

Item No:

Report To: Cabinet

Date of Meeting: 30th November 2023

Report Title: Henwood short-stay accommodation facility: Use of Chief Executive's Delegated Authority, Tenancies, and Appropriation of the Site

Report Author: Tracey Kerly
Job Title: Chief Executive

Portfolio Holders: Cllr. Noel Ovenden – Prosperity and Resource
Cllr. Bill Barrett – Homes and Homelessness



ASHFORD
BOROUGH COUNCIL

Summary: This short report notifies members of an additional pragmatic decision that has been taken about the previously agreed Henwood short-stay accommodation facility, its purpose and where it 'sits' within the Council.

The project was agreed as a concept by Cabinet in June 2021, where the decision was taken to endorse the exploration of the potential use of the car park at Henwood, mindful that, at that time, the scheme proposed was subject to formal planning consent being obtained. A decision was also taken to work with ZedPods (procuring them from the LHC Framework) in order to obtain a superior product and ensure the scheme would be carbon-net-zero in operation.

The decision to approve the planning application was taken at planning committee on 17th August 2022 and formal planning consent was given when the decision notice was issued on 16th December 2022.

Since then, contract negotiations have been ongoing with ZedPods. The scheme was originally scheduled to cost £6.2m and members were advised of this in the Capital Plan that was approved as part of the 2023/24 budget setting process. Although the overall scheme cost has now increased to just below £7.8m, as a result of the points set out below, the Council's Chief Executive has approved entering into the construction contract as a matter of urgency to ensure that the scheme can still be brought forward in a timely manner, and not slip in the contractor's manufacturing schedule. It also is pivotal to do so as temporary accommodation demand continues to grow.

The spend will be reported within the quarterly budget monitoring reports.

NO

Key Decision:

Significantly Affected Wards:

The property sits in Furley ward

Recommendations:

The Cabinet is recommended to:-

- I. Note that the Chief Executive has exercised her urgency powers to enter into the construction contract for this scheme as a matter of urgency, and that all relevant due diligence was undertaken by officers to her satisfaction**
- II. Agree that fixed-term tenancies be issued for this scheme specifically to aid move-on (as outlined in paragraph 23)**
- III. Appropriate for Housing purposes the land required for the scheme as shown edged red in Appendix B, being no longer required for the purposes of a car park and open space, specifically into the Housing Revenue Account under Section 122 of the Local Government Act 1972.**

Policy Overview:

Building on solid foundations: delivering affordable homes in Ashford – delivery plan for 2019-2023

Financial Implications:

These are detailed in report

Legal Implications:

*Text agreed by
Principal Solicitor –
Strategic
Development on 22
November 2023*

- I. There are no legal implications of noting a decision already taken by the Chief Executive under her delegation for Urgent Matters.
- II. The Localism Act 2011 introduced a power for local authorities to offer “flexible tenancies” to new social tenants. Flexible tenancies are secure fixed-term tenancies with a minimum term of two years.
- III. The Local Government Act 1972 regulates the appropriation of land held by local authorities. The Cabinet may decide to appropriate the site for Housing purposes on the basis that it is no longer required for its current purposes as a car park and open space and (in respect of the open space) no objections have been made in response to advertising the intention to appropriate.

Equalities Impact Assessment:

See Attached

Data Protection Impact Assessment:

The impact on Data Protection will be undertaken at the appropriate time.

Risk Assessment (Risk Appetite Statement): Risk is identified as a separate section within the report.

Sustainability Implications: The scheme will be net-zero in operation.

Other Material Implications: Nothing to mention at this stage.

