

<b>Mayor and Cabinet</b>			
<b>Title</b>	New Homes Programme Update		
<b>Key decision</b>	Yes	<b>Item no</b>	
<b>Wards</b>	Perry Vale		
<b>Contributors</b>	Executive Director for Customer Services		
<b>Class</b>	Part 1	May 10 2017	

## **1 Purpose of report**

- 1.1 This report seeks to finalise the disposal of land at 30-32 Stanstead Road, Perry Vale ward, to Birnbeck Housing Association for the delivery of a specialised housing scheme for adults with autism spectrum disorder.

## **2 Summary**

- 2.1 In July 2012 the Council embarked on a programme to build new Council 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.
- 2.2 A series of update reports has subsequently been considered by Mayor and Cabinet outlining progress in meeting the target of starting 500 new Council homes for social rent, by March 2018.
- 2.3 At Mayor and Cabinet 22 March 2017, a report was considered which provided background on the need for a specialised housing scheme for people with autism in Lewisham. At this meeting, it was agreed in principal that the site at 30 to 32 Stanstead be declared surplus to the Council's requirements and that Open Space Disposal Notices be Published in relation to this site to facilitate the delivery of a small specialised housing scheme in partnership with Birnbeck Housing Association.
- 2.4 Part one of this report sets out that no representations were made to the Public Open Land Disposal Notice for the proposed site at 30 to 32 Stanstead Road. On this basis, and noting the commercial information in the part two report, this report recommends the disposal of the site on Stansted Road to Birnbeck Housing Association in order to facilitate the development of the four new homes, and part two of the report contains the commercial information that relates to that disposal.

### **3 Recommendations**

- 3.1 It is recommended that the Mayor:
- 3.2 notes that officers published open space notices in respect of the proposed disposal of the land between 30 and 32 Stanstead road, shown on the attached plan.
- 3.3 Notes that no responses were received in relation to the open space notices
- 3.4 note the valuation and commercial advice obtained which is detailed within Part 2 of this report;
- 3.5 agrees to dispose of the land between 30 and 32 Stanstead road, shown on the attached plan, on a 125 year lease to Birnbeck Housing Association

### **4 Policy context**

- 4.1 The contents of this report are consistent with the Council's policy framework. It supports the achievements of the Sustainable Community Strategy policy objectives:
  - Ambitious and achieving: where people are inspired and supported to fulfil their potential.
  - Empowered and responsible: where people can be actively involved in their local area and contribute to tolerant, caring and supportive local communities.
  - Healthy, active and enjoyable: where people can actively participate in maintaining and improving their health and well-being, supported by high quality health and care services, leisure, culture and recreational activities.
- 4.2 The proposed recommendations are also in line with the Council policy priorities:
  - Strengthening the local economy – gaining resources to regenerate key localities, strengthen employment skills and promote public transport.
  - Clean, green and liveable – improving environmental management, the cleanliness and care for roads and pavements and promoting a sustainable environment.
- 4.3 It will also help meet the Council's Housing Strategy 2015-2020 in which the Council commits to the following key objectives:
  - Helping residents at times of severe and urgent housing need
  - Building the homes our residents need
  - Greater security and quality for private renters
  - Promoting health and wellbeing by improving our residents' homes

## **5 Background**

- 5.1 As set out in full in the New Homes Programme Update report to Mayor and Cabinet on 22 March 2017, there is a gap in supported housing provision in Lewisham that is specific to adults with autism.
- 5.2 Officers have been working with The Campaign in Lewisham for Autism Spectrum Housing (CLASH), and Burgess Autistic Trust for over three years to find a way to deliver a supported housing scheme which enables people with autism who are not eligible for care services under the Care Act 2014, to live independently in purpose-built accommodation.
- 5.3 The model proposed for the Stanstead Road Site, is that the Council works in partnership with a specialist housing association, Birnbeck Housing Association, to deliver a bespoke four x 1-bed flats with a communal lounge and garden.
- 5.4 The proposal which was agreed in principle at Mayor and Cabinet on 22 March 2017, is that the land is transferred to Birnbeck Housing Association on the terms set out in the Part 2 report. Subject to obtaining planning consent, Birnbeck Housing Association will develop the scheme, manage the properties and let them to people with autism that the Council nominates.

## **6 Public Open Space Disposal Notice**

- 6.1 As authorised at Mayor and Cabinet on 22 March 2017, Officers published Open Space Disposal Notices for the site identified in Appendix A in local press on 28 March 2017. Representations were to be submitted to the Council by 25 April 2017 and none were received.

## **7 Disposal of the land at 30 to 32 Stanstead Road**

- 7.1 Part 2 of this report sets out the property and commercial information that is relevant to this site. Mayor & Cabinet is asked, having considered this information, to agree that the Council disposes of the site on Stanstead Road to enable the development to take place.

## **8 Next steps for delivering the scheme**

- 8.1 If the recommendation to dispose of the site is agreed then Birnbeck will prepare a final planning submission by the end of May. Subject to the planning process, the development of the site could commence in late summer 2017, with a target date for the flats becoming available for letting of July 2018

## **9 Financial Implications**

- 9.1 The financial implications of the proposed disposal of land between 30 and 32 Stanstead road are covered in part 2 of this report.

## 10 Legal Implications

- 10.1 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.
- 10.2 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.
- 10.3 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 at 12.3 above.
- 10.4 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.
- 10.5 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>

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

- The essential guide to the public sector equality duty
- Meeting the equality duty in policy and decision-making
- Engagement and the equality duty: A guide for public authorities
- Objectives and the equality duty. A guide for public authorities
- Equality Information and the Equality Duty: A Guide for Public Authorities

10.7 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:

<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

## 11 Crime and disorder implications

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

## 12 Equalities implications

12.1 The proposal to dispose of the site at Stanstead Road to Birnbeck Housing Association for the delivery of a housing scheme for people with autism and aspergers syndrome has positive equalities implications.

