

	MAYOR AND CABINET		Item no.
Report Titles	RE-DEVELOPMENT OF EXCALIBUR: DEMOLITION NOTICE AND FUTURE LETTINGS		
Key Decision	YES		
Ward	WHITEFOOT		
Contributors	EXECUTIVE DIRECTOR FOR CUSTOMER SERVICES, EXECUTIVE DIRECTOR FOR REGENERATION AND RESOURCES, EXECUTIVE DIRECTOR FOR COMMUNITY SERVICES, HEAD OF LAW		
Class	PART 1	Date	20 JUNE 2012

## 1. Summary

- 1.1 On 17th September 2010, Mayor and Cabinet agreed that the Council proceed with the regeneration of Excalibur in partnership with L&Q. This followed on from the positive ballot of residents that took place in July 2010 and also following the subsequent statutory Section 105 consultation that was carried out in September 2010. Progress since then has been on re-housing tenants and buying back freeholders in Phases 1 and 2, steps which were approved by Mayor and Cabinet on 17<sup>th</sup> November 2010 and 23<sup>rd</sup> February 2011. The latter of these reports saw Phases 1 and 2 rolled together and these Phases now together constitute the current decant phase.
- 1.2 Since this time, the planning permission has been formally issued and as agreed by Mayor and Cabinet on the 18<sup>th</sup> January 2012, the Council has added three properties to the current decant Phase and started the process of obtaining a Compulsory Purchase Order (CPO) for Phases 1 and 2.
- 1.3 In the light of recent Government changes on Right to Buy, this report requests authority for Officers to serve Initial Demolition Notices on all secure tenants within Phases 1, 2, 3 and 4 to suspend the requirement for the Council to complete right to buy applications for as long as the Notices remain in force.
- 1.4 In addition, in order to facilitate the decant needs within the estate, Officers are seeking agreement that future lettings of prefabs are retained for existing residents only.

## 2. Purpose of Report

- 2.3 To seek authority to serve Initial Demolition Notices on all secure tenants within Phases 1, 2 and 3 and 4 in order to suspend the requirement for the Council to complete right to buy applications for as long as the Notices remain in force.
- 2.4 To seek authority to serve Final Demolition Notices on all secure tenants within Phase 1, 2, 3 and 4 once the proposed demolition dates are known, in

order to render all existing right to buy applications ineffective and prevent any further right to buy applications being made.

- 2.5 To seek approval to end permanent re-letting of future Phase prefabs to residents other than existing Excalibur residents.

### **3 Policy Context**

- 3.1 The re-development of the Excalibur estate contributes to key national objectives, particularly in meeting the decent homes standard and increasing the supply of affordable housing.
- 3.2 The scheme supports Lewisham's Sustainable Community Strategy by setting out a framework for improving residents quality of life. This approach is borne out in the innovative design proposals of this scheme, especially towards the 'Clean green and liveable' priorities to increase the supply of high quality housing to accommodate the diverse needs of the population.
- 3.3 The Council has outlined ten corporate priorities which enables the delivery of the Sustainable Community strategy. The proposals for the re-development of the Excalibur Estate addresses the corporate priorities to provide decent homes for all, to invest in social housing and affordable housing in order to increase the overall supply of new housing. The scheme would also develop opportunities for the active participation and engagement of people in the life of the community.
- 3.4 The scheme supports the aims of Lewisham's Housing Strategy 2009-2014 'Homes for the future, raising aspirations, creating choice and meeting need' and would deliver on its main themes of 'People, homes and places and Quality and sustainability'
- 3.5 The scheme would increase local housing supply and by introducing a range of housing types and tenures for a range of income households, the scheme would help to widen housing choice. By obtaining funding from the HCA and using Council owned land for the purposes set out here, the Council is engaging with delivery partners and making the best use of available resources. The current proposals would deliver 61% affordable units and 40% family sized units (including 2 bed 4 person houses) across the scheme. A key principle of the scheme is to make the new development a desirable place to live, supporting the strategic objectives around design quality and safety, accessibility and improving environmental performance.

