply chain, local labour and training opportunities.

11.3. The procurement of a Major Works Contractor includes opportunities to include this and this is further discussed under section 6 of Appendix 1.

Implications verified/completed by: David Burns, Head of Housing Strategy, Ext. 6090.

12. COMMERCIAL & PROCUREMENT IMPLICATIONS

CONTRACT AWARD CRITERIA

12.1. In assessing the Major Works Contractor tenders, it is proposed that the submissions will be judged 60% on quality and 40% on price.

Quality proposals (60%) to be based on:

Bidders will be expected to provide information regarding: programme of works, risk management, method statement and local investment.

Price proposals (40%) to be based on:

Bidders will be expected to provide a single cost for carrying out the construction works.

PROCUREMENT PROCEDURE

12.2. The estimated value of this procurement is £2.5m. This is under the statutory financial threshold for works, currently set at £4,104,394. According to the Contracts Standing Orders (CSOs), an open tender procedure should follow. A contract notice will not be placed on Tenders Electronic Daily (TED).

12.3. An opportunity listing will be placed on Contracts Finder and on the Council's e-tendering system, capitalEsourcing.

12.4. A Tenders Appraisal Panel will evaluate the tender returns and all evaluation and moderated scores will be logged on the e-tendering system for a good audit trail.

12.5. Implications completed by: Andra Ulianov, Procurement Consultant. Telephone 020 8753 2284.

13. IT IMPLICATIONS

- 13.1. There are no IT implications for this programme.
- 13.2. Implications completed by: Matt Rumble, Head of Area Regeneration.
Telephone 07786 747 488

14. OTHER IMPLICATION PARAGRAPHS

Risk Management

- 14.1. A summary of the key risks is listed below:

| Risk | Mitigation |
|---|---|
| Lack of market interest / failure to appoint a contractor and impact on the programme | Soft market testing has already begun and clear market appetite has been demonstrated |
| Poor quality bids and bidder appointed to the framework | Clear brief and ITT Clear ITT questions on quality of delivery |
| Failure to meet timetable | Clearly planned project plan and careful management project risks |

- 14.2. The project has a risk register which is updated and reviewed by the programme board.
- 14.3. As quality is a key consideration for the programme, Officers will ensure objectives are met by providing robust specifications and ensuring all pertinent issues are covered in the employer's requirement.
- 14.4. Appropriate due diligence will be undertaken at throughout the construction programme.

15. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

APPENDIX 1:

SANDS END ARTS & COMMUNITY CENTRE – APPROVAL TO PROCURE A MAJOR WORKS CONTRACTOR TO DEVELOP SANDS END ARTS & COMMUNITY CENTRE

BUSINESS CASE AND PROCUREMENT STRATEGY REPORT

1. BUSINESS CASE

- 1.1 Hammersmith and Fulham Council has committed to deliver a new Arts and Community Centre for the local residents of Sands End to be located on the current site of the park maintenance depot and Clancarty Lodge in the north-western corner of South Park.
- 1.2 The new centre will provide a range of flexible new spaces for community use, changing rooms and WC's, a café, and a nursery within a new single storey structure totalling 760sqm.
- 1.3 Residents will run the centre once it is built, through a Community Trust that will secure the centre's future. Cabinet approval was granted on 4th December 2017 to establish a Community Trust to govern the Sands End Arts & Community Centre (SEA & CC)
- 1.4 Earlier this year, the Council appointed a new design team led by Mae LLP who developed the detailed plans for the new centre.
- 1.5 Planning permission has been granted by the Council to develop the new Sands End Arts & Community Centre. Preparatory and enabling works will be carried in early 2018 and will continue until spring 2018.

2. FINANCIAL INFORMATION

- 1.6 The total budget the the programme is £3.6m.
- 1.7 £75k has been allocated to site assembly and enabling works costs.
- 1.8 £2.5m to be allocated to the major works contractor for the construction of the new Community Centre.

3. OPTIONS APPRAISAL AND RISK ASSESSMENT

- 3.1 The following options have been reviewed:

Option 1: Do nothing. This would result in the SEA &CC not being provided and the missed opportunity to deliver the much-needed community infrastructure in Fulham. This would also prevent the Council from spending existing s106 funding from Chelsea Football Club and grant funding from Thames Tideway, which has been ringfenced for this project.

Option 2: Run an open public procurement process and select a major works contractor. This allows a flexible approach to carry out the process and maximises the chances of procuring a suitable contractor to deliver the scheme.

Option 3: Access existing Frameworks such as the London Construction Programme Framework or Southern Construction Framework and carry out mini-competitions. The Council has access to these Frameworks so no pre-qualification process is required. These Frameworks are better suited to high value contract schemes (above OJEU thresholds).

3.2 Overall the route that best meets the Council's objectives of flexible, rapid delivery that provides value for money is to procure a major works contractor through an open public procurement process (Option 2).

4. THE MARKET

4.1 Given the number of companies on capital sourcing it is expected that the Council will receive strong tender responses to the opportunity.

4.2 Initial soft market testing has taken place with major works contractors to better understand the level of interest in the proposed scope of works. The feedback received has identified that there is strong interest in the marketplace to bid for this type of work.

5. CONTRACT PACKAGE, LENGTH, AND SPECIFICATION

5.1 The contract will be to take the approved designs and provide construction services to develop a newly fitted out community centre. The contractor will work closely with the Council and Mar Architects to deliver the programme.

5.2 The contract will last until practical completion of the new community centre which is expected to last 12 – 18 months.

5.3 Key milestones / timetable is set out in Section 12 of this Procurement Strategy.

5.4 The project specification will be contained in further detail within the construction brief, the core principles are set out below:

- A high quality iconic building for South Park, with flexible interrelated spaces.
- Use of off-site, modular, and environmentally sustainable construction methods to make the construction process as efficient as possible.
- An overall building footprint of 760sqm including the existing Clancarty Lodge of 99sqm.
- An overall build cost of £2.5m excluding professional fees and fit out cost
- A predominantly single storey building, with the possibility of some second storey space equivalent to the existing second storey space of Clancarty Lodge
- A new main community centre of 520sqm. This includes:

- A main hall of 180sqm which will be divisible to facilitate flexible and concurrent uses.
- Flexible independently bookable rooms
- Re-use of Clancarty Lodge of 99sqm for flexible community use
- A new Nursery of 141sqm for up to 32 children (ages 2-5)
- Kitchen space for events/refreshment
- Toilets and changing facilities suitable for sport use.
- A café accessible from the park as well as from within the centre.

6. SOCIAL VALUE, LOCAL ECONOMIC AND COMMUNITY BENEFITS

6.1 The Council's employer's requirements that form part of the construction contract will include provisions for social return on investment.

6.2 The social value, local economic and community benefits will form part of the technical qualification criteria, it has been recommended that 10% of the award criteria be allocated to this section.

6.3 The approach will be developed throughout the pre-procurement period, but considerations could include:

- Encouraging the use of apprenticeships, training schemes and work experience placements for larger projects.
- Setting appropriate standards for environmental performance and considerate construction.
- Requiring engagement with local communities in the vicinity of new projects and taking account of their views.
- Encouraging or requiring companies to advertise for sub-contracting opportunities and employment vacancies openly and in a manner which may be brought to the attention of local businesses and individuals.

7. OTHER STRATEGIC POLICY OBJECTIVES

7.1 This contract is critical to the delivery of the Council's ambitions to deliver a replacement Sands End Arts & Community Centre.

7.2 In addition to the above, the Council's priorities are still aligned in supporting the Arts and developing an 'Arts Network', this is set out in the H&F Business Plan 2017/18:

8. STAKEHOLDER CONSULTATION

8.1 Public Consultation events have taken place providing an opportunity for residents to meet with the Design Team and provide feedback on the proposed plans.

8.2 Throughout the design process, the Council and Mae LLP have held design engagement and consultation events with the local community.

8.3 The planning application process included a statutory consultation period with

local residents.

8.4 There has been extensive consultation with the Residents Working Group and Sands End Project Board who have been consulted on all proposals and designs for the new community centre.

8.5 Internal consultation has taken place with appropriate Lead Councillors, as well as the Chief Executive and other directors.

8.6 A Communication and Consultation Strategy will be developed by the Regeneration Service and Corporate Communications Team to engage with local residents and stakeholders throughout the duration of the works.

9. PROCUREMENT PROCEDURE

9.1 The proposed procurement procedure is to run an open tender competition.

9.2 With an estimated value of £2.5m the financial threshold for this scheme is below the statutory amount for works related tenders (OJEU value c.£4.1m).

9.3 The Public Contracts Regulations 2015 (as amended) require the opportunity to be advertised in the UK's Contracts Finder website and will be run as an open process on the capitalE-sourcing system.

10. CONTRACT AWARD CRITERIA

10.1 Works: In assessing the Enabling Works tenders, it is proposed that the submissions will be judged 60% on quality and 40% on price.

11. PROJECT MANAGEMENT AND GOVERNANCE

11.1 **Members:** Regular updates will be provided by the Lead Director for Regeneration, Planning & Housing to the Cabinet Member for Economic Development and Regeneration – Councillor Andrew Jones.

11.2 **Internal:** The Regeneration, Planning & Housing Directorate will manage this process and ensure that internal colleagues in Finance, Procurement and Legal are well informed of the progress and any decisions made.

11.3 **External:** The Council will be supported by Mae LLP and Baillie Knowles Partnership LLP (cost consultant) throughout the procurement process.

11.4 A Tender Appraisal Panel (TAP) will be set up to monitor the progress of the Main Contractor Works procurement process. The TAP will include representatives from: Regeneration, Finance, Legal, Procurement, Mae and Peter Knowles Partnership as appropriate. This forum will provide update to the Lead Director for Regeneration, Planning & Housing Services.

12. INDICATIVE TIMETABLE


12.1 The table below sets out a high-level timetable for key milestones:

| Action / Task | Target date |
|--|---|
| Cabinet Decision | 5 th February 2018 |
| Procurement process - Selection Questionnaire (SQ) - Evaluation of SQ - Invitation to Tender (ITT) - Evaluation of ITT - Appointment of successful contractor | 13 th February to early June |
| Contractor mobilises on site | End June |
| Construction to practical completion | July 2018 to August 2019 |

13. CONTRACT MANAGEMENT

13.1 The contract for the Main Contractor Works will be managed by the Regeneration, Planning & Housing Directorate under the Head of Regeneration – Earls Court.

13.2 It is expected that Mae LLP will carry out the Contract Administrator (CA) role for the construction contract from start to completion of the development. This includes reviewing the contractor’s programme and the progress of construction works. Alternatively, the Council will procure another company to perform the role of CA / Employers Agent.

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| <p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>5 February 2018</p> |  |
| REPORT OF THE DEFEND COUNCIL HOMES UNIT | |
| Report of the Cabinet Member for Housing – Councillor Lisa Homan | |
| Open | |
| Classification: For decision Key Decision: Yes | |
| Consultation: <i>Housing, Legal, Finance</i> | |
| Wards Affected: All | |
| Accountable Director: Jo Rowlands, Lead Director Regeneration, Planning and Housing Services | |
| Report Author: David Burns, Head of Housing Strategy | Contact Details: Tel: 020 8853 6090 David.burns@lbhf.gov.uk |

1. EXECUTIVE SUMMARY

- 1.1. To protect the future of the Council’s Housing Stock in the long term from unwanted development, the Council established the Residents Commission. The Residents Commission looked at several options and recommended to the Council a stock transfer to a new housing association. The Council accepted this recommendation and wanted to progress it. Government policy has prevented this from proceeding, as the government will not provide debt support.

- 1.2. Therefore, In February 2017, the leader of the Council established the Defend Council Homes Unit to explore other ways of safeguarding Council Homes for the long term against the threat of unwanted development. The final report of the unit and its recommendations is presented here. The Cabinet is asked to approve consultation with residents on the implementation of these recommendations.

2. RECOMMENDATIONS

That Cabinet:

- 2.1. Note the conclusions of the Defend Council Homes Unit and its report, and its recommendation that the Council consults on the Unit's preferred option of a Defend Council Homes Policy, supported by an Advisory Body and the registering of a restriction on title related to the new Policy.
- 2.2. Agree to delegate authority to the Lead Director for Regeneration Planning and Housing Services to consult with residents on a Defend Council Homes Policy.
- 2.3. Note that following this consultation process and the development of an implementation plan a further report will return to cabinet for approval of any Policy, formal consultation, and the creation of any structures to support the policy.

3. REASONS FOR RECOMMENDATIONS

- 3.1. The Leader of the Council commissioned the Defend Council Homes Unit (DCHU) to find a way of safeguarding the future of the Council's Housing stock against unwarranted and unwanted redevelopment.
- 3.2. The DCHU is made up of a resident Chair, Shirley Cupit, and independent advisors, Peter Bevington and Anthony Mason. They have been supported by Trowers and Hamlin's to explore the legal possibilities for safeguarding Council homes. The Leader of the Council appointed the commissioners on the basis of their expertise in housing, policy, legal and financial matters and their experience as members of the residents' commission.
- 3.3. The DCHU have now completed the review of the options and developed some clear recommendations for the Council to consider.
- 3.4. To implement these recommendations, the Council now needs to consult with residents and develop an implementation plan.

4. PROPOSAL AND ISSUES

- 4.1. The Defend Council Homes Unit was set up with these terms of reference:
 - a. The provision of affordable, quality homes in places where people are proud to live is at the heart of the Council's vision and the DCHU supports this vision.
 - b. On the basis that the RCCH's recommendation to transfer the HRA stock to a Community Gateway Association is unlikely to be achieved in the near future, DCHU will explore the options which remain open to the Council to achieve its strategic objectives. Such options will be evaluated against the "key messages" of the RCCH as set out in the

Report, DCHU will therefore consider whether the options have the potential to:

- i. safeguard council homes and estates for the future;
- ii. give residents greater control over their homes;
- iii. protect tenants' rights and keep rents and service charges at levels residents can afford; and
- iv. fund improvements to homes and housing services.

c. DCHU will, with the assistance of external advisers, closely focus on the legal and financial viability of any HRA stock option explored.

d. In evaluating HRA stock options, DCHU will include the views of residents and key stakeholders, and consider how to engage and involve residents in the most effective ways

e. DCHU is non-partisan. This is why its membership will not include Council officers or Councillors and it will analyse HRA options independently of the Council. Nevertheless, DCHU will be supported by the Council, both practically and financially. Should DCHU's activities conflict with these Terms of Reference, the Council will be entitled to reconsider its support. The Council will not withdraw its support from DCHU without first providing the Chair with notice of any matter which it considers to be in conflict with the Terms of Reference and an opportunity for DCHU to remedy such matter (if it is remediable).

f. DCHU will report its findings and proposed solutions to the leader of the Council.

4.2. The DCHU have now produced their final report which is set out in Appendix 1. The options that were considered are set out below.

- Option 1 – a Council policy commitment supported by a restriction on title
- Option 2 – Disposal of a legal interest in the HRA land to a CLT
- Option 3 – A restriction on title in respect of the HRA land and property in favour of a CLT
- Option 4 – Disposal to and leaseback from a Community Land Trust

4.3. The DCHU recommends that option 1 is implemented. There are four elements to this policy set out below.

4.4. The Policy

4.5. The Council adopts a Policy that sets out how residents' interests will be protected in the event of a redevelopment proposal that could result in the disposal of their homes.

4.6. The Policy in itself represents a procedural commitment to all residents of council housing in the Borough, but within it, as part of this procedural commitment, is an undertaking to give certain substantive commitments to residents affected by redevelopment proposals:

- 4.6.1. first, in the event of specific proposals coming forward that could involve the disposal of homes in a given area, through written undertakings to the residents in that area setting out how they will be consulted on, and involved in, the consideration of those proposals;
- 4.6.2. second, in the event of a specific scheme that would involve the disposal of homes in the area coming forward for planning approval, through further written undertakings to the residents affected setting out their rights and entitlements and how they will be treated in the event of the scheme being implemented.

4.7. The Advisory Body

- 4.8. Interpretation and application of the Policy and any substantive commitments are carried out with reference to an Advisory Body, potentially to be composed of residents and experts nominated by professional bodies.

4.9. The Restriction on Title

- 4.10. In addition to adopting the Policy, the Council registers a 'restriction on title' with the Land Registry covering the entirety of the land and buildings held in the HRA. The restriction (which prevents the title of anything covered by the restriction changing hands) can only be lifted if the Council's Solicitor certifies either that the Policy (including any written undertakings given by the Council to residents) has been complied with or that the disposal is exempt – with reference to a defined list of exemptions.

4.11. The Principle of Legitimate Expectation

- 4.12. The existence of the Policy, followed at subsequent stages as appropriate by the receipt of written undertakings by the Council, creates for residents a 'legitimate expectation' that the Policy, and especially the more specific written undertakings, will be complied with by the Council. This therefore represents a means of legal redress against the Council should a resident's 'legitimate expectation' not be met.

- 4.13. The significant effect of this set of arrangements is to commit the Council to Best Practice in any situation where it is considering the disposal of residents' homes. Importantly however, the restriction on title element will also act as a discipline on the Council in circumstances where, for example, a development partner might be approached with a view to redeveloping an area or estate. Any due diligence process will alert the developer to the need to deal with the restriction before any redevelopment requiring disposals can proceed.

4.14. Implementing the DCHU's recommendations

- 4.15. To implement the DCHU's recommendations the Council will need to consult with residents on the scope of the proposed Policy, and this report recommends that the Council carry out this consultation.

- 4.16. The Council will need to develop a detailed implementation plan and return to cabinet for final approval. This would include approval of any new structures, the budget for implementation and ongoing running costs and confirmation that any consultation meets the requirements of section 105 of the 1985 Housing Act.

5. CONSULTATION

- 5.1. The DCHU has presented its progress to the housing representatives forum and has established a website to communicate what it is doing. It will also present its report to the Borough Forum. However, a fundamental recommendation is now for detailed consultation with residents and stakeholders to implement this, and that any future consultation would meet the requirements of the section 105 of the 1985 Housing Act.

