

1. BACKGROUND (of the consultation document)

Re section 1.2: While the Mayor suggests that there are multiple benefits offered by successful estate regeneration, the reality has been - for almost 20 years (since the introduction of decent homes work, tied to promotion of stock transfers) and particularly since 2011/12 with the introduction of affordable rent homes, been quite different. This has included:

- regeneration that has actually been about displacing social housing tenants and demolition of their homes to make way for development of luxury dwellings for much higher income households;
- a huge loss of existing social rented homes and lack of funding and policy requiring replacement with new social-rented homes;
- failures to engage social housing tenants in proposals for estate regeneration in a meaningful way, (i.e. much it being entailing vast sums of money spent on glossy materials to promote schemes by landlords and developers, but with a lack of solid information on the economic, social and environmental justification and impacts of demolition rather than refurbishment of social rented homes);
- lack of funding and support for social housing tenants and resident to determine what they would want – bottom up – in estate regeneration / improvement schemes;
- decades of pain for social housing tenants and residents on estates planned for ‘regeneration’ - of not knowing whether their homes will be demolished, impacting detrimentally on their health and well-being, and whether the inevitable result will be their displacement and breaking up of strong and supportive families and communities;
- piecemeal infill on estate, with little consultation with tenants and residents and failures to deliver what was originally agreed with residents in terms of tenure and numbers of new homes delivered;

Proposal - the Mayor must highlight the fact that in many instances regeneration has actually resulted in negative impact on the numbers of social rented homes in London, displacement of low income households and breaking up strong and sustainable communities.

Re section 1.3 & 1.4.

Proposal

- the Mayor must define ‘like for like’. This should comprise, at least, the same size, density, tenure, rents and service charges as existing;
- the Mayor’s office must, in the interests of transparency, require / provide ongoing monitoring of what is actually delivered in estate regeneration schemes compared to what may be promised to tenants, to test the effectiveness and robustness of the policy and procedures around ballots.

2. OBJECTIVES AND APPLICATION OF A FUNDING CONDITION TO REQUIRE RESIDENT BALLOTS.

GLA question 1: Do you agree that the GLA should make resident ballots a funding condition for estate regeneration.

Agreed that there should be a requirement for resident ballots as part of funding conditions for estate regeneration schemes, to bring this inline with the requirement of ballots in respect stock transfers. We also feel that planning policy must also be strengthened. In addition:

Proposal: the London Plan should state that there should be no loss of social-rented homes in any development / regeneration scheme. The Mayor should also require that **in all estate regeneration proposals** that refurbishment must be considered as an option, with landlords being required to commission a full independent analysis / comparison of social, economic and environment issues involved in refurb compared to demolition and rebuild).

3. REQUIREMENT OF RESIDENT BALLOTS

General comment:

- It is clearly morally wrong that the statutory right afforded to tenants via a ballot in instances of stock transfer is not afforded in instance of demolition. While this consultation document goes some way to addressing this, the Mayor's current proposals, however, provide far too many possibilities for avoidance of ballots and indeed ongoing unnecessary demolition of existing social-rented homes.
- The wording throughout the document needs to be stronger, making it clear that a ballot of tenants is an absolute **requirement**.
- The provision of full and detailed evidence-based data must be required in each scheme, at an early options appraisal stage, to facilitate residents making a genuine choice around whether existing social rented homes should be demolished rather than being refurbished.
- It is essential that social landlords provide evidence that residents have been fully involved in discussions from the start of discussions and that residents may also be provided with resources to make the case for retention and refurbishment of existing homes and indeed to provide bottom up alternatives.

3A. Threshold, timing and scope of ballots

- Clarification is required on what is meant by 'a ballot would not be triggered by plans to demolish homes that may have been purchased from private ownership to facilitate regeneration'
- Definition of what is meant by 'strategic' estate regeneration is also required.

GLA question 2. Do you agree with the proposed criteria that would trigger the requirement for a resident ballot?

No.

There should be a requirement of a ballot in all estate regeneration proposals that include demolition of homes (regardless of numbers of units). All tenants and residents

must be treated equally / be provided with the same right to a ballot where demolition of homes on their estate is proposed.

There is concern that in practice we will see a larger number of proposed schemes of less than 150 homes - as a way of avoiding tenant ballots and making paragraph 3.5 impossible to deliver - particular given the Mayor's focus on small sites in the draft London Plan.

Questions 3. Do you agree with the proposed scope of resident ballots?

Why/why not?

- Yes – we support there being a yes/no ballot - first and foremost focused on whether there should be any demolition of existing social-rented homes within the regeneration proposals. This would then clear a route to more positive collaboration between tenants, residents and social landlords around possible / potential regeneration, without unnecessary demolition of existing social rented homes muddying the waters.

