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## CABINET

**Thursday 23 March 2017 at 5.00 pm**

## MINUTES

### **PRESENT:**

#### **Cabinet Members:**

Councillor Donatus Anyanwu  
Councillor Matthew Bennett  
Councillor Jennifer  
Brathwaite  
Councillor Jim Dickson

Councillor Jane Edbrooke  
Councillor Jack Hopkins  
Councillor Jackie Meldrum  
Councillor Lib Peck  
Councillor Jane Pickard  
Councillor Mohammed  
Seedat  
Councillor Imogen Walker

#### **Portfolio:**

Lead Member for Community Relations (attending Cabinet)  
Cabinet Member for Housing  
Cabinet Member for Environment & Transport  
Cabinet Member for Healthier and Stronger Communities  
(job-share)  
Cabinet Member for Children and Schools  
Cabinet Member for Regeneration, Business and Culture  
Cabinet Member for Adult Social Care  
Leader of the Council  
Cabinet Member for Families and Young People  
Cabinet Member for Healthier and Stronger Communities  
(job-share)  
Deputy Leader of the Council (Finance)

#### **Apologies for absence**

Councillor Paul McGlone

### **1. DECLARATIONS OF PECUNIARY INTEREST**

There were none.

### **2. MINUTES OF PREVIOUS MEETING**

**RESOLVED:** That the minutes of the previous meeting held on 6<sup>th</sup> February 2017 be approved and signed by the Chair as a correct record of the proceedings.

### **3. IMPROVING THE KEY GUARANTEES**

The Cabinet Member for Housing, Councillor Matthew Bennett, introduced the report and provided an update on the estate regeneration programme.

The council had consulted extensively with tenants and homeowners over the past two years and developed the proposed Key Guarantees. The draft offer had been reviewed by the Tenant Participatory Advisory Service (TPAS) and further changes had been made in line with their recommendations and consultation responses. Councillor Bennett apologised for any confusion caused by the presentation of the Key Guarantees.

Councillor Bennett proposed to amend Recommendation 4 to provide additional reassurance to residents. The revised recommendation should read:

*4. To delegate, to the Cabinet Member for Housing and the Strategic Director for Neighbourhoods and Growth, the authority to adapt the mechanisms of the Key Guarantees to residents where required to do so by changes to government legislation or regulation. Any substantive change to the Key Guarantees will require a further Cabinet decision, subject to consultation.*

Councillor Bennett provided a summary of the revised Key Guarantees as set out in the report. A booklet containing the revised Key Guarantees would be produced by officers and distributed to residents by no later than May 2017. Councillor Bennett proposed to amend Recommendation 3 to reflect this commitment:

*3. To require officers to produce revised Key Guarantee booklets for tenants and homeowners, embedding the proposed changes to the Key Guarantee mechanisms as set out in Appendix B. The booklets were to be produced and reissued no later than May 2017.*

The Chair, Councillor Lib Peck, invited registered to speakers to address the committee.

Mr Shemi Leira (Chair of Westbury Estate TRA, Acting Chair of Leaseholders' Council and Chair of the Clapham Leaseholders Association), Ms Gerlinde Gniewosz (member of Leaseholders' Council and Cressingham Gardens Residents Association) and Ms Petra Abbam (resident of Westbury Estate) addressed the committee and raised the following points:

- Mr Leira said that he spoke as the Acting Chair of Leaseholders' Council following the resignation of the previous Chair who had stepped down citing allegations of bullying and harassment by specific councillors and officers.

The Chair halted the representation and sought clarification on this matter. The Head of Legal Services and council Monitoring Officer, Alison McKane, said that the allegations had been investigated and no evidence of bullying or intimidation had been found. Her investigation had therefore been concluded. Public representations then continued:

- Residents had informed the council of human rights violations resulting from the estate demolition programme. The Secretary of State and the high court had recently confirmed these concerns when blocking an estate demolition programme in Southwark. The Secretary of State had highlighted the detrimental impact on

elderly, disabled and vulnerable residents, as well as the disproportionate impact on Black, Asian and minority residents. The Southwark programme was very similar to the programme being pursued by Lambeth.