6. EQUALITY IMPLICATIONS

- 6.1. There are no perceived negative impacts on any protected groups as a result of the adoption of the Defend Council Homes policy.
- 6.2. The consultation will be accompanied by an equalities assessment to ensure that all residents are able to participate should they choose to do so.
- 6.3. Implications completed by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206.

7. LEGAL IMPLICATIONS

- 7.1. Trowers and Hamlins have advised the Council and the DCHU on this project and the Council is able to rely on their advice.
- 7.2. They advise that the Council has the legal powers to develop and implement a policy as described above. The Council can also apply to the land registry for a restriction on title.
- 7.3. Since the policy will impact on matters of housing management the Council must follow the requirements of section 105 of the Housing Act 1985. In adopting the policy the Council must pay due regard to the results of that consultation process.
- 7.4. The proposal to place a restriction on the title to the Council's housing land (to ensure that future disposals are in accordance with the policy) must be approved by the Land Registry.
- 7.5. The policy is intended to create a 'legitimate expectation' on the part of residents that they will be protected from unwanted future redevelopment of their properties and estates. External legal advice from Trowers and Hamlins is that this is the most effective way of reassuring residents that they can rely on the commitments in the policy, notwithstanding future changes to it.

7.6. Implications verified by Dermot Rayner, Senior Property Solicitor, 020 8753 2715.

8. FINANCIAL IMPLICATIONS

8.1. The costs of consulting on the DCHU's recommendations will be accommodated within existing HRA budgets and led by the resident involvement team.

8.2. The costs of implementation (primarily legal costs) and any ongoing running costs (which are likely to be minimal unless there is an event which triggers actions under the policy) will need to be included in the Cabinet Report for approval of any Policy, formal consultation and the creation of any structures to support the policy.

8.3. Implications completed by: (Kathleen Corbett, Director of Finance & Resources, 020 8753 3031).

9. IMPLICATIONS FOR BUSINESS, COMMERCIAL AND IT IMPLICATIONS

9.1. There are no business, commercial and IT implications due to the nature of this report.

9.2. *Implications completed by: Dave Burn Head of Housing Strategy, 020 8753 6090.*

10. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

10.1. None

LIST OF APPENDICES

Appendix 1 – Report of the Defend Council Homes Unit

London Borough of Hammersmith & Fulham

The Defend Council Homes Unit

Draft Report

January 2018

Shirley Cupit

Anthony Mason

Peter Bevington

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DRAFT

1. Introductory letter

Dear Leader,

I am pleased to enclose with this letter the report of the Defend Council Homes Unit.

After it became clear that the Council's decision to approve the Residents' Commission's recommendations was to be frustrated, we were delighted when you asked myself, Anthony and Peter to form the Unit early last year.

Your commitment to continue the search for a way of safeguarding council residents and their homes, and your expression of faith in us, in asking us to take on this task, have given us a unique sense of responsibility over the last few months.

We believe we have arrived at, if not a perfect solution, a plausible legal model capable of protecting residents and the Council's housing stock against unwarranted and unwanted redevelopment. Our report explains how we arrived at the model and how it would work in terms of legal principles. It has not been part of our remit to lead a consultation with residents, but we know this will be one of your priorities if you decide to pursue the recommendations in our report.

Our recommendations outline what the Council will need to do to develop the model and put effective safeguarding arrangements in place. While our proposals are innovative and in some respects untested, we are in no doubt that the unprecedented pressures on housing in London, and in particular the pressures on council housing in our Borough, call for new thinking.

The tragedy of the fire at Grenfell Tower midway through the year meant that the term 'safeguarding' subsequently took on a new set of meanings in relation to council housing. This has prompted us to consider whether some of the elements in our proposed safeguarding model – the scope of the Policy, the role of the Advisory Body – could usefully be applied in a wider context. We have referenced these in the report without developing the ideas in detail.

I hope you and Cabinet colleagues will find the report helpful,

Yours sincerely

Shirley Cupit

*Shirley Cupit
Chair, Defend Council Homes Unit
Resident, Queen Caroline Estate*

2. Background

As land values and property prices have continued to rise in London it has become increasingly difficult to maintain a supply of affordable housing to meet the needs of the capital. And there are many instances of regeneration schemes where estates of affordable housing have been replaced by higher value, higher cost market housing but with a significantly reduced quantum of new affordable housing. The impact of London's housing market on households with low incomes is becoming an almost daily national news item¹.

The tension between rising land values and the need for affordable housing is most keenly felt in boroughs like Hammersmith & Fulham, where property prices are among the highest in the country. Not only does this militate against the development of new affordable housing, it also creates a latent pressure to release the development value tied up in land occupied by existing council estates.

This has been a key underlying theme in the story of the West Kensington and Gibbs Green estates, where residents have for more than eight years been caught up in a complex and controversial scheme involving the recycling of development values. An active campaign to oppose the current scheme has seen the production of an alternative 'People's Plan' and an application to the Secretary of State for the residents to take the estates into community control.

The deal that involved West Kensington and Gibbs Green being sold to the developers of the Earls Court regeneration project is an example of what could have happened – and could still happen – to other estates in the Borough unless proper protections for residents and their interests can be put in place.

The present administration of the Council was determined to protect residents living in council housing from unwanted regeneration or redevelopment and campaigned in the 2014 local elections on a manifesto pledge to, '... work with residents to give them ownership of the land their homes are on.'

Early in 2015 the administration set up a Residents' Commission on Council Housing (the Residents' Commission) to look at ways of delivering this pledge. After eight months' work, including public hearings, study visits and extensive consultation, the Residents' Commission concluded by recommending that the Council transfer the ownership of its housing to a new community controlled housing association, where it would be out of the reach of future administrations of the Council.

The Residents' Commission's recommendations were pursued for a further twelve months before it was finally accepted that, in the absence of financial support from the Government, a transfer of ownership could not proceed.

¹ e.g. "... 292,000 people left [London] in the year to the middle of 2016, up 14% on a decade earlier ... The trend is being driven by people leaving London's relatively expensive housing market but also by financially squeezed councils sending homeless families out of the capital ... because they cannot afford to buy housing stock in London." Guardian, 30 December 2017.

3. DCHU – composition and remit

By the end of 2016, although it was clear that the proposed transfer of the stock into community control could not be achieved, it was equally clear that the potential threat to council homes and estates had not diminished in any way.

In January 2017, the Leader of the Council asked us, three former members of the Residents' Commission, who had stayed with the process from early 2015 through to the demise of the transfer programme, to form the Defend Council Homes Unit (DCHU). The primary aim of DCHU was to find an alternative, but still effective, way of 'safeguarding' council homes, in line with the administration's manifesto pledge.

Our remit was set out in terms of reference that are reproduced here in italics, in each case followed by a brief commentary:

a) The provision of affordable, quality homes in places where people are proud to live is at the heart of the Council's vision. The DCHU has been established specifically to ensure that the Council's existing housing stock (HRA stock)² is subject to appropriate safeguards such that it can continue to be a major part of such provision in the Borough of Hammersmith & Fulham

In a narrow sense, we were tasked with finding safeguards against wanton disposals of the Council's stock. But in keeping with the administration's manifesto pledge it was also an essential part of our remit to find a way of putting control in the hands of residents. In other words, the broader task was to find a way of ensuring that residents' homes could not be sold off or otherwise disposed of unless the residents themselves had been fully involved and consulted on the terms of the disposal and, subject to standards of reasonableness, given their consent.

b) On the basis that the RCCH's recommendation to transfer the HRA stock to a Community Gateway Association is unlikely to be achieved in the near future, DCHU will explore the options which remain open to the Council to achieve its strategic objectives. Such options will be evaluated against the "key messages" of the RCCH as set out in the Report, DCHU will therefore consider whether the options have the potential to:

- i. safeguard council homes and estates for the future;*
- ii. give residents greater control over their homes;*
- iii. protect tenants' rights and keep rents and service charges at levels residents can afford; and*
- iv. fund improvements to homes and housing services.*

The options we have considered are described in section four of this report. It is important to say that our principal focus has been on identifying options that meet the first three of these criteria and that there has been less of a focus in the work we have carried out thus far on finding new ways to fund improvements to homes and housing services. A technical appraisal of the options considered is set out at appendix one of this report and the preferred option is outlined in section five.

c) DCHU will, with the assistance of external advisers, closely focus on the legal and financial viability of any HRA stock option explored.

² Housing Revenue Account – the statutory account for councils' landlord functions

We have been greatly assisted by the Council's external legal advisers, Trowers and Hamlins, both in exploring potential safeguarding models and in testing their legal viability. The question of financial viability only arises in the case of options involving a change of ownership, and on this matter it has not been considered necessary to obtain external advice.

d) In evaluating HRA stock options, DCHU will consider how to engage with and involve residents and key stakeholders in order to include their views in the most effective ways.

Throughout the period of our work we have reported progress to the regular meetings of the Housing Representatives' Forum. We also took part in the Borough-wide 'Love Where You Live' roadshows organized by the Council's Resident Involvement Team.

Our report proposes that, if the Council should approve our recommendations, one of the key steps in implementation of the preferred option will be consultation with residents and, in the case of secure tenants, it will be necessary to carry out a statutory consultation under section 105 of the 1985 Housing Act.

e) DCHU is non-partisan. This is why its membership will not include Council officers or Councillors and it will analyse HRA options independently of the Council. Nevertheless, DCHU will be supported by the Council, both practically and financially. Should DCHU's activities conflict with these Terms of Reference, the Council will be entitled to reconsider its support. The Council will not withdraw its support from DCHU without first providing the Chair with notice of any matter which it considers to be in conflict with the Terms of Reference and an opportunity for DCHU to remedy such matter (if it is remediable).

We have operated independently of the Council but have been supported by the Council both practically and financially. To date there has been no instance of our activities conflicting with our terms of reference.

f) DCHU will report its findings and proposed solutions to the Leader of the Council.

This report covers our findings and proposed solutions and has been made in the first instance to the Leader of the Council.

4. Options considered

The starting point for the first stage of our work was to revisit some of the ground covered by the Residents' Commission on Council Housing and review the 'safeguarding' options considered in 2015.

"Large scale voluntary transfer" (known as LSVT or "housing transfer" in English housing policy) was at the core of the option recommended by the Residents' Commission. We quickly ruled out further investigation of this option as the financial and policy conditions that prevented implementation of the Residents' Commission's recommendations are still in place. Should central government policy around financial support for LSVT change in the near future, this option is always worth revisiting as it is the benchmark against which other safeguarding options must be assessed. That is, while secure tenants must give their consent to any LSVT through a formal ballot, a transfer of ownership into community control still has the capacity to deliver the administration's manifesto commitment most completely. However, being effectively unavailable, the LSVT option was not assessed in our options appraisal.

A Community Land Trust³ (CLT) – the CLT option was originally rejected by the Residents' Commission on advice that a decision to vest HRA assets in such a Trust could be judged unreasonable, by fettering the future discretion of the Council. There are also complexities around the likely requirement that a CLT be a *housing provider* registered with the housing regulator (essentially, the CLT would also need to be a housing association). But aspects of the CLT concept are carried forward to three of the options that we have considered in this phase of our work.

The options in scope

From this point onwards, the work that the DCHU has undertaken has been "novel" in a legal sense: we have been exploring issues that have not all been tested previously in the context of social housing. The options that we have developed and appraised represent different legal mechanisms to achieve the same end and have emerged from a process of dialogue with lawyers, officers and elected members. While our appraisal criteria are 'givens' handed down from the work of the Residents' Commission, the detailed options themselves have not yet been discussed with residents or their representatives. Inevitably, there is some common ground between some of the options, but at this stage of our work the following are those we have considered as being *in scope*:

1. **A disposal to, and leaseback from, a Community Land Trust.** This would involve a CLT being granted a legal interest in the council's housing by means of a transfer by the Council (sale at nominal value) of the freehold that is then subject to an immediate long leaseback to the Council by the CLT. This would leave the Council as the landlord as now, but any disposals – for example, for a redevelopment scheme – would require the consent of the CLT. The CLT board could be constructed on similar lines to the Community Gateway model referenced by the Residents' Commission. In other words, residents could be substantially represented on the CLT either as a majority on the board or as a blocking minority.

³A Community Land Trust is a not for profit organisation set up to develop and/or manage housing and land on behalf of a community. Further information on CLTs in England and Wales is available at www.communitylandtrusts.org.uk

It was immediately clear that this model presents certain legal risks and technical difficulties that arise from the initial sale, such as discontinuity of tenancies, rights of enfranchisement and the need to obtain a specific consent from the Secretary of State. But from our conversations with residents and elected members, we gauged that there is significant interest in the CLT model and we kept it in scope for this stage of our work.

Key elements – *CLT with freehold interest in housing stock; CLT consent required for disposals*

Key issues – *establishment of CLT; Secretary of State's consent; reasonableness of disposal of freehold; change of tenancy status for tenants*

- 2. A disposal of a legal interest in the HRA land to a CLT.** This is a further development of the CLT idea that would involve separating the legal interest in the HRA land from that of the homes and buildings that sit on the land. The CLT would be granted an interest solely in the land element, with ownership of the homes and other buildings on the land remaining with the Council as now. Conceptually, this option would circumvent some of the technical difficulties of option one above, but other legal complexities arise: just for example, the idea of separating the legal interest in land from that of the buildings on the land is relatively novel in conveyancing in England and Wales. Also, the viability of both variants of the CLT option would depend on being able to withstand a legal challenge, particularly on grounds of reasonableness.

Again, the model might rely on a CLT with a substantial component of resident control and the model could be constructed such that “ordinary” conveyancing, such as right to buy sales, would not be affected.

Key elements – *CLT with legal interest in land element only; CLT consent required for disposals*

Key issues – *establishment of CLT; legal novelty; reasonableness; conveyancing issues*

- 3. A restriction on title in respect of the HRA land and property in favour of a CLT.** Land ownership in England and Wales is recorded or *registered* at the Land Registry, a government body. This option involves the Council placing a restriction on any change of ownership (disposal) of HRA land and property. A restriction is an entry into the register of title to a property that prevents or regulates any change of title, or ownership. The option would involve the Council registering a restriction to the title to its HRA land and property that refers to a separate agreement between the Council and a CLT. This agreement would only allow the lifting of a restriction for redevelopment under certain conditions other than ‘exempt’ disposals (for example, the sale of right to buy properties, granting of short term commercial leases, or leases of electricity substations). Compliance with the terms of the agreement when registering a disposal would need to be certified by the Council’s solicitor.

In practice, the restriction would mean that any developer seeking to buy HRA land for redevelopment from the Council would know that without full compliance with the restriction, and certification from the Council's solicitor, the developer would be unable to register a title to that land. As registration is a fundamental element of land ownership, a non-compliant deal could not go ahead.

We would expect the agreement to stipulate that "compliance" would require full consultation of residents affected by a redevelopment proposal in advance and potentially a ballot to establish residents' consent.

Key elements – *CLT (or similar body); restriction on title; agreement between CLT and Council; certification by Council solicitor*

Key issues – *establishment of CLT (or similar body); legal novelty; risk that agreement could fetter Council discretion*

4. **A Council policy commitment supported by a restriction on title.** This option came to our attention when the legal team sought counsel's advice on aspects of option three above. Counsel pointed to case law that helped to define a "legitimate expectation" on the part of recipients of council services that certain actions will be taken (or not taken) by the local authority.

Legitimate expectation is a well-known legal concept, which takes two forms – *procedural* and *substantive* – and incorporates the general requirement that any council decision must be reasonable.

In simple language, if the Council, through an explicit policy commitment, were to "promise" residents that it would not permit the redevelopment of their homes without their consent – and in making that promise, create the conditions for a *substantive legitimate expectation* that the "promise" would be met – then the Council hasn't made a token promise: it has made a commitment that can be enforced by the courts.

As an additional safeguard, a restriction on title would be registered by the Council as in option three above, but instead of referring to compliance with an agreement with a CLT the restriction would refer to compliance with the Council's policy. Although this option does not require the establishment of a CLT, we envisage that some kind of advisory body would be needed to exercise oversight on residents' behalf.

Key elements – *policy commitment; principle of legitimate expectation; restriction on title; advisory body*

Key issues – *drafting and adoption of policy; legal novelty; establishment of advisory body*

Appendix one sets out our technical appraisal of these options to come to a single recommendation on the way forward.

5. The preferred option

The development of the options described in the previous section has been sequential, as we have worked through the ramifications of each option and have moved on, at each stage, towards a model that has given us greater confidence. Our confidence in option four, our preferred option, has naturally been reinforced by the fact that it emerged as the highest scoring option in the technical appraisal.

In this section we attempt to go beyond the essential legal concepts to describe the practical operation of the preferred option. This is based on the model's four main elements as follows:

a) The Policy

The Council adopts a Policy – we have provisionally called it the Defend Council Homes Policy – that sets out how residents' interests will be protected in the event of a redevelopment proposal that could result in the disposal of their homes. An initial draft of such a Policy is at appendix two of this report.

The Policy in itself represents a procedural commitment to all residents of council housing in the Borough, but within it, as part of this procedural commitment, is an undertaking to give certain substantive commitments to residents affected by redevelopment proposals:

- first, in the event of specific proposals coming forward that could involve the disposal of homes in a given area, through written undertakings to the residents in that area setting out how they will be consulted on, and involved in, the consideration of those proposals;
- second, in the event of a specific scheme that would involve the disposal of homes in the area coming forward for planning approval, through further written undertakings to the residents affected setting out their rights and entitlements and how they will be treated in the event of the scheme being implemented.

b) The Advisory Body

Interpretation and application of the Policy and any substantive commitments are carried out with reference to an Advisory Body, potentially to be composed of residents and experts nominated by professional bodies. Among other things the Advisory Body is responsible for advising on what represents Best Practice in implementing key aspects of the Policy.

c) The Restriction on Title

In addition to adopting the Policy, the Council registers a 'restriction on title' with the Land Registry covering the entirety of the land and buildings held in the HRA. The restriction (which prevents the title of anything covered by the restriction changing hands) can only be lifted if the Council's Solicitor certifies either that the Policy (including any written undertakings given by the Council to residents) has been complied with or that the disposal is exempt – with reference to a defined list of exemptions.

d) The Principle of Legitimate Expectation

The existence of the Policy, followed at subsequent stages as appropriate by the receipt of written undertakings by the Council, creates for residents a 'legitimate expectation' that the Policy, and especially the more specific written undertakings, will be complied with by the Council. This therefore represents a means of legal redress against the Council should a resident's 'legitimate expectation' not be met.

