

| Housing Select Committee | | | |
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| Report Title | New Homes Programme Update | Item No | 6 |
| Contributors | Assistant Director Regeneration & Place | | |
| Class | Part 1 | Date | 1 May 2019 |

1. Purpose of paper

- 1.1. This report provides an update on progress of the delivery of the 500 new homes in the New Homes, Better Places programme and the broad strategy for the delivery of a further 1,000 new social homes.

2. Recommendations

- 2.1. It is recommended that Housing Select Committee review and note the report.

3. Background

- 3.1. The Lewisham Housing Strategy 2015-2020 contains four priorities:
- Helping residents at times of severe and urgent housing need
 - Building the homes our residents need
 - Greater security and quality for private renters
 - Supporting our residents to be safe, healthy and independent in their home
- 3.2. London faces one of the most significant housing shortages since the end of the Second World War. In line with our strategy priorities, Lewisham Council acknowledges the challenges faced by our residents and is committed to tackling those with the greatest housing need.
- 3.3. In July 2012 the Council embarked on a programme to build 500 new social homes in response to a series of on-going housing policy and delivery challenges, most notably an enduring under-supply of new affordable homes available to the Council to meet housing demand.
- 3.4. The Council has set a target of a further 1000 social homes by 2022.

4. New Homes update

Feasibility for the 1,000 Homes Programme

- 4.1. At Mayor and Cabinet in March, officers sought approval to invest in feasibility work that would lead to the next stage of work for the 1,000 Homes programme.

- 4.2. Detailed work has been undertaken by Lewisham Council, Lewisham Homes and our partners to ensure that a robust programme for the delivery of the 1,000 units is in place. Broadly, this has been broken down into two main packages:
 1. Homes delivered directly by the Council including Ladywell, the infill programme and homes for temporary accommodation;
 2. Homes built by partners where the Council has actively enabling the delivery of genuinely affordable homes for residents on our housing register, such as our ongoing relationship with Phoenix Community Housing.
- 4.3. The approval from Mayor and Cabinet related to the first tranche of directly delivered council homes and should yield a significant number of infill units on underutilised space on our land.
- 4.4. It should be noted that this programme is not static and further sites will be added and removed as design work evolves.
- 4.5. These schemes will not only improve existing neighbourhoods by improving and investing in underutilised or disused areas but they will create places that minimise the risk of anti-social behaviour and promote more engaged communities and responsive environments.
- 4.6. These units will, for the most part, be estate infill projects on land within the Housing Revenue Account. However, it is anticipated that a small percentage of sites may come forward on General Fund land.

Church Grove

- 4.7. Church Grove is a community led self-built development being led by the Rural Urban Synthesis Society (RUSS) in partnership with Lewisham Council. RUSS are a community land trust that have received planning permission to deliver 33 new homes, on the Church Grove site. All of the 33 homes are different types of affordable housing that include 5 homes for social rent and the rest as either London Living Rent or Shared Ownership products.
- 4.8. The scheme will also include a Community Hub to promote training and community led developments across London.
- 4.9. As all of the homes will remain partly owned by RUSS as a community land trust they will ensure that they remain affordable in perpetuity. The scheme was designed by the future residents and self-builders through a collaborative design process, with a strong focus on sustainability so that the new homes will be as energy efficient and environmentally friendly as possible, with recycled materials favoured and space for residents to grow food provided.
- 4.10. RUSS have now appointed a main contractor who will work with the

resident group to build the homes, with works starting on the community hub first and then on the main development over the summer. The Church Grove development is expected to complete in mid-2021.

5. Financial implications

- 5.1. The Council's current 30 year financial model for the Housing Revenue Account (HRA) includes provision for the HRA contribution to the 500 new units target, for social rent purposes, at an average cost of £190k each (adjusted annually for inflation) over the first 10 years of the model.
- 5.2. The delivery of the HRA Social Units from the New Homes Better Places programme will be funded from this provision.
- 5.3. The delivery of the Temporary Accommodation schemes, and the new homes programme will be funded through the use of RTB 1-4-1 receipts, S106 receipts, GLA grant and HRA & General Fund Prudential Borrowing.
- 5.4. Work continues on the identification and financial impacts of the individual sites associated to the delivery of the new 1,000 additional homes target.
- 5.5. The financial implications of the schemes associated with the 1,000 homes programme will be reported on individually as and when they are sufficiently developed and brought forward for approval by Mayor and Cabinet.

6. Legal implications

- 6.1 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.
- 6.2 Most of the proposals referred to in this report are at a very early stage of development. Detailed specific legal implications will be set out in subsequent reports to Mayor and Cabinet. 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.

6.3 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.4 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.

6.5 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above.

6.6 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.

6.7 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:

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>

<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>

7. Equalities implications

7.1. The provision of new social housing in the borough has a positive equalities impact. Households on the Council's Housing Register are more likely to have a protected characteristic than the wider population as access to the register is limited to those most in housing need.

8. Crime and Disorder implications

8.1. There are no crime and disorder implications arising directly from this report.

9. Environmental implications

9.1. Any environmental implications from the delivery of new homes are considered and addressed on a scheme by scheme basis through the design and planning process. There are therefore no additional environmental implications arising directly from this report.

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