

Ayshe Simsek, Acting
Democratic Services
& Scrutiny Manager

020 8489 2929

020 8881 2660

ayshe.simsek@haringey.gov.uk

10 December 2018

To: All Members of the Cabinet

Dear Member,

Cabinet - Tuesday, 11th December, 2018

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

**7. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND
SCRUTINY COMMITTEE (PAGES 1 - 124)**

Yours sincerely

Ayshe Simsek, Acting Democratic Services & Scrutiny Manager
Principal Committee Co-Ordinator

- 1. FIELD_PAGE_RANGE**
- 2. FIELD_PAGE_RANGE**

This page is intentionally left blank

LATE BUSINESS SHEET

Report Title: Agenda Item 7 - Matters referred to Cabinet by Overview and Scrutiny

Committee: Cabinet

Date: 11 December 2018

Reason for lateness and reason for consideration

The 13th of November Cabinet decision on Broadwater Farm, including decisions relating to the Tangmere and Northolt blocks, was subject to a call -in and the decision was considered by a special meeting of the Overview and Scrutiny Committee meeting on the 6th of December.

At this meeting, the Overview and Scrutiny Committee considered a report from the Monitoring Officer and Section 151 officer on whether the decision was inside or outside of the Budget framework and whether the decision was inside or outside the Policy framework. The Committee considered a report from the interim Director for Housing, Regeneration, and Planning, the Cabinet report on Broadwater Farm, as well as representations from councillors and the public.

The Overview and Scrutiny Committee determined that this Cabinet decision was within the Policy Framework and within the Budget Framework and further agreed under part 4, rules of procedure – Section H - Call in procedure rules paragraph 10 section [b] that the decision on Broadwater Farm be referred back to Cabinet along with some additional recommendations for the Cabinet to consider.

The Call-in Procedure rules require the Cabinet, as the decision maker, to reconsider the key decision by 5 working days. Considering the Overview and Scrutiny recommendations and Cabinet report on Broadwater Farm, as items of late urgent business at item 7 will allow this constitutional requirement to be met.

This page is intentionally left blank

Report for: Cabinet 11th of December 2018

Title: Broadwater Farm -**Cabinet's decisions relating to the Tangmere and Northolt blocks on Broadwater Farm**

Report

Author: Councillor Lucia das Neves, Chair of Overview and Scrutiny Committee

Ward(s) affected N/A

Report for Key/

Non Key Decision: Key decision

1. Describe the issue under consideration

This report sets out the outcome of the Overview and Scrutiny Committee's consideration of the Cabinet's decision on 'Broadwater Farm and the decisions it made relating to Tangmere and Northolt blocks on the 13th of November 2018, following its referral to the OSC under the Call-In process (as described in Part 4 Section H of the Council's Constitution).

2. Introduction

The Overview and Scrutiny Committee considered the Cabinet's decision at a special meeting on the 6th of December 2018. The Committee heard from a deputation led by Mr Jacob Secker and Mr Paul Burnham, representing Haringey Defend Council Housing. The Committee also heard from Cllr Dawn Barnes and Cllr Tammy Palmer, the signatories of the call-in request.

- 2.1 Following full discussion, there was consideration given to the deputation and call in views that, in addition to the planned ballot on the future master plan for Broadwater Farm, a ballot of Northolt and Tangmere residents should be taken forward with a choice given on demolition or strengthening of the two blocks. The call in and deputation both contended that this was required to meet GLA funding requirements.
- 2.2 The Overview and Scrutiny Committee considered: the actions being taken to apply to the GLA for an exemption on carrying out a ballot on health and safety grounds, the continuing health and safety risk posed by the empty blocks, the reason for taking forward a section 105 consultation with a preferred option, and the information provided about the difference between the statutory section 105 consultation questions and how the format of a ballot would be taken forward. The Committee noted that in a GLA compliant ballot, the Council would still need to make a proposal, as done in the consultation, with 'yes' and 'no' responses considered against that option.
- 2.3 The Committee noted that, although the preferred option of demolition had been put forward, there was an opportunity provided in the consultation to disagree with this option and this had been taken up by a small number of residents. The majority of the Committee accepted the reasons provided for taking forward the immediately required section 105 consultation rather than a ballot and agreed with the Council seeking an exemption ruling based on health and safety issues.