The significant effect of this set of arrangements is to commit the Council to Best Practice in any situation where it is considering the disposal of residents' homes. Importantly however, the restriction on title element will also act as a discipline on the Council in circumstances where, for example, a development partner might be approached with a view to redeveloping an area or estate. Any due diligence process will alert the developer to the need to deal with the restriction before any redevelopment requiring disposals can proceed.

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6. Implementation

If the Council should decide to implement the safeguarding model we have described as our preferred option, it will be necessary to determine a detailed timescale for implementation. The key stages that would need to be factored into the timescale are as follows:

i) Finalising the Policy

The draft Defend Council Homes Policy attached to this report at appendix two gives an outline of the kind of policy document that we believe would be required to serve the proposed model. The draft Policy incorporates comments by Trowers and Hamlins, but has not been circulated widely. It is anticipated that further work will need to be done to consult relevant stakeholders and frame the Policy such that it is fit for the purpose of the safeguarding model. We have speculated that there may be a case for widening the scope of the Policy such that it extends to other safeguards for residents, for example, in relation to health and safety issues, but this is a matter for the Council.

ii) Restriction on Title

It will be necessary to register the restriction on title with the Land Registry. The principle of registering such a restriction has not yet been raised with the Land Registry. It may be necessary therefore to take further advice on the appropriate form of restriction and the process of having it registered. The restriction is based on, but does not mirror previously accepted practice and the Land Registry may not accept a widespread and sensitive Restriction without question.

iii) Consultation

As a minimum, the Council will need to carry out a section 105 consultation (consultation on matters of housing management) with its secure tenants. This would involve first, notifying all secure tenants of the Council's proposed introduction of the policy and second, considering any representations made by tenants. The Council may decide to consult more widely than this and go beyond the minimum requirements.

iv) Formal Council approvals of Policy and Restriction on Title

Following the conclusion of formal consultation, the Council will need a formal resolution to adopt the Policy, and it is anticipated that the Land Registry will need a formal resolution by the Council in order to register the restriction on title. The timetable for formal reports will need to take account of the statutory consultation timetable.

v) Advisory Body: composition; terms of reference; recruitment; resourcing

Further work needs to be done to determine the most appropriate form for the proposed Advisory Body. Although it is reasonably clear what range of functions it will need to exercise for the purposes of the Policy, there are questions to be resolved about its constitutional relationship with the Council, its membership, and its modus operandi. There is also a question about its relationship with the body of council residents whose interests it is intended to serve.

Once these fundamental questions of governance and accountability have been resolved it will be possible to move to the practical tasks of drafting terms of reference, recruitment and putting administrative and logistical support in place.

As with the Policy itself, we have speculated that the Advisory Body might potentially be given a broader watchdog role, but this is a matter for the Council.

vi) Development of Best Practice Guidance

One of the Advisory Body's key roles is to establish and maintain a body of guidance on Best Practice. An initial framework of the areas to be covered by such guidance is set out in the draft Policy. It is envisaged that the Advisory Body will need to engage and consult with residents and representative groups in order to develop and update appropriate guidance and that it will need support from Council officers and if necessary external advisers in compiling the necessary documentation.

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7. Cost and resource implications

Our terms of reference require us to ‘... *closely focus on the ... financial viability of any HRA stock option explored.*’ It will be clear that the context for this was the outcome of the Residents’ Commission’s recommendations, which ultimately foundered on the question of financial viability. As outlined earlier in this report, options involving a change of ownership were ruled out at an early stage, not least on account of the need to resolve the matter of the Council’s HRA debt.

Our focus has instead been on the legal viability of introducing new protections for residents in circumstances where the Council retains ownership of the stock and the existing parameters of the HRA essentially remain in place. The relative novelty of the options we have reviewed means that we have been unable to look to previous examples to give a sense of the scale of cost and resource implications of implementation. We are, however, reasonably satisfied that the cost implications of our proposals are of an order of scale significantly less than a LSVT (housing transfer) of the homes. This is because there is:

- i. No proposal to move away from council ownership of the properties, i.e. no need to cover off existing HRA debt;
- ii. No necessity to engage third party funders or funder’s lawyers;
- iii. No necessity to engage the teams of specialist external advisers normally required for an LSVT process;
- iv. No necessity for the resident consultation on our recommendations to be on the scale of the informal and formal consultation (including a mandatory ballot of tenants) required for a LSVT process.

Nonetheless there will inevitably be resource implications arising from our recommendations and their quantification requires further work. The costs will, in the main, arise from:

- the need for further legal advice;
- the need to consult with residents on the introduction of the Policy;
- if the consultation outcome is in support of the Policy, the costs of implementing the legal mechanisms around Restriction on Title and “promise” at the heart of Legitimate Expectation;
- the need to set up and provide administrative support to the Advisory Body.

8. Recommendations

Our recommendations are as follows:

1. That our preferred option – a Council policy commitment supported by a Restriction on Title – be approved as the most effective way of providing residents of council housing in Hammersmith & Fulham with protection against the unwanted redevelopment of their homes and estates.
2. That, to put this protection in place, the Council takes the following actions:
 - i) quantifies and allocates the resources required;
 - ii) develops an implementation timetable;
 - iii) develops and finalises a draft Policy, along the lines of that presented at appendix two of the report, as the basis for formal consultation with residents;
 - iv) takes further advice with a view to registering a Restriction on Title with the Land Registry covering the entirety of the land and buildings held in the HRA;
 - v) carries out formal consultation with residents on the draft Policy and, subject to any representations made, adopts the Policy;
 - vi) takes steps to determine the form, composition and terms of reference of the proposed Advisory Body and commences a process of recruitment.

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Appendices

Appendix 1: The options appraisal

This appendix sets out how we assessed each of the options against a set of appraisal criteria in order to make a recommendation about the way forward. Options appraisal is not an exact science and so the appraisal uses a mixture of numerical scores and star ratings as a means of differentiating the various models.

Defining the appraisal criteria

Section two of this document laid out the DCHUs terms of reference. Among other matters, these give an initial direction to the appraisal by identifying the overarching criteria as follows:

- i. safeguard council homes and estates for the future;*
- ii. give residents greater control over their homes;*
- iii. protect tenants' rights and keep rents and service charges at levels residents can afford; and*
- iv. fund improvements to homes and housing services.*

As described in section two, none of the options has the capacity to better fund improvements to homes and housing services and so every option would score the same against this criterion. We have therefore not used it as part of the appraisal matrix. At the same time, it has been appropriate to introduce implementability criteria into the appraisal. We have therefore built on and developed the appraisal criteria by drawing out key elements as follows:

- i. Safeguard council homes and estates for the future**
 - a. Protection from unwanted redevelopment
 - b. Continuity of Council's core housing management presence/function
- ii. Give residents greater control over their homes**
 - a. "Passive" control – continuity of the *quiet enjoyment* of a tenancy
 - b. Boosting "active" control such as greater opportunity to participate in key decisions both at an individual level and via representative organisations
- iii. Protect tenants' rights and keep rents and service charges at levels residents can afford**
 - a. Tenancy rights are unaffected or even improved
 - b. Proposed option is cost-effective in terms of implementation costs against resultant benefits
 - c. Proposed action can be implemented on a timely basis

Scores in the matrices range from 1 – 5 where 5 represents a "maximum good" and 1 the "least good". Asterisks represent legal and regulatory risks where three asterisks represent the highest risk. Each of the options is assessed on this basis in the tables below.

| Option one: CLT leaseback | Comments | Score |
|---------------------------|----------|-------|
|---------------------------|----------|-------|

| Option one: CLT leaseback | | Comments | Score |
|---|--|--|-------|
| (i) Safeguard | a). Protection from unwanted redevelopment | | 3 |
| | b). Continuity of council management | Complexity of legal effects of tenancy break | 2 |
| (ii) Greater control | a). "Quiet enjoyment" | Difficult to persuade tenants to cede rights | 1 |
| | b). Boost participation | Places on CLT board | 3 |
| (iii) Protect rights | a). Rights stable or better | Tenancy break | 1 |
| | b). Cost-effective implementation | Consent issues and campaign difficulty | 1 |
| | c). Timely implementation | Specific SoS consent needed | 1 |
| Total score | | | 12 |
| Legal and regulatory complexity | | | ** |
| Risk of challenge on reasonableness grounds | | | *** |

| Option two: CLT land-only interest | | Comments | Score |
|---|--|---|-------|
| (i) Safeguard | a). Protection from unwanted redevelopment | Some legal novelty | 2 |
| | b). Continuity of council management | | 4 |
| (ii) Greater control | a). "Quiet enjoyment" | Substantially unaffected | 3 |
| | b). Boost participation | Places on CLT board but with less control | 2 |
| (iii) Protect rights | a). Rights stable or better | Potentially less protection | 2 |
| | b). Cost-effective implementation | | 3 |
| | c). Timely implementation | Some legal novelty | 2 |
| Total score | | | 18 |
| Legal and regulatory complexity | | | *** |
| Risk of challenge on reasonableness grounds | | | ** |

| Option three: Restriction on title in favour of a CLT | | Comments | Score |
|---|--|--|-------|
| (i) Safeguard | a). Protection from unwanted redevelopment | Slight concerns about a reasonableness challenge | 4 |
| | b). Continuity of council management | | 4 |
| (ii) Greater control | a). "Quiet enjoyment" | Potentially less protection | 3 |
| | b). Boost participation | Places on CLT board | 3 |
| (iii) Protect rights | a). Rights stable or better | Potentially less protection | 2 |
| | b). Cost-effective implementation | | 4 |
| | c). Timely implementation | | 4 |
| Total score | | | 24 |
| Legal and regulatory complexity | | | ** |
| Risk of challenge on reasonableness grounds | | | ** |

| Option four: Policy commitment and Restriction on Title | | Comments | Score |
|---|--|---|-----------|
| (i) Safeguard | a). Protection from unwanted redevelopment | Two devices in tandem provide maximum protection | 5 |
| | b). Continuity of council management | | 4 |
| (ii) Greater control | a). "Quiet enjoyment" | Two devices in tandem provide maximum protection | 5 |
| | b). Boost participation | Advisory body offers less scope than a CLT but Policy gives major say in key decisions, | 4 |
| (iii) Protect rights | a). Rights stable or better | | 4 |
| | b). Cost-effective implementation | Two devices in tandem mean slightly greater costs than Op 3 | 2 |
| | c). Timely implementation | Not considered complex | 4 |
| Total score | | | 28 |
| Legal and regulatory complexity | | | ** |
| Risk of challenge on reasonableness grounds | | | * |

We acknowledge the qualitative nature of this analysis – but when the appraisal scores are set against the legal advice we have received in this phase of our work, it is clear that option four – the combination of a Legitimate Expectation “promise” alongside a restriction on the title of the Council’s HRA land offers the best prospect of any of the options to fulfil the manifesto commitment on social housing made by the present administration of the Council. In particular, the advice we have about the varying possibility of legal challenge on grounds of reasonableness for the first three options satisfies us that option four is both the most effective and best grounded of the options we have considered.

The “status quo” option

In public sector options appraisals, it is common to compare the outcome of the best “change” option with the “no change” option of keeping things as they are. We have not formally scored the no change option, but while no change involves no implementation cost or effort, it also does nothing to deliver the protection from unwanted redevelopment that so many residents have said they want to have. The threat of unwanted redevelopment is also a threat to the tenancy rights and quiet enjoyment of affected tenants.

So, while the status quo option incurs no immediate cost – it also confers none of the benefits of our proposed way forward.

Appendix 2: (draft) Defend Council Homes Policy

The Council is committed to the principle that residents of council housing are entitled to live in their homes without fear of unwanted redevelopment. This Policy is designed to protect residents' interests by upholding this principle.

The Council will appoint an Advisory Body in relation to the residents' interests in matters covered by this Policy and to advise the Council on Best Practice in implementing the Policy.

The Council will only allow the redevelopment of long-term residential properties in its ownership if residents' interests are safeguarded, which means (in particular):

- all residents whose properties could be affected by redevelopment proposals will be informed before a formal options appraisal and issued with a written Council notice setting out how they will be consulted and how they will be involved in the options appraisal process including masterplanning and, as appropriate, the procurement of planners and/or development partners;
- there will be full and open consultation on the redevelopment options before any formal decisions are made to proceed with the redevelopment, with appropriate opportunities for all residents formally to express their views on the options;
- the Council will publish the results of such consultation and may carry out further discussions and consultation with residents as necessary to establish the levels of support for preferred options. Where appropriate, the Council may ask affected residents to vote on preferred options in a ballot, the ballot to be conducted having regard to a set of rules endorsed by the Advisory Body;
- if a redevelopment scheme emerges as the basis for an application for planning approval, all residents whose properties would be affected by the scheme will be issued with a written Council notice (the Notice) as soon as is practicable and in any event before the relevant planning permission is submitted. The Notice will include specific undertakings by the Council to the affected residents setting out how their right to a home will be safeguarded on the implementation of the scheme (the redevelopment programme). The nature of such undertakings will vary but we describe in the following two main bullet points the rights and entitlements which must be addressed in the form of Notice to (i) tenants and (ii) leaseholders;
- the rights and entitlements of tenants in the Notice will include the following:
 - no tenant will be required to move home, temporarily or permanently, unless this is necessary for the redevelopment programme to proceed or advisable on health and safety or other reasonable grounds;

- suitable temporary replacement homes will be provided for tenants if it would be unsafe or impracticable for them to remain in situ during the redevelopment programme;
- unless the tenant agrees otherwise, any permanent replacement home will be:
 - of equivalent tenure;
 - equipped with the same or equivalent facilities;
 - (so far as possible) equally convenient;
 - comparable in cost (including cost-in-use) with the home being replaced
- the Council will undertake the redevelopment in a manner which is consistent with Best Practice and will have regard to the recommendations of the Advisory Body
- the rights and entitlements of leaseholders will be consistent with the conditions of their lease and with any policy or policies adopted by the Council, having regard to the recommendations of the Advisory Body as to what constitutes Best Practice with regard to leaseholders affected by redevelopment.

This Policy operates at two levels – procedural and substantive:

- a) Procedural – the Policy involves a Borough-wide commitment to follow procedures based on and giving effect to the principles described above (so that residents can legitimately expect that any development affecting their homes will be subject to those procedures).
- b) Substantive - the Policy also involves a commitment that will be integral to any set of redevelopment proposals to translate the principles described above into substantive promises which will be contained in the Notice issued to affected residents (so that such residents can legitimately expect those promises to be honoured), both at the options appraisal stage and at the stage of a redevelopment scheme being submitted for planning approval.

In applying this Policy (procedurally and substantively) the Council will have regard to the recommendations of the Advisory Body and, in particular, what in the Advisory Body's view constitutes Best Practice for the redevelopment in question (based on the guidance described below).

The Advisory Body will develop and from time to time update guidance on what, in its view, constitutes Best Practice for the redevelopment of council housing and council estates (including any good practice guidance issued from time to time by the Mayor of London) (Guidance). Aside from the general requirements of equality, diversity and human rights, this Guidance will cover all three phases of any redevelopment as follows:

- before:
 - developing overall redevelopment priorities and options for the area/estate;
 - procurement of development partners;

- carrying out options appraisals;
- masterplanning;
- developing re-housing options and packages – with (where appropriate/possible) the right of return;
- compensation and support packages – statutory and discretionary;
- consultation (and, where appropriate, rules for ballots);
- residents' access to paid-for independent advice.
- during:
 - decanting/rehousing;
 - site conditions and security;
 - health and safety;
 - liaison with contractors;
 - taking up complaints;
 - community support and temporary facilities;
 - monitoring the project plan – with a supply of adequate information;
 - support for residents' representatives/groups and general liaison with residents.
- after:
 - return to new/old homes – including protection of tenancy rights;
 - monitoring the delivery of promises and objectives;
 - ongoing funding of replaced/new estate/community facilities.

The Council will adhere to such Guidance unless:

- there is a compelling reason for not doing so;
- it explains that reason to the Advisory Body and takes account of its views; and
- it consults with residents and their representatives (justifying any divergence from the Advisory Body's views) before any steps are taken and/or decisions made.

The Policy will be underpinned by a Restriction on Title entered in the Land Registers of all the Council's housing estates. The Council promises to register and maintain the Restriction as an integral part of this Policy and the Council Solicitor will only permit its release in circumstances which are consistent with this Policy, namely, where the Council Solicitor is in a position to certify either that the relevant paragraphs of the Policy have been complied with or that, in the case of exempt disposals [to be set out in an Appendix hereto], they do not apply.

Appendix 3: Note on the functions and composition of the Advisory Body

The Advisory Body will be responsible for exercising the following functions:

- generally, monitoring the operation of the Policy having regard to residents' best interests
- developing, updating and, as necessary, interpreting 'Best Practice' guidance
- tailoring of 'Best Practice' guidance to the circumstances of specific schemes
- approving exceptions to 'Best Practice'
- affirming that procedural and substantive commitments have been met
- endorsing ballot rules/procedures

It will be important that in the exercise of these functions the Advisory Body is not granted powers that could fetter the Council's discretion; nonetheless the Advisory Body's role needs to be 'locked in' to the operation of the Policy in such a way that it cannot be bypassed.