Exempt from Publication: No

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Introduction and Background

1. Under the Homelessness Reduction Act the Council has a legal duty to provide anybody who is homeless, or threatened with homelessness, with advice and appropriate assistance. That assistance can of course be through the provision of temporary accommodation. As is well documented, these numbers are currently rising due to a number of contributory factors, such as the rising cost of living and many private sector landlords evicting their tenants in order to sell their homes on the open market.
2. The Council already has two short-stay accommodation facilities in the borough in South Ashford – Christchurch House and Christchurch Lodge. These temporary dwellings aid households at a vulnerable time in their lives and have given them an opportunity to start again, to progress from there into accommodation suitable for them. The Council has also acquired Trafalgar House, adding to the resilience of temporary accommodation stock in the Ashford borough and making savings in the long term for the General Fund.
3. The scheme for the Henwood short-stay facility is ready to start on the production line of ZedPods (an award winning British modular company). This will be the first MMC (modern methods of construction) scheme built in the borough, and it is hoped that work will be completed July 2024.
4. The Council made a planning application, which was reported to planning committee to rethink existing land use by building this exemplary, imaginative project on the much-underutilised car park at Henwood. The ambition is to show how innovation can help solve a housing issue while providing attractive, net-zero carbon homes.
5. Of course, many of the considerations around this scheme are financial but there are unquantifiable social elements as well. Here, the homes will offer households who might otherwise have to stay in expensive paid-for nightly accommodation that may not meet nationally described space standards, the opportunity to stay in good quality homes that are mortgageable through BOPAS (Build Offsite Property Assurance Scheme) accreditation. These properties initially are to be let as non-secure tenancies because of the move-on nature so will not be subject to the RTB.
6. Members may recall that the scheme will be built on a steel podium, and all necessary safety features and flood risk mitigation measures have been adopted for this scheme to enable it to come forward as the development is in a flood zone area.
7. The 23 homes (a mix of 13 one-bed, nine two-bed and one three-bed dwellings) will be highly insulated and triple-glazed, with heat recovery ventilation and will feature 175 solar panels integrated into the roof. The fabric

of the building is designed to create zero-carbon homes with very low energy consumption and running costs. There is a large enclosed communal garden to the rear. Parking for 19 vehicles is included, including two disabled bays.

8. One of the benefits of using modular construction is that the disruption on site to surrounding residents and businesses during construction will be less than a traditional build. The time it takes to complete the work will also be shortened. However, the crucial factor driving the use of these 23 short-stay homes is that they will be a 'stepping stone' for individuals or households who have become homeless to rebuild their lives, before moving on to more permanent accommodation.

Why has the cost increased?

9. This paper has been brought to Cabinet to be transparent about the rise in cost since this was previously reported. The contract for delivering the scheme had risen to £7.77m and included feedback from internal and external stakeholders, notably the local planning authority, which needed to be included within the design.
10. To begin with the suggestion was using converted shipping containers. While these are, in the main, high-quality products, they do on occasion receive a bad press. Moreover, through the due diligence process, the ZedPods product was felt to be superior because of its 'green' credentials at a time of the Council announcing its ambitions to be a Green Pioneer. Therefore, the project evolved from being basic accommodation to the modular solution that is more sustainable and suitable for the long-term.
11. Initially, ZedPods' brief was to design straight-forward, single-bed accommodation over the car park, which in planning terms was seen as redundant land. The cost of delivery would have been £2,177 per square metre and the project price totalled just under £4m. This is the budget figure first reported. However, the project evolved as stakeholders identified that there would need to be a wider range of properties included (such as 2-bed homes and even a 3-bed home) to mean that management of the completed scheme was more controllable and that a greater sense of place was created.
12. The Council draws on all of its experience and expertise to deliver its schemes, and considerations such as maintenance and management, as well as the building's physical appearance and its cost are important factors.
13. The way in which the homes were proposed to be situated on the site also changed to enable that creation of a community and further changes were required to provide a residents' amenity space, which affected the podium and access. The planning process, and the planning authority in particular has influenced the fenestration of the building, trying to make the accommodation look less industrial by breaking up some of the regular, repeated features which are integral to modular construction to drive value for money. The then budget for the project, following the planning process, accounting also for factors beyond the project's control, changed to £6.4m.
14. The price changes in the current calendar year can be attributed to a number of factors; inflation is one of course, but there have been a number of packages of work which had not been priced before RIBA (Royal Institute of

British Architects) stage 4. This is the technical design stage of the process, where detailed architectural and engineering designs and specifications are prepared, ready for tendering (if they are being outsourced to a third-party construction company), and submission to building control. The detailed design programme is also produced at this stage. It has been difficult to fully predict the impacts because of the uncertainties and constant fluctuations in the supply chain.