- There was nothing in the proposed Key Guarantees to address economic, social and environmental issues. Nor was there any recognition of the disproportionate impact of on people belonging to ethnic minorities. Mr Leira had previously raised these concerns with officers.
- Concerns were raised about the governance of Homes for Lambeth, given that the Cabinet Member for Housing would reside as Chairman. This would represent a conflict of interest.
- It was misleading to state that Homes for Lambeth would be 100 per cent owned by Lambeth Council. Questions also remained over the controls and financial supervision of the organisation.
- According to the Runnymede Report, Lambeth had the highest levels of social and ethnic inequality. The proposed programme of demolition would exacerbate this problem.
- As a result of the programme, a large section of Lambeth residents would be displaced and disenfranchised by incompetent and self-interested developers.
- Recommendation 4 remained inadequate despite the proposed amendment. It was unclear what exactly constituted a 'substantive' change to the Key Guarantees. The definition used for 'substantive' should be: relative to the impact on the residents.
- The Key Guarantees did not apply to all residents; private renters for example would receive no protection.
- The proposed Key Guarantees were significantly worse than those approved by Cabinet in 2015. Many of the original proposals were no longer guaranteed; some had become mechanisms and were subject to change, others had been weakened and some were no longer offered at all.
- The options under offer were unaffordable to the majority of residents and some residents would be made homeless as a result.
- The revised Key Guarantees discriminated against those without families or spouses that had live with them for less than one year.
- The Key Guaranteed had been worsened following each consultation and did not represent the offer residents wanted.

The Chair then invited the remaining registered speakers to make their representations. Mr Andy Plant, Ms Mariana Nwagboso and Ms Anne Cooper were each residents of estates effected by the regeneration programme. They raised the following concerns:

- The Key Guarantees did not offer a choice to residents, instead they amounted to coercion. Residents were being forced to accept a reduction in tenants' rights or move away from the estate.
- Key Guarantee 2 (for Tenants) stated that each newly built home would be designed to meet the resident's disability needs, however there was no explanation of how this would be funded.
- The Key Guarantees were loosely worded and the mechanisms were flexible. Consequently they could be easily manipulated by officers.
- The report suggested a further consultation with residents on a contractual Right to Buy, but there was no indication of when this

would be scheduled.

- The report suggested the Key Guarantees would help to reduce uncertainty and stress for residents. This was not the case.
- Tenants were being forced to move estates and lose their secured tenancies. The alternative assured lifetime tenancies were not favoured by tenants and came with no right to manage or Right to Buy.
- Instead of building new social housing, the majority of new homes would be for market rent or sold for private income. The Key Guarantees would serve to bring about the end of council estates in Lambeth.
- There were many vulnerable and disabled people on the estates that would be greatly impacted by the regeneration programme. The Equality Impact Assessment (EIA) was out of date and the Key Guarantees failed to acknowledge the needs of vulnerable residents.
- Council tenants were being subjected to undue levels of emotional distress as a result of the regeneration programme. It was unclear whether the provisions made in Key Guarantee 5 (for Tenants) also covered people with mental health needs.
- The Key Guarantees did not address the high levels of uncertainty people were experiencing. It was important that the council's Head of Wellbeing worked more closely with the Regeneration team.
- A document should be produced to provide information about the symptoms of anxiety and inform residents about the mental health services available in the borough. Should the council fail to do this, residents would act to distribute the information.

Following the representations, the Chair invited officers to respond to issues raised. The Estate Regeneration Programme Manager, Julian Hart, Assistant Director of Housing Regeneration, Neil Vokes, and Director of Strategic Housing, Regeneration and Communities, Rachel Sharpe, provided the following information.