There may be scope to add to the Advisory Body's functions, should it be desirable for its role in safeguarding the best interests of residents of council housing be extended – e.g. as a scrutiny or watchdog body with a wider remit.

In terms of composition, the essential thing is to ensure that the Advisory Body has appropriate levels of expertise, experience and credibility to carry out its functions. Moreover, it may need to be a relatively small body that can be convened readily and conduct its business efficiently.

An option that prima facie fulfils these criteria would be a type of 'standing committee' composed of residents' representatives and experts nominated by recognised organisations such as the Joseph Rowntree Foundation and/or the Chartered Institute of Housing. This model raises a question of how residents' representatives might be selected. In any event it will be necessary to determine what kind of relationship the Advisory Body should have with the Council, on the one hand, and residents, on the other.

Appendix 4: Note on legal matters

Restriction on title

A restriction on title is, essentially, a bar on a change in property ownership unless certain conditions are met. Title (ownership) is registered with the Land Registry. There are certain standard forms of restriction that may be registered, stipulating in each case the conditions to be met for a restriction to be lifted.

For the purposes of the Defend Council Homes Policy it is envisaged that a restriction would be registered on the titles of all of the Council's housing estates and potentially of all its street and 'pepper potted' properties.

The wording of the restriction might be along the following lines:

"No disposition of the registered estate by the proprietor of the registered estate is to be registered without a certificate signed by the Solicitor to the London Borough of Hammersmith and Fulham of [address] that the provisions of the [Defend Council Homes] Policy have been complied with or that they do not apply to the disposition".

Examples of 'exempt' disposals (i.e. where the restriction would be held not to apply) are as follows:

- (a) exercise of Right to Buy
- (b) short term commercial property leases
- (c) statutory undertakings – utilities, highways authority etc.
- (d) grant of a tenancy (e.g. in the context of shared ownership) by the Council
- (e) compulsory purchase orders
- (f) 'compliance' disposals (e.g. disposals to comply with legislation such as that which would have required councils to sell their higher value voids)
- (g) disposals for the "community benefit" (public land, sports facilities etc.)

The above circumstances will need to be expanded upon in the Policy but in principle, disposals falling within limbs (a) – (f) should be relatively easy to define as they are largely a question of fact. Disposals of the type contemplated in limb (g) may be more controversial. There could be an argument for the Advisory Body to have a role here, either as a consultee or in framing relevant Best Practice guidance.


Legitimate expectation

The principle of legitimate expectation most clearly illustrated in *the Coughlan case*: Ms Coughlan was a severely disabled person who had been promised by a council that she could stay on in her care home. Despite the promise, the local authority attempted to renege on its commitment. The courts found that Ms Coughlan had a legitimate expectation that the council would honour the promise it had made.

A direct quotation from the leading textbook cited in our legal advice may help to demonstrate how these concepts can move a "promise" to become an "obligation" as it was in respect of Ms Coughlan's accommodation.

“Where the Court considers that a lawful promise or practice has induced a legitimate expectation of a benefit which is substantive, not simply procedural, authority now establishes that here too the Court will in a proper case decide whether to frustrate the expectation is so unfair that to take a new and different course would amount to an abuse of power.”

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| | | |
|---|---|---|
| London Borough of Hammersmith & Fulham CABINET 5 February 2018 | |  hammersmith & fulham |
| AWARD OF A LEARNING DISABILITY FLEXIBLE SUPPORT CONTRACT FOR AN ORGANISATION TO DELIVER CARE AND SUPPORT SERVICES TO PEOPLE WITH LEARNING DIFFICULTIES WITHIN HAMMERSMITH AND FULHAM | | |
| 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 for Adult Social Care | | |
| Report Author: Sandie Atwell: Interim Procurement Manager, Adult Social Care | Contact Details: E-mail: sandie.atwell@lbhf.gov.uk | |

1. EXECUTIVE SUMMARY

This report sets out the commissioning background and subsequent procurement exercise undertaken to enable the award of a contract to Yarrow Housing Ltd to provide a range of care and support services for people with learning disabilities (LD) living within Hammersmith and Fulham.

The recommended contract award will deliver the commissioning and procurement strategy outcomes to transform the approach to service delivery, provide residents with greater choice and control over their care and support arrangements, and improve their satisfaction with the support they receive.

The new contract will put in place an Individual Service Fund (ISF) model where a third party (the provider) holds a residents' money on their behalf. The ISF provider will then work with residents, their family, carers, and advocates to co-produce and agree a plan of support that reflects the person's preferences and choices around how their care and support needs and health and wellbeing outcomes and aspirations in life should be met. The provider will then support the individual to put these arrangements in place, which may include the provider delivering some of the care and support required.

There are currently two block contracts for supported housing and residential care for 55 people with LD which expire end June 2018.

| |
|--|
| Current Provision |
| Residential care and supported living block (9 homes, 43 units): Yarrow Housing Ltd |
| Supported living (3 homes, 12 units): Metropolitan |

This report recommends the award of a contract with a three-year duration and the option to extend for two further periods, each of up to two years.

The contract has a value over its initial three-year term of £9,517,418. If extended for a further two years, it has a value of £15,445,550 and if extended for a further two years has a total value of £21,178,149.

The procurement strategy for these services was approved via a Leader's Urgency report in May 2017 and the funding for these services is provided from the existing Adult Social Care budget.

2. RECOMMENDATIONS

It is recommended that Cabinet:

1. Approves an award of contract to Yarrow Housing Ltd for a period of three years with the option to extend for two further periods of each of up to two years for the initial period of 1 July 2018 to 30 June 2021 at a total cost over these three years of £9,517,418 and a maximum lifetime cost over the seven years of £21,178,149.
2. Agrees to delegate to the Director of Adult Social Care in consultation with the Cabinet Member for Health and Adult Social Care the decision to extend the contract for each of the two-year extension periods after the initial three-year term.

3. REASONS FOR DECISION

Most Economically Advantageous Submission

In accordance with the Competitive Procedure with Negotiation as set out in the Procurement Strategy, the Procurement Board developed a Specification and an Invitation to Tender (ITT) to identify a Delivery Provider. The evaluation process found the selected tenderer's submission to be the most economically advantageous submission that met the required quality thresholds. Details are provided in Appendix A (Commercial and Technical Evaluations).

Contract Standing Orders

Contract Standing Orders provide for Cabinet Members to award contracts with a value of up to £4,999,999 where the actual contract value is within a 10% tolerance of the estimated contract value as set out in the Procurement Strategy & Business Case previously approved by Cabinet.

The Procurement Strategy & Business Case was approved via the Leaders Urgency Report in May 2017

As the contract value exceed £4,999,999 the contract award decision requires Cabinet approval.

4. BACKGROUND & COMMISSIONING RATIONALE

The Housing Strategy for residents with learning disabilities highlights a growing need for supported living and accommodation. Increasingly people with eligible needs have mobility or behavioural issues requiring specific support. Work is underway to improve access and choice. The strategic provider partner would be expected to improve support pathways, expanding choice and access to accommodation.

The Procurement Strategy and Business Case recommendations for this procurement recommendations were approved via the Leaders Urgency Report in May 2017 to:

- Approve the strategic approach for the procurement of support and services to promote choice and control for people with learning difficulties; and
- Approve the procurement of a delivery provider contract using the competitive procedure with negotiation.
- Note the proposed contract term of seven years.

4.3 Subject to the outcome of the procurement exercise, it is envisaged that providers will require approximately two years to review, evaluate and implement personalised approaches and start to deliver any efficiencies. The development of the provider market and any potential innovations will take further time to develop. The contract term, will encourage provider investment in the service, allowing the full benefits of the transformation to be realised and to create an attractive offer for a limited provider market.

5. PROCUREMENT PROCESS

The Competitive Procedure with Negotiation was used and an advert for the tender was placed on 24 June 2017 on the following portals;

- The Council web site;
- The Official Journal of European Union (OJEU) reference 2017/S 119-239821; and
- Contracts Finder

Bidders expressed an interest and received all tender documentation through the Council's e-procurement portal. A bidders meeting was held on 11 July 2017 to further clarify the tender documentation, methodology and the outcomes sought by the council. Notes taken at this meeting alongside subsequent FAQs were then distributed to the bidders prior to the closing date.

Qualification Evaluation

The closing date for expressions of interest was 23 October 2017, and a total of 70 organisations accessed the procurement documents along with supplier selection questionnaire (SSQ) via the portal. TUPE information was made available to all bidders who requested this information subject to signing a confidentiality agreement.

The SSQ comprised compliance for completing the required documentation and the suitability assessment questionnaire. The documentation was clear that these elements only need be completed once per organisational or consortium bid.

Compliance and suitability were pass/fail elements of the SSQ.

A summary of the responses is set out below.

| Response Summary | |
|---|----|
| Number of organisations downloading the procurement documents | 70 |
| Number of organisations submitting SSQs | 9 |
| Number of organisations excluded in qualification evaluation phase. | 0 |
| Number of organisations excluded in technical evaluation phase | 4 |
| Number of organisations invited to tender | 5 |
| Number of organisations submitting a tender | 3 |

One organisation opted out of the process, giving the following reasons;

- TUPE staff costs at the point of the transformation period
- Funding mechanism presented risks for ongoing funding
- The move to ISF presented challenges around misallocation of funds, fraud and overspend
- Concerns around housing management and property risk.

Clarification questions received up to and including 19 September were also sent to all organisations invited to tender. A total of three organisations submitted tender responses for evaluation by the tender return deadline:

ITT Tender Evaluation

The tender documentation set out the methodology to be used to assess the submissions, background to the contracts and the requirements of the council in relation to quality and performance.

The contract award criteria was of the Most Economically Advantageous Tender (MEAT), and applied a price/quality split of 40% price and 60% quality.

Tenderers were required to complete and return the tender documents as set out in the ITT, which formed their tender submission:

The evaluation comprised of assessment of the following two elements:

- Element 1 Technical – Quality Assurance Method Statements
- Element 2 Commercial – Value for Money and Pricing Matrix

Technical Evaluation

The technical questionnaire included qualitative method statements as well as a mobilisation and transformation plan, which were assessed by members of the tender evaluation panel involved in the process.

Members of the tender evaluation panel, selected for their particular skills and expertise in the service, reviewed specific elements of the tender submission. Members included council officers and resident representatives on the Learning Disability Partnership Board. Three resident representatives were involved in the evaluation. This included a current resident of the service.

Each member of the evaluation panel completed their evaluation independently using scoring sheets. The panel were required to provide detailed rationales to support their scoring of the method statement questions and to ensure that any subsequent differences in opinion could be explained, to facilitate required discussions to achieve mutual agreements in terms of moderating scores.

Each method statement was scored by a panel of officers and undertaken in accordance with the evaluation model outlined within the ITT, applying a scoring mechanism of 0 – 5, with 0 being the lowest and 5 being the highest score. Any method statement not receiving a minimum score of 3 resulted in a failed bid. A final score was arrived at by then applying the weighting for each question.

The submission from Yarrow Housing was the only bid that received a minimum score of 3 and above for each method statement, and was the only bid to pass the technical evaluation.

The final quality scores were reached following a consensus scoring process. This addressed any variance in the initial scores between the different evaluators. The process ensured that the views of different professionals on the quality of the submissions resulted in a consensus score that they were all content with. This resulted in a single score for each element as summarised in table. Full details are contained within the exempt part of this report, Appendix A.

Commercial Evaluation

The evaluation of the pricing matrix was undertaken at the same time as the technical evaluation. In addition to setting out the financial proposal the pricing matrix included the following:

- Extent to which the price was contingent
- Combined financial proposal
- Block price
- Hourly rate
- Risk reward assessment
- Price sustainability assessment
- Financial standing assurances

The pricing evaluation focused on ensuring bidders had a clear understanding of the requirements of the commissioning model and that any assumptions made were discussed and clarified to ensure pricing reflected commissioning intentions. The pricing score reflects the final pricing submissions.

Evaluation Outcome

The overall result of the evaluation is set out at Exempt Appendix B.

Negotiated Procedure

As noted in 5.16 only one bid received a minimum score of 3 and above for each method statement and therefore only one bid passed the technical evaluation.

As two bids failed to meet minimum requirements in some areas and the bid submitted by Yarrow Housing Ltd met and exceeded the Council's requirements in a number of areas. The project board overseeing the procurement took the decision not to hold negotiations with Yarrow Housing Ltd. It was considered that negotiations would be unlikely to yield further gains and that the costs of negotiating would outweigh any marginal gains on the technical / quality aspects of the bid.

Bidders were written to on 23 October to advise them the Council would not be proceeding to the negotiation stage and would now be preparing recommendation of contract award reports.

6. CONSULTATION

The engagement and co-production process of the Flexible Support model has involved people with people with learning disabilities throughout, including both registered residential and supported housing residents. Meetings were held with learning disability providers and voluntary sector stakeholders during 2016 and 2017 to get feedback on the Flexible Support model and procurement strategy.

Residents of Yarrow were involved in the Flexible Support pilot during 2016 and gave feedback regarding how easy it was to choose the support they wanted, and also as members of the Pilot Project Group.

The current award timetable allows a full six months before the end of the current contracts to safely mobilise to the new Flexible Support arrangements. The mobilisation stage will involve full co-production with both residents of the services and their families.

A series of meetings took place through October and November with families of residents, and residents who are living in Yarrow and Metropolitan accommodation based services. The meeting was used to listen to views and further discuss personalisation and ISFs and the Council's aims to work with residents to maximise choice and control. This will be a follow up to the model already piloted in some of the Yarrow services. Families and residents will be updated throughout the mobilisation.

Following the report of the Disabled People's Commission, the Council is formally committed to co-production with Disabled people of all services it provides to them. A co-production approach to contract mobilisation will be

agreed with the Learning Disability Partnership Board and members of the Disabled People's Commission including the development and agreement of the contract performance indicators. The effectiveness of co-production will be regularly reviewed by The Board as part of the overall management of the contract.

7. EQUALITIES IMPLICATIONS

The recommendations contained in this report will in the long-term have a positive impact on protected characteristic groups. In the short term, there may be some disruption to service delivery as responsibility for one of the services transfers to Yarrow Housing Ltd. In order to mitigate this disruption and any negative impact on residents, a Steering Group of residents, carers and family members will be established to work with officers and ensure the provider's implementation plan is robustly monitored.

We expect the impact of the new model of service delivery on residents to be positive, given that resident representatives on the Learning Disability Partnership Board consulted with local people with learning disabilities about what was most important to them. Regard was given to this when developing the service design to ensure a service which recognises and meets the range of needs.

Implications verified by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206

8. RISKS IMPLICATIONS

As part of the technical evaluation tenderers were required to submit mobilisation and transfer plans. The plans submitted by Yarrow Housing Ltd was evaluated as adequately addressing all implementation and transformation issues.

Meeting the Council's Objectives and satisfaction from the Service User, risk of meeting the needs and expectations of the Client. Attaining best value from Market Testing of Services and ensuring a smooth and efficient implementation. These key risks form part of the Council's Corporate Risk Register. The Adults Social Care Service and Contracts and Commissioners review risk periodically and have worked to ensure that risks have been mitigated during the procurement. Service Resilience will be reviewed in collaboration with the Council's Service Continuity Officer to provide additional assurance on service delivery.

Implications signed off by Michael Sloniowski, Principal Consultant HCD Policy and Strategy.

9. LOCAL SOCIAL AND ECONOMIC VALUE (BUSINESS IMPLICATIONS)

The contract will enable the provider to promote local business opportunities for care and support providers, including small and medium enterprises, and voluntary sector organisations who could partner and work with the strategic providers to deliver choices in support to people with care and support needs.

The development of ISFs under this contract will promote micro commissioning and stimulate the market, particularly for small providers who may wish to form partnerships with the strategic provider to deliver individually tailored support.

Implications for Business completed by: David Burns, Interim Head of Economic Development 020 8753 6090 (Regeneration, Planning and Housing Services)

10. CONTRACT AWARD

There will be three stages to the contract following contract award:

- The Mobilisation Period – the time limited period of handover from the existing Delivery Provider to the new Delivery Provider and the replacement care and support service as set out in the specification
- The Transformation Period – the 12-month period following the Mobilisation Period during which the Delivery Provider will be required to: enhance the rights of customers by commencing the process of reregistration of the two registered residential care homes as supported housing accommodation (to enhance the security of tenure and rights of residents) with the permission of the Care Quality Commission (CQC); transform 100% of the service delivery to Individual Service Funds with associated management and reporting requirements; and commence local market shaping and development, as detailed in the specification
- The Market Shaping Period – the period following the Transformation Period, when the Delivery Provider shall develop and shape the local provider market to ensure that residents have improved choices to meet their needs, as detailed in the specification.

During the Market Shaping Period, the Provider will be required to submit quarterly ISF monitoring returns to the Council detailing how the ISFs has been spent to deliver Customer outcomes.

The Council will monitor and evaluate the Provider's progress in achieving the delivery outcomes and quality standards against Key Performance Indicators (KPIs). The KPIs will be used to identify the need for intervention as well as areas for service improvements. They will also be used to benchmark performance against local and national services and strengthen accountability to local people and residents.

Outcome monitoring will include independent evaluation of residents' satisfaction levels. The co-production approach referred to above will require agreement with residents on how this independent evaluation is to be undertaken.

After Year 2 the KPIs and the performance mechanism will be reviewed with the Provider as part of a pre-programmed change control mechanism within the contract to ensure they remain relevant.

11. LEGAL IMPLICATIONS

With reference to the recommendations under section 2 of this report, the principles of awarding a contract in accordance with Regulation 76(1) of the Public Contract Regulations 2015 (“the Regulations”) allow the Council to determine the procedure to be applied to award a contract and take into account the specificities of the service in question. However, the procedure must ensure compliance with the principles of transparency and equal treatment of economic operators.