The Committee further gave consideration to the response rate to the consultation and agreed that this was acceptable, noting the measures taken forward to illicit as high a response as possible.

- 2.4 The Committee commented that the November Cabinet report did not contain the questionnaire provided to residents in the consultation which would have provided the Committee and public with earlier assurance of the two choices being provided.
- 2.5 The Committee noted the deputation's views on how they felt the preferred option of demolition had been portrayed to residents, considered the experience shared by the co-opted member of previous residents feeling not listened to when reporting long standing improvements needed to Tangmere, and noted the Council's recognition of the long running issues of progressive damp in Tangmere and the structural issues this could cause. The Committee further took into account the information provided by the call in, on their contact with residents in Broadwater Farm through casework matters.
- 2.6 A key consideration in the call in and responses to Member questions was the right of return for leaseholders. It was felt that the Broadwater Farm Rehousing and Payments Policy did not take account that some resident leaseholders may, for rehousing purposes, be located outside of the borough and the Committee agreed, this situation should not mean that they do not have a right of return. In response, the Committee noted that it was intention of the policy to provide leaseholders with absolute right of return. It was accepted that the example, in the policy document, of the type of case to be considered by the panel, may have led to miss- interpretation about right of return. Officers accepted that resident leaseholders may move outside the borough for rehousing purposes given the closeness of the estate to the boundary line and could update the wording to make the policy clearer on resident leaseholder's right of return.
- 2.7 A further appropriate consideration, identified by the Committee, was the governance and oversight of the discretion panel. The Committee were concerned that residents would be making representations to an officer body which would not have any public accountability or involve councillors. In response, it was noted that councillors could not be involved in a panel making, essentially, financial decisions at a local level on home loss payments or rehousing due to their overarching policy making role. Members could receive factual information of the decisions taken by the discretion panel without involvement in the governance process. The Committee noted that the interests of the resident are protected through a 3 stage process including housing and legal officers input. Internally, there was felt to be adequate oversight of this process but it was accepted that residents may feel that this is an officer led process.

In relation to the discretion panel making decisions on succession rights to equity loan agreements, the Council will need to consider the fair use of public funds and balance the rights of the leaseholder's family against the rights of existing tenants whose rent contributes to the HRA account.

- 2.8 The Committee addressed the issues raised by the deputation and call in on the number of number of properties and rent levels that would be applied in the redevelopment of the two blocks. It was noted that the same number of front doors

as existed in the two blocks would be replaced with tenants paying council rent as confirmed at the Cabinet meeting on the 13th of November. The Council could look to increase bedroom numbers as Northolt had only one bedroom properties, when there was a need for a better mix of bedroom numbers in properties. This would be considered in the design stage of the blocks. However, essentially, there would not be less properties available after the re-development, than before. Council rents policy would still be applied even with GLA mayoral funding.

- 2.9 There was also discussion about the interchangeable use of the terms regeneration, re-development and renewal in the documentation which could cause confusion for residents on understanding the potential outcomes for their area and the Committee agreed that careful consideration is given to the use of these terms in reports to ensure that they are applied in the appropriate context.
- 2.10 The Committee agreed that they had received no evidence to suggest that the decisions taken on Broadwater Farm on the 13th of November were outside the budget Framework nor Policy Framework. The Committee, subsequently, unanimously, agreed that the decisions taken were inside the Budget Framework and further agreed that the decisions were inside the Policy Framework.
- 2.11 Taking account the key role of Overview and Scrutiny as the advocate for community engagement and the changes required to the Broadwater Farm Rehousing and Payments policy, a Cabinet document, the Committee proceeded to agree to refer the matter back to the Cabinet, as the decision maker, to reconsider its decision of 13th of November 2018 before taking a final decision, as set out in paragraph 10(b) of the Call-In Procedure rules set out in Part 4 Section H of the Council's Constitution. To assist with this, the Committee makes a number of recommendations to the Cabinet, as follows.