15. RIBA Stage 4 effectively ensures the delivery of a robust and good quality product but gives some guidance as well. For example, the standard of accommodation now required has led to the improved fire protection and a personal lift to meet the needs of adapted and adaptable homes. The zero carbon credentials of the building 'in operation' have also elevated the cost. Batteries and additional solar panels, all included within the costs being reported here, will now mean the building will export (on occasion) more electricity than it imports; delivering substantially reduced bills.
16. Addressing the zero-carbon credentials of the building, we have included additional PV panels on the building to ensure that there is no net importing of electricity. This has a modest cost of circa £48,000. Hybrid inverters and batteries allow the site to benefit from free electricity even at a time of no sunlight. These have an associated cost of just over £75,000. Other aspects of the modular construction which concentrate on the fabric first approach. Notably, the fact that each individual pod would satisfy building regulations on their own. Therefore, when this is multiplied in combination with the other units making up the scheme this thermal efficiency is significantly increased.
17. Therefore, the demand for space heating in the homes is reduced considerably as a result. This justifies the capital outlay at the beginning of the project and will deliver great benefits to all residents during its life as the product is future-proofed from the outset.
18. While the 'pods' themselves have not increased in cost, more peripheral elements have added to the expense of the overall scheme. For example, a planning condition; the drainage solution (SUDS) employed on the site managing storm water which will benefit the wider area and highways as well.
19. A meeting has been held with ZedPods to negotiate costs and time frames. A revised position on cost has been arrived at, shaving circa £300,000 from the price, without jeopardising any of the essential features required to meet carbon targets.
20. Placemaking is important but costly and partly this paper is brought to the Cabinet so that the implications can be understood, which may be encountered rarely given the newness of the technology. This does remain, however, a scheme that will be the future of housing.
21. These are high-quality elements wrapped up in what is an exemplar scheme, but this, in part, had elevated the cost to £7.7m (note, this is now £7.4m) in addition to meeting the Secured-By-Design Gold Standard and resolving drainage issues not just on the site but in the area. Yet, the project delivers BOPAS-accredited accommodation, with 100 years' design life, modular construction (a first for the Ashford borough) and it will be zero carbon in

operation, built on a hard to deliver brownfield site. This scheme was destined to be a learning experience but can be delivered satisfactorily, providing a wealth of innovation, and strong social outcomes. Crucially, it will not only save money in the long-term for the General Fund, but it will inform the Council's future delivery programme and be a barometer for aspiration.

Move-on accommodation

22. The principle behind this scheme is that these homes will act as 'move-on' accommodation. Move-on accommodation is seen in the sector as a stepping stone between temporary accommodation (often hostels or nightly-paid accommodation such as bed and breakfast) and more sustainable, lifetime tenancies. Here it will be just that, offering additional benefits to those in the least satisfactory temporary accommodation (such as those not meeting space standards for example), or homes that are the least cost-effective for the Council to pay for on an ongoing basis.
23. Importantly, the Council will be able to apply for Homes England grant for these homes. Fortis House (as the scheme will be named) is seen as a semi-permanent scheme, where the residents will receive the support they need until such time as they are able to sustain a secure tenancy within the Council's stock but the expectation is that they will live in these homes for around three-to-five years. Here, the Council would issue fixed-term tenancies. Though these were halted in the HRA as a matter of course in 2019 as a result of the ambition to reduce stigma in the then Social Housing White Paper (now the Regulation Act) it would be necessary to re-introduce fixed tenancies here.
24. Homes England generously support such exemplar projects and those authorities that are building move-on accommodation. It is hoped, through an application that is being prepared at the time of writing this report, that the scheme could receive around £1m in subsidy if successful – off-setting much of the increase in costs.
25. Importantly, the scheme being provided at Henwood retains the same objective that members approved in 2021 and has, as its principal aims the goals of delivering better social outcome for those to whom the Council accepts as homeless whilst delivering zero carbon accommodation and reducing costs to the General Fund.

