

Housing Select Committee		
Title	New Homes, Better Places update	
Contributor	Executive Director for Customer Services	Item 6
Class	Part 1 (open)	22 July 2014

1 Summary

- 1.1 This report provides Housing Select Committee with an update on progress with the “New Homes, Better Places” programme, and sets out the consultation activity that will take place over the summer.
- 1.2 Committee will be able to consider a further and more detailed report on the programme, and the outcome of the consultation activity, at a special meeting which the Chair has indicated will be convened on 2 September. This report therefore provides a high-level summary of the programme and timetable overall, to allow for further detail to be provided at the next meeting.

2 Recommendations

- 2.1 Members are asked to note the progress of the “New Homes, Better Places” programme, and the consultation activity that will take place with affected tenants over the summer.

3 Background

- 3.1 In July 2012 the results of a technical and financial appraisal of the options available to the Council to meet the growing pressure on housing in the borough and London were presented to Mayor and Cabinet. As a result, the “Housing Matters” programme was launched, and had as one of its three objectives the target to build 250 new homes by 2017.
- 3.2 It was agreed that Lewisham Homes would work as the Council’s delivery and development agent, project managing the design and construction process. The Council remains as the freeholder, so that the resources to support the programme are decided by the Council, the Council retains decision making authority and enters into contracts.
- 3.3 In January 2013 the first progress update relating to the programme was provided for Housing Select Committee and later for Mayor and Cabinet. This set out that the first site appraisals had found capacity for 77 new homes across four sites. Permission was given for officers to develop these plans further and to consult with residents in the surrounding areas about the options for bringing those new homes forward.
- 3.4 In May 2013 an update on progress with this consultation was provided for Housing Select Committee and later for Mayor and Cabinet. This report set out that good progress had been made across all four sites, but that on one site in

particular it had become apparent that a new build project could proceed at pace. On that basis it was agreed that this site, a garage site on the Mercator estate in Lewisham Central, should be prioritised for the first new homes.

- 3.5 This was to be a small development, of six family homes. Although small the development was intended to act as both a pilot site to develop the best approaches to bringing forward new homes, and also an exemplar site to demonstrate to residents on future sites the high-quality and resident-centred approach that was to be taken with the new build programme generally. This site therefore forms what is now known as “phase one” of the “New Homes, Better Places” programme.
- 3.6 Planning consent was obtained for the Mercator Road development in September 2013, and in December 2013 a contract to build out the homes was awarded to Roof Limited, a family-owned construction company based in east London.
- 3.7 At the same time as awarding the build contract for Mercator Road in December 2013, a further update on was provided on progress in bringing forward other sites for the development of new homes. Following consideration of this at Housing Select Committee and at Mayor and Cabinet the following were agreed:
- That designs for new homes, and resident consultation associated with those should be taken forward on the following six sites:
 - Longfield Crescent, Forest Hill (23 homes)
 - Woodvale, Forest Hill (15 homes)
 - Lawn Terrace, Blackheath (6 homes)
 - Dacre Park/Boone Street (two sites), Blackheath (32 homes)
 - Achilles Street, New Cross (18 homes)
 - That in order to extend the available resources to build new homes within HRA constraints, that the new build programme should include a small number of homes that would be sold on completion so as to generate a surplus on the construction cost which could be re-invested in the delivery of more social housing. The agreed target level was to be 80 per cent of the homes to be for social rent and 20 per cent of the homes to be for private sale.
- 3.8 The sites that are set out above therefore comprise “phase two” of the New Homes, Better Places programme, which was expected to deliver 94 new homes, taking the total number of homes across both phases to 100. This report sets out for Housing Select Committee a summary of progress across both phases, details the resident consultation that is on-going, and sets out how further and more detailed information will be available for consideration at the proposed special Housing Select Committee meeting on 2 September.

4 New Homes, Better Places Programme Update

Phase One

- 4.1 Progress on phase one has been good. The site was officially opened by the Mayor in February 2014, and the delivery programme is on-track to complete in January 2015 as planned. All six new homes will be managed by Lewisham Homes and let at social rent levels.

Phase Two

4.2 Generally progress across the six sites has been good. Lewisham Homes is leading a programme of design development with two architectural practices, and also a programme of resident engagement. Ward Councillors have been invited to attend all resident consultation sessions and separate briefing sessions have been arranged where required for Councillors who were unable to attend.