- In relation to the decision by the Secretary of State not to confirm the Aylesbury CPO in September 2016, officers were confident that the situation in Lambeth was very different to that of Southwark. Officers had reviewed the ruling and assessed that the Key Guarantees offered more to residents. The proposed Key Guarantees had been independently benchmarked against offers from other councils and all legal obligations had been met.
- The Key Guarantees set out a clear process for equalities. Officers would continuously collect information about resident's circumstances the EIA would be repeated at key stages throughout the regeneration process.
- The proposed Key Guarantees were an improvement on those previously put forward, and subject to their approval, officers would reissue the revised booklets to residents no later than May 2017.
- Residents would not be expected to pay for adaptations to properties required by their disabilities.
- Officers were aware of vulnerable people on the estate and the effect the regeneration could be having on their mental health. Officers would produce some written material on mental health services and distribute this to residents.

Officers then provided the following information in response to questions

from members of Cabinet:

- In light of the points raised by the Secretary of State, a full review had been undertaken including independent benchmarking. Officers were confident that the offer from Lambeth was significantly stronger than those previously offered by Southwark.
- Since 2015 the council had consulted with residents in a variety of ways. Initial discussions were held with Tenants' Council and Leaseholders' Council, the results of which fed into the initial Key Guarantees which were adopted by Cabinet in July 2015. Responses were collected from residents and a revised set of Key Guarantees was produced in summer 2016. Subsequent responses were collected in autumn 2016 during a formal consultation which fed into the final set of Key Guarantees. Aside from these processes, officers had also been engaged in a range of events and drop-in sessions with residents.
- Key improvements had been made to offers regarding the porting of mortgages. Option B would offer current homeowners the opportunity to of a zero rent shared ownership and should this not be possible, Option C would allow shared ownership with rent. In cases where homeownership was no longer possible, the council would explore other alternatives, including a rented home on the rebuilt estate.
- Residents would be involved in the general design of the redeveloped estates.

The Chair asked Councillor Matthew Bennett to confirm the recommended amendments before putting the recommendations to the vote.

**RESOLVED:**

1. To approve the Key Guarantees for Tenants (the principles).
2. To approve the Key Guarantees for Homeowners (the principles).
3. To require officers to produce revised Key Guarantee booklets for tenants and homeowners, embedding the proposed changes to the Key Guarantee mechanisms as set out in Appendix B. The booklets were to be produced and reissued by no later than May 2017.
4. To delegate, to the Cabinet Member for Housing and the Strategic Director for Neighbourhoods and Growth, the authority to adapt the mechanisms of the Key Guarantees to residents where required to do so by changes to government legislation or regulation. Any substantive change to the Key Guarantees will require a further Cabinet decision, subject to consultation.

**4. INVESTING IN BETTER NEIGHBOURHOODS AND BUILDING THE HOMES WE NEED TO HOUSE THE PEOPLE OF LAMBETH – CENTRAL HILL ESTATE**

The Cabinet Member for Housing, Councillor Matthew Bennett, introduced the report and highlighted the poor condition of many of the properties on Central Hill estate. He noted the budgetary confines the council was working within and explained that the cost of refurbishing Central Hill would be substantially more than the average costs of other estates in the borough. Refurbishment works would also fail to address the fundamental

design flaws on the estate. Residents had been consulted on the proposal to rebuild the estate, a course of action that would guarantee all existing residents a new home on Central Hill whilst providing more affordable homes to tackle the housing crisis.

Councillor Bennett noted the alternative proposals submitted by Architects for Social Housing (ASH) but asserted that the plans did not constitute a viable option. As part of the consultation exercise, the council had commissioned The Campaign Company (TCC) to conduct surveys and gain feedback from residents. Councillor Bennett explained the findings and stated that the redevelopment was the best way to guarantee residents a high quality home on the estate. Should Cabinet endorse the proposed recommendations, residents would be able to choose the architects and development managers during the next stage of the process. He also confirmed that there would be no private developers involved in the regeneration and that no decision would be taken tonight about the number of new homes.

