

Mayor and Cabinet			
Report Titles	Regeneration of Excalibur Estate – Update		
Key Decision	Yes		
Ward	Whitefoot		
Contributors	EXECUTIVE DIRECTOR FOR CUSTOMER SERVICES, EXECUTIVE DIRECTOR FOR REGENERATION, AND RESOURCES, HEAD OF LAW		
Class	Part 1	Date	10 April 2013

1. Summary

- 1.1 On 17th September 2010, Mayor and Cabinet agreed that the regeneration of Excalibur proceed with L&Q, on the basis that officers had undertaken the estate wide ballot and subsequent Section 105 consultation. In November 2010, Mayor and Cabinet agreed that Officers could proceed with re-housing tenants and buying back freeholders in Phase 1 and Phase 2 was added to this process by Mayor and Cabinet on 23rd February 2011 and the two phases were joined together.
- 1.2 Since this time, Officers have made significant progress with the Phase 1 and 2 decant and overall development. On 5th December 2012 Mayor and Cabinet approved the Development Agreement and agreed that Officers seek to dispose of the Phase 1 and 2 site to L&Q. Most tenants have been re-housed and all freeholders bought back. The Phase 1 and 2 site is due to be handed over to L&Q in March 2013 with site works expected soon afterwards.
- 1.3 Beyond Phase 1 and 2, the next step is to start the re-housing of tenants and buying back of freeholders in Phase 3. This is required in order to maintain the scheme programme.
- 1.4 On 5th December 2012 Mayor and Cabinet agreed that the Council appropriate the Council owned land within Phases 1 and 2 for planning purposes in order to support the re-development process. The appropriation excluded 2 Wentland Road and 7 Baudwin Road which had not been bought back by the Council at that time. Now that the final two properties are owned by the Council, Officers are requesting that they be appropriated to planning purpose for completeness.

- 1.5 This report is divided into two parts. This Part 1 section of the report sets out the current scheme update and sets out the necessary re-housing and buyback arrangements for the Phase 3 decant and the appropriation of 2 Wentland Road and 7 Baudwin Road to planning purposes. The Part 2 section of the report looks at the Council spending required to implement that decant and the cost of the project to date. It also contains details of the revised market value of the Phase 1 and 2 site.

2. Purpose of Report

- 2.1 To update M&C on progress with Phases 1 and 2 and to agree a revised market value of the Phase 1 and 2 site.
- 2.2 To set out the necessary re-housing and buyback arrangements for Phase 3 which includes possible re-housing from future Phases.
- 2.3 To seek the necessary authority for the appropriation, for planning purposes, of 2 Wentland Road and 7 Baudwin Road which are now owned by the Council within the Phase 1 and 2 site that were previously excluded from the appropriation process, shown in bold edging on the attached plan. This is in order to enable the powers in Section 237 of the Town and Country Planning Act (T&CPA) 1990 to be used to ensure that any restrictive covenants or other rights affecting the land can be overridden in the interests of the proper planning of the area, thereby allowing the redevelopment of the land to proceed.

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 will 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 will deliver on its main themes of 'People, homes and places and Quality and sustainability'

- 3.5 The scheme will increase local housing supply and by introducing a range of housing types and tenures for a range of income households, the scheme will help to widen housing choice. By obtaining external funding 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 will deliver 64% affordable units and 39% 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

It is recommended that the Mayor:

- 4.1 agrees that where necessary, Notice of Seeking Possession is served and possession proceedings brought against secure tenants of properties in Phase 3 (as shown on the plan attached as Appendix 1 of this report) under Ground 10 of Schedule 2 to the Housing Act 1985;
- 4.2 agrees that where necessary secure tenants in later Phases be re-housed by agreement in the Phase 1 and 2 new build in accordance with their needs and properties available in line with paragraph 7.9.
- 4.3 agrees that any properties in Phase 3 which were previously sold under the Right to Buy be repurchased by the Council at market value (plus reasonable professional fees) where agreement can be reached with freeholders, in advance of any Compulsory Purchase Order being made by the Council and to delegate authority to the Head of Corporate Property Services, in consultation with the Head of Law, to negotiate and agree the acquisition terms;
- 4.4 agrees that secure tenants and resident freeholders of properties in Phase 3 are re-housed in line with paragraphs 7.6 - 7.11 of this report;
- 4.5 agrees that home loss and disturbance payments are made to displaced secure tenants and freeholders where appropriate in accordance with the Land Compensation Act 1973; and
- 4.6 subject to the consent of the Secretary of State being obtained under Section 19 of the Housing Act 1985, agrees the appropriation of 2 Wentland Road and 7 Baudwin Road within Phases 1 and 2 of the Excalibur Estate redevelopment scheme, from housing purposes to

