

Mayor and Cabinet			
Report Title	Achilles Street Estate Regeneration Ballot Results		
Key decision	Yes	Item No	
Wards	New Cross		
Contributors	Executive Director for Housing, Regeneration & Environment, Executive Director for Corporate Services, Head of Law		
Class	Part 1	Date	15 January 2020

1 Summary

- 1.1 In September 2019 Mayor and Cabinet agreed to the offer being made to the residents of the Achilles Street Estate on the rebuilding of the estate and agreed to the ballot of those residents on whether they were in support of the proposals.
- 1.2 This report sets out the outcome of the Resident Ballot and the next steps required to deliver the increase in new homes for the borough as well as improved homes for current residents of the estate.

2 Recommendations

It is recommended that Mayor and Cabinet:

- 2.1 Note the results of the Resident Ballot for Estate Regeneration on the Achilles Street Estate, where 72.8% of residents who voted, voted “Yes” with a turnout of 92%.
- 2.2 Agree that the Council and Lewisham Homes should now develop the proposals for regenerating the Achilles Street Estate in line with the information set out in the Council’s Landlord Offer to residents, that was agreed by Mayor and Cabinet in September 2019
- 2.3 Delegates authority to the Executive Director for Housing Regeneration and Environment to carry out a statutory s105 consultation on the proposals for regenerating the Achilles Street Estate with the results of that consultation being reported back to Mayor and Cabinet for consideration.
- 2.4 Note that engagement is continuing with residents on the estate as set out in section 8 of this report.

- 2.5 Note that repairs will continue to take place on the estate, and that Lewisham Homes are currently working to assess what essential works may be required should demolition take place as proposed.
- 2.6 Agree to stop new secure lettings on the Council properties in Azalea House, Austin House, Fenton House and 363 New Cross Road, and to use any voids that arise for temporary accommodation for homeless households or other residential uses as identified by the Council's housing services.
- 2.7 Note that a further report will be presented in due course setting out the position and requirements for the residential and commercial land assembly.

3 Policy Context

- 3.1 Lewisham's Housing Strategy was approved at Full Council in May 2015. This strategy sets out the Council's ambition to address the challenges in the borough through the following 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 greater quality in the social and private rented sectors
- 3.2 Lewisham's Core Strategy has the objective to make provision for the completion of an additional 18,165 net new dwellings from all sources between 2009/10 and 2025/26, to meet local housing need and accommodate the borough's share of London's housing needs. This aims to exceed the London Plan target for the borough. The Core Strategy also has the objective to make provision to meet the housing needs of Lewisham's new and existing population, which will include:
 - the provision of affordable housing
 - a mix of dwelling sizes and types, including family housing
 - lifetime homes, and specific accommodation to meet the needs of an ageing population and those with special housing needs
 - bringing vacant dwellings back into use
- 3.3 This report also contributes to the specific objective in the Corporate Strategy 2018-2022:
 - To deliver 1,000 new social homes

4 Background

- 4.1 Since the beginning of 2016 the Council has been working with residents on the Achilles Street Estate to create redevelopment proposals that look at how the estate could be rebuilt to provide new council owned homes for social rent, new homes for all existing residents, and new space for businesses.
- 4.2 On 18 September 2019 Mayor and Cabinet agreed that a resident ballot for estate regeneration should be held on the Achilles Street Estate to determine if the redevelopment proposals should go ahead.

- 4.3 The resident ballot ran from Friday 18 October through till Monday 11 November, and all residents who were eligible to vote, based on the criteria set out by the GLA, were given the opportunity to vote on the Achilles Street Estate proposal.
- 4.4 All eligible residents were sent a Landlord Offer from the Council that provided details of how they will be affected by the regeneration, the new homes they would receive, and how they could be involved in the design of the new estate. The Landlord Offer was based on extensive engagement with residents on the estate, and provided the best possible offer for council tenants, resident leaseholders and families in temporary accommodation on the Achilles Street Estate. The aim of the redevelopment proposed for the Achilles Street Estate is to increase the amount of Council owned homes for social rent, and this offer was designed to enable the much-needed development to take place in a way that benefits all of the current residents.

5 Results of the Achilles Street Estate resident ballot for Estate Regeneration

- 5.1 92% of eligible residents voted in the Achilles Street Estate resident ballot for estate regeneration. This represents 81 of 88 eligible voters on the estate. This is the highest turnout of any resident ballot for estate regeneration held to date, and is a fantastic reflection of how engaged residents on the estate are with deciding the future of their community.
- 5.2 Of the 81 residents who voted, 72.8% voted “Yes” in favour of regenerating the Achilles Street Estate. This means that 59 eligible residents support the redevelopment proposals.
- 5.3 27.2% of residents voted “No” against regenerating the Achilles Street Estate. This means that 22 eligible residents voted against the redevelopment proposals.
- 5.4 This represents very high level of support for redevelopment, based on a very high turnout of eligible residents on the estate provides a clear mandate for the Council to proceed with regenerating the Achilles Street Estate.
- 5.5 The results are summarised in the table below:

Result	Number of Votes	Percentage of Votes
Yes	59	72.8%
No	22	27.2%

6 Developing proposals for the regeneration of the Achilles Street Estate

- 6.1 Since early 2016, the Council has worked with residents on developing proposals for an increase in homes on the Achilles Street Estate.

