

Housing Select Committee			
Report Title	New Homes Programme Update	Item No	4
Contributors	Assistant Director Regeneration & Place		
Class	Part 1	Date	10 July 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

Completed units

- 4.1. Over the past month, Lewisham Homes has taken handover of new social rented homes in Dacre Park and Longfield Crescent
- 4.2. Longfield Crescent includes two 3-storey blocks consisting of fourteen

1 and 2 bedroom flats and thirteen 3 bedroom family houses.

- 4.3. The development is spread over four sites which includes a run-down garage court, overgrown detached gardens and underused green space.
- 4.4. Dacre Park in Lee is located on the site of three underused garage courts. This development includes a mix of 1, 2, and 3 bedroom flats and maisonettes and consists of two blocks.
- 4.5. A 5-storey block includes the relocation of a substation, a renewed pre-school play area and improvements to the outdoor areas.
- 4.6. The 4-storey flat block bookends on to existing flats and includes a ground floor property designed for wheelchair access and off-street parking
- 4.7. Both schemes were designed by Pollard Thomas Edwards Architects.

Residents' Charter for Estate Regeneration

- 4.8. Following consultation on the draft Residents Charter which ran for 11 weeks from the Monday 5th November 2018 through till Sunday 20th January 2019, officers have been working up a final version for approval by Mayor and Cabinet on 10th July 2019. This will include the amendments suggested by HSC on the 18th September 2018.
- 4.9. The principles of the final Residents' Charter for Estate Regeneration are:
 1. Before any estate regeneration, a Residents' Ballot will take place to give you a say in the future of your estate. To help you make an informed decision, we will make you a formal offer - in writing – which you can then choose to accept or reject in the ballot.
 2. We guarantee to build an increased amount of homes for social rent. Any proposals for estate regeneration will be driven by our priority to increase genuinely affordable homes.
 3. We will communicate regularly with all residents, using a range of formats. As a minimum we will write to every affected resident every three months in the run up to a Residents' Ballot and then throughout the design, planning and eventual construction process, presenting transparent information that is accessible to everyone.
 4. Everyone will have the opportunity to help shape the proposals and all estate residents will be encouraged to participate in the design process and nominate individuals to form a Residents' Steering Group which will work alongside the Council's Estate Design Team to help inform decisions through the design, planning and construction phases.

5. If you are a Council tenant who wishes to stay on the estate, you will be guaranteed a new home at a social rent level on the rebuilt estate, with the same tenancy conditions that you have today and a Housing Needs Assessment will ensure you are provided with a home that matches your requirements.
6. If you are a resident leaseholder or freeholder who wishes to stay on the estate, you will be guaranteed a new home on the rebuilt estate. The Council will work with you to make sure that the new home offer meets your needs.
7. We will always strive to create and strengthen thriving communities that are inclusive and sustainable for existing and new residents. As part of this approach we will work to deliver new jobs and opportunities, a choice of shops, leisure and high quality open and green spaces.
8. The Council will work with all private tenants whose homes are affected to provide support and guidance to remain securely housed. In addition all private tenants will get priority in the allocation for all Council led intermediate affordable housing, such as London Living Rent and Shared Ownership properties.
9. The Council will work with all contractors on estate regeneration projects to minimise the pollution and disruption caused by demolition and construction works, and will ensure that all new homes are designed to be as energy efficient and sustainable as possible.

Bring it to the Table – Achilles Street Engagement Events

- 4.10. As part of the ongoing work to deliver a Resident Ballot that will decide if the estate regeneration proposals for Achilles Street go ahead, we are now carrying out weekly engagement sessions on the Achilles Street Estate.
- 4.11. Based in the renovated community room in Fenton House on the estate, Bring it to Table is running every Wednesday from 14:00-20:00. Residents from the estate can come and share food, ask questions and discuss any concerns they have about the ballot and the regeneration proposals.
- 4.12. The key questions asked are shared on the walls of the room, so every can see what other resident's concerns are, and then see the answers to those questions displayed.
- 4.13. This approach is an attempt to break down barriers that traditional approaches to resident engagement create, and to allow conversations across the estate to take place on the positives and negatives of the current estate and the regeneration proposals.

5. Financial implications

- 5.1. This report recommends that the Housing select committee notes the update on the new homes programme and the 9 principles of the final Residents' Charter for Estate Regeneration.
- 5.2. 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.
- 5.3. The delivery of the HRA Social Units from the New Homes Better Places programme will be funded from this provision.
- 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.
- 5.6. Although current costs to develop the Resident's Charter have been met from existing resources, it should be noted that the future implementation and operation of Residents' Ballots may require additional staffing and support resources.
- 5.7. This will include preparation and printing of ballot papers, communications and independent advisors for residents and to oversee the ballot process etc. As noted above, it is expected that the required staffing resources to develop the Resident's Charter will be met from within existing resources. However, future resource implications will need to be considered in detail and a requirement for additional resources will be assessed once the final terms of the Resident's Charter are known and ballots progress.
- 5.8. Adopting the Resident Charter as currently proposed will invariably commit the authority to potential financial liability and risks relating to the re-provision of housing for tenants and non-tenants on estates. These financial liabilities and risks will need to be considered individually as each regeneration project proceeds and scheme specific offers are made.
- 5.9. Some of these risks can be mitigated via the scheme specific final offer put to non-tenants, such as through the offer of shared ownership/Equity. This will be set-out in more detail in the formal offer which will accompany each individual scheme.

5.10. The financial implications of any potential estate regeneration scheme will need to include any offers made to residents as part of the resident charter process and included in the financial viability analysis for these schemes. These 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 power under the Housing Act 1985 to acquire land for the provision of housing accommodation. 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.

6.2 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.

6.3 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.

6.4 There is a more limited statutory re-housing liability for leaseholders/freeholders 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. In line with the Council's previous regeneration schemes, the Residents Charter goes beyond this and guarantees all leaseholders/freeholders an offer of a new home on the rebuilt estate. This will be subject to eligibility and a detailed assessment of individual circumstances including financial circumstances. Other considerations are set out in the financial implications and these will all need to be considered individually on each estate regeneration project.

6.5 In accordance with the Land Compensation Act 1973, secure tenants will be entitled to home loss and disturbance payments. Leaseholders 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. In both cases, the Land Compensation Act 1973 provides for these payments to be made whether or not the secure tenant or leaseholder (as the case may be) gives possession by agreement rather than requiring a possession order or CPO to be obtained.

6.6 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.

6.7 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.

6.8 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.

6.9 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 Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. Members 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.

6.10 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.

For further information please contact Freddie Murray, Assistant Director Regeneration & Place on 0208 314 3914.