planning purposes under Section 122 of the Local Government Act 1972 be approved; and that an application be made to the Secretary of State under Section 19 of the Housing Act 1985 for consent to the appropriation.

5. Background and Resident Consultation

- 5.1 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.
- 5.2 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 homes would be demolished. In total, 224 ballot papers were sent out.
- 5.3 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. Even 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. Following the results of this ballot, it was clear that the majority of residents support the regeneration proposals and not the retention of the current prefabs.
- 5.4 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.
- 5.5 There has been extensive consultation with estate residents over many years. This has included meetings, development of a resident steering group, exhibitions, a regeneration forum and other subject specific sub groups, involvement of an independent tenant advisor and the ballot.
- 5.6 Officers will continue to communicate regularly with residents about the regeneration and how the scheme is progressing. There has been recent consultation and information sharing with regards to the detailed plans being submitted in the planning application and there will be in future years as detailed planning approvals are required.

- 5.7 Officers will continue to work with the regeneration steering group and TMO as necessary.
- 5.8 There is a long history of interaction with residents of Excalibur around achieving decent homes on the Excalibur Estate. A short summary of this work since L&Q's selection as the preferred partner is outlined below:
- April 2007 – L&Q recommended by residents as preferred RSL partner for redevelopment through stock transfer and appointment 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.
 - March 2010 – Mayor and Cabinet decide that residents should be offered the unprecedented option of a ballot on the regeneration proposals. Officers are instructed to prepare for a ballot, and to explain to residents the impact of a yes and no vote.
 - July – September 2010 – 90% of residents take part in the ballot, 56.2% vote yes to the redevelopment proposals and these results are reported to Mayor and Cabinet in September 2010.
 - November 2010 – Mayor and Cabinet asked to consider responses to the Section 105 consultation and recommended to agree to progress the redevelopment of the Excalibur Estate.

6. Scheme proposals

- 6.1 The current estate with proposed phasing is shown in Appendix 1. The development proposals are shown in Appendix 2.
- 6.2 The scheme proposals remain unchanged from the report that was agreed by Mayor and Cabinet on 15th September 2010. Some key points are:
- There will be mix of homes and bed sizes including bungalows in the new development.
 - Affordable homes will meet code for sustainable homes level 4.
 - Affordable homes will be built to Parker Morris Space Standards plus 10%.
 - All homes will meet lifetime homes standards.
 - 49 (13%) of the homes will be for wheelchair users.

- Residents who wish to remain in the new development would be offered a bungalow or 2 bed house as a minimum and every child in a household could be allocated their own bedroom (up to a maximum of 4-bed properties) on the new estate. In accordance with Lewisham's Allocations policy there is scope for a local lettings plan to be set up for these kind of exceptional circumstances.
- Housing on the new estate to be offered/ preference advertised for Excalibur decants/residents exercising their request to return before being opened up to the wider community
- A bespoke L&Q Tenancy Agreement for the Excalibur estate.
- Resident Freeholders would still be able to access L&Q's 4 options of outright sale, equity and shared ownership (on the new estate and elsewhere in L&Q properties) and, outright sale and reverting to tenancy (as an L&Q tenant on the new estate or elsewhere).
- L&Q have been keen to maintain an offer to re-house any freeholders on a temporary basis that require it throughout the build process. In addition, L&Q wish to retain the commitment to pay the difference in any rent increase for tenants or freeholders during the decant / temporary move process.
- Sensitive inclusion of the 6 listed properties.