### **4. Recommendations**

- 4.1 The Mayor is recommended to agree that:
- 4.2 Initial Demolition Notices be served on all secure tenants within Phase 1, 2,3 and 4 in order to suspend the requirement for the Council to complete right to buy applications for as long as the Notices remain in force;
- 4.3 Final Demolition Notices be served on all secure tenants within Phase 1, 2 3 and 4 once the proposed demolition date is known, in order to render all

existing right to buy applications ineffective and prevent any further right to buy applications being made; and

- 4.4 Prefabs in Phases 3, 4 and 5 that become vacant are no longer let on a permanent basis in accordance with paragraph 8.

## **5. Background and Resident Involvement**

- 5.1 There is a long history of the Council working with the Tenant Management Organisation and other groups of Excalibur residents on the future of the prefab estate. This has included consultation groups and events, surveys and working with independent tenant advisors as detailed below.

- March 2002 – Council workers start to meet with Excalibur TMO and its Transfer of Ownership committee, pursuing a Stock Transfer option
- September 2003 PPCR survey undertaken to explore views on future ownership of the estate
- December 2003 Options Appraisal Steering Group established by LBL to ensure residents were at the heart of the process
- January 2004 Savills Stock condition survey said that 100% LBL homes non-decent
- July 2004 weekly meetings take place and open day planned. Meeting with PPCR held
- In November 2004, Minutes of the Stock Appraisal Steering Group record that Excalibur was keen to get on the ODPM's stock transfer list for January 2005.
- December 2004 visit to Family HA, Presentation HA, Hyde HA and Aragon HA. Letter sent to Adams Consulting re: tests on the prefabs of wall, floor and roof content. Signed off framework application for ODPM programme.
- January 2005, LBL submit application for the ODPM Housing Transfer Programme
- March 2005 residents group accepted Adams Consulting tests costs needed to bring homes up to DHS.
- April 2005 ITAs interviewed – Solon appointed
- June 2005 – Report to Mayor & Cabinet about Lewisham's Decent Homes Strategy recommended M&C to note the transfer programme bid highlighting that members of the co-op had been exploring alternative ownership and management models for over two years and they fully backed the bid.
- Autumn 2005 - Tenants against proposals hold Special General Meeting, Freeholders subcommittee held. Special general meeting held. Way Forward Group set up and meeting held. Management Committee minutes say Transfer of Ownership group to continue. Way Forward Group meeting. Open day held.
- November 2005 Report to Mayor and Cabinet – Lewisham Decent Homes Strategy recommending M&C to agree contingency for the Excalibur Co-op. Reports that Surveyors reports have made it clear that refurbishment of existing properties does not represent value for money. The ODPM has made it clear to the authority that they will not provide gap funding for any scheme that does not represent value for money. Residents, working closely with their independent tenants' advisors and technical advisor, have concluded that redevelopment of the estate is the only option remaining in

order to meet the Decent Homes standard. A new group of resident, comprised of TMO committee, freeholders and non-committee residents has been established to progress this proposal.

- December 2005 – TMO sacks Solon as ITA
- January 2006 – Bungalow Estate Newsletter goes out introducing Way Forward Group and reiterating to residents refurbishment not an option
- February and March 2006 visits to HA's
- April 2006 RSL selection due to take place but Way Forward Group unable to make a decision
- May 2006 Way Forward Group meeting held with LBL to discuss 'breakdown' of relations with WFG, TMO, Solon and how will affect deadlines
- June 2006 TMO commission TPAS to do survey of estate
- October 2006 Council made aware of a residents Vision Panel
- November 2006 meeting held with TMO, Vision Panel and LBL Officers and councillors to discuss re-engaging
- December 2006 new project officer starts work with Vision Panel on RSL selection
- February 2007 – PWC presentation to Excalibur TMO Working Party about the principles of gap funding.
- April 2007 – L&Q recommended by residents as preferred RSL partner for redevelopment and appointed by M&C.
- July & August 2008 – stage 1 consultation on offer document takes place.
- October 2008 – Ballot deferred following imminent listing decision.
- March 2009 – DCMS list 6 properties
- April 2009 – February 2010 - scheme redesign in order to accommodate listed properties and economic downturn, funding sought to make revised scheme deliverable.
- February 2010 – HCA confirm that funding could not be made available to a stock transfer, only a regeneration scheme. Residents are consulted, results of which are fed back in a report to Mayor and Cabinet.