Financial consequences of the change

26. The project is now proposed to sit in the Housing Revenue Account (HRA) as temporary accommodation 'move-on'. Naturally, value for money is an important consideration and throughout negotiations it has been impressed on the modular contractor that there could be repeat business if this scheme is of sufficient quality.
27. In General Fund terms this will ease the pressure, particularly in terms of capital outlay. It will therefore deliver a larger saving for the General Fund and will hit the HRA slightly harder (as outlined below). However, this will show how the HRA complements the General Fund, taking residents from temporary accommodation, increasing the resilience of that temporary accommodation, gaining a revenue for the HRA and providing a far more

satisfactory solution for those households who will not have to live out of a suitcase in bed and breakfast accommodation, for example.

28. The income stream from the units is higher than traditional rents as this accommodation will reduce the use of externally managed Temporary Accommodation (notably Bed and Breakfast) and therefore £350 per week has been allowed for.
29. There are some benefits and while The Henwood scheme was expected to deliver savings in the region of £100,000 per annum in the Medium-Term Financial Plan (MTFP) from 2025/26 the overall saving in the Temporary Accommodation budget will be in the region of £400,000 reducing the £500,000 of growth allowed for into the Temporary Accommodation budget in 2024/25 (this is still to be approved as part of the 2024/25 budget setting process). The costs of the Henwood Development are factored into the interest rate and MRP (Minimum revenue provision) calculations accordingly.
30. With the property sitting in the HRA, with the rent on the homes capped at Local Housing Allowance (LHA) rates (this will only be confirmed once the property is independently valued for rental purposes close to its opening), it is estimated that the internal rate of return (IRR) will be circa 2.32% over 50 years (though the homes will have a lifespan far beyond this, the modelling is not undertaken for longer than 50 years). In consultation with finance, it remains to be seen how this affects net cash flow in the long-term but based at current assumptions, it will give a net cash flow deficit of circa £125,000 within the HRA. This will therefore be an example of how the wider stock in the HRA cross-subsidises this project, something members have previously agreed for street purchases.

Due diligence

31. Extensive research work was undertaken initially, finding the correct mechanism for delivering an MMC scheme. All of this work was detailed in the planning application and June 2021 Cabinet report. Since then, financial due diligence outlined above has been the central focus.
32. The scheme is based on a 50-year model although it is acknowledged that the useful economic life of the assets should be in excess of 100 years, due to the quality of the construction, with windows guaranteed for 50 years.
33. An annual maintenance allowance per property has been factored into the model based on similar accommodation managed by the Council (Christchurch Lodge) of £400. An allowance of £30,000 has been allowed for to cover officer time that will be necessary to appropriately manage the site. Importantly, maintenance is less of a factor on these homes than it would be on a traditional build property. The model does not, therefore, make any allowance for capital repairs over the life of the model. As discussed, the high-quality nature of the product should mitigate the need for significant works, and it is anticipated that any such works could be taken from the repairs and maintenances allowance.
34. A figure of 4% has been allowed for as the lifetime average borrowing cost for the development. Based on the assumptions above, the development

generates an IRR of 5.86% over the life of the scheme with a positive NPV of £3.051m.

35. By directly managing its own development the Council is mitigating price rises and any future disruption in the Bed and Breakfast Market. The financial modelling does not allow for income in perpetuity or for any residual value of the asset. It is anticipated that these assets will last far beyond 50 years and therefore will have an ongoing benefit to the Council beyond this with no associated debt providing greater savings.
36. Overall, despite rising development and interest rates costs the scheme is still viable based on the parameters outlined above. Furthermore, in addition to applying to Homes England for grant subsidy, the reintroduction of the brownfield and infrastructure land fund could also provide some funding to aid the scheme's development. More work on this is required.
37. The land to be developed for the scheme is currently held in the General Fund as it forms the car park, with a small area of raised scrubland adjacent to it as shown coloured green, all edged red on the plan in **Appendix B**. The site is no longer required for the purposes of a car park (the car park was closed earlier this year) and open space, and it therefore needs to be appropriated to the Housing Revenue Account under Section 122 of the Local Government Act 1972.
38. As the scrubland could be considered to be open space within the definition contained in the Open Spaces Act 1906 a public notice was placed in the *Kentish Express* for two weeks as required by the Local Government Act, advising of the intended appropriation, but no objections have been received.