The procurement exercise undertaken to award a contract, subject to the approval of the recommendation under this report, was the Competitive Procedure with Negotiation in accordance with regulation 29 of the Regulations. There was only one compliant tender submitted to meet the Council’s requirements. Therefore, officers’ made the decision as permitted under the Council’s invitation tender not to engage further into the negotiation stage of the process and concluded the tender exercise post evaluation of the submitted tenders.

The tenderer, Yarrow Housing Ltd, who is recommended for the award of contract, has submitted the most economically advantageous tender in accordance with the Council’s evaluation criteria.

Should Cabinet be minded to approve the recommendation in this report Officers are to ensure that in accordance with regulation 50, a Contract Award Notice is issued in the Official Journal of the European Union no later than 30 days after award of the contract, following the decision to award.

Legal comments prepared by: Sharon Cudjoe, Solicitor, (sharon.cudjoe@rbkc.gov.uk 020 7361 2993)

12. FINANCIAL IMPLICATIONS

The total contract values are £9,517,418 for the initial 3-year period and up to £21,178,149 for the maximum lifetime cost over the seven years.

The budget available over the seven-year period is £21,459,072.

The contract values vary year on year during the lifetime of the contract due to the need to transform and develop the way services are delivered.

A cash flow statement is shown below, which demonstrates the annual spend each year compared to budget. In years one to three of the contract there will be overspend against the budget, which is recovered during years four to seven of the contract.

The year one ASC budget of £2,923,628 equates to the current expenditure on the services being re-procured. The year one 3.3% inflation and £50,000 additional Corporate Resources are part of the 2018/19 budget planning process and are already incorporated into the ASC inflation and growth assumptions. There is no inflation or growth assumptions for future years.

There is a risk of £326,171 overspend against the initial three-year contract period. If this materialises, the overspend will be managed within the overall ASC budgets.

Finance comments prepared by: David Hore, ASC Finance Manager (david.hore@lbhf.gov.uk 020 8753 4498)

13. COMMERCIAL IMPLICATIONS

The author of the report is requesting approval for the recommendation of an award of contract with an initial term of three years and with the option to extend for two further periods of each of two years at a total cost over the maximum seven years of £21,459,072.


The service forming the subject of the contract falls under the definition of social and other specific services as contained in Regulation 74 of the Public Contracts Regulations 2015 ("the Regulations"). As the value of the contract exceeds the threshold of £589,148 for this category of service the procurement is "regulated" and subject to the provisions of the Regulations.

The procurement has demonstrated full compliance with the Regulations, including the requirements with regard to publicising the opportunity in OJEU and Contracts Finder.

Procurement comments verified by Joanna Angelides, Procurement Consultant, (Joanna.angelides@lbhf.gov.uk 0208 753 2586

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

None.

| | | |
|--|--|---|
| London Borough of Hammersmith & Fulham CABINET 5 February 2018 | |  hammersmith & fulham |
| PEDESTRIAN CROSSINGS AT THE WANDSWORTH BRIDGE ROAD/CARNWATH ROAD/TOWNMEAD ROAD JUNCTION | | |
| Report of the Cabinet Member for Environment, Transport & Residents Services - Councillor Wesley Harcourt | | |
| Open Report | | |
| Classification - For Decision Key Decision: No | | |
| Wards Affected: Sands End | | |
| Accountable Director: Mahmood Siddiqi, Director for Transport and Highways | | |
| Report Authors: Chris Bainbridge, Interim Chief Transport Planner | | Contact Details: Tel: 020 8753 3354 Chris.bainbridge@lbhf.gov.uk |

1. EXECUTIVE SUMMARY

- 1.1 The Council has pursued the introduction of pedestrian crossing phases at the Carnwath Road/Wandsworth Bridge Road/Townmead Road junction for many years. Transport for London, who control all traffic signals in London, have previously refused to do so because of the additional delays this would cause to motor traffic
- 1.2 However, with the advent of the Thames Tideway Tunnel construction site on Carnwath Road, there would be a significant increase in the number of HGV movements in the area and Tideway agreed to fund further studies and the provision of a crossing should a design be produced which is acceptable to TfL.
- 1.3 The Council undertook consultation on a scheme which was acceptable to TfL in October-November 2017 and 92% of respondents were in favour of the proposal.

2. RECOMMENDATIONS

- 2.1 To implement the pedestrian crossing phases at the Wandsworth Bridge Road/Carnwath Road/Townmead Road junction as described in Section 5 below.
- 2.2 To monitor the effects of the scheme when it is in place and work with TfL and the London Borough of Wandsworth to introduce measures which would mitigate any adverse effects
- 2.3. To note that funding for the implementation of the proposal, at an estimated cost £140,000, is available from Section 106 money provided by Thames Tideway.

3. REASONS FOR DECISION

- 3.2 Transport for London (TfL) have in the past refused permission for the provision of such crossings because of predicted additional delays to motor traffic. Because of the additional movement of Heavy Goods Vehicle traffic in the area associated with the Thames Tideway construction site on Carnwath Road, TfL have now agreed a design for the crossings. We have undertaken consultation with local residents and stakeholders and received 240 responses, 92% of which were in favour of the scheme. However, some concerns were expressed about the effect on traffic flow and these issues will need to be addressed.

4. INTRODUCTION AND BACKGROUND

- 4.1 The lack of pedestrian crossings at the Wandsworth Bridge Road/Carnwath Road/Townmead Road junction has been a cause of community severance for many years, with some pedestrians crossing the road at risk as motor traffic always has a green light from at least one direction. The council has approached TfL at various times with a view to providing such crossings, e.g. as part of the London Cycle Network, but Wandsworth Bridge is a very important strategic road and one of a limited number of river crossings in south west London. Modelling showed that pedestrian phases would cause substantial additional congestion and traffic queuing, and therefore TfL declined such provision.
- 4.2 In September 2014, Thames Tideway was granted consent by order of parliament to use a construction site in Carnwath Road. This would generate a significant number of Heavy Goods Vehicle movements through the junction, adding to the danger to pedestrians there. The Council has received some £750,000 in Section 106 money to mitigate these effects

5. PROPOSALS AND ISSUES

- 5.1 The Council therefore commissioned further modelling on pedestrian phases early in 2016 and a scheme has been proposed which TfL have now

accepted. The adverse traffic effects are still predicted, but the need to mitigate the effects of Tideway on the community has taken precedence.

- 5.2. The scheme involves the provision of pedestrian signal phases on three of the four arms of the junction (Townmead Road, Carnwath Road and Wandsworth Bridge Road north). The phase is not proposed on the Wandsworth Bridge Road (south) leg as this is wider than the others, and in accordance with DfT rules, more time would be needed to allow pedestrians to cross, which would add to the delays. We have commissioned modelling on the fourth arm but TfL have indicated that the additional delays this would cause are not acceptable.
- 5.3 We consulted on the three arm scheme between October 30th and November 20th. The consultation was on-line on the council's website, backed by a letter drop to all the homes and businesses in the Sands End ward (7,000) and an exhibition at St Matthew's Church on Wandsworth Bridge Road. A copy of the consultation letter is appended. We also consulted the emergency services, Wandsworth borough council, and London Buses
- 5.4 We received 240 responses, 91% of which were from SW6 postcodes. 92% of respondents were in favour of the scheme, 6% against it, and 2% were unsure. A report of the consultation is appended.
- 5.5. 135 respondents said they supported the proposal because they feel that the junction is extremely dangerous and people just step out as they cannot see what colour the lights are. A number of people said they have had concerns for a while and that it was about time the junction was reviewed.
- 5.6: The responses from statutory consultees are as follows:
 - i) The metropolitan police have no objections or observations.
 - ii) London Buses recognise the need for pedestrian safety and suggest that the installation of a box junction be considered to mitigate possible additional delays to traffic.
 - iii) The London Ambulance Service is concerned about additional delays to traffic, which could affect response times and put their staff at risk when they attended emergency calls.
 - iv) Wandsworth Council have expressed concerns about additional traffic queuing over the bridge and its effect on air quality.
- 5.7 We will monitor the effects of the scheme on traffic, and will work with Wandsworth Council and Transport for London to mitigate any additional delays through, for example, real time measurement of the traffic signals, i.e. giving more time to the arms where queues are building up. The pedestrian phases will only operate when a button is pressed, so will not delay traffic when no one wants to cross. The scheme should be seen in the context of our policies encourage the use of electric and other low emission vehicles and to encourage journeys to transfer to walking, cycling and public transport, and

our 20mph speed limit policy, which aim to reduce the incidence and severity of collisions.

- 5.8. It should be noted that the current proposal is intended to be an interim scheme. There may be a redesign of the junction related to the possible redevelopment of the Curry's/PC World site in a few years time. There are no definite proposals for that at present. There may also be opportunities to modify the junction following the completion of the Tideway works, which is scheduled for 2021.

6. EQUALITY IMPLICATIONS

- 6.1 There will be no negative implications for protected groups from the introduction of the pedestrian crossings.
- 6.2 Vulnerable road users – disabled people, children, older people, other pedestrians, and cyclists, will benefit from the introduction of controlled crossing phases at this location. Some respondents have suggested that there will be an adverse effect on air quality, but this is being tackled across the borough and across London as a whole by encouraging a shift to walking and cycling, giving incentives to use electric and other cleaner vehicles, and bringing in cleaner buses.
- 6.3 Implications verified by Peter Smith, Head of Policy & Strategy, tel. 020 8753 2206.

7. LEGAL IMPLICATIONS

- 7.1 The Council will need to comply with and follow the statutory procedures set out in the Road Traffic Regulation Act 1984 and secondary legislation for the introduction of pedestrian crossing phases at the Carnwath Road/Wandsworth Bridge Road/Townmead Road junction.
- 7.2 Section 122 of the 1984 Act sets out the duties of the Council in carrying out its functions for the introduction of the pedestrian crossing phases. The Council must exercise its powers under the 1984 Act so as to secure the expeditious, convenient and safe movement of vehicular and other traffic, including pedestrians. Also, so far as practicable, the Council is to have regard to:
- (a) the desirability of securing and maintaining reasonable access to premises;
 - (b) the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
 - (c) the national air quality strategy prepared under section 80 of the Environment Act 1995;

- (d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
- (f) any other matters appearing to the Council to be relevant.

7.3 Where consultation is to be carried out, this must follow public law principles in that it must be carried out at a formative stage of the decision making process, last for a reasonable period, provide sufficient information for consultees to make an informed representation and all representations must be taken into account before any decision is made.

7.4 The s106 money referred to in paragraph 2.3 of this report is from a s106 agreement between the Council and Thames Water Utilities Limited dated 12th February 2014 in relation to the Hammersmith Pumping Station and Carnwath Road Riverside. The expenditure proposed is from a payment that has been received and which is to be used "towards the mitigation of the impact of the Development at the Carwath Road/Wandsworth Bridge Road junction." The proposed expenditure is within the requirements of the s106 agreement; paragraph 4.2 above refers to the Development's construction site and the danger arising from the increased number of HGV movements.

7.5 Implications completed by Bob Capstick , Planning Lawyer, 07919 301 366.

8. FINANCIAL AND RESOURCES IMPLICATIONS

8.1 The S106 officer has confirmed that funding for this scheme of £140,000 is available from the £750,000 Thames Tideway S106 funding. There are therefore no financial implications.

8.2 Implications completed by Gary Hannaway, Head of Finance, 0208 753 6071

9. IMPLICATIONS FOR BUSINESS

9.1 Local businesses should benefit from the crossings by allowing greater numbers of people to access them on foot.

9.2 Implications completed by David Burns, Head of Housing Strategy, 0208 753 6090

10. RISK MANAGEMENT

10.1 The project is to be managed within the Environmental Services programme and risks identified and communicated to, and the Community Safety, Environment and Residents Services Policy and Accountability Committee, and Cabinet Member for Environment, Transport and Residents' services.

10.2 Implications completed by Chris Bainbridge, Interim Chief Transport Planner, 020 8753 3354.

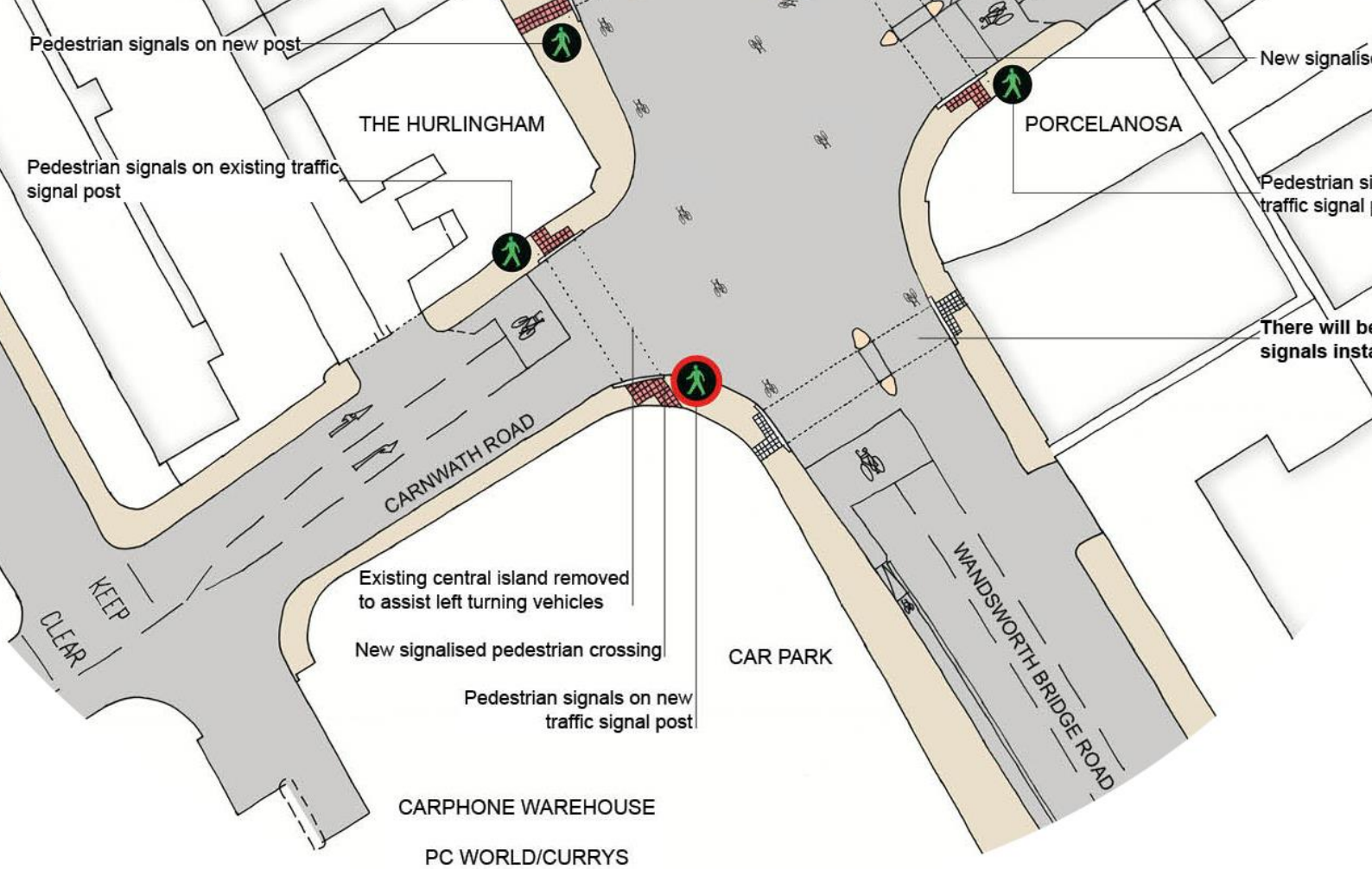
11. COMMERCIAL IMPLICATIONS

- 11.1 Work on the traffic signals will be undertaken by Transport for London. This is a statutory requirement. An order will be placed with Transport for London for the traffic signals work and another order will be placed with FM Conway, the Council's term Highway Contractor to carry out highway the works described in this report.
- 11.2 Implications completed by Alan Parry, IT Procurement consultant, 0208 753 2581.

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

None.

Appendix 1 - Consultation Summary



Wandsworth Bridge Road Pedestrian Scheme

Consultation Summary

London Borough of Hammersmith and Fulham

Document Reference:

Date: Nov 2017

Created by
 Nichola Mansfield
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 0330 0080 855



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1. BACKGROUND

1.1 The problem

Local residents have repeatedly contacted Hammersmith and Fulham Council about concerns they have for the safety of people crossing the Wandsworth Bridge Road, Carnwath Road and Townmead Road junction.

The Council is aware that over the last few years a number of developments have been approved and built in the area and these have had an impact on traffic movement, and are potentially having an impact on pedestrian safety at this junction.

Between 1 Jan 2012 – 31 Dec 2016 there have been 18 collisions at this junction resulting in personal injury. Whilst the majority of these collisions involved one or more vehicles three involved pedestrians crossing at the junction.

Currently the existing traffic lights at this junction do not have signalled pedestrian crossings (Red-Green Man signals). Pedestrians have to wait until traffic has stopped on the road they are crossing and then wait for a gap in the traffic to complete their crossing. At no time are all the traffic movements at the junction stopped to allow pedestrians to cross the road safely.

Local people have expressed concern about increased risk, particularly as a large number of vehicles are going to and from the Thames Tideway construction site in Carnwath Road.

1.2 Design

The Council asked Project Centre to design improved pedestrian crossing facilities at the junction and to run a consultation with the local community on the plans.

Therefore, to improve safety and convenience for pedestrians the Council propose to request Transport for London (TfL) install three signalled pedestrian crossings at the existing signalled junction as an interim proposal whilst the Thames Tideway construction site is operational. There has been a previous consultation exercise carried out on the South Fulham Riverside SPD which included a formal pedestrian crossing at this junction.