5.2 At the Mayor & Cabinet meeting on March 24 2010, the unprecedented decision was taken to offer residents a ballot on the regeneration proposals. Residents were informed that, in the event of a 'yes' vote, the Council and L&Q would work together to deliver the regeneration of Excalibur. In the event of a 'no' vote, residents were informed the regeneration proposals put forward by L&Q would not go ahead.

5.3 In July 2010 Lewisham Council, through the independent Electoral Reform Services Ltd, conducted a confidential Ballot of residents. The Ballot was offered to resident tenants and freeholders whose primary home would be demolished in the proposals. In total, 224 Ballot papers were sent out.

5.4 Residents eligible to vote were asked 'Are you in favour of the regeneration of the Excalibur estate as proposed by L&Q?' Residents were given two options to answer. Out of the 224 possible votes, 203 (90.6%) were returned. A total of 56.2% of residents supported the re-development of the Excalibur estate as proposed by L&Q. This meant that if the 21 who did not vote, had voted 'No', there still would have been more residents that wanted the re-development to go ahead.

- 5.5 Following this, the Authority was required to carry out statutory Section 105 consultation with secure tenants affected by proposals. At the closing of the consultation period a total of 38 responses had been received from secure tenants, which represented a 21% response rate. 23 of the responses were classified as opposed to the development while 4 were in favour and 11 were neutral. The responses to the Section 105 consultation were reported to Mayor & Cabinet on 17 November 2010 and, having considered the responses and the Equalities Impact Assessment, the Mayor agreed that the Council should seek to achieve the redevelopment of the Excalibur estate in partnership with L&Q.
- 5.6 On the 18<sup>th</sup> January 2012 Mayor and Cabinet agreed a change to the phasing of the scheme. 3 prefabs from later phases are now in the current decant phase so that the sites of these properties can be included in the Phase 1 build site. Mayor and Cabinet agreed this on the basis of a second Section 105 consultation that took place with residents. A total of 4 responses were received in time to be included. The 4 responses represent a 6% response rate (of the total 140 secure tenants remaining on the estate). 3 were in favour of the proposed change and 1 was neutral, there were no objections.
- 5.7 Given the importance of the Council obtaining vacant possession of the Phase 1 and 2 site, on 7<sup>th</sup> March 2012 Mayor and Cabinet agreed that Officer begin the process of obtaining a CPO for the current decant Phase.

## **6 Project Progress**

### **6.1 Summary of the principles of this project and progress to date:**

- L&Q working with the Council as our partner since 2007;
- The regeneration scheme is to take place in 5 Phases as set out in Appendix A (with Phases 1 & 2 rolled together).
- Ongoing consultation with residents since 2002 that continues today with monthly meetings with the Resident Steering Group;
- 21 tenants re-housed to date in Phases 1 and 2;
- 24 void prefabs in Phases 1 and 2 with no squatters;
- 3 freehold interests bought back in Phases 1 and 2 and terms agreed with a further 2;
- The process of re-housing the remaining 11 tenants is ongoing, with recent acquisition of the Council's 'starred decant' policy to help tenants;
- The negotiations with the 2 remaining freeholders are ongoing;
- The Council is in the process of obtaining CPO powers for Phases 1 and 2;
- The Council continues to work towards obtaining vacant possession of the Phase 1 and 2 site however in discussion with L&Q this has been extended to December 2012. This fits within the wider timescales L&Q are required to meet for the Phase 1 and 2 funding approved by the HCA;
- L&Q have been granted Planning Permission. This is detailed approval for the Phases 1,2 and 3 and outline approval for the whole scheme;