- 6.2 The Council and residents worked with Karakusevic Carson Architects (KCA) in partnership with Bell Phillips Architects and 5th Studio to propose a potential scheme for the redevelopment of the Achilles Street Estate.
- 6.3 The work carried out was to an early stage (RIBA Stage 2), but enabled the Council to indicate to residents the potential uplift in the number of new homes that could be developed on the site and improvements to the public realm.
- 6.4 Through resident engagement, the early designs have continued to improve with decisions to remove the edge of Fordham Park and the businesses on Clifton Rise from the designs.
- 6.5 On 18 September 2019, Mayor and Cabinet approved the budget for the design team needed to undertake the work to achieve planning permission subject to a 'Yes' vote in the ballot.
- 6.6 This report seeks permission for the Council and Lewisham Homes to develop the proposals for regenerating the Achilles Street Estate in line with the information set out in the Council's Landlord Offer to residents, that was agreed by Mayor and Cabinet in September 2019 and using the budget previously agreed.
- 6.7 Subject to approval of recommendation 2.2, Lewisham Homes in consultation with residents will appoint an architect, consultants and commence on site surveys.

7 Property maintenance

- 7.1 Residents have been concerned that due to the proposed demolition of the properties, Lewisham Homes will no longer carry out repairs to their homes.
- 7.2 Any decision to proceed with the redevelopment proposals will not impact on the day to day repairs service provided to residents.
- 7.3 The Council, through Lewisham Homes, has to meet all legal requirements that provide for the health and safety of residents in their homes.
- 7.4 The Right to Repair legislation sets out residents rights in relation to 'Qualifying' repairs to be carried out within prescribed periods.
- 7.5 Lewisham Homes will shortly be carrying out an assessment of any essential works that may be required before any proposed demolition is due to take place.
- 7.6 Through normal housing management processes, some properties will likely become available for re-letting between now and proposed demolition. In order to secure the position in relation to land assembly, it is proposed that the Council do not re-let these properties on secure tenancies under the Housing Act 1985. The proposal is that any properties which become available for re-letting are initially let to homeless households until the point where the Council needs vacant possession or for other residential uses as agreed in consultation with the

Director of Housing.

8 Further consultation and resident engagement

- 8.1 As set out in the Landlord Offer, residents will be at the heart of the design process. Through the extensive resident engagement carried out in advance of and during the ballot period, officers developed a large pool of residents who want to work on the development of their estate.
- 8.2 Officers have continued to be in contact with all residents with the weekly sessions continuing to be held in the Fenton House Community Room with the focus being on establishing a Resident Steering Group.
- 8.3 Since the ballot result, Lewisham Homes have been leading on these sessions and are now arranging training for residents on procurement, design development, social value monitoring so that they are fully equipped to make the key decisions which will need to be made.
- 8.4 Consultation will continue throughout the development period and will include the statutory consultation under Section 105 of the Housing Act 1985 referred to above. This will be carried out at the appropriate time in the design process.
- 8.5 The result of the s105 consultation will be reported to Mayor and Cabinet for consideration prior to any planning application being submitted.

9 Land assembly

- 9.1 The Council will need to ensure that the land required for the redevelopment is vacant ready for development. This will require moving tenants, buying back residential leasehold interest, purchasing land and relocating businesses.
- 9.2 Mayor and Cabinet have previously agreed a budget of 30% of the estimated residential buyback costs and 50% of the commercial purchase costs. These budgets were agreed to commence the voluntary buybacks.
- 9.3 Following the outcome of the ballot and subject to consideration of the S105 consultation, a full budget will be required to complete the land assembly. A further report will be presented to Mayor and Cabinet setting out the full position and forecast budget requirements.
- 9.4 In the meantime, officers are continuing to engage with the businesses who will potentially be impacted by the development to seek to find a suitable solution for them.

10 Financial Implications

- 10.1 The budget to achieve planning permission, including consultation and resident engagement, was agreed by Mayor & Cabinet on 18 September 2019. Any repairs that may be required before any proposed demolition takes place will be

funded from within existing Housing Revenue Account budgets.

11 Legal Implications

11.1 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.

11.2 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. 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.

11.3 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 9.3 above.

11.4 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.

- 11.5 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>

12 Crime and disorder implications

- 12.1 The design for any new homes will incorporate recommendations from the police via the Secured by Design principles.

13 Equalities implications

- 13.1 An Equalities Analysis Assessment for the Landlord Offer for people on the Achilles Street Estate that is part of the Resident Ballot for Estate Regeneration has been completed and is attached to this report as **Appendix A**.

14 Environmental implications

- 14.1 There are no environmental implications arising directly from the recommendations set out in this report.

15 Background Documents and Report Originator

- 15.1 Achilles Street Redevelopment Proposals on the 12th December 2018:
<http://councilmeetings.lewisham.gov.uk/documents/s61303/Achilles%20Street%20Redevelopment%20Proposals%20Part%201.pdf>
- 15.2 Achilles Street Landlord Offer for an Estate Regeneration Ballot on 18th September 2019:
<http://councilmeetings.lewisham.gov.uk/documents/s67635/Achilles%20Street%20Landlord%20Offer%20for%20an%20Estate%20Regeneration%20Ballot%20part%201.pdf>

15.3 If you have any queries relating to this report please contact James Ringwood on 020 8314 7944.