Practicalities and risk

39. Each apartment is occupied by a single household, with their own front door. There is no sharing of accommodation. The apartments are built to meet and exceed Nationally Described Space Standards for new dwellings, people can move in with their belongings plus there is the additional space under the apartments to store items such as cycles with practical shelving / racking.
40. All apartments have a private outdoor balcony. Landscaped gardens designed by a landscape architect will create distinct sociable spaces and high quality outdoor green space. There is plenty of light as the apartments are dual-aspect and, importantly, a secure environment is created (meeting the Gold Standard of the police's security high standard Secured-by-Design).
41. These BOPAS-accredited homes will have highly efficient running costs being zero-carbon in operation.
42. The risk to the authority has been the increasing cost of these homes, however these reflect the holistic approach that has been considered throughout the design phase that will only benefit the future outcome. Of course, in the current economic environment, costs of production are increasing, as are interest rates and inflation.

Equalities Impact Assessment

43. Attached.

Consultation Planned or Undertaken

The Chief Executive has consulted and is supported by the S151 officer, the Monitoring Officer the Group Leaders and the O&S chair in order to use her delegated power.

Other Options Considered

44. Another option would be to have the scheme sitting in the General Fund as purely temporary accommodation. While this was the initial thought process it has become clear that the quality of the build and the product means that it would be more sensible to have the accommodation as 'move-on', i.e. more semi-permanent dwellings for households making that transition from temporary accommodation to a secure sustainable tenancy.
45. With the argument successfully made that the car park is a brownfield site upon which development is acceptable in planning terms, one option could be to begin again, looking at another concept that could meet the needs. However, time is an arresting argument now, and with containerised solutions discounted early on in the thought process, no other solution, even acquiring homes through the street purchases mechanism, would provide as many quality homes as quickly.
46. Additionally, the sequential test (i.e. proving that the land you are using is the only option you have to deliver residential homes in a flood zone) must be met and that will also add significant cost and elongate the time frame involved in addressing the flood risk for any alternative scheme. This also negates the option for a traditional build scheme as the homes must be elevated from the ground. In any case, the final physical option for the site itself would be industrial use, where the returns on investment would be minimal.
47. Of course, another option as costs have risen, up to agreeing the contract, was to not proceed with the scheme – however, to not go ahead would not only leave a gap in the Council's finances as it seeks to invest to save money in the long-term for the General Fund, but it would mean pulling the plug on a first for the borough, a scheme that embraces the green pioneer aspirations and caring Ashford aspirations within the Council's Corporate Plan to 2024. These considerations were taken into account by the Chief Executive when deciding to proceed with the scheme as a matter of Urgency, to avoid any further cost increases.

Reasons for Supporting Option Recommended

48. Though the cost of the project has increased due to external factors and the need to deliver a fit-for-purpose scheme that showcases the innovation that Ashford is all about, the financial and social benefits outweigh the increase in cost. Indeed, reputationally the Council seeks to benefit from the scheme including an improvement to the GF and many other authorities and Registered Providers of Social Housing are taking a keen interest in the scheme and the learnings from it. Local Authority Leadership will be the influencers to change the approach to new developments.

Next Steps in Process

49. The decision to proceed has been taken under the Chief Executive's urgency powers. Officers will now submit the bid to Homes England to seek to secure

the grant monies that will subsidise the scheme. The project is literally about to begin on the ZedPods production line and members will be kept up to speed on the progress of development. There will also be opportunities for members to see how the project is progressing by visiting the factory if that is something members would like to do, and of course the site in due course.

Conclusion

50. This scheme remains an essential part of the Council's ambition to be a green pioneer, to innovate through housing delivery and to ensure that its residents, especially those in more temporary accommodation, have the ability to live in high-quality homes. The rising costs of the scheme are hoped to be offset by a successful grant application and the change to where the homes will sit in accounting terms will still deliver significant savings for the Council. Therefore, the scheme still has merit and will be a strong, multi-faceted project that delivers against priorities and works on many levels.