- L&Q have obtained funding from the Homes and Communities Agency for the Phase 1 build and the funding requirement is that homes are to be complete by March 2015;
- The Council and L&Q continue to work on the detailed elements on the overarching Development Agreement, land disposal and financial model and Officers expect to bring a report to Mayor and Cabinet in October 2012.
- The Council continues to work with the TMO and Resident Regeneration Steering Group.

## **7 Demolition Notices**

- 7.1 The current Government has recently changed the Right to Buy policy and increased the discount from £16k to £75k, available for tenants that wish to buy their council homes. Because of this we expect a rapid rise in RTB applications. RTB presents a risk to regeneration schemes as the Council is required to buy back leasehold or freehold interests granted under RTB in order to proceed with the scheme. Increased RTB's increases scheme costs and potentially could make a scheme financially unviable.
- 7.2 Officers would therefore like to serve Initial Demolition Notices on all secure tenants within Phases 1, 2, 3 & 4 in order to suspend any current or future Right to Buy applications from completing. The Initial Demolition Notice is required to contain certain prescribed information including a statement that the landlord intends to demolish the property, the reasons for this and the period within which the demolition will take place. Once the proposed demolition date is actually known, the Council can then serve a Final Demolition Notice which renders all existing right to buy applications ineffective and prevents any further right to buy applications being made. At present it is envisaged that all prefabs in Phases 1, 2, 3 and 4 will be demolished by the Council within the next five years as shown in the programme attached as Appendix B.

## **8. Future Lettings**

- 8.1 Throughout development of the regeneration scheme on the Excalibur Estate, residents have been clear that when it comes to being decanted, most would like the opportunity to stay on the estate in a later Phase prefab until a new home is ready for them as part of the development. In order to facilitate this, Officers would like to make sure that existing residents have priority over any future voids on the estate. Due to the nature of the scheme, there is likely to be an off site (with right to return) component to most future decant phases.
- 8.2 During the course of the decant to date, between April 2011 and April 2012, there were 3 prefabs that became void in later Phases. This may indicate the potential number of prefabs that could become void in future years.
- 8.3 When a prefab becomes void, initially the Council will seek to use it as temporary re-housing for an Excalibur tenant in the current or following decant Phase. Officers certainly anticipate that most voids would be used for this purpose.

- 8.4 Beyond this, the Council would seek to use the void as temporary accommodation for a homeless households. The temporary letting would not acquire any of the commitments for re-housing in the new development that the existing secure tenants have. If the unit is not taken up by a temporary accommodation tenant, it may then be desirable to look at protection of the void with a property guardian.
- 8.5 A key issue for a decanting tenant or a temporary accommodation tenant in deciding whether they wish to move into a later Phase void, is the condition of the property. In some cases, where any works required are cosmetic, a decanting (secure) tenant receives a home loss payment and can use this to carry out any decorative works they wish. However in some cases where the condition of the property is very poor, whether the consideration is for a temporary accommodation tenant or a decanting tenant, the Council may need to make a decision about whether it is value for money to carry out more major works. The elements that would be considered would be: level and cost of works required; length of time prior to demolition; and interest from tenants to move in.
- 8.6 If no decanting tenant or temporary accommodation tenant wishes to occupy the prefab, then Officers will seek to place a property guardian in it until the unit is demolished. It maybe that during the course of the decant, a tenant does wish to move in, in which case, the Guardian could be moved out within a matter of weeks and the unit used for decant. Property Guardians were approved by Mayor and Cabinet as an alternative means of securing voids in regeneration schemes on the 14<sup>th</sup> September 2011 and Ad Hoc have recently started providing Guardian services on the current Heathside and Lethbridge decant Phase. As there has to be a basic level of habitation at the void for a Guardian to occupy the premises, if this is not suitable the property will be grilled and secured. Due to the need to re-house all on Excalibur and strong desire amongst residents to stay on the estate, Officers expect that most prefabs will be occupied by decants and that only the prefabs in the worst conditions would be secured in the longer term.
- 8.7 Officers propose to develop a Local Lettings Plan for Excalibur outlining the priorities and profile for current and future lettings on the estate, both prefabs and new build. Under the Allocations Policy, the Council will operate a Local Lettings Plan where we consider that there is an overriding need to respond to local conditions. The general principles of the Local Lettings Plan will take into consideration a number of factors:
- The commitments made (by the Council and L&Q) to Excalibur residents;
  - The requirement for the Council to carry out the decant in the most efficient manner, while taking into account the medical and household needs of residents;
  - The Councils Annual Lettings Plan.
  - The need to offer priority to people who previously lived in the area and had to move for the regeneration to take place
  - Creating mixed communities