These crossings will be across Wandsworth Bridge Road (north arm), Carnwath Road and Townmead Road. In addition, the Wandsworth Bridge Road (south arm) is reduced from three lanes to two.

To assess the impact the pedestrian crossings may have on vehicle movement at this junction and the roads leading up to it, traffic modelling was undertaken. The modelling provides a comparison between the existing situation and the proposed. The results of the modelling suggest that vehicles and pedestrians will experience

longer waiting times, and an increase in congestion on the roads leading up to the junction.

As Wandsworth Bridge Road (south arm) is the widest of the four arms no signalled pedestrian crossing is to be provided as it is considered that this would cause unacceptable additional delays. Pedestrians will still be able to cross this arm as they currently do.

These crossings will allow pedestrians to cross the full width of the road in one go whilst all traffic movements at the junction are stopped thereby removing the potential vehicle-pedestrian conflict. TfL also propose to install a pedestrian countdown at the crossings to indicate to pedestrians how much time they have to cross. It is anticipated that the proposals will have a neutral impact on cyclist movements through the junction.

1.3 The consultation

The consultation ran for just under four weeks from 25 October to 20 November 2017. The Council sent letters to approximately 7,000 households directing them to the online survey. We received a handful of requests for hard copies of the information which were posted to them.

Key stakeholders such as the emergency services were emailed with the proposals and invited to respond.

During the consultation period Project Centre ran two public exhibitions to gauge local feedback on the designs and answer any questions face-to-face. Public exhibitions were held in St Matthew's Church Hall on Thursday 2 November (4-7pm) and on Saturday 4 November (2-5pm). Attendees also filled in surveys at these events.

In total we received 240 responses, which is an approximate response rate of 3.4%. All responses that were received by post or at the public exhibition were uploaded to the website and are included in this data.

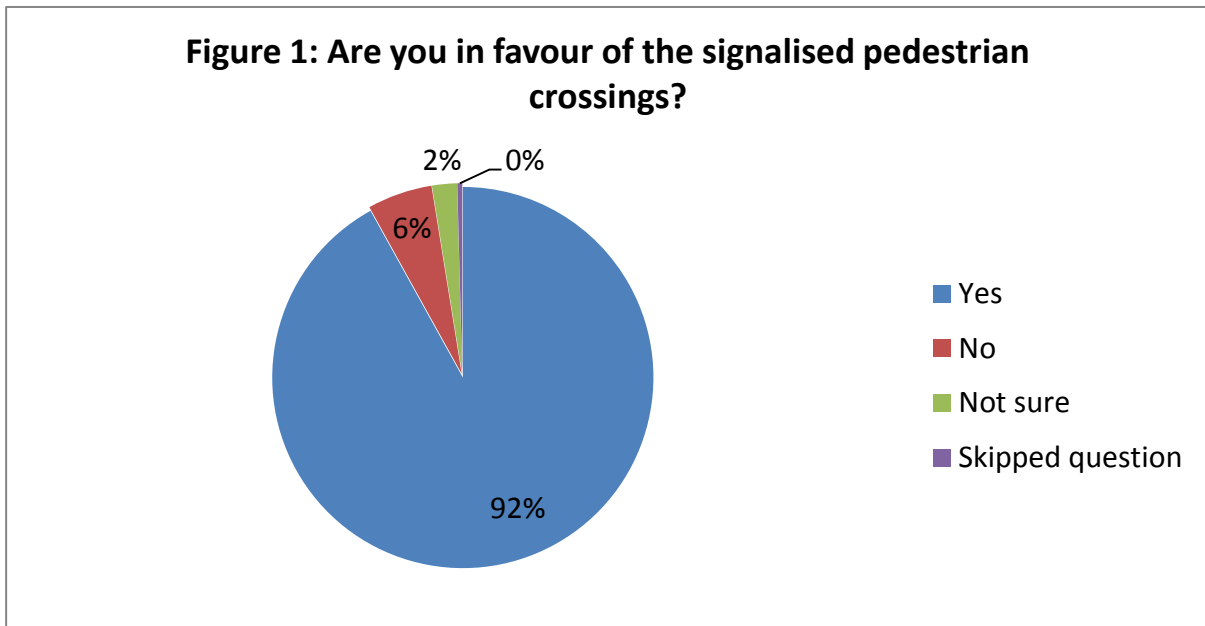
We have received four email responses from key stakeholders (included in the 240). These have been kept separate from the online responses and are in section 2.4.

2. CONSULTATION FINDINGS

In total we received 236 online responses and hard copy surveys back. This data is analysed in the next few sections and has been used to produce the pie charts.

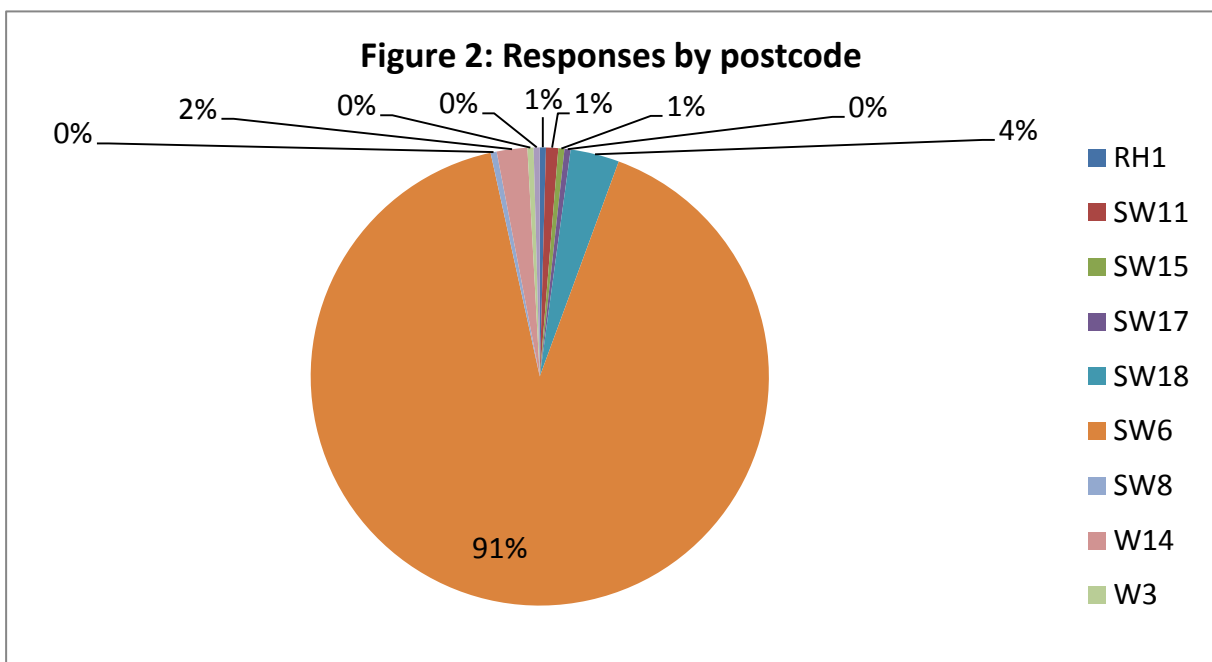
2.1 Are you in favour of the signalised pedestrian crossings?

Figure 1 shows an overwhelming majority of respondents (92% or 217 responses) are in favour of the new signalised pedestrian crossings. Only 6% were not in favour, 2% were unsure and one respondent skipped the question.

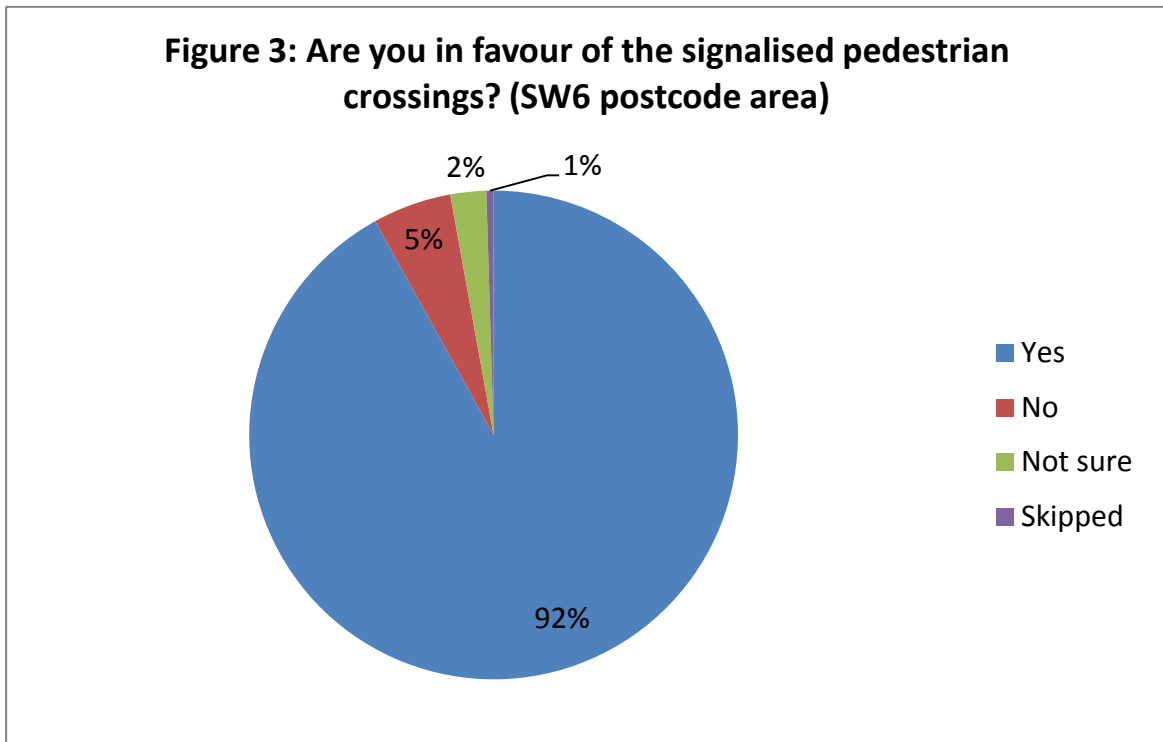


2.2 Responses by location

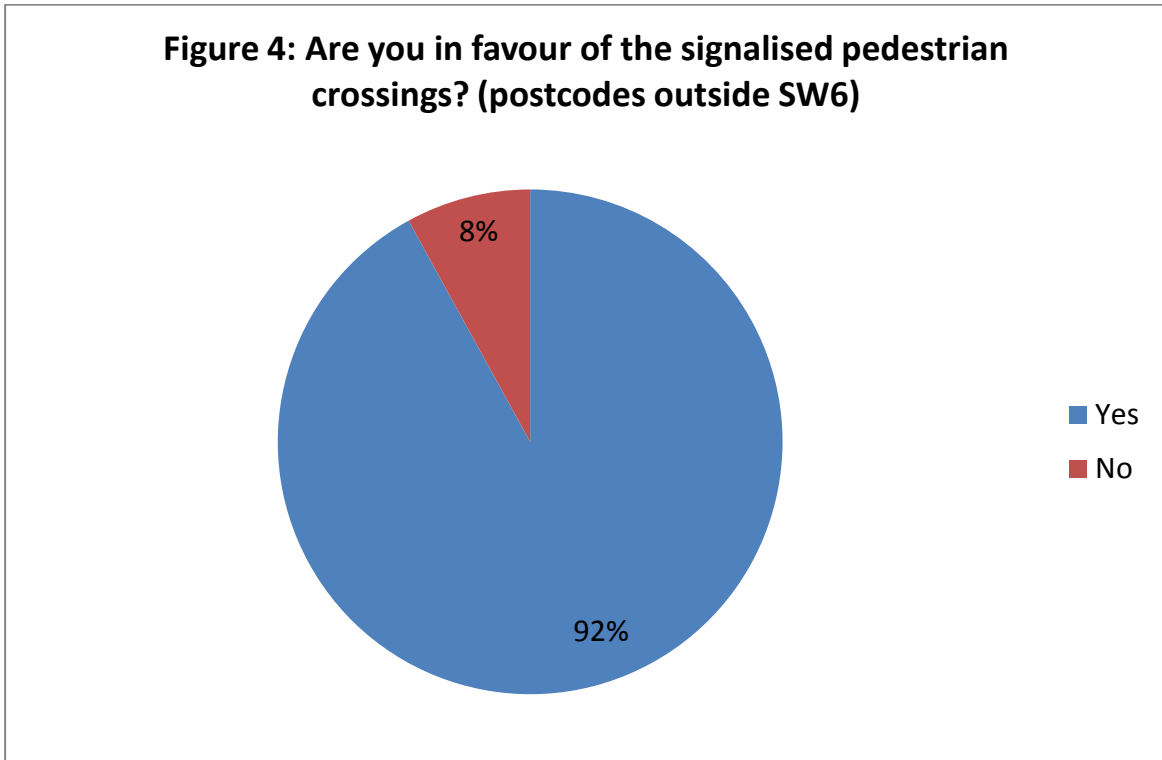
Three respondents did not provide a postcode. Figure 2 shows that of those who provided a postcode the majority of respondents (91%) are from the SW6 area.



As shown in Figure 3, of the 211 responses that provided a SW6 postcode 92% agreed with the proposal, 5% were not in favour, which is lower than the overall total by 1%, 2% were unsure and 1% skipped the question and just provided comments.



Although a much smaller number of respondents come from outside the SW6 area, Figure 4 shows that the majority of these respondents (92%) are also in favour of the proposal, compared to 8% who disagree, which is 2% higher than the overall response rate.



2.3 Comments

Respondents were asked to provide any additional comments. We received 164 comments in total (Appendix A).

Of the additional comments, 135 said they supported the proposal because they feel that the junction is extremely dangerous and people just step out as they cannot see what colour the lights are. A lot of people said they have had concerns for a while and that it was about time the junction was reviewed.

Some respondents recognised the need for the pedestrian signalised crossings but also that this would mean a delay for vehicles at the junction.

Three responses were not in support of the proposal. The reasons for this were:

- Traffic currently flows well
- There are several crossing places in the area
- There is little pedestrian traffic
- The works will be disruptive and costly
- The changes will increase traffic
- Air quality will decrease
- Roads will become more dangerous

We received 42 comments where respondents suggested further improvements were required. The main comments were:

- A filter lane is required for turning right from Carnwath Road onto Wandsworth Bridge Road as currently only two/three cars get through

- Speeding at the junction needs to be addressed as once the lights turn green drivers race across the junction. A 20MPH speed limit was suggested
- Pedestrian signalised crossings are needed on all four arms
- There is a problem with visibility for both drivers and pedestrians at this junction

| A full list of suggestions is below: | No. of comments |
|---|------------------------|
| Filter lane for turning right from Carnwath Road onto Wandsworth Bridge Road | 11 |
| Address speeding | 9 |
| Pedestrian signalised crossings are needed on all four arms | 5 |
| Crossing locations are not visible to drivers/blind corner (obstruction from a bush) from the bridge up to the junction for pedestrians | 5 |
| Cameras | 3 |
| Improved management/layout | 2 |
| Replace traffic lights with a roundabout | 2 |
| Cars jump the lights | 1 |
| Pedestrian walkway alongside Imperial Wharf | 1 |
| Improve street lighting | 1 |
| Clear markings are needed for bikes as they ride on the pavement | 1 |
| Reopen closed roads to reduce the impact of these changes | 1 |
| Never introduce a yellow box at this junction | 1 |
| Island not large enough | 1 |
| Address vehicles turning left out of Townmead Road onto Wandsworth Bridge Road | 1 |
| Stop traffic queuing across the junction | 1 |
| Stop left hand lane turning right from Carnwath Road onto Wandsworth Bridge Road | 1 |
| Countdown the seconds pedestrians have to cross | 1 |
| Side streets will be used to avoid junction | 1 |

The following are individual suggestions from respondents that are outside of this project's location:

Suggestions

Lollipop crossing on Clancarty Road

Introduce a pedestrian crossing further down Carnwath Road

Introduce a zebra crossing by Explore Learning on Townmead Road

2.4 Key stakeholders

We have received feedback from four key stakeholders. These are the police, the ambulance service and TfL.

The responses are below:

Traffic Management Unit, Metropolitan Police

The Police have no objections or observations.

West London - London Ambulance Service NHS Trust

The Ambulance service is concerned about the impact on traffic flow, especially during peak hours. They have seen delays in response times since the introduction of the new junction restriction south to north at Wandsworth Bridge Road and Carnwath Road, and feel that this proposal will increase delays further. They also feel that staff would be placed at additional risk having to proceed to emergency calls on the wrong side of the road for additional and longer periods of time due to the expected tailbacks.

Transport for London

TfL expect a negative impact for buses and all vehicles crossing this junction. Currently buses have a hard job travelling on Wandsworth Bridge Road and they feel that additional delays is a concern. However they recognise that a balance has to be made with regards to pedestrian safety. They also queried if a yellow box was to be placed on the junction.

Wandsworth Council

Wandsworth Council has indicated they have serious concerns about the proposal as there is likely to be increased queuing on Wandsworth Bridge. They are also concerned that the delays on Wandsworth Bridge Road may result in an increase of traffic movements and congestion on A3205 York Road which in turn will increase human exposure to nitrogen dioxide (NO₂). York Road between Wandsworth Bridge Road and Latchmere Road has been defined as an Air Quality Focus Area by TfL due

not only to exceeded levels of NO₂ compared to the annual mean limit value, but also to locations with high human exposure to NO₂.

3. CONCLUSION

To summarise, overall there is overwhelming support for the proposal to install pedestrian signalling at three of the four arms at the Wandsworth Bridge Road junction with Carnwath Road and Townmead Road.

However, a number of respondents have said they don't feel these plans go far enough to help pedestrians and to ease traffic in the area. In particular respondents have requested a filter lane for turning right from Carnwath Road onto Wandsworth Bridge Road as currently only two/three cars get through, and that speeding in the area is addressed.