Proposal: Re paragraph 3.6 this should additionally include:

- A summary of full and detailed independent analysis of the social, economic and environmental impacts of any demolition of existing homes, compared to refurbishment, which should be carried out as part of early discussions with residents – at an early options appraisal stage.
- Alternative proposals – on refurbishment and any proposals for grass roots resident-led schemes;
- Evidence that residents feel that they have been provided with sufficient information on issues to make a solid yes/no decision on demolition or no demolition at the options appraisal stage.
- Evidence that independent support for residents (selected by residents) has been provided.
- Evidence that residents have been provided with opportunities and funding to prepare their own regeneration proposals within the scope of funding available.

Proposal: The following should be included in paragraph 3.7

- Rent and service charge costs of any replacement social-rented homes
- Details of all relevant developers, housing associations and other stakeholders that may be involved in the estate regeneration.

Additional Proposal:

- There should be a requirement to show a significant engagement in a ballot (more than 50%).
- Ballots must be held prior to applications for planning permission are submitted.

Question 4. Do you agree with the proposed stage in an estate regeneration process at which ballots should happened?

- As detailed above, it is essential that residents are provided with as much information as possible on what might be achieved without the loss of / demolition of social rented homes, prior to ballots being carried out. Again, we suggest this occur at an options appraisal stage.
- There is concern around the level of change that can occur in regeneration proposals over long periods of time - sometimes over a decade or more. There needs to be more certainty around: levels of loss of / demolition of social-rented homes, the number of replacement homes, tenure and rent and service charge costs, which landlords are proposing (as a condition of funding). Where any changes in these occur that there

must be opportunities for further ballots. This might be for example occur where residents have agreed to an agreed level of demolition and replacement like for like – but when term of this are altered – for example higher levels of demolition, changes in terms around ‘like for like’ – tenure, rent and service charges.

- Residents should be able to call for or a further ballot in such circumstances (to ensure that the intention of 3.13 is upheld).
- Regarding 3.14 – As already highlighted, the London Plan should make it clear that there should be no loss of social rented homes and a definition of ‘like-for-for like’ – requiring the same or better in terms of size and space standards, tenure, density, rent and service charge.

3B. Eligibility requirement

Question 6. Do you agree with the eligibility criteria for resident ballots?

Proposal - re paragraph 3.17 (first bullet point) we suggest an alteration – highlighted in bold below to ensure that it is clear that adult children, partners of secure tenants and possibly an elderly relative living in the homes, but not actually ‘tenant’, are included. This similarly should apply with regard to leaseholders and freeholders.

- social housing tenants **and household occupants** (including those with secure, assured, flexible or introductory tenancies) **named or listed** on the tenancy agreement.

Our members’ discussion on this highlighted some of the practical difficulties around determining occupancy, particularly relating to increasing levels of quite transient private tenanted households living in buy-to let-flats and leaseholders who may never have lived on the estate (see proposal regarding question 8)

Proposal - In addition, any tenants who have already been decanted from estate where regeneration is planned and have indicated that they do wish to return to the estate should also be included in the ballot.

Question 7. Do you agree that the eligibility criteria should be the same for all schemes?

Yes.

3C. Implementing ballots

Question 8: Do you agree with the Mayor’s proposed requirement for implementing ballots?

- Agree that a qualified independent body such as the Electoral Reform Services should be contracted to carry out the ballot.

Proposal: Social landlord should ensure information held on tenants and occupants must be updated and accurate prior to any ballot taking place.

3D. Exemptions

Question 10. Do you agree with the proposed exemption where demolitions are required to deliver infrastructure schemes?

No. Clearly, in instances where there are already established statutory provisions in place. However, in other circumstances there should be no exemption for the requirement of ballots on this basis.

Question 11. Do you agree with the proposed exemption where the demolitions are required to address safety issues? Why/why not?

No.

Re paragraph 3.30. Of course, health and safety issues must be an absolute priority, but this does not mean that demolition will necessarily be the best solution. In almost no instances will buildings be structurally unsound and, in few instances, will it not be possible to remedy other health and safety issues through refurbishment rather than demolition of homes.

There are concerns that demolitions have occurred and/or residents have been persuaded to accept being decanted on the basis of the huge cost required to remedy safety issues (such as on the Carpenters Estate) but where there has been absolutely no solid evidence provided of either the health and safety issues nor the costings.

In all instances full evidence should be provided and except in the case of a building being structurally unsound. All options (including refurbishments) must be considered for remedying problems and residents must be balloted.

Question 12. Do you agree with the proposed exemption where a specialist or supported housing scheme is being decommissioned by a local authority?

No. Again, all options around making alterations and refurbishing homes should be considered and residents should be able to make the decision around whether this is a better option than demolition.

4. TRANSITIONAL ARRANGEMENTS

Question 14: Do you agree with the proposed transitional arrangements? Why/why not?

Regarding 4.3, it can take a very long time following an outline planning permission being granted to submit a full planning application.

Proposal: It would be entirely reasonable, in instances where there is only outline planning permission and no more than six months has expired, that there should be a pause in progressing a full application and a resident ballot should still go ahead.

Again, all proposals that include demolition should require a ballot. Tenants should have the same and equal rights around processes for being balloted. Where ballots have taken place that do not meet full and agreed procedures, a ballot/further ballot should still be arranged.