

APPENDIX A – BACKGROUND DECISION-MAKING ESTATE REGENERATION PROGRAMME AND CRESSINGHAM GARDENS

- 1.1 In December 2010, and in acknowledgement of the challenges facing housing in Lambeth, Cabinet agreed to establish a Housing Commission. The Commission looked at the key housing issues in the Borough and resulted in the production of a report '*The Co-operative Council: The Future of Council Housing*'. This report set out 31 recommendations to improve housing in the Borough. They were presented to Cabinet in July 2011.
- 1.2 As a direct result of the Housing Commission report, in March 2012 Cabinet approved the co-produced Lambeth Housing Standard ("LHS"). The LHS required an estimated £499m investment over five years in the Council's stock. The Cabinet report also identified a £56m funding shortfall in delivering the LHS. Members were also aware that, in some instances, the implementation of the LHS might not resolve all of the issues faced by its residents.
- 1.3 In July 2012 Cabinet approved Lambeth's Housing Strategy for 2012-2016. The stated priorities included to "explore options for estate regeneration as well as using our own assets more creatively to deliver more and better quality homes" and "to maximise the opportunities for housing development in areas of regeneration through the use of our own assets". The Strategy recognised that there was "a pressing need for more affordable housing in Lambeth, especially for families" and stated that:
- "Where the Council is regenerating its housing estates to provide new housing or where housing is to meet the needs of specific communities (including sheltered housing), the size and mix will need to reflect the particular needs of both existing and prospective future residents and intended occupiers of the specialist housing."
- 1.4 A specific part of the Strategy concerned Estate Regeneration, commencing:
- "Estate Regeneration**
Lambeth Council views estate regeneration as one of the key tools which will enable the borough to meet its housing and wider regeneration objectives. Recent work indicates that several hundred new homes could be provided by regenerating some of our estates."
- 1.5 On 22 October 2012 Cabinet considered a report entitled '*Lambeth Estate Regeneration Programme: Strategic Delivery Approach*'. Paragraph 1.5 of that report indicated:
- "The Estate Regeneration Programme will focus on those estates where the costs of delivering the Lambeth Housing Standard are either high or where it is felt that the Lambeth Housing Standard works in themselves will neither address the fundamental condition of the properties nor address many of the wider social and economic issues experienced by residents."
- 1.6 The report made clear that estate regeneration focussed upon the provision of safe, new modern homes on the chosen estates, for existing (and additional) residents. In some cases this would involve the decanting and demolition of existing blocks. Further, as noted within paragraph 1.9:
- "The programme will focus on those estates where the benefits arising from that regeneration would justify the intervention. This could include estates where, through regeneration, there is opportunity to increase the number of affordable homes in a particular area which would help meet the significant demand for housing in the borough." (emphasis added)

- 1.7 Paragraph 2.2 went on to record that estates would be eligible for inclusion in the Estate Regeneration Programme (“the Programme”) if they met one or more of three “overarching principles”, being estates:
- where the costs of delivering the LHS were prohibitive;
 - where residents and the Council had identified that the LHS works in themselves would neither address the fundamental condition of the properties nor many of the wider social and economic issues experienced by residents;
 - where the wider benefits arising from regeneration justified the intervention.
- 1.8 Paragraph 2.5 informed Cabinet that officers had already identified a number of estates which met one or more of these overarching principles, and were “now engaging those estates via their Tenants and Resident Associations to firstly explain why the estate has been identified as a priority and to secondly agree how best to work together in looking at options for the estate.”
- 1.9 Paragraph 2.14 recorded that officers had considered, as part of the options appraisal process, the “Do Nothing” option, under which the Council would not pursue the development and delivery of the Programme. Three reasons were given for discounting the “Do Nothing” option. In summary, they were that:
- Some estates were ones where the costs of delivering the LHS were either high or it was felt that those works in themselves would neither address the fundamental condition of the properties nor address many of the wider social and economic issues experienced by residents.
 - Some estates were ones where regeneration and renewal could secure significant additional benefits not only to the people living on those estates but in the wider area.
 - There was a shortfall in the budget for delivering the LHS to all properties borough-wide. “The Do Nothing option would see some difficult investment decisions needed to allocate limited resources. “
- 1.10 The report went on to recognise that whilst regeneration and renewal could secure significant benefits for residents, the process could also be worrying. The Council should, therefore, make a number of commitments to them. The first was that where regeneration occurred, all secure tenants would be offered a new home on the same estate. Another was that rents would be protected and any secure tenant would have their rent levels maintained at “Social Rent” (paragraphs 2.18 and 2.19).
- 1.11 Having considered the report, Cabinet passed a series of resolutions. They included the following:
- To note that despite the £443m investment, this was still insufficient to address all of the issues on all of the Borough’s estates;
 - To note the methodology used to select estates which would be considered as part of the Programme; and
 - To approve the development of the Programme.
- 1.12 It is clear from the terms of the report and the resolutions that neither Cabinet nor the Council proposed that residents would be consulted *before* their estates were included in the Programme. This would have been inconsistent with the rejected “Do Nothing option”. To the contrary, the estates to be placed within the Programme were to be first identified by the