7. Scheme Update

- 7.1 Phase 1 and 2 is nearing the point of hand over to L&Q. Reaching this stage has involved re-housing 32 tenants by agreement and buying back 7 freeholders, also by agreement. Two tenants remain and each have options that have been identified but not yet agreed. Officers continue to work with them on their re-housing and this remains the preferred approach. Due to their age and circumstances it is not desirable to seek court action where this can reasonably be avoided, however this may be required to ensure that the whole site can be developed. The Council obtained a Compulsory Purchase Order for Phase 1 and 2 which ensured that the Council was able to gain vacant possession of the 7 freehold properties in accordance with L&Q's programme.
- 7.2 The scheme does not attract substantial amounts of Government grant funding, which is in decline. The Council and L&Q have therefore negotiated an alternative funding model which was agreed by Mayor and Cabinet with the Development Agreement in December 2013. The final terms of the Development Agreement are currently being confirmed and are expected to be completed and signed during March 2013.
- 7.3 L&Q is leading on the procurement of the contractor as a joint contract for the Council and L&Q. The contractor will carry out demolition and building works. The contractor is at preferred tenderer stage, with contracts due to be entered into in March 2013. Should the two remaining tenants still be resident in the coming weeks the Council,

L&Q and the contractor are expecting to look at ways that works can start on site while final re-housing takes place.

- 7.4 The contractor is being put in place for Planning Phase 1, which covers decant Phases 1, 2 and 3. In line with the agreed programme, the Council is required to re-house all tenants and buy back all freeholders in Phase 3 by September 2014 so that the contractor can then begin works on that part of the Phase.
- 7.5 L&Q obtained full planning permission for Phase 1 (decant Phases 1 - 3) and outline approval for Phase 2 (decant Phases 4-5) in March 2012. L&Q will seek detailed approval for Phase 2 (decant Phases 4-5) in due course. This is the usual approach in phased regeneration schemes.

Phase 2 and Resident Re-housing

- 7.6 The Council is now required to proceed with Phase 3 to ensure that the overall programme is maintained. This means that residents will need to be re-housed in accordance with the commitments to residents and freeholders set out in the Regeneration Proposal documents agreed with L&Q prior to the ballot of residents in 2010.
- 7.7 It is therefore intended to start the process of negotiating with Phase 3 freeholders and re-housing Phase 3 tenants from April 2013, with a view to a start on site in October 2014 once the decant and buybacks are complete. Phase 3 contains 39 tenants and 9 freeholders.
- 7.8 The programme allows for tenants and freeholders in Phase 3 to be able to start moving into the new build homes that will be built as part as part of Phase 1 & 2. In this Phase 33 rented homes are being built, which are made up of 11 x 2 bed bungalows; 1 x 3 bed bungalow, 15 x 2 bed houses, 3 x 3 bed houses and 2 x 4 bed houses. Under the commitments made to residents, tenants are allowed to be re-housed in a minimum of a 2 bed property. However new Government legislation on benefits (the 'bedroom tax') would apply if households chose to under occupy and they are of working age and so this may affect the housing choices of residents here. Given the range of property types in this Phase, most residents in Phase 3 are likely to be able to be re-housed in the new build, should they wish this, others may have to be re-housed temporarily away from the estate and return in the future and others may want to move permanently away from the estate or the borough with L&Q.
- 7.9 Thirty bungalows are being built for rent in the new development and it is important that these are allocated to those residents across the whole estate whose needs will be best met by living in a bungalow. 12 of these are being build in Phase 1 and 2. This means that while priority will be given to residents in Phase 3, the Council will have to gain an understanding of the housing needs of all residents in later

phases to ensure that these bungalows can be allocated in the best possible way. This may mean that the Council seeks to re-house secure tenants in later phases should their re-housing needs correlate with the new build available. This is addressed by recommendation 4.2 of this report.