- 8.8 The Council's Clienting Team continue to work with the TMO, looking at ongoing issues around allowances in light of the reducing numbers of prefabs on the estate.

## **9. Legal Implications**

### **Service of Initial Demolition Notices and Final Demolition Notices**

- 9.1 The Housing Act 2004 introduced a new statutory procedure for the service of Initial and Final Demolition Notices by authorities. Broadly, the effect of the service of Initial Demolition Notices on secure tenants is to suspend the requirement for the Council to complete right to buy applications for as long as the notice remains in force. The Initial Demolition Notice is required to contain certain prescribed information including a statement that the landlord intends to demolish the property, the reasons for this and the period within which the demolition will take place, which must be a reasonable period expiring not more than 5 years after the date of service of the Notice on the tenant. For this reason, it is only possible at the current time to serve Notices on tenants in Phases 1, 2, 3 & 4 where it is envisaged by the Council that the blocks will be demolished in the next 5 years. Separate approval will be obtained from Mayor and Cabinet at the appropriate time to serve Initial Demolition Notices on secure tenants in Phase 5. The Notice does not prevent tenants from making right to buy applications. However, the effect of the notice is that the Council is not required to complete any right to buy applications within the period specified in the Notice. In the event that the Notice expires before the demolition has taken place, the consent of the Secretary of State would be required to serve a further Initial Demolition Notice. Tenants with existing right to buy claims at the time the Initial Demolition Notices are served are entitled to claim compensation for legal and other fees, costs and expenses (e.g. survey fees) incurred prior to the Initial Demolition Notices coming into force.
- 9.2 Once the proposed demolition date is actually known, the Council can then serve a Final Demolition Notice which renders all existing right to buy applications ineffective and prevents any further right to buy applications being made. Again, compensation will be payable to Tenants with existing right to buy claims at the time the Final Demolition Notices are served.

### **Future Lettings**

- 9.3 The Localism Act 2011 received Royal Assent in November 2011. Section 150 (1) of the 2011 Act obliges local housing authorities in England to prepare and publish a "tenancy strategy" setting out "...the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to —
- (a) the kinds of tenancies they grant, (b) the circumstances in which they will grant a tenancy of a particular kind, (c) where they grant tenancies for a term certain, the lengths of the terms, and (d) the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy. "