4.3 The latest update on each of the sites is as follows:

- **Longfield Crescent, Forest Hill.** Further design work has increased the expected number of homes to be built from 23 to 27. Resident consultation took place on 19 June and was generally positive. As with any development proposal, residents were concerned about the impact on parking. External Decent Homes works have yet to take place on the estate and residents were keen to see these take place in conjunction with the new housing development, and this is being scheduled to take place by Lewisham Homes. Given the generally positive reception to the proposals, the next stage is to undertake a formal consultation – as set out in section 5 below - and present the findings of that consultation to Committee in September.
- **Woodvale, Forest Hill.** Again further design work has increased the expected number of homes to be built, this time from 15 to 18. Resident consultation took place on 17 June and was generally positive. Concerns centred around parking, and the manner in which individual and communal gardens would be treated by the new development. A second consultation specifically to address this issue took place on 8 July. The next stage here is to undertake the formal consultation process and report the final designs and findings back to Committee in September.
- **Dacre Park/Boone Street, Blackheath.** There are 32 homes across two sites here and consultation has been generally positive again. A joint event for both sites took place on 11 June and the main concerns raised by residents were the impact on parking, and the need for improvements to the communal garden areas near the new homes. Further work also needed to be done to establish the best way to mitigate the impact on current residents of ground floor studios with external access. Nonetheless the consultation has been broadly positive and these issues can be addressed through the design process, and so again the next step is formal consultation to report back in September.
- **Achilles Street, New Cross.** The initial assessment of 18 homes has increased to 22 homes. Consultation took place on 10 June and was positive. Residents raised concerns about a general lack of parking in the area, as well as commuter parking, and options to address these issues are being developed. Once more, the next step here is to undertake formal consultation and report back in September.
- **Lawn Terrace, Blackheath.** The original plans for this site showed six homes, but more recent design work has found that it might be possible to increase that number to 15. Resident consultation on this site has found that there are a number of further design revisions required before a development can be taken

forward. In particular it will be important to develop of a wider programme of improvements across the estate, and also to testing options for community facilities which might be provided for existing residents. The local TRA is engaged and willing to support the development of further designs, and therefore further time will be taken to establish a suitable design before formal consultation takes place.

- 4.4 To summarise, for five of the six sites in phase 2 progress has been good, and formal consultation will take place over the coming weeks. The sixth site will be removed from phase 2 to allow further design development and consultation exercises to take place, with a view to undertaking the formal consultation at a later point.

5 Formal consultation programme and next steps

- 5.1 The formal consultation that will follow is required of the Council under S105 of the Housing Act of 1985. As a result of this Act the Mayor is required to formally consider the views of secure tenants who are likely to be substantially affected by a matter of Housing Management before making any decision to proceed. The development of new housing within estates is considered to be such a matter.
- 5.2 The process for the consultation is straightforward. A letter is sent to all affected secure tenants outlining the proposal to develop the relevant land, and requiring comments within a set period, which is usually three to four weeks. Given that informal consultation has been on-going near this sites since early 2013, in this instance three weeks is considered to be sufficient.
- 5.3 The consultation will close in August in sufficient time to allow comments to be considered as part of a report to Committee and to Mayor and Cabinet in September. Subject expressly to consideration of the views received from this process, it is expected that this report will recommend that planning applications are made to develop the 98 units on the five sites.
- 5.4 Subject to the consultation and decision making processes, the timetable for developing the 98 homes in phase 2 of the “New Homes, Better Places” programme is set out below:
- S105 consultation closes: early August
 - Pre-scrutiny of consultation and final designs at HSC: 2 September
 - Consideration of whether to proceed with next sites at Mayor and Cabinet: 3 September 14
 - Planning submission: October 14
 - Planning consent: January 15
 - Contract award and start on site: March 15
 - Completion: October 16

6 Conclusion

- 6.1 Good progress is being made in the delivery of new Council homes. Six homes are on site and Committee will under take pre-scrutiny of designs for, and residents views on, the next 98 homes when it meets in September ahead of

Mayor and Cabinet decisions over proceeding with these schemes. The current timetable shows that these 98 homes should be under construction by March 2015.

7 Financial implications

- 7.1 The main purpose of this report is to update HSC about progress with the “New Homes, Better Places” programme. As a result, there are no direct financial implications arising.
- 7.2 Expenditure incurred to develop these options, including staff costs and professional fees are fully chargeable to the Capital accounts set-up to for this purpose and funded via the HRA allocations for the New build programme.
- 7.3 This was included in the main budget report and strategy agreed by Council in February 2014, which included, within the capital programme, allocations to fund the new build programme from 2013/14 for up to 250 homes.

8 Legal and human rights implications

- 8.1 The Council has a wide general power of competence under Section 1 of the Localism Act 2011 to do anything that individuals generally may do. The existence of the general power is not limited by the existence of any other power of the Council which (to any extent) overlaps the general power. The Council can therefore rely on this power to carry out housing development, to act in an “enabling” manner with other housing partners and to provide financial assistance to housing partners for the provision of new affordable housing.
- 8.2 Section 105 of the Housing Act 1985 provides that the Council must consult with all secure tenants who are likely to be substantially affected by a matter of Housing Management. Section 105 specifies that a matter of Housing Management would include a new programme of maintenance, improvement or demolition or a matter which affects services or amenities provided to secure tenants and that such consultation must inform secure tenants of the proposals and provide them with an opportunity to make their views known to the Council within a specified period. Section 105 further specifies that before making any decisions on the matter the Council must consider any representations from secure tenants arising from the consultation. Such consultation must therefore be up to date and relate to the development proposals in question. For this reason, officers will proceed to carry out formal S105 consultation on the proposals set out in this report which will be reported back to Mayor & Cabinet for consideration.
- 8.3 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It 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.
- 8.4 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.

8.5 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, 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.

8.6 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

8.7 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

9 Equalities implications

9.1 As this is a general information report, there are no specific practical equalities implications to insert.

10 Crime and disorder implications

10.1 There are no specific crime and disorder implications.

11 Environmental implications

11.1 There are no specific environmental implications.

**If you have any questions regarding this report please contact Jeff Endean,
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