- 7.10 The programme allows 18 months for the Phase 3 decant to be complete. Residents that wish to move into new homes will do so towards the end of this timetable as properties are complete. However Officers expect that some residents will wish to be re-housed away from the estate. This will be on the basis that moving out of the borough with L&Q is a permanent move; those that wish to move permanently away across the borough may do so; only tenants that move away from the estate because at this time no new home can be allocated to them will be able to come back to the new development in the future. Residents that move into the new build homes will be re-housed in accordance with the Regeneration Proposals document. while residents moving away from the estate will be re-housed according to Lewisham's Allocations Policy.
- 7.11 The Council will initially seek to buy Freeholders back through negotiation. In line with the Regeneration Proposals for Freeholders, Freeholders can then buy shared equity property in the new development, move away or be re-housed as a tenant by either the Council or L&Q in the new development or elsewhere. However, if properties cannot be acquired by agreement, use of Compulsory Purchase powers may be necessary to meet the programme and the Council's regeneration aspirations. Any proposal to make a Compulsory Purchase Order would be the subject of a separate report to Mayor & Cabinet at the appropriate time.
- 7.12 Freeholders will be bought back at market value plus the statutory home loss and disturbance payments. Similarly secure tenants will receive statutory home loss payments and disturbance payments.

8. Appropriating the Land

- 8.1 On the 5th December 2012, Mayor and Cabinet agreed that Officers appropriate the land owned in Phases 1 and 2 for Planning purposes. At that time, this excluded the final two freeholder properties at 2 Wentland Road and 7 Baudwin Road which have now been bought back under the Compulsory Purchase Order which was made for Phases 1 and 2. Now these properties are within the Council's ownership, Officers are seeking approval to follow the same process for these properties.
- 8.2 Land is held by the Council subject to any existing interests and rights belonging to third parties and the land will be sold subject to any such interests and rights on disposal. However, under Section 237 of the Town and Country Planning Act 1990, the development of land which

has been acquired or appropriated for planning purposes in accordance with planning permission is authorised even if that development would interfere with any interests or rights affecting the land. The effect of the appropriation is to extinguish any such interests or rights.

- 8.3 Where rights are extinguished, the owners of any such interests are entitled to compensation calculated under the compulsory purchase compensation rules for injurious affection. However, appropriation removes the potential for excessive compensation claims and the ability for owners to obtain injunctions preventing the redevelopment or claim damages.
- 8.4 This report is proposing that 2 Wentland Road and 7 Baudwin Road in Phase 1 and 2, which are now in the Council's ownership are appropriated from housing purposes to planning purposes which would extinguish any rights over this land.
- 8.5 Assessment of compensation for the loss of any rights would be calculated on the basis of the before and after market value of the properties. It will be for the owners to demonstrate that the loss is likely to cause inconvenience to them and affect the enjoyment of their properties and to substantiate any claim for compensation. Any claim for compensation will be made against the developer in the first instance. However, as the Council has a residual liability for compensation, an indemnity agreement will be entered into under which L&Q will agree to indemnify the Council against any claim for compensation. The development agreement with L&Q will provide for this indemnity to be entered into.

Head of Planning's Comments

- 8.6 On 21 April 2011, Lewisham's Planning Committee resolved to grant detailed planning permission for Phases 1, 2 and 3 of the scheme and outline planning permission for the remaining phases, subject to completion of a Section 106 agreement. The Section 106 agreement was completed on 30 March 2012. The GLA have approved the scheme.
- 8.7 The development proposals will deliver a new residential development on the site which will also provide new public realm and publicly accessible open space and other community benefits inherent in the scheme.

9. Legal implications

Repurchase of properties

- 9.1 The Council has power under the Housing Act 1985 to acquire land for the provision of housing accommodation. This power is available even

where the land is acquired for onward sale to another person who intends to develop it for housing purposes. The 1985 Act also empowers local authorities to acquire land compulsorily (subject to authorisation from the Secretary of State) but only where this is in order to achieve a qualitative or quantitative housing gain.