The main concern from key stakeholders is the impact on traffic flow. Data shows there will be a negative impact on traffic flow and the ambulance service said they have already felt the impact to response times since the introduction of nearby junction restrictions, and TfL have said buses will also be delayed. Wandsworth Council is concerned about the impact of longer queues on Wandsworth Bridge Road may have on traffic movements on roads in their borough especially York Road.

4. RECOMMENDATIONS

The majority of the responses received during the consultation are supportive of the provision of signalled pedestrian crossing facilities across three arms of the existing signalled junction.

To provide these facilities it is recognised that all traffic movements at the junction will be stopped. It is inevitable that the time all traffic is stopped will lead to longer queues on all arms than those currently experienced. However, these crossings will provide a safe crossing facility for pedestrians and reduce the risk of potential collisions involving pedestrians on these three arms of the junction.

Whilst the modelling suggests delays to traffic will increase on all arms compared with the existing situation, the worst is predicted to be northbound on Wandsworth Bridge Road during the AM peak period. However, the increase in the queue lengths will depend on the frequency of the pedestrian crossings being called and the possible diversion of traffic away from this junction.

As this proposal is interim whilst the Thames Tideway construction site is operational then it is recommended that the pedestrian crossing facilities be introduced. It is noted that London Buses, London Ambulance Service and Wandsworth Council have concerns over the increased queuing and the impact on journey times. It is anticipated that measures will be considered to mitigate these concerns following the completion of the Thames Tideway project.

Appendix A

Please provide any additional comments on the proposal in the box below

I live in in Wandsworth Bridge Road and have to cross said junction every day. It is currently unsafe and there is a lot aggressive and fast driving. I would welcome lights as this would be a lot safer for everyone

A safe pedestrian crossing is overdue. This should have been put in place years ago. It is simply dangerous and for children and people who can't walk fast it is presently impossible to cross.

Additional traffic calming essential: 20 MPH at junction monitored by speed or traffic light cameras.

Reduce congestion at the junction by investing in pedestrian walkway alongside Imperial Wharf rail bridge (as previously promised).

I think this is way overdue. I personally find that a very difficult and dangerous junction and totally unsafe for children

It is so difficult to cross here and a serious risk to people with buggies, children, elders.

It's a very dangerous place to try and cross the road, it's about time there was a pedestrian crossing there.

Please please insert turn right only green traffic light at junction of carnwarth Road and Wandsworth Bridge Road to turn right on to the Wandsworth Bridge. It is incredibly dangerous as cars jump the lights as the queue is always so bad

It would help if the flow turning right onto the bridge from Carnwath Road was a bit longer

I have experienced difficulties of knowing when it is safe to cross and almost been hit by cars when doing so

Whilst appreciating that something has to be done regarding this issue, the lesser the impact on the traffic the better as it is currently already bottleneck.

An excellent idea to install pedestrian traffic signals . This is a dangerous junction.

It is very difficult to cross here, especially during busy traffic times. Additionally, many vehicles do not drive appropriately down at the pedestrian crossing by Hugon/Stephendale roads - drive far too quickly, refuse to stop, or stop their cars on it. Clearly this crossing is not visible enough either, but is still much preferable to attempting to cross at the lights.

And there should be more space/time/gap between light changes to ensure the flow of traffic has ceased. It's a bad cross roads as drivers are not put into specific lanes -a

traffic box would work

Pedestrian crossings are a good idea, especially as there are so many schoolchildren in the area.

This junction needs to be improved. It is very dangerous at the moment, particularly traffic from Carnwarth Road turning right, and traffic that tries to jump the queue. Plus huge traffic issues at the moment from Wandsworth Bridge Road, Carnwarth Road and Townmead Road.

The problem with pedestrian lights is they start counting down long after pedestrians have crossed and make traffic queues even longer.

Look at the increased traffic created since they were installed on New Kings Road at the junction with Parson's Green. Plus there are very few pedestrians here generally. The priority is to get traffic moving better and more safely through the junction.

The junction has so much traffic congestion already that this will worsen it along with the pollution that comes with it.

This crossing is one of the worst in South West London. Traffic coming down Carnwarth Road and wanting to turn right onto Wandsworth Bridge already have to wait far too long as only about 3 cars seem to be able to filter through before the light turns red again. Surely a designated right hand arrow would help the situation.

I agree that it is very difficult and dangerous to cross the road at this junction. A signalised pedestrian crossing is a very good idea.

There is already a heavy build up of traffic on Wandsworth Bridge Road approaching the bridge and on Carnwarth trying to turn right onto the bridge further delays to the traffic for pedestrians will make the congestion much greater unless better signalling for traffic is added to these changes.

A right hand traffic filter from Carnwarth Road should be added to these proposals.

This is an unsafe crossing: northbound over the bridge cars are going three ways at speed, right to Chelsea Harbour, Left to Carnwarth road and straight up Wandsworth Bridge road. There is little chance to cross safely before the East /west roads go simultaneously four ways with the inside lane on Carnwarth road used by traffic heading south over the bridge and cutting up traffic by so doing. Amazing there are no serious incidents. Improved management needed,

This is essential. The current situation is very unclear for anyone who does not know the traffic light pattern well; the central reservations are problematic if there are more than four people crossing or for anyone with a pushchair or similar. There are difficulties of vision that are exacerbated in the dark (e.g. cars turning left into

Carnwath form Wandsworth Bridge for anyone trying to cross Carnwath from south to north - and bicycles turning at speed and using pavement here don't help, nor does the poor street lighting at this position. Clearer markings are needed for bicycles on this junction as they routinely break rules of red lights, pavements and direction of travel and are a danger to pedestrians as I know all too well. As a result, without lights there is NO point when crossing as a pedestrian isn't a risk. I live very near this junction and have to cross it as a pedestrian on a daily basis several times.

This should be on all 4 roads. Not just three. Otherwise this is desperately needed!!!! It is so dodgy crossing the road there. Especially with a baby.

The junction requires a dedicated crossing, as there are large volumes of traffic coming over the bridge, including huge lorries, and it is often very difficult to cross. Given the large number of schools and cyclists in the area it is only a matter of time before someone gets seriously hurt.

It is most necessary to have pedestrian crossings such as these for the junction is a nightmare to try to cross in any direction, very dangerous and if your walking ability is impaired you are unable to break into a run to avoid being hit by a vehicle or motor bike or cycle.

Desperately needed as very dangerous for all of us and the school kids crossing the road.

It is impossible to cross with a push chair and kids. You never know when to cross and each time, I take the risk. Drivers are sometimes angry at you if you are crossing and it is their time to go. A complete nightmare.

The traffic which is significant flows well at present and there is the ability to cross the Wandsworth Bridge Road at several close existing crossings and further down each of Carnwath and Townmead Roads

There is little pedestrian traffic and your proposal is unnecessary, disruptive, costly and will cause significant traffic delay, which will worsen the air quality as well make the roads even more dangerous

THERE IS NO NEED FOR THIS ARBITRARY INTERVENTION

For safety reasons mainly for my children and the elderly to cross. At present it's difficult to know when to cross and the heavy vehicles turning look as though they will run the pedestrians waiting at kerb to cross (at present traffic lights for cars!)

I actually wrote to the council about 4 years ago to raise my concerns about the safety of this junction and in particular the Carnwath road side. Cars come round that corner from the bridge quite fast and it is a blind corner for pedestrians with no

signal-controlled break in the traffic flow since as soon as the lights on the bridge turn red, the lights from Townmead Road are green and on it goes. Very very dangerous and I have had to take risks I am not comfortable with especially with my children in order to get across. This junction desperately needs a pedestrian crossing.

This is an almost entirely residential neighbourhood and this junction was dangerous enough before the start of the Tideway build. Anything which makes the area safer for pedestrians has to be a good thing

The current lack of pedestrian phase is very dangerous, so anything to improve this is a major step forward, can't happen soon enough.

I welcome the proposal to improve pedestrian safety at this junction. It is long overdue.

Can anything be done to reduce the speed of traffic crossing from Wandsworth to Fulham?

Wandsworth Bridge is due to have extensive planned maintenance in the coming two years. Can H&F and Wandsworth BC work together to reduce the speed of drivers during these works?

It is one of the most dangerous and lethal crossings in London - it's almost criminal that the Council has failed for so many years to consider pedestrians who are unable to see what the traffic lights are indicating.

Only if other things are in place to compensate.

I would like the proposal to never have a yellow box another stealth tax: all traffic related issues should be looked in context to the local area and reopen closed roads to lessen impact.

Utilise the river - Tideway are based on the river.

I think great to make it safer for pedestrians - however I realise it would hold up the traffic - piling it up - down Town Mead Road. Sorry not v helpful for you.

I drive most days down Town Mead Road.

It would be nice to have a pedestrian crossing by the Wandsworth Bridge

Changes are essential to avoid pedestrian fatalities.

It is essential to install a right turn filter to allow traffic to turn from Carnwath Road to go over Wandsworth Bridge. It is always backed up from the bridge to Brown House Lane and a filter light would remove this problem.

Desperately needed. Very dangerous for pedestrians especially corner of Carndalsh Road and WB Road as drivers do not always signal. Actually hardly ever signal.

URGENT!

I have lived in the area for many years and have always considered this junction an accident blackspot. Added to this, we now have the Tideway lorries to deal with, making it very difficult to cross Carnwath and Townmead Roads.

The crossing is incredibly dangerous as is, and with lots of families and teenagers passing amongst the cars to get across to the many schools nearby. On top of it, cars are rushing through the crossing due to the panicked right turn madness, making pedestrians even more at risk. And can we PLEASE also have a right turn light for cars coming from Carnwath Road to avoid the many last second turns happening now that drivers have to wait for the light to turn red before they can turn?

The existing road layout is really dangerous.

Can you please do something for the cars turning right from carnwath road into the bridge. The light only let one or 2 cars go at a time and it creates dangerous situations for cars coming from everywhere. Thank you

I have a baby and pushing a pram to cross the crossing is extremely nerve racking. The island in the middle is not big enough for my pram so I have to have it side on meaning no one else has space to stand and wait safely. You cannot tell if the traffic lights have turned green for both lanes so you take your life in your own hands. It can take a long time to cross the road.

I've witnessed terrible driving, people do not know who has the right of way. Horns are constantly been honked - I live next to it, so hear them all the time. I have also seen many accidents and near misses since living here.

It's a game of chicken crossing here and even worse with children.

Impossible to cross- especially with kids and Dog - it's v dangerous

When green man shows we know it should be safe to cross.

Living on Townmead Road I would love to see this happen, it's very hard to teach the children road safety when you're having to run across a road with no safe point.

Pedestrian crossings on Wandsworth Bridge Road should be increased as it has become very dangerous to cross because of the heavy traffic, it is especially very dangerous for the many kids in the area that go to local schools and parks

Current situation is unsafe

Have asked the council before

I walk past these crossings every morning to go to work via Clapham Junction. I have been living in this area for over 10 years now, I noticed recently that it is getting more and more treacherous to do these crossing as there are more large vehicles and

traffic has increased two folds. I agree with the plan as this will help protect many people like me who walk past these crossing daily. Please go ahead with the plan.

Safer for my son to cross on school commute

Needed as so many children & young people use this crossing

Extremely dangerous crossing

This is an incredibly dangerous junction at the moment. Signals will mean people can cross safely and I can show my children how to cross safely.

I work on Hugon Road and have to make this crossing at least twice a day. It is often chaotic. Vehicles come from 4 different directions. Drivers have a complete lack of concern for anyone trying to cross and are always in a rush having queued at the junction. There are often situations involving road rage, arguments and emergency stops. Pedestrians definitely need help on this crossing!

Very good idea. Please extend to a proper pedestrian lollipop crossing on Clabcarty road.

This is a dangerous crossing and there are lots of kids and people running across the street to cross as it is not easy to know when it is safe. We need to make traffic signals!

The crossing does need signalised crossings for pedestrians.

I think this is a very good idea as at the moment this crossing can be particularly challenging for the elderly and those with limited mobility. I fully support the proposal.

I have crossed the junction many times and am always afraid of being hit by a car or truck. Also could you put a pedestrian crossing further down on Carnwath Road.

Why is there no crossing signal proposed for Wandsworth Bridge Road (south side)? I believe there should be one there. I support the proposals, but do not believe they go far enough.

As a resident on the Wandsworth Bridge Road, the traffic on this street is already horrendous. Putting in a pedestrian crossing would make it worse. I would rather you put in a roundabout

The three sets of pedestrian lights are fine - the bridge itself not having one is not a problem as there will be plenty of time to cross there when the other lights are green for pedestrians. It is a very good idea as it has certainly become more and more unnerving to cross anywhere on that junction, particularly the Carnwath Road junction where it is more difficult to see traffic coming across the bridge or if they are signalling to turn there.

This is an long overdue improvement for this very busy junction.

Currently, almost impossible to cross safely. There is about a 5 second window before traffic swings onto bridge from Townmead Road. V dangerous with children/buggy etc. Not a moment too soon

Any action to delay the flow of traffic over Wandsworth Bridge which on most days extends back to junction with Kings Road during both rush hours is not a good idea.

The volume of traffic especially lorries in the area has increased dramatically and having 3 young children one having a disability it is very scary crossing the roads safely which we have to do daily

This so needs to be implemented! This is a dangerous junction for pedestrians and I see traffic regularly coming out of Carnwarth Road trying to turn into the Bridge by forcing their way into the opposing traffic from Townmead. I recently walked across the road to PC World and because there is no pedestrian phase to the lights at the moment, had to run between traffic to cross the road - the traffic has no consideration for pedestrians because they don't realise there isn't a pedestrian phase.

I am strongly in favour of installing pedestrian traffic signals on the 3 suggested arms of the junction. I am surprised that the council did not think of this years ago. Pedestrians are put in a very vulnerable situation when attempting to cross in this area. An added danger is the number of cyclists who whizz through the lights into the path of pedestrians crossing the road.

Those at particular risk are the elderly and those with buggies and children. One needs to be fleet of foot and able to clearly judge when it is safe to cross.

I hope that this signalised pedestrian crossing will be installed as soon as possible in order to prevent any future accidents.

This a very dangerous junction and needs the work being proposed.

At the moment it can be very unsafe crossing as any of those points on the road , especially as you can't Always tell if there are cars coming from around the corner , such as with carnwath road crossing.

I work for Marston Properties at 1 Mills Yard, Hugon Road and use these crossings two - four times a day. There is little visibility when crossing and cars rarely slow down; as well as there being a constant flow of cars during rush hour making it near impossible to cross at times.

It is a very dangerous and busy junction and as a resident with a young child I think it is very important to make these changes for our safety. It is never clear when it is safe

to cross at this junction in any direction.

A much-needed improvement. Pedestrians at risk with the current lack of safe crossing.

The current situation is extremely dangerous for pedestrians and it is very difficult to find a safe time to cross, particularly concerning as a mother of a young child. With the number of cars turning into Carnwath Rd from the bridge (at speed) it is near impossible to cross that junction on that side safely, likewise with crossing Wandsworth Bridge Road with cars turning into the bridge from Townmead Rd. This proposal is long overdue in my opinion.

And also a zebra crossing by Explore Learning on Townmead Road.

This is a very dangerous intersection given the high speed of the vehicles traveling down Wandsworth Bridge road and the number of cars making turns. I was shocked that pedestrian crossing were not already setup at this junction long before the tideway works started.

As soon as possible. These are dangerous junctions for pedestrians and the sooner we have pedestrian crossings the better.

I live very close to the intersection and have seen countless pedestrians come very close to being hit by cars- it is shocking there is not already a crossing in place. I currently walk all the way over Wandsworth bridge to the roundabout to cross at the light up there instead.

I use the roads in question frequently because I live nearby. I feel it is a very dangerous crossroad and pedestrian crossings would make such a difference. I am a pensioner and I am very nervous to cross these roads and feel very strongly that it is imperative that pedestrian crossings are installed especially given the works now being undertaken by Tideway.

Good idea as people often step out - particularly on when traffic is turning from Wandsworth Bridge Road into Carnwath Road - this is quite a blind corner for drivers.

the junction is unsafe, pedestrians often run out in front of cars - trying to keep up with the lights. It would also stop people riding bikes from pushing forward in front of cars. I walk and drive around this area so think it is a very good idea

I think given there are more flats being built by the river and increased pedestrian traffic, it makes sense to make that junction safer. I imagine it will also stop cars from speeding over the bridge which they often do.

It is not currently safe crossing the road. People speed over Wandsworth Bridge all the

time.

I'm very scared of all the crossings highlighted in this proposal. I am disabled and walk using a rollator and cannot run out of danger or cross roads quickly. It takes me ages to cross these roads. Green man crossings will make a huge, positive difference to road crossings safety in the corners highlighted.

Very good proposal, has been needed for a very long time.

Always thought it was a very dangerous place to cross definitely needs these signal

There should be a pedestrian crossing on the south side crossing of Wandsworth Bridge road as well as the other 3 crossings suggested. People will cross there whether you put in an official crossing or not so to be safe you should upgrade this crossing path as well. The priority is pedestrians not vehicular traffic.

I work in Hugon Road and regularly cross Carnworth Road at the junction with Wandsworth Bridge Road; the lack of pedestrian crossing signals make this very dangerous as visibility for both pedestrians and drivers is limited. I thoroughly welcome the proposals to install signals.

This will only lead to extra traffic congestion. I think it very easy at walk across the road which I do regularly. It would however be a good idea to keep the Carnwath road lights green a little longer as some times only one car gets out.

I cross over the Carnworth Road junction going up & back on Wandsworth Bridge Road everyday on my way to & from work. From a pedestrians point of view I would say that this is a dangerous crossing & the provision of crossing signals would be a very positive move.

I walk this route every morning from south to north and it is exceptionally dangerous as a bush now obscures pedestrians view of the traffic on the bridge. The addition of fast moving cyclists into the mix increases the danger of injury

It is always very difficult to cross the road at these junctions. Some vehicles still have the green light whilst others are on stop - confusing when it is safe to cross. With a school being nearby it is a necessity for the safety of the young people along with others.