Portfolio Holder's Views

Cllr Bill Barratt, Homes and Homelessness

51. *While costs have risen, I am still excited by this first-class and truly innovative project that is coming forward. To be able to offer those in our society a safe and secure home is essential. To be able to do so while delivering strong environmental benefits is even more attractive. I am pleased that officers have made the business case and am happy to support the decision by the Chief Executive to proceed with the project despite the increase in cost, noting that this will hopefully largely be offset by grant subsidy.*

Cllr Noel Ovenden, Prosperity and Resource

52. *The rising costs, while a concern, are not the only factor to be considered when delivering this project, it is about reducing the cost of temporary accommodation in the borough and doing so quickly and in a sustainable way. This project will still deliver financial savings and better social outcomes so I am pleased to endorse the decision taken and remain supportive of the overall aims at Henwood, mindful that this is just one part of the jigsaw of tackling homelessness in our borough.*

Contact and Email

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Equality Impact Assessment

1. An Equality Impact Assessment (EIA) is a document that summarises how the council has had due regard to the public sector equality duty (Equality Act 2010) in its decision-making. Although there is no legal duty to produce an EIA, the Council must have **due regard** to the equality duty and an EIA is recognised as the best method of fulfilling that duty. It can assist the Council in making a judgment as to whether a policy or other decision will have unintended negative consequences for certain people and help maximise the positive impacts of policy change. An EIA can lead to one of four consequences:

- (a) No major change – the policy or other decision is robust with no potential for discrimination or adverse impact. Opportunities to promote equality have been taken;
- (b) Adjust the policy or decision to remove barriers or better promote equality as identified in the EIA;
- (c) Continue the policy – if the EIA identifies potential for adverse impact, set out compelling justification for continuing;
- (d) Stop and remove the policy where actual or potential unlawful discrimination is identified.

Public sector equality duty

2. The Equality Act 2010 places a duty on the council, when exercising public functions, to have due regard to the need to:
- (a) Eliminate discrimination, harassment and victimisation;
 - (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 (ie tackling prejudice and promoting understanding between people from different groups).

Appendix A Henwood Short-stay accommodation facility – use of Chief Executive’s urgency powers

3. These are known as the three aims of the general equality duty.

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership*
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation

*For marriage and civil partnership, only the first aim of the duty applies in relation to employment.

Due regard

5. Having ‘due regard’ is about using good equality information and analysis at the right time as part of decision-making procedures.
6. To ‘have due regard’ means that in making decisions and in its other day-to-day activities the council must consciously consider the need to do the things set out in the general equality duty: eliminate discrimination, advance equality of opportunity and foster good relations. This can involve:
- removing or minimising disadvantages suffered by people due to their protected characteristics.
 - taking steps to meet the needs of people with certain protected characteristics when these are different from the needs of other people.
 - encouraging people with certain protected characteristics to participate

in public life or in other activities where it is disproportionately low.

7. How much regard is 'due' will depend on the circumstances. The greater the potential impact, the higher the regard required by the duty. Examples of functions and decisions likely to engage the duty include: policy decisions, budget decisions, public appointments, service provision, statutory discretion, decisions on individuals, employing staff and procurement of goods and services.
8. In terms of timing:
 - Having 'due regard' should be considered at the inception of any decision or proposed policy or service development or change.
 - Due regard should be considered throughout development of a decision. Notes shall be taken and kept on file as to how due regard has been had to the equality duty in research, meetings, project teams, consultations etc.
 - The completion of the EIA is a way of effectively summarising this and it should inform final decision-making.

Case law principles

9. A number of principles have been established by the courts in relation to the equality duty and due regard:
 - Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
 - Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.

- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

Lead officer:	Mark James
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	The Cabinet is recommended to: <ol style="list-style-type: none"> I. Note that the Chief Executive has exercised her urgency powers to secure the acquisition II. Note that all relevant due diligence has been undertaken by officers III. Agree that fixed-term tenancies be issued for this scheme specifically to aid move-on (as outlined in paragraph 23) IV. Agree to the appropriation of the land that was designated as public open space. Please see Appendix B
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	30 th November 2023
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<ul style="list-style-type: none"> • Note that the Chief Executive has exercised her urgency powers to secure the acquisition • Note that all relevant due diligence has been undertaken by officers • Agree that fixed-term tenancies be issued for this scheme specifically to aid move-on (as outlined in paragraph 23) • Agree to the appropriation of the land that was designated as public open space. Please see Appendix B
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	Building on solid foundations: delivering affordable homes in Ashford – our delivery plan for 2019-2023
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? 	The Chief Executive has consulted and is supported by the S151 officer, the Monitoring Officer the Group Leaders and the O&S chair in order to use her delegated power.

<ul style="list-style-type: none"> • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>Comments received during the consultation will inform the project build going forward.</p> <p>There are no adverse impacts on any individuals as a result of this proposal.</p>
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	Low	Positive (minor)
Middle age	Medium	Positive (major)
Young adult	Medium	Positive (major)
Children	Medium	Positive (major)
<u>DISABILITY</u> Physical	None	Neutral
Mental	None	Neutral
Sensory	None	Neutral
<u>GENDER RE-ASSIGNMENT</u>	None	Neutral
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	None	Neutral
<u>PREGNANCY/MATERNITY</u>	None	Neutral
<u>RACE</u>	None	Neutral
<u>RELIGION OR BELIEF</u>	None	Neutral
<u>SEX</u> Men	None	Neutral

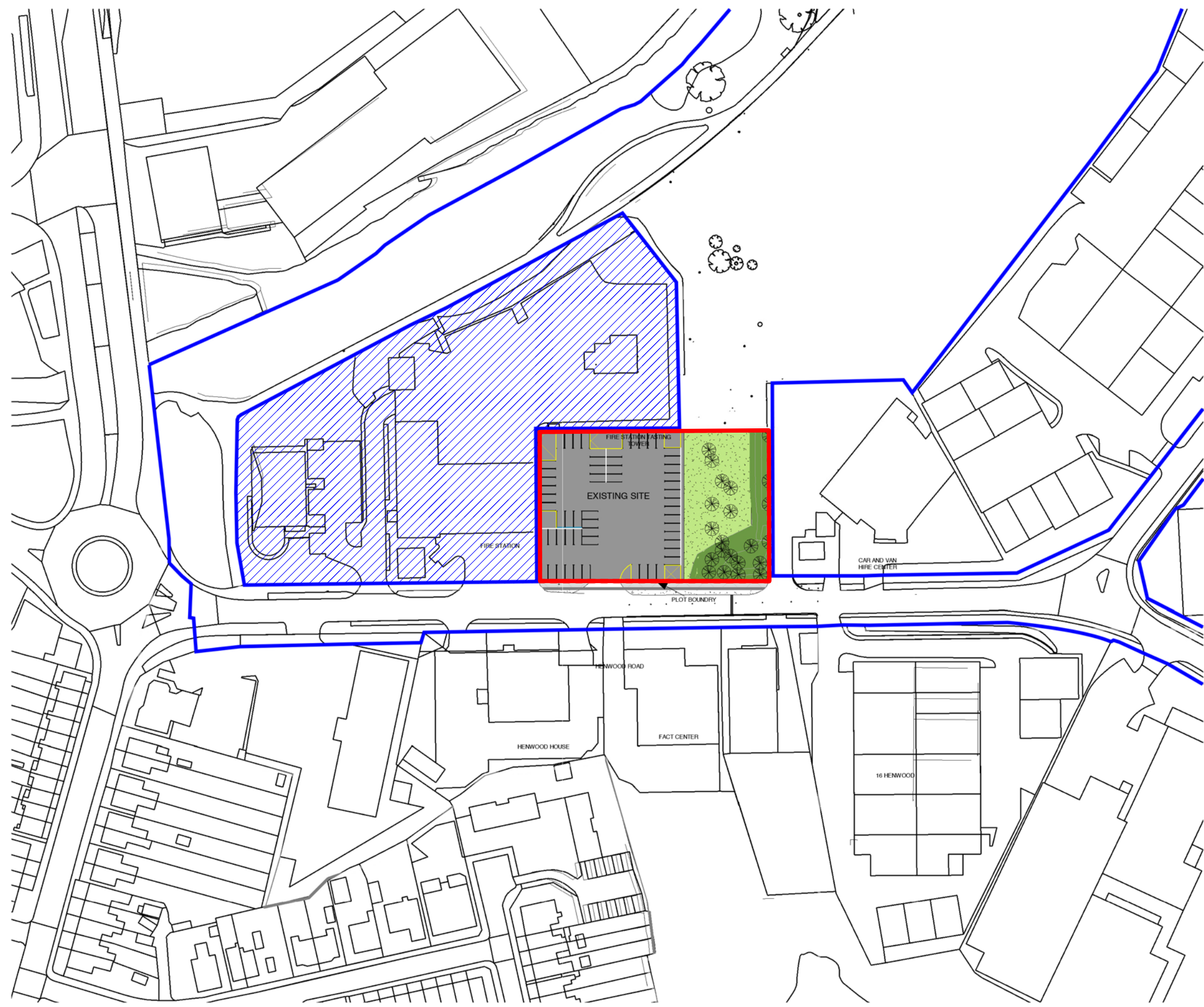
Women	None	Neutral
<u>SEXUAL ORIENTATION</u>	None	Neutral