Council, and residents would *then* be consulted on what form and scope the regeneration should take, which did not necessarily involve demolition (because there might be infill development). This was made clear in paragraph 2.9 of the report:

“Therefore, once an estate has been identified as having need for regeneration the next step will be to engage the residents of that estate and then key local stakeholders.” (emphasis added)

- 1.13 In addition to setting out the background and terms of reference for Lambeth’s estate regeneration, the October 2012 Cabinet Report specifically identified the Cressingham Gardens estate as a first estate to be considered within the programme. It stated:

“Cressingham Gardens provides a practical example of this programme in action. This estate in Tulse Hill falls under the first two eligibility criteria in 2.2 of this report. The Council is talking to residents about the future of Cressingham Gardens estate because of the poor condition of the properties. Many of the homes do not meet the expected standards of residents. The properties are expensive to maintain and suffer from a number of structural issues, some of which may not be solved by simply carrying out more repairs. At the moment the annual repair and maintenance costs for the estate are very high but due to the long standing structural problems there is little visible improvement resulting from these ongoing works. This is frustrating for many residents. Together difficult decisions need to be made as to whether to continue investing in properties which have these problems and which may continue to cause problems well into the future or whether to look at alternative options. The Council is now exploring these options with the residents and following a 6 month period of coproducing options; a preferred solution will be presented to Cabinet.”

- 1.14 On 8 December 2014 a report was taken to Cabinet entitled ‘*Building the homes we need to house the people of Lambeth*’. This was within furtherance of the Programme. The report recorded a commitment to delivering 1,000 extra homes at Council rent levels. Paragraph 1.6 stated that:

“As we do not have enough free, undeveloped land in Lambeth to build the new homes we need we intend to do this by embarking on the biggest estate regeneration programme in the borough’s history. The combination of estate regeneration with our LHS programme will raise the standard of Council housing, building homes which are of a high architectural standard and build quality.”

- 1.15 Paragraphs 2.9-2.12 provided Cabinet with an update on the Programme. Having repeated the principles under which estates were to be selected, the report recorded that a number of estates had, accordingly, been identified. Paragraph 2.14 included the following:

“We are committed to working with local residents on plans that affect their homes and will consult residents on estates over the style and architectural design of their estates and their homes and ensure that they are fully involved in the selection of contractors who will carry out the work. We appreciate that this will be a difficult and stressful time for many residents but this is the only way to ensure that Lambeth residents live in high quality homes and that their children can stand a good chance of securing a home in the borough.”

- 1.16 In the December 2014 Cabinet report, Cressingham Gardens estate was re-affirmed as being an estate within the Council’s estate regeneration programme, identified as being part of phase 1 of the estate regeneration programme. Cabinet then passed a series of resolutions including:

- To note the Council's commitment to improve the housing offer for residents by (i) delivering 1,000 new homes at council rent levels over the next four years; and (ii) maximising its assets to deliver new homes through the Programme; and
 - To agree to progress phase 1 and phase 2 of the Programme.
- 1.17 In March 2015, the Cabinet agreed to no longer consider those regeneration scenarios that were primarily or entirely refurbishment of existing homes. The Council continued to consult on two options that involved significant regeneration of the Estate. In July 2015, the Council's Cabinet gave authorisation for complete redevelopment of the Cressingham Gardens estate. However, a subsequent Judicial Review was submitted, challenging the decision that had been made in March 2015, to reduce consideration of options to only those involving substantial redevelopment. The Judicial Review was eventually successful and has meant that the elements of the Cabinet Decisions concerning the future of the Cressingham Gardens estate for both the March 2015 and the July 2015 Cabinet Decisions were quashed.
- 1.18 The July 2015 decision was called-in through the Council's internal procedures and considered by the Council's Scrutiny Panel. The Panel upheld the Cabinet Decision.
- 1.19 While the Judicial Review was proceeding, the Council officers began implementation of the July 2015 decision in the following way:
- Writing to all residents to inform them that the Key Guarantees were now operative.
 - This elicited interest from both leaseholders and tenants.
 - By November 2015, 35 (check) tenants had taken up the Council's Key Guarantee offer to be elevated to Band A status on the Choice Based Lettings system.
 - By November 2015, 20 leaseholders had approached the Council to explore potential purchase of their property.
 - The Council also began the process of procuring a development management team to take forwards masterplanning and planning a redeveloped estate. This included commencing an OJEU-compliant procurement process, which proceeded to point of tenderers participating in an exhibition on the estate, at which residents could express views on their preferred bidder
 - (Pauline to add anything else).
- 1.20 As a consequence of the Judicial Review decision, all the above was put on hold.
- 1.21 The conclusion of the Judicial Review decision was that the Council had acted unlawfully in the lead up to the March 2015 Cabinet Decision and that decision was quashed causing the Council to engage in a further round of consultation.
- 1.22 To this end, from January to March 2016, the Council has consulted with residents on the future of the estate. The terms of this consultation were set out in a booklet that was issued to all residents on the estate on <DATE>. Appendix X provides a summary of this consultation exercise. Appendix Y contains the detailed responses (questions and comments) that have been received from residents through the consultation exercise.

Estate Regeneration Programme Delivery Resident Commitments

- 1.23 While the Council has to tackle the housing crisis for future generations, it also has to do its best for its current residents. No one in the Council underestimates the potential stress that

regenerating an estate can cause. To reduce this as much as possible, the Council has developed communication principles, which have been guiding the process by which the Council engages with residents through the feasibility process and going forwards on the development of masterplans for each estate. These are:

- Keep uncertainty for residents to a minimum;
- Ensure residents have an understanding of the bigger picture;
- Make it clear to residents that their voices have been heard by decision makers; and,
- Ensure that residents have the information they need to make the best choices about their families' futures.

1.24 A key component of this strategy has been the formulation of a set of Key Guarantees, which are designed to give residents confidence about their future, despite the shorter term inherent uncertainties during an estate regeneration project. The reason for adopting the “Key Guarantees” are as follows:

