

TOM COPLEY AM | LONDON ASSEMBLY LABOUR

Working hard for Londoners

Estate Regeneration Good Practice Guide Consultation
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Dear Sir or Madam,

Homes for Londoners Estate Regeneration Good Practice Guide

I write as Labour Group Spokesperson on Housing and current Deputy Chair of the Assembly's Housing Committee. My comments supplement those of Andrew Boff AM as Chair of the Committee, a response I fully endorse.

I strongly welcome the issuing of guidance on estate regeneration as a fulfilment of Sadiq Khan's manifesto. I also note and welcome the influence of the Assembly Housing Committee's 2015 report '*Knock It Down or Do It Up? The challenge of estate regeneration*'.

There is some ambiguity around the status of this guidance until it is included within the new London Plan. While I recognise this guidance operates primarily as conditions for affordable housing grant and London's share of estate regeneration funding, I urge the GLA to make it clear to all partners involved in estate regeneration the guidance should operate as a 'floor' of expectations of good practice in London.

I would urge the final guidance to make explicit its interaction in practice with the Homes for Londoners Funding Guide and Affordability and Viability Supplementary Planning Guidance, with specific reference to the Mayor's new rent tenures and viability routes. I repeat my assertion in my response to the SPG that all estate regeneration schemes should be subject to Route A in all circumstances.

Aims and Objectives of Estate Regeneration

I strongly welcome the Guidance's clear steer that existing residents are the primary stakeholders of estate regeneration schemes. Regeneration has long been promised to deliver improved housing for them, and it must. As the Housing Committee's report noted¹, councils may be incentivised to redevelop estates due to high land values and demographic changes. However, these must never be the impetus for estate regeneration schemes. No other communities than those with public or registered provider freeholders face such a direct threat: the demolition of their homes and the huge, unwanted upheaval associated with that. While we must bear in mind the city's challenging housing crisis, the existing residents of estates facing regeneration must be at the forefront of all partners' minds. I welcome the Guidance's recognition that estate regeneration, particularly demolition, is a "hugely disruptive process", but most so for residents.

¹ London Assembly Housing Committee (2015) *Knock It Down or Do It Up? The challenge of estate regeneration* p6

Nonetheless, boroughs also have to be mindful of those residents on their housing waiting lists who could benefit from an increase in the number of homes in an area, though this would be dependent on an uplift in genuinely affordable housing on regeneration schemes, not just new homes for market sale.

It must also be recognised that major estate regeneration schemes can have significant local economic consequences, both during construction and in the longer term re-composition of an area. The Guidance should include a degree of engagement with local small businesses that may also be disrupted.

I strongly welcome the introduction of environmental considerations in appraising different options, and the specific reference to embodied carbon in existing buildings. The guidance should go further and urge the use and public comparative appraisal of sustainable methods of construction for residents to engage with at the point of consultation and engagement. Modular construction methods offer a particular opportunity for residents to engage with their finished homes at an early point within the regeneration process, and this advantage should be considered in demolition schemes. Estate regeneration should also embody the principle of net biodiversity gain and use the Green Space Factor (see the Housing Committee's rapporteur report "At Home with Nature", January 2017).

The Guidance leaves some room for confusion in the section 'No Loss of Affordable Housing', using the terms social and affordable in the explanatory paragraph². The Guidance should clarify this, preferably with reference to the Mayor's new rent tenures. I echo the Housing Committee's response in insisting this is no loss of social housing. Failure to replace on this like for like basis, given the possibilities of densification, should render an estate regeneration scheme unviable in itself and so I would prefer the removal of the words '*where all other options have been exhausted*'³. I welcome the provision in the Guidance for replacements to be delivered on the basis of floorspace rather than total number of units in order to deliver more family-sized homes. This would help alleviate the overcrowding that is often a persuasive reason to regenerate an estate. I would urge the Mayor to take into account the number of habitable rooms as well.

Consultation and Engagement

I welcome the establishment of principles for consultation and engagement and repeat my hopes these will provide a minimum basis for the judgement of Statements of Community Involvement.

Estate regeneration schemes in London have garnered large amounts of cynicism around their 'engagement' processes in recent years, mainly due to some very high profile cases. The Committee has heard of schemes where consultation is managed by private third parties, running simultaneously with public consultation and designed to absorb public energy. The guidance should recognise engaging with emerging estate regeneration schemes is a hugely time consuming and regularly very stressful experience for residents.