I don't live in Fulham, but work here, and cross the road at this spot at least twice a day on my way to and from work. Having pedestrian traffic signals at this junction would increase the safety of anyone crossing here as at the moment it really is a difficult place, especially if you want to cross to get on or off the bridge.

The option 1: install pedestrian traffic signals on three of the four arms o the junction

these being Wandsworth Bridge road, Carnwath and Townmeath road.
It will avoid accident due to the large number of traffic there.

can a camera be installed to stop penalise cars jumping the queue when turning right from Carnwath/ going across WW bridge.

Any improvements at this junction for pedestrians crossing would be welcomed however the most difficult part and most dangerous part to cross is the Wandsworth Bridge south arm where you have to dodge vehicles turning right from Carnwath Road onto Wandsworth Bridge and those turning left out of Townmead Road onto Wandsworth Bridge.

This has long been a dangerous spot for pedestrians. I welcome the proposed introduction of green man crossings.

That crossing has been so unsafe for many years, people are having to chance it when they want to get to the other side, it's soo dangerous.

The junction in question is one of the most dangerous junctions I have experienced in London from a pedestrian point of view. It is particularly dangerous when crossing south over Carnwath Road, since It is very difficult to see traffic turning into Carnwath road from the bridge. This is a crossing that is used by many people, including children. A pedestrian crossing would be a huge benefit so far as the safety of the community is concerned and the benefits of its installation would far outweigh any increase in traffic congestion.

Crossing this junction as a pedestrian is REALLY dangerous at the moment, especially with children and in low light conditions. Safety has to be a priority for the council in the decision making.

Why only 3 sides? Surely the 4th has a requirement the same as the others.

I rarely see pedestrians crossing at that intersection so would be concerned if the traffic is slowed considerably by automated pedestrian "gaps" for nobody to utilise them. If the crossing pause was ONLY activated on a specific request of somebody trying to cross the road then I could support.

If you really want to make it safer there for everybody then during rush hour A) stop traffic leaving Carnwath Road to turn right in to Wandsworth Bridge Road from the left hand lane of Carnwath Road [Straight on or turn left only lane] B) stop traffic queuing across the junction out of Carnwath waiting to turn right [still there when lights change] and C) stop Carnwath traffic jumping the lights to turn right.

In fact Carnwath needs it's own exclusive turn right opportunity at rush hour as there is such a huge queue there and frustrated drivers which is why the behaviour indicated

by my comments above.

I've always thought it was ridiculous that there isn't a pedestrian crossing at this junction. It is very tricky to cross & cars come over the bridge very fast. A large amount of people cross there & I often see near misses. The sooner it's installed the better. There should also be a filter light for cars coming from Carnwath Road & turning right onto the bridge as again there is so often near accident.

I would absolutely love this I am a mum two two under twos and it is a nightmare trying to cross the roads at these locations.

For the safety of the pedestrians

Long overdue. It is too dangerous left as it is for both pedestrians and drivers.

Traffic is already backed up in Townmead Road, it would delay traffic on Wandsworth Bridge Road and Townmead Road. There are other crossings and a crossing here isn't necessary as you can cross without it.

I have always been worried crossing this crossroad. There is more people at that junction after the new Sainsbury's and new flats. A lot of children are crossing this road too.

This junction is incredibly dangerous for pedestrians and it is about time signal crossings were put in. I am very much in favour of the proposal.

Current provision for pedestrian crossing is inadequate and does not allow enough time to cross safely, especially when accompanying my children & the high volume of traffic. The crossing in its current layout is dangerous.

This junction is very dangerous to cross, with no indication of when traffic is about to start moving. Pedestrian signals would make crossing a lot safer.

In the over two years I have lived here I have seen a significant number of pedestrians, including the elderly and impaired, come close to death while attempting to cross the roads at this junction. I, myself, as a mid-twenties individual of good fitness, have nearly met my end on that road. I could not possibly be more in favour of the signalised pedestrian crossings.

Why is the 4th crossing not having pedestrian lights installed?

The existing cross is dangerous as is (let alone with additional HGV traffic) due to the poor visibility of traffic coming down over the bridge and turning left onto Carnwath road. When crossing Carnwath road south to north it is impossible to see if there is traffic about to turn due to the wall and hedges hiding the view, and it's equally difficult going north to south if you get stranded on the traffic island.

The tendency for drivers to jump the red light in order to turn right onto Wandsworth bridge from Carnwarth road exacerbates this.

Absolutely. The speed that cars drive down Wandsworth Bridge road from over the bridge, and even around the corner from Townmead onto Wandsworth bridge is frightening given pedestrians always crossing there. People need a safe time to cross. Also because it's so congested with traffic there is often no break in traffic to allow time for people to cross so you can be waiting a long time.

I live only a few doors away from the junction and have to negotiate this junction daily. It is not only incredibly dangerous right now for pedestrians, but is clearly badly laid out for drivers also, given by the constant beeping of horns.

Very dangerous crossing. Definitely needs a pedestrian crossing. I've waited ages to cross that road as there's sometimes no time to cross as vehicles come from all directions.

It has been a worry for so long trying to cross over these roads. Glad something will be done about it.

I think this is such a good idea and long over waited for this busy main road with all the new redevelopment in this area this would be the perfect solution to safely crossing at this busy junction like the one at Fulham Broadway

This is long overdue. Sprinting across the road, whilst trying not to be hit by a fast moving vehicle or trying to judge when it is safe to cross is bordering on Russian roulette. This junction is very dangerous with vehicles jockeying for position and for cyclists and pedestrians a living nightmare. So long overdue. Should have been on the cards 25 years ago!!

There needs to be significant pedestrian access to street crossing. While I support this limited measure it still puts traffic first and would benefit from a full four-way pedestrian controlled crossing.

This is a must for the safety of everyone.

It's always been difficult to cross this junction it's about time a proper crossing is introduced.

This is an excellent & long overdue proposal. That is one of the most dangerous junctions to negotiate crossing, one has to have the proverbial eyes in the back of the head. Please please do introduce pedestrian traffic signals to this junction.

Seriously dangerous without a pedestrian crossing.

The road is so dangerous .your on edge every time you cross it , also a blind person

would have no chance

Rather dangerous for pedestrians at present

It is high time to take care of such a dangerous crossing. Thank you!

The traffic lights should have acceptable waiting times for pedestrians and should be about as long as waiting times for other road users. Adding count-down systems for crossing the road would also be very helpful.

I am strongly in favour of this proposal - I have seen too many near-misses on this junction and feel it's only a matter of time before a terrible accident happens.

The increase in traffic since tideways and the new developments in the area have increasingly made the road very difficult to cross. I have two children and cross using the pedestrian crossing further down the road daily on the school run. This crossing is also not always 'noticed' by drivers and I would prefer all traffic to stop and as such would use the proposed area.

Currently local residents are tortured all day by the constant blowing of vehicle horns not only at the main junction described but around Townmead Road and Dymock Street junction where the road expands to take two lanes. Cars mount the pavement so they can turn left. There should be signs that this is illegal cameras installed and offenders fined.

That crossing has always been dangerous don't know why it's taken so long to even think about putting a crossing there.

Traffic around the junction is already challenging with tailbacks often heading all the way along Wandsworth Bridge Road. Additional impact would lead to drivers racing down side streets to try and avoid. This would endanger life of school children and people in those areas.

Crossing here sometimes can disrupt traffic as I have seen many people just walk out in front of oncoming cars.

This very busy area needs safe areas for pedestrians to cross. There is NO way to cross safely. I am always helping school children and elderly to safely cross wandsworth Bridge road by wandsworth Bridge. There are so many schools in the area and Sainsbury's.

It would improve both road safety and traffic flow from Carnwath Road turning south over the bridge.

I believe having signal pedestrian crossing will make the roads safer, and a lot less accidents will happen from having to wait for a gap in the traffic, this has been a

danger for so long and I happy that something is finally been considered to protect the pedestrians especially the elderly and the young.

This junction is very dangerous to cross. We definitely need signals. Also cars drive at very high speeds through this junction.

We use this junction twice a day, and it is always perilous trying to cross

I have always been weary crossing at that junction with children, particularly between Currys and The Hurlingham pub because of the constant flow of traffic turning left into Carnwath road.

I agree with the proposition as I have always been concerned about crossing there, especially with children

Sometimes I chose to take a bus home from Wandsworth Town station, which is only three stops from where I live, just because I felt the crossing was too dangerous.

I have found crossing in this location very dangerous and have always thought there should be signalised pedestrian crossings here.

Not withstanding current developments, it has been an unacceptably dangerous crossing for the 28 years I have lived round the corner for many reasons. 1) Without green men signals it is impossible to tell at the crossing points what colour the traffic lights are. 2)Traffic speeds over the bridge at more than 30mph. 3) The juxtaposition of bus stops (295, 28 and C3) means there are plenty of pedestrians that alight from buses and need to cross the junction, let alone residents needing to get about on foot.

This road is dangerous and ridiculous, a pedestrian crossing should have been installed a long time ago.

About time

Very hard to cross

They need to also install a right hand turn only on the lights for cars from carnwath Road down over Wandsworth Bridge. The traffic here has got stupidly busy it needs to change!

Crossing Carnwath Road from the Hurlingham towards Wandsworth Bridge has always been dangerous, due to traffic crossing Wandsworth Bridge and turning left into Carnwath Road. I think the proposed Pedestrian Crossing Signals are long overdue, and would add greatly to the safety of pedestrians crossing this busy junction.

Will be a great idea to install pedestrian lights there as you never know when it is safe to cross either of the roads on that intersection.

This crossing for all but the most nimble pedestrians has been very dangerous for years as cars turning left tend to go faster because of the downward slope. The sooner the better as far as I am concerned.

It will make it safer for everyone so many near misses at those junctions.

It is way too dangerous to not have signalised pedestrian crossings here.

The crossings are too dangerous as they are now!!

I regularly have to walk across Wandsworth Bridge and you take your life into your own hands trying to cross that road. Traffic does not give way to pedestrians. It does rather force people to drive rather than walk.

safety of pedestrians at a very busy junction

I have always believed that there should be signalised pedestrian crossings at this junction due to safety reasons. I often attempt to cross at the junction with my child in a buggy, and I rarely feel safe and confident doing so.

We are very glad to hear things might be happening eventually. Pedestrian crossings are a long-awaited "must-have" for this area considering all the schools/children and the large crowd of pedestrians/cyclists circulating around. Furthermore, the traffic lights on Carnwath Rd/Wandsworth Bridge rd is a nightmare during rush hours as it would let only 2-3 cars go at a time building interminable queues on Carnwath rd and Peterborough rd. Could you improve this as well please? Maybe install a roundabout for off-peak hours and more efficient traffic light systems for peak hours for the safety of all. Thank you.

This is a very busy junction and many times no road user is aware of who has right of way. This will save lives.

Quality

It is the policy of Project Centre to supply Services that meet or exceed our clients' expectations of Quality and Service. To this end, the Company's Quality Management System (QMS) has been structured to encompass all aspects of the Company's activities including such areas as Sales, Design and Client Service.

By adopting our QMS on all aspects of the Company, Project Centre aims to achieve the following objectives:

- Ensure a clear understanding of customer requirements;
- Ensure projects are completed to programme and within budget;
- Improve productivity by having consistent procedures;
- Increase flexibility of staff and systems through the adoption of a common approach to staff appraisal and training;
- Continually improve the standard of service we provide internally and externally;
- Achieve continuous and appropriate improvement in all aspects of the company;

Our Quality Management Manual is supported by detailed operational documentation. These relate to codes of practice, technical specifications, work instructions, Key Performance Indicators, and other relevant documentation to form a working set of documents governing the required work practices throughout the Company.

All employees are trained to understand and discharge their individual responsibilities to ensure the effective operation of the Quality Management System.



DOCUMENT CONTROL

Project Centre has prepared this report in accordance with the instructions from the London Borough of Hammersmith and Fulham. Project Centre shall not be liable for the use of any information contained herein for any purpose other than the sole and specific use for which it was prepared.

| Job Number | Issue | Description | Originator | Checked | Authorised |
|-------------------|--------------|---|-------------------------|-------------------------|----------------------------|
| 4272 | 1 | Wandsworth Bridge Road Consultation Summary | N Mansfield 21.11.17 | Peter Blake 22.11.17 | Chris Harrison 23.11.17 |
| | | | | | |

File path: G:\Project Centre\Project-BST\100004272 - LBHF Wandsworth Bridge Road Junction\2 Project Delivery\3 Reports\1 Draft Reports

Award Winning



Accreditations



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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> | <p>Cabinet Member for Finance</p> <p>Ward(s): All Wards</p> <p>Contact officer: Howell Huws Tel: 020 8753 5025 Howell.Huws@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 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> | <p>Cabinet Member for Finance</p> <p>Ward(s): All Wards</p> <p>Contact officer: Gary Ironmonger Tel: 020 8753 2109 Gary.Ironmonger@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 (<i>other relevant documents may be submitted</i>) |
|---|---|---|--|---|
| 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 | |
| | Contact officer: Andrew Lord Tel: 020 8753 2531 andrew.lord@lbhf.gov.uk | | | |
| 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 | |
| | Contact officer: Andrew Lord Tel: 020 8753 2531 andrew.lord@lbhf.gov.uk | | | |
| 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 | |
| | Contact officer: Matt Butler Tel: 020 8753 matt.butler@lbhf.gov.uk | | | |
| 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 |
| | Reason: Expenditure more than £100,000 | | Ward(s): Sands End | |
| | Contact officer: Chris Bainbridge Tel: 0208 753 3354 chris.bainbridge@lbhf.gov.uk | | | |

| 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>) |
|---|---|---|--|---|
| | | | | 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. |

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|---|---|--|--|---|
| | | 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 | |
| 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 | |

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|---|--|---|--|---|
| Cabinet | 5 Mar 2018 | 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 | 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 Mar 2018 | 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 | 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 Mar 2018 | 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 | 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 |
| | Reason: Expenditure more than £100,000 | | Ward(s): North End | |

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|---|--|--|---|---|
| | | <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 |

| 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>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> <hr/> <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> <hr/> <p>Ward(s): All Wards</p> <hr/> <p>Contact officer: Naik Sucheta</p> <p>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. |

| 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) |
|---|--|---|--|---|
| | | 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. |

| 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>) |
|---|---|---|---|---|
| | | 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> | 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 | 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> | 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 (<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> <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> <p>Ward(s): Hammersmith Broadway</p> <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 (<i>other relevant documents may be submitted</i>) |
|---|---|---|--|---|
| | | 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. |

**NOTICE OF CONSIDERATION OF AN ADDITIONAL KEY DECISION
PROPOSED TO BE MADE BY CABINET ON 5 FEBRUARY 2018
(published 9 January 2018)**

In accordance with paragraphs 9 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Cabinet hereby gives notice of an additional Key Decision which it intends to consider at its next meeting.

*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*

| 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 Full Council | 5 Feb 2018 | Treasury Management Strategy Statement 2018/19 The Statement sets out the Council's proposed Treasury Management Strategy and Annual Investment Strategy for 2018/19, and authorises the Strategic Finance Director to deliver the treasury management activities set out in the report. Reasons for urgency: The Council is required to set a balanced budget, which means that income raised during 2018/19 is budgeted to meet expenditure. | 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: Budg/pol framework | | Ward(s): All Wards Contact officer: Phil Triggs ptriggs@westminster.gov.uk | |

**NOTICE OF CONSIDERATION OF AN ADDITIONAL KEY DECISION
PROPOSED TO BE MADE BY CABINET ON 5 FEBRUARY 2018
(Published 16 January 2018)**

In accordance with paragraphs 9 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Cabinet hereby gives notice of an additional Key Decision which it intends to consider at its next meeting.

*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*

| 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>) |
|---|---|---|--|--|
| Cabinet | 5 Feb 2018 | <p>THIRD SECTOR INVESTMENT FUND RENEWAL</p> <p>This report seeks authority to renew 45 funding agreements under the corporate grants programme, the 3rd Sector Investment Fund (3SIF) for a three-year period, until 31 March 2021. The agreements are held with 36 different service providers.</p> <p>Reasons for urgency:</p> <p>Funding stability that is fundamental to enabling third sector organisations to plan improvements, build relationships and retain experienced staff.</p> | <p>Report of the Deputy Leader – Councillor Sue Fennimore</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> |
| | <p>Reason: Expenditure more than £100,000</p> | | <p>Ward(s): All Wards</p> | |

**NOTICE OF CONSIDERATION OF AN ADDITIONAL KEY DECISION
PROPOSED TO BE MADE BY CABINET ON 5 FEBRUARY 2018
(Published 17 January 2018)**

In accordance with paragraphs 9 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Cabinet hereby gives notice of Key Decision which it intends to consider.

The Cabinet also hereby gives notice in accordance with paragraph 5 of the above Regulations that it intends to determine the Key Decision in private on the grounds that they contain 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..

The decision may be implemented 3 clear working days after it is made, unless called in by Councillors.

*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*

| 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 Feb 2018 Reason: Expenditure more than £100,000 | <p>AWARD OF THE COMMUNITY ADVICE AND LEGAL SUPPORT SERVICES CONTRACTS</p> <p>This report outlines the outcome of the open procurement process to award 10-year contracts for the delivery of Community Advice and Legal Support Services for the residents of Hammersmith & Fulham.</p> <p>Reasons for urgency:</p> <p>To ensure the providers have sufficient time to mobilise for a contract start date of 1 April 2018, the contract decision will need to be taken as soon as possible.</p> | <p>Report of the Deputy Leader – Councillor Sue Fennimore</p> <p>Ward(s): All Wards</p> <p>Louise Raisey, Strategic Head of Communications and Communities</p> <p>louise.raisey@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> |

PRIVATE

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.

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

Document is Restricted