## 13 Environmental implications

13.1 There are no environmental implications arising from this report.

## Background Documents and Report Originator

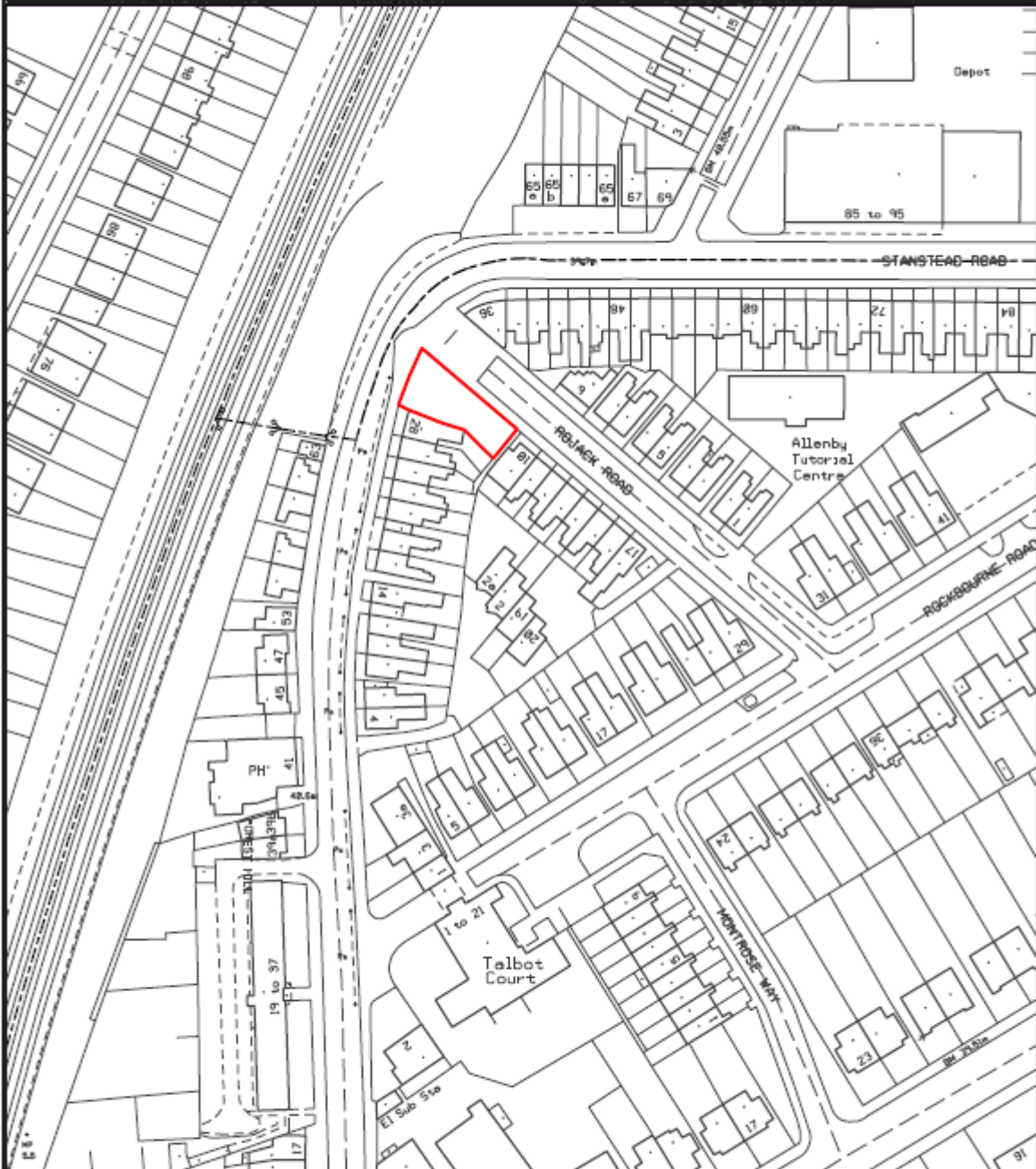
Title	Date	File Location	Contact Officer
New Homes, Better Places Programme Update	1 June 2016	Available at this <a href="#">link</a>	Jeff Endean
New Homes, Better Places Phase 3 Update	14 January 2015	Available at this <a href="#">link</a>	Jeff Endean

Response to Healthier Communities Select Committee on the Campaign in Lewisham for Autism Spectrum Housing	18 February 2015	Available at this <a href="#">link</a>	Jeff Endean
New Homes, Better Places Programme Update	15 November 2015	Available at this <a href="#">link</a>	Jeff Endean
New Homes, Better Places Programme Update	1 June 2016	Available at this <a href="#">link</a>	Jeff Endean
New Homes, Better Places Programme Update	11 January 2017	Available at this <a href="#">link</a>	Jeff Endean
New Homes, Better Places Programme Update	22 March 2017	Available at this	Jeff Endean

If you have any queries relating to this report please contact Jeff Endean on 020 8314 6213.

# Appendix A – Stanstead Road Site Plan

Land between 30 and 32 Stanstead Road Forest Hill SE23 1BW



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A4 location plan scale 1:1250

date: 08/09/2015  
 drawn: acm  
 coloured;  
 checked;  
 amended;  
 drawing ref.: m2589b

 Area measures 280 sqm

A4

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Appendix B - Proposed view of corner of Stanstead road and Rojack Road



Corner of Stanstead Road and Rojack Road