<p>Mitigating negative impact:</p> <p>Where any negative impact has been identified, outline the measures taken to mitigate against it.</p>	<p>There are no negative impacts on any of the groups with protected characteristics. As homelessness can affect anyone, but primarily affects middle-aged and young adults, these have been assessed as a medium priority, children in homeless families may also be affected to this degree.</p>
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<p>Is the decision relevant to the aims of the equality duty?</p> <p>Guidance on the aims can be found in the EHRC's Essential Guide, alongside fuller PSED Technical Guidance.</p>	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	N/A
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	N/A
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	N/A

<p>Conclusion:</p> <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its 	<p>Due regard has been considered throughout this proposal to each protected group.</p> <p>No unlawful discrimination has arisen from the decision.</p> <p>The effect on the elements of the community affected will be positive due to the aims of the programme delivery. No adjustments required.</p> <p>The Council's adherence to the Homelessness Reduction Act will be followed and any subsequent allocations into move-on</p>
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implementation be undertaken and reported?	accommodation will be carefully managed at the point that other properties are ready to be let.
EIA completion date:	22 nd November 2023



Revision Schedule		
Revision Number	Revision Date	Revision Description
P01	03/03/2022	GENERAL REVISION
P02	07/03/2022	GENERAL REVISION

LEGEND	
	PLOT BOUNDARY
	LAND OWNED BY ABC
	FIRE STATION & MAF

- General Notes:
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 - All dimensions are to be checked on the site prior to setting out or fabrication of any material by the approved contractor.
 - All work and materials to be in accordance with the Building Regulations and to comply with the relevant codes of practice and British Standards.
 - Do not scale from the drawing, figured dimensions to be worked to at all times.
 - Do not assume any dimension, in case of any discrepancies please inform at your latest to the drawings Issuing authority or ZED Pods Ltd.
 - Where an item is covered by drawings to different scales, the larger scale drawing is to be worked to.
 - The supplier/ manufacturer/ contractor is responsible for checking dimensions, tolerances and reference. Any discrepancies to be checked with ZED Pods before proceeding with the works.
 - All Dimensions are from Finished Floor level and Finished plaster on the walls or otherwise mentioned.

Client: ASHFORD BOROUGH COUNCIL
 Project: Henwood Car Park, Ashford, Kent, TN24 8YF

Drawing Title: SITE LOCATION PLAN

issued for: PLANNING	drawn by/ updated by: DG	checked by: LC
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Drawing Number: Z16-ZP-A-ST- P02 Rev. P02
 Created: 12/21/21 Scale: (A3@) 1 : 1250

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1 SITE PLAN

1 : 1250