- 9.4 Section 151 provides that “the authority must, in preparing [or modifying] a Tenancy strategy, have regard to— (a)its current allocation scheme under section 166A of the Housing Act 1996, (b)its current homelessness strategy under section 1 of the Homelessness Act 2002, and (c)... the London Housing strategy. “
- 9.5 At paragraph 8. above, reference is made to having a Local Lettings Plan for Excalibur. In April 2012, Mayor and Cabinet previously approved the proposed annual Lettings Plan of 2012/13 for the Borough.
- 9.6 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.7 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 9.8 As was the case for the original separate duties, the new duty continues to be a “have regard duty”, and the weight to be attached to it is a matter to be considered when, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 9.9 The Equality and Human Rights Commission (EHRC) issued guidance in January 2011 providing an overview of the new public sector equality duty, including the general equality duty, the specific duties and who they apply to. The guidance covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The guidance was based on the then draft specific duties so is no longer fully up-to-date, although regard may still be had to it until the revised guide is produced by the EHRC. The guidance can be found at <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidance-downloads/>.
- 9.10 The EHRC guidance does not have legal standing, unlike the statutory Code of Practice on the public sector equality duty which was due to be produced by the EHRC under the Act. However, the Government has now

stated that no further statutory codes under the Act will be approved. The EHRC has indicated that it will issue the draft code on the PSED as a non statutory code following further review and consultation but, like the guidance, the non statutory code will not have legal standing.

## **10. Financial Implications**

- 10.1 The minor costs incurred by obtaining a Demolition Notice can be met within the existing budget agreed by Mayor and Cabinet on 23<sup>rd</sup> February 2011 therefore this report contains no financial implications. A report detailing the scheme's financial model is expected to be brought to Mayor and Cabinet in October 2012.
- 10.2 The Council's current financial model for the HRA assumes the loss of rental income on all properties being demolished over the period of the scheme. The changes proposed in respect of re-letting will not materially affect these assumptions.

## **Human Rights Act 1998 Implications**

- 11.1 The Act effectively incorporates the European Convention on Human Rights into UK law and requires all public authorities to have regard to Convention Rights. In making decisions Members therefore need to have regard to the Convention.
- 12.2 The rights that are of particular significance to Members' decision in this matter are those contained in Articles 8 (right to home life) and Article 1 of Protocol 1 (peaceful enjoyment of possessions).
- 12.3 Article 8 provides that there should be no interference with the existence of the right except in accordance with the law and, as necessary in a democratic society in the interest of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of the 1<sup>st</sup> Protocol provides that no-one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law although it is qualified to the effect that it should not in any way impair the right of a state to enforce such laws as it deems necessary to control the uses of property in accordance with the general interest.
- 12.4 In determining the level of permissible interference with enjoyment the courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck.

- 12.5 Therefore, in reaching his decision, the Mayor needs to consider the extent to which the decision may impact upon the Human Rights of estate residents and to balance this against the overall benefits to the community which the redevelopment of the Excalibur Estate will bring. The Mayor will wish to be satisfied that interference with the rights under Article 8 and Article 1 of Protocol 1 is justified in all the circumstances and that a fair balance would be struck in the present case between the protection of the rights of individuals and the public interest.
- 12.6 It is relevant to the consideration of this issue, that should the scheme proceed most displaced occupiers would be offered re-housing in accordance with the Council's re-housing policy. Secure tenants will be entitled to home loss and disturbance payments. Freeholders will be entitled to receive market value for their properties as well as home loss and disturbance payments where appropriate in accordance with the Land Compensation Act 1973

### **13. Environmental Implications**

- 13.1 The proposed new homes to be built by London & Quadrant would exceed the requirements of the Decent Homes Standard; this means greater energy efficiency, reduced maintenance costs and lower fuel bills for residents. This would also reduce the environmental impact of the new homes.
- 13.2 As new landlord L&Q would develop minimum standards that tenants can expect from their home. A key part of that would be the affordability and sustainability of the energy usage. The homes are designed using principles of passive solar design and have been modelled by energy consultants to ensure high thermal comfort whilst keeping heat loss to a minimum. This includes making the home air tight through construction detailing and incorporating a heat recovery ventilation system to further reduce energy loss and provide homes with fresh air. The Greater London Authority requires this scheme to achieve 20% renewable energy and a Code for Sustainable Homes level 3-4, as a minimum; both pieces of legislation necessitate an energy efficient home.