There is a danger that communities end up feeling unheard and, at the very worst, ultimately marginal to processes that were decided long before residents were even informed. Without resident support, estate regeneration schemes are blighted from the start. Where estate regeneration works well, as it

² Mayor of London (2016) *Homes for Londoners Estate Regeneration Good Practice Guide* p11

³ *ibid.*

can do and has done in many cases, residents have been involved in shaping the scheme from the very beginning.

Estate regeneration schemes must therefore be genuinely open to resident involvement in its many forms, and the GLA should work with local authorities and other partners to offer opportunities for greater forms of resident participation (eg via workshops), including co-design and other community led models. Funding could be modelled to rise with an escalating degree of participation of existing residents in the final design.

One way to engage residents who are facing demolition and replacement of their homes is to offer an opportunity for co-design of their new homes, including a choice of kitchens and bathrooms. Residents should also play an important role in shaping the design of outdoor space and amenity.

On the flip side of this, as the Guidance recognised, is the recognition of the need for an honest discussion with residents as to what cannot be changed and what is up for consultation. By guaranteeing the like for like replacement of truly social housing, the Guidance should serve to remove a particular potential for conflict: the fear of displacement for those who wish to return.

Consultation should start at the earliest stage possible, before landowners reach any decisions. It is crucial the rationale for the proposed project is discussed honestly and transparently, with the economics of repair, refurbishment and demolition all shared with communities.

It is always preferable for estate regeneration schemes to proceed with the legitimacy of local consent. I therefore share the disappointment of the Committee and many other stakeholders to note that the option of ballots in the case of demolition, as recommended in *'Knock It Down or Do It Up?'* is absent from the Guidance.

While there is no competing measure of clarity of resident's views, I do recognise the Guidance's explicit note on the issue, that ballots can oversimplify a complex offer into a 'yes/no' question at a specific moment in time. I also recognise the Committee's recommendation provided little guidance as to how ballots should or could be implemented across all schemes. Ballots would need detailed guidance as to when they take place, who is balloted, the 'offer on the table' in terms of replacement, rehousing and compensation to leaseholders, how potential differences of opinions between residents of differing tenures may be resolved and guidance for campaigning around such a referendum for all parties. There isn't a particularly clear point across all of London's experiences of these schemes so far where all that information was fully dependable. There are also many instances where macroeconomic circumstances have meant a perceived need for re-negotiations or delays with significant impacts for residents have affected the progress of these schemes.

While it therefore appears difficult to establish such a framework, the voices of residents must remain imperative across all schemes, and ballots offer the most effective way to do this. Nothing can establish the popular legitimacy of such a scheme in any competing way. While I respect the difficulty in establishing firm guidance on the issue, I urge the Mayor not to abandon ballots but further develop potential protocols for their implementation in the longer term. I ask the Mayor to work with London's community groups and other partners over the coming years, developing a protocol that could be respected and observed by all stakeholders.

Some councils and Housing Associations point out that when done well there can sometimes be no resident demand for a ballot on a particular scheme. I would ask the Mayor to explore the option that even if he does not decide to include ballots as a matter of principle in every case, that a threshold of a certain percentage of residents on a scheme calling for a ballot should trigger one.

I also welcome the recognition of the need for ongoing monitoring throughout any regeneration scheme, and would urge the Mayor to engage with significant ongoing research into displacement and other impacts from estate regeneration.

A Fair Deal for Tenants and Leaseholders.

I thoroughly welcome the strong guidance provided on compensation for different tenures, alongside expectations of informing residents and providing extra assistance to the vulnerable. The impact of demolition on elderly long-term residents cannot be underestimated and consideration of their needs during construction and the long-term should be a priority from the start of schemes. I would also support Equalities and Environmental Impacts Assessments as a condition of funding to further our understanding of how estate regeneration schemes affect London's diverse residents of differing tenures and backgrounds, and to ensure we maintain London as a biodiverse and green city.

The pressure estate regeneration schemes place on borough waiting lists should be assessed thoroughly throughout the scheme. I welcome the encouragement of short term tenancies on flats that become void once estate regeneration schemes have begun, but only where new residents are fully informed and the tenancies serve acute housing need, particularly addressing homelessness.

I also welcome the good practice surrounding the offer to leaseholders, including the offer of market value for their homes and right to return. Any detrimental impact the regeneration scheme would have on market value should be assessed and compensated for.

In summary, I strongly welcome the Good Practice Guide and recognise that the particularities of these schemes make suitable guidance on the London scale difficult. Nonetheless, I urge the Mayor to encourage further forms of community participation, to positively engage residents in the process of overwhelming change that estate regeneration undoubtedly always is.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Copley', with a stylized flourish at the end.

Tom Copley
London-wide Assembly Member