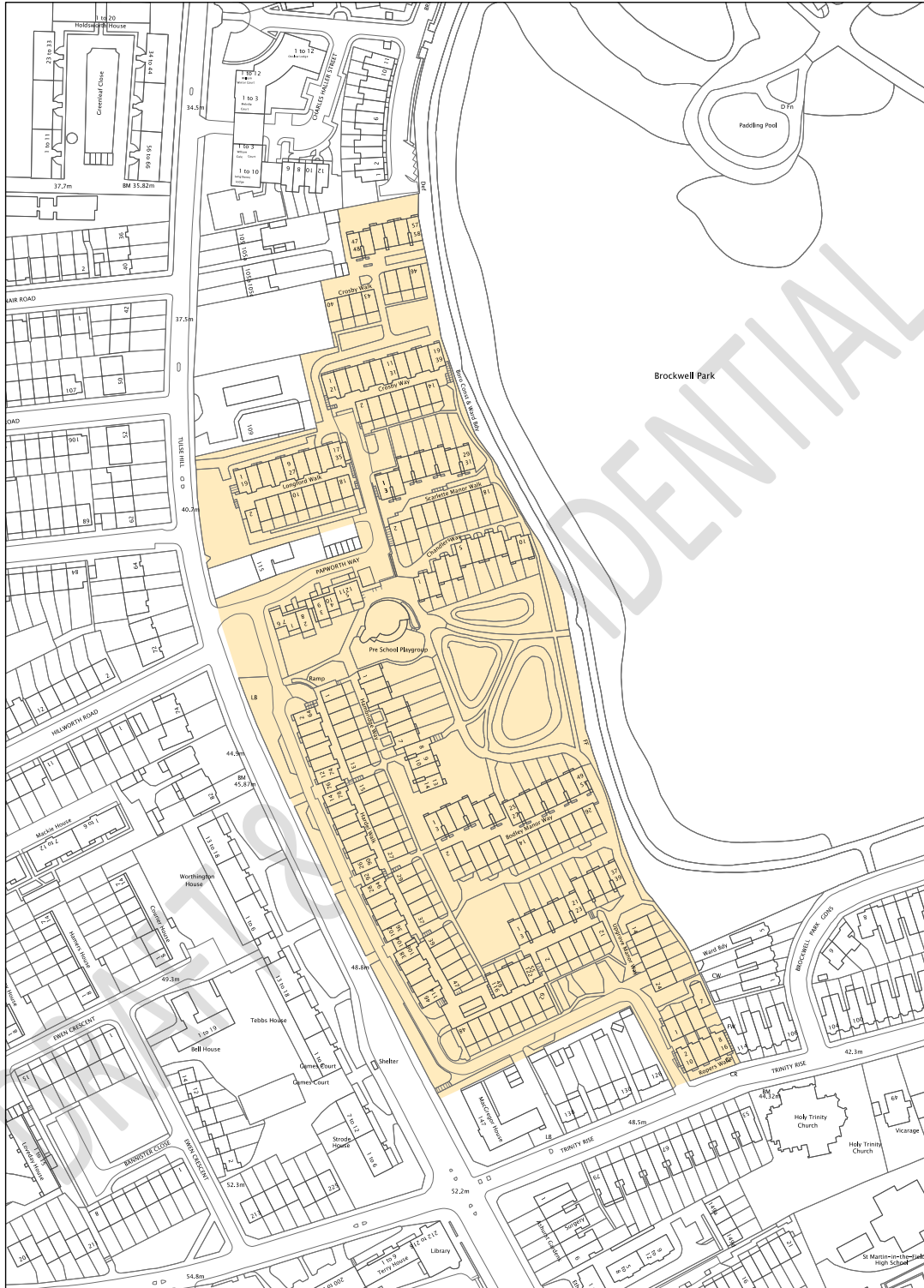
- to provide those who will be affected by regeneration with as much certainty as possible to enable them to understand better how regeneration will affect them;
- to provide confidence to those who will be affected by regeneration that, as far as is possible, they will not be made homeless as consequence of regeneration;
- to set out how tenants and homeowners will be compensated for being forced to move or have to sell their home as a consequence of regeneration;
- to enable the Council to negotiate with homeowners either to acquire their properties or to enter into an equity swap agreement; and,
- because it is quite possible that CPOs may be required to facilitate the delivery of each estate and to make it clear that negotiations with leaseholders will be taking place in that context.

1.25 The precursors to the Key Guarantees were a set of Regeneration Principles, which were developed in co-operation with the Tenants Council and Leasehold Council, albeit never formally agreed by either of the latter. These were then issued to all residents on the estates that were part of the estate regeneration programme to elicit feedback from residents. On the basis of the feedback received, these were adapted and then adopted as Key Guarantees for the programme in the Cabinet Decision on 13th July 2015.

1.26 Since July 2015, the Council has continued to listen to residents across all estates within the estate regeneration programme, accumulating feedback on the Key Guarantees. In addition to this a formal review of the Key Guarantees was commissioned from TPAS (Tenant Participation Advisory Service). This has recently been published. In April 2016, the Council will make some further improvements to the Key Guarantees and carry out a month-long consultation on the revised set of Key Guarantees in order to achieve a final set of commitments to take forwards through the estate regeneration programme.

1.27 The Council has communicated the Key Guarantees (as they are) to all residents on the estate. The Council has also communicated to residents that there are plans afoot to improve on these (from a resident's perspective) and that this will be consulted on in April/May 2016. Residents are therefore fully informed on the Key Guarantees and their status.

Annex A – Plan of the Estate



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Cressingham Gardens