### **14. Crime and Disorder Implications**

- 14.1 One of the key priorities of the TMO Resident Selection Committee in selecting a preferred RSL was how it tackles crime and anti social behaviour issues. L&Q has a strong track record in dealing with crime and anti-social behaviour (ASB) and they are committed to adopting a robust approach at Excalibur if needed. L&Q plays its part as a member of Lewisham's Crime Reduction Partnership in meeting targets and actions in the Local Community Plan and the Crime Disorder Strategy. They would work in partnership with the police and other agencies to tackle crime and ensure that safety at Excalibur is maintained and improved.
- 14.2 The Regeneration Proposals document outlined the proposed physical improvements, enhanced estate management and the diversionary opportunities which L&Q would implement to help reduce crime and anti-social behaviour. Under stock transfer, the Offer Document also demonstrated L&Q's commitment to tackling race and hate crime, domestic violence and improving child protection, which the residents of Excalibur

seek. These principles would be unaffected by the change from a stock transfer to a regeneration scheme.

## **15. Equality Implications**

- 15.1 Officers carried out an Equalities Impact Assessment in October 2010. This has been updated to reflect the new public sector equality duty contained in the Equality Act 2010 and a copy of the updated Equalities Analysis Assessment was agreed by Mayor and Cabinet on 7<sup>th</sup> March 2012.
- 15.2 There are equalities implications in the decanting and re-building process and equalities benefits would accrue from the completed scheme.

Equalities implications: during the process

- 15.3 From extensive door knocking, L&Q staff have began to build up a database of households that have English as a second language and as a result key information would be translated for them, if needed. In addition, a number of residents have also been identified who suffer from a visual impairment, so literature for them is routinely produced in larger print. These are exercises that would continue to be monitored and repeated.
- 15.4 The decant process involves the provision of an individual service, where decant officers visit tenants at home and get to know them and their needs on an individual basis. Any special requirements are identified and taken into account in planning the move, factors such as language, mobility and other support needs often need to be considered. It is recognised that decanting is a very stressful time and decant officers offer as much support as required to minimise the anxiety to residents.

Equalities implications: the completed development

- 15.5 The scheme would provide thermal and security improvements, with all new properties more than meeting the decent homes standard.
- 15.6 All new affordable units in the development would meet lifetime homes standards. A Lifetime Home incorporates 16 design features that together create a flexible blueprint for accessible and adaptable housing in any setting, so that the unit can be adapted when required to suit residents changing needs.
- 15.7 In line with GLA and Council policy, more than 10% of units across the development would be wheelchair accessible or easily adapted for those using a wheelchair.

## **16. Conclusion**

- 16.1 The Mayor is required to approve two elements that will strengthen the regeneration of Excalibur. Suspending the right to buy will reduce risks around financial viability and reserving all future lets for Excalibur tenants will aid the ongoing decant programme.

**17. Background Documents and Report Author**

- 17.1 The last background report was the Regeneration of Excalibur Estate – CPO agreed by Mayor and Cabinet on 7<sup>th</sup> March 2012.
- 17.2 If you require any further information about this report, please contact Rachel George on 020 8314 8146

## **Summary of human rights most relevant to local authorities**

- Article 2 - The right to life
- Article 3 - The right not to be subjected to torture or to inhuman or degrading treatment or punishment
- Article 5 - The right to liberty and security
- Article 6 - The right to a fair trial
- Article 8 - The right to respect for private and family life, the home and correspondence
- Article 9 - The right to freedom of thought, conscience and religion
- Article 10 - The right to freedom of expression
- Article 11 - The right to freedom of peaceful assembly and to freedom of association with others
- Article 14 - The right to freedom from discrimination on any ground such as sex, race, colour, language, religion, or political opinion
- Article 1 of Protocol 1 - The right for every person to be entitled to the peaceful enjoyment of their possessions
- Article 2 of Protocol 1 - The right to education