Decanting of Secure Tenants

- 9.2 Section 84 of the 1985 Act provides that the Court shall not make a possession order of a property let on a secure tenancy other than on one of the grounds set out in Schedule 2 to the Act, the relevant ground in this case being ground 10.
- 9.3 Ground 10 applies where the local authority intends to demolish the dwelling house or to carry out work on the land and cannot reasonably do so without obtaining possession. The demolition works must be carried out within a reasonable time of obtaining possession.
- 9.4 Where the Council obtains possession against a secure tenant it is required to provide suitable alternative accommodation to the tenant. This is defined in the 1985 Act and requires consideration of the nature of the accommodation, distance from the tenants' family's places of work and schools, distance from other dependant members of the family, the needs of the tenant and family and the terms on which the accommodation is available.
- 9.5 There is a more limited statutory re-housing liability for homeowners whose properties are re-acquired by the Council under CPO or shadow of CPO powers. The duty imposed by Section 39 of the Land Compensation Act 1973 is to secure that any person displaced from residential accommodation is provided with suitable alternative accommodation where this is not otherwise available on reasonable terms.
- 9.6 However, in order to facilitate early possession of properties which have been sold under the Right to Buy it is recommended that the Council should re-house freeholders in accordance with the commitments to residents and freeholders set out in the Regeneration Proposal documents agreed with L&Q prior to the ballot of residents in 2010.

Appropriation

- 9.7 The Council has power under the Local Government Act 1972 to appropriate land which is no longer required for the purpose for which it was acquired to use for any other purpose for which it has power to acquire land. In the case of land held for housing purposes, that power is subject to Section 19 of the Housing Act 1985. Under Section 19(1), an authority may not appropriate housing land with dwellings on it for

other purposes without the consent of the Secretary of State. In this case, Section 19(1) is therefore engaged as there are dwellings on the land being appropriated and the appropriation is therefore subject to Secretary of State's consent being obtained. The legal implications associated with the appropriation of the site to planning purposes and the effect of Section 237 of the Town and Country Planning Act 1990 are set out in full in Section 8 of this report.

Equalities

- 9.8 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.
- 9.9 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.
- 9.10 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.
- 9.11 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/>

9.12 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

9.13 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/>

10. Financial implications

10.1 The financial implications are contained in the part of the report on Part 2 of the agenda.

11. Human Rights Act 1998 Implications

11.1 The Human Rights Act 1998 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. The rights that are of most relevance to local authorities are summarised in Appendix 4 to this report.

11.2 The rights that are of particular significance to the Mayor's decision in this matter are those contained in Articles 8 (right to home life) and Article 1 of Protocol 1 (peaceful enjoyment of possessions).

11.3 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 1st 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.

11.4 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.

- 11.5 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 these 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.
- 11.6 It is relevant to the consideration of this issue in the context of seeking vacant possession, that all displaced occupiers will be offered re-housing as set out in paragraphs 7.6-7.11 of this report. 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 (for owners who have been resident for 1 year or more) home loss and disturbance payments.
- 11.7 In the context of the appropriation, the effect of the extinguishment of the rights is set out at paragraph 8 above and is not considered to be adverse. It is also relevant to the consideration of this issue, that any affected owners will be entitled to compensation for any diminution in the value of their properties resulting from the extinguishment of these rights.

12. Environmental Implications

- 12.1 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.
- 12.2 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.

13. Crime and Disorder Implications

- 13.1 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.
- 13.2 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.

14. Equality Implications

- 14.1 Officers have reported on the likely equalities implications for this scheme as below and an Equalities Impact Assessment previously agreed by Mayor and Cabinet.
- 14.2 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

- 14.3 From extensive door knocking, L&Q staff have begun 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.
- 14.4 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 would offer as much support as required to minimise the anxiety to residents.

Equalities implications: the completed development

- 14.5 The scheme would provide thermal and security improvements, with all new properties more than meeting the decent homes standard.
- 14.6 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.
- 14.7 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.

15. Conclusion

- 15.1 This report updates Mayor and Cabinet on progression with Phase 1 and 2 and plans for Phase 3 of the re-development of Excalibur.

16. Background Documents and Report Author

- 16.1 The equalities impact assessment is a background document to this report and is available from 3rd Floor Laurence House.
- 16.2 If you would like any further information about this report please contact Genevieve Macklin, Head of Strategic Housing on 020 8314 6057.