The Chair invited registered to speakers to address the committee.

Ms Nicola Curtis (Chair of the Central Hill Residents Association and member of the Residents Engagement Panel), Ms Karen Bennett (Secretary of the Central Hill Residents Association) and Victor Hernandez (member of the Central Hill Residents Association and Residents Engagement Panel) addressed the committee and raised the following concerns:

- The Lambeth regeneration programme began in 2012 and Central Hill was included because of the high land values.
- The consultation had been informal, misleading and ultimately flawed.
- There had initially been no option to demolish the estate, however this was now the only option under consideration.
- The council had not been forthcoming with proposed plans about the intended regeneration of the estate. Residents had to seek information and documentation independently.
- The various versions of the Key Guarantees had caused uncertainty and emotional distress amongst residents. Many of the previous principles had become mechanisms in the latest version and were consequently subject to change by officers and Cabinet Members. The recent amendments served to take rights away from residents.
- The council initially estimated that it would cost £18.5m to refurbish the estate, yet there was no evidence to support this and residents disputed this figure. The costs had now risen to an £40m without further evidence to support the claim.
- The council should fulfil its obligations as social landlord and commit to proper maintenance of the existing properties.
- ASH had provided a viable alternative for redevelopment that would provide additional social housing through development on existing open land. The council had dismissed the proposals without consideration.
- TCC could not be said to be independent of the council. The methodology was questionable and the findings were unrepresentative of the views on the estate. There were no mechanism within the Resident Engagement Panel allowing for

residents to challenge the assumptions of the survey.

- 25% of residents on the estate were elderly and would be severely distressed if forced to relocate.
- Residents had conducted their own survey of attitudes on the estate and the results contrasted with those produced by TCC. According to the residents' own survey, the vast majority of households (77%) were opposed to demolition. Only 4% supported regeneration. These figures had been verified and the council could no longer claim that the majority of residents supported rebuilding the estate.
- The properties on the estate had fallen into disrepair following deliberate neglect from the landlord, Lambeth Council. However, the buildings were structurally sound and refurbishment was the favoured option for residents.
- Residents anticipated that Homes for Lambeth would be a private venture and the new homes sold off for private gain. This would spell the end of social housing on the estate.
- The motivation behind the regeneration of the estate was money. Resident's lives should instead to be prioritised.
- The legality of the council's plans could also be called into question.
- The process of formal buy-back of leaseholds was a key concern. There were now very limited options for buy-backs available to homeowners.
- Should Cabinet approve the recommendations, many residents would face losing their right to housing. Some residents were citizens of the European Union; their rights to residency and housing would both be in jeopardy.

[At 7pm, Cabinet agreed to extend the meeting by 30 minutes in line with the provisions set out in paragraph 2.3.5 of the Cabinet Procedure Rules, Council Constitution]

The Chair then invited the remaining registered speakers to address the committee.

Ms Betty Adams, a resident Central Hill Estate, raised the following points:

- The properties on the estate were visibly deteriorating and in an irretrievable state of disrepair. Total regeneration was required to improve living conditions for residents. There were fundamental design flaws in the current estate that could not be addressed through refurbishment.
- The roofs, balconies, severe damp and mould were contributing factors to the ill health of multiple residents. No amount of refurbishment could eradicate these issues and change was necessary.

The Leader of the Opposition, Councillor Tim Briggs, made the following comments:

- Council officers should not be delegated the authority to amend the mechanisms by which the Key Guarantees were implemented.
- The council had offered no alternative to regeneration and could not claim to therefore could not claim to have consulted the residents.

- The council was pursuing demolition of Central Hill and higher rents for residents.
- The residents' own survey had changed the nature of the debate and cast considerable doubt over the TCC findings. It was wholly unacceptable that the council's findings could not be scrutinised or disputed.
- The council had stubbornly refused to listen to residents and only reconsidered the offer to residents following the Secretary of State's decision not to confirm the Aylesbury CPO in Southwark.
- The Conservatives would repair properties on Central Hill, reorganise the Council's housing department, drive down costs and fund regeneration on all Lambeth's estates.

Councillor Luke Murphy, Ward Councillor for Gipsy Hill, made the following comments:

- Having spoken with many residents of Central Hill, it was clear that views were split over the need for regeneration. However the majority of people recognised the current circumstances and need to rebuild housing on the estate.
- There were many examples of severe mould and damp that could not be eradicated through refurbishment and repairs.
- All residents would be guaranteed a new home on the estate and the local ward councillors supported the proposals.
- The consultation had been imperfect and it was important that the council learned from its mistakes when progressing into further stages of the regeneration.
- The council was committed to the Key Guarantees and ward councillors would hold Cabinet to account.

Following the representations, the Chair invited officers to respond to issues raised. The Estate Regeneration Programme Manager, Julian Hart, Assistant Director of Housing Regeneration, Neil Vokes, and Director of Strategic Housing, Regeneration and Communities, Rachel Sharpe, provided the following information.

- A separate Cabinet decision would be required to move the formal buy-back programme forward. Officers would determine priority by sending out expression of interests and assessing residents' circumstances on a case by case basis.
- The process of consultation had been longer than anticipated, in part due to the size and complex geography of the estate.
- The council had commissioned TCC to conduct the survey, gain impartial feedback from residents and provide independent analysis of the data. Moving forward, the council would seek to involve residents throughout the masterplanning process, adopting a methodology that had worked well in other parts of the borough.
- The survey information collected by TCC was open for public scrutiny.
- Officers knew more about the costs of regeneration having confirmed the Key Guarantees. The Key Guarantees were integral to the viability of the scheme.
- Officers would look at the residents' own survey.

Officers then provided the following information in response to questions from members of Cabinet:

- The anticipated £20m in upfront costs included provision to fund the leasehold buy-back scheme.
- Officers were confident that the viability announcements made in the report were realistic.
- Central Hill residents would be central to the masterplanning process and every effort would be made to reduce uncertainty and stress for residents. An initial piece of survey work would be undertaken to establish how residents wished to engage with the council and officers would also organise ad hoc events, exhibitions and drop-in sessions.
- The council had commissioned TCC to undertake the resident survey and officers had worked through the methodology before the questionnaire had been distributed. TCC had carried out the survey, collated the data and analysed the findings independently of the council.

Members of the Cabinet commented on issues raised by speakers and emphasised the importance of working with residents to minimise uncertainty and emotional distress. Having considered all the contributing factors, Members agreed that the most viable option would be to progress with the proposed rebuilding of the Central Hill estate. The Chair put the recommendations to the vote.

**RESOLVED:**

1. To authorise the redevelopment of the Central Hill Estate in accordance with the approach set out in Section 2 of the report.
2. To implement the Key Guarantees as adopted by the council for the estate regeneration programme.
3. In consultation with the lead member, officers to begin the masterplanning phase.

**5. ARTICLE 4 DIRECTION FOR CHANGE OF USE FROM OFFICES TO RESIDENTIAL**

**RESOLVED:**

1. That the Council proceeds to confirm the Article 4 direction made on 25 July 2016 and coming into force on 15 September 2017.
2. That Cabinet delegates to the Assistant Director of Planning, Transport and Development any consequential arrangements to give effect to the terms of Recommendation 1 which shall include publishing confirmation of the direction, notifying affected property owners/occupiers and the Secretary of State.

**6. EQUALITY STREETS SCRUTINY COMMISSION REPORT**

**RESOLVED:**

To defer the consideration of the Equality Streets Scrutiny Commission report to a future meeting of Cabinet.

The meeting ended at 19:30

CHAIR  
CABINET  
Monday 24 April 2017

Date of Despatch: Wednesday 29 March 2017

Call-in Date: Wednesday 5 April 2017

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