3. Recommendations

- a) That section 3.3 of the Broadwater Farm Rehousing and Payments policy is clarified to reflect the right of Tangmere and Northolt resident leaseholders to return to the Broadwater Farm Estate, following a move outside of the borough for rehousing purposes.
- b) That consideration is given to increasing and strengthening the voice of residents on the discretion panel to support confidence in this process and provide a sense that their representations will be fully considered. This will further involve considering the governance around the discretion panel to enable this.
- c) To consider extending the succession arrangements of equity loans provided to leaseholders beyond its current provision to partners of leaseholders.
- d) For Cabinet to commit to a fully participative process for engaging residents and leaseholders on the master plan and its future consultation for Broadwater Farm.
- e) To increasing communication about the Council's commitment to replacing the council homes demolished in Tangmere and Northolt with the same

number of council homes at council social rent and to make clear that rents will not increase.

- f) To make clear the Council's policy on ballots in relation to regeneration schemes in the borough.

4. Background

The papers considered by the Overview and Scrutiny are attached to provide the background to this paper. They are:

- Copy of the Call-in requests
- Excerpt from the draft cabinet minutes of the meeting held on the 13th of November
- Report to the Cabinet – Broadwater Farm
- Report of the Monitoring Officer and Chief Finance Officer
- Report of the interim director for Housing, Planning and Regeneration

'CALL IN' OF DECISIONS OF THE CABINET

This form is to be used for the 'calling in' of decisions of the above bodies, in accordance with the procedure set out in Part 4 Section H.2 of the Constitution.

TITLE OF MEETING	Cabinet
DATE OF MEETING	13 th November 2018
MINUTE No. AND TITLE OF ITEM	9 – Broadwater Farm

1. **Reason for Call-In/Is it claimed to be outside the policy or budget framework?**
- 2.

Outside budget and policy framework

The decision by the Cabinet to reject a pre-demolition ballot of residents of Broadwater Farm falls outside the financial and policy framework.

It does not appear that at the time the Cabinet took its decision, the Council had yet secured an exemption from the GLA's requirement to hold a ballot. The GLA capital funding guide states in order to apply for an exemption on the grounds that a demolition is "*required to address concerns about the safety of residents*", the applicant authority must demonstrate there are "*safety issues that cannot reasonably be resolved through other means.*" As the Cabinet report from July 2018 demonstrates this was not the case, as strengthening was actively considered as an alternative. Given this, the risk of having to repay GLA capital funding needs to be considered and the fact that this was not, places the decision outside the budget framework.

Section 8.4 of the Housing Strategy says that the Council "*will work with residents at all times to make sure we are offering something that people genuinely want and that will make a real difference.*" The failure to hold a pre-demolition ballot represents a failure to fulfil this obligation.

In addition, expectations of resident engagement and empowerment have been raised to a new and higher level by the Mayor of London's ballot requirement for estate regeneration schemes. Ballots have been introduced because softer methods of consultation have been perceived to be inadequate when making decisions to demolish people's homes and to transform neighbourhoods. Therefore, the decision is out of line with the aspirations described in paragraph 4.3 of the Housing Strategy, 'Engaging and Enabling People'.

Finally, the Broadwater Farm Rehousing and Payments Policy does not comply with Paragraph 4.2 of the Housing strategy, 'Supporting the development of strong mixed communities', because:

- a) There is no guaranteed right to return for resident leaseholders who 'no longer reside in the borough'. Many of these leaseholders may need to move out of the borough due to reasons of cost.

- b) The equity loans scheme for resident leaseholders should be amended to include succession for immediate family members, rather than partners only.
- c) Rent and service charge arrears are being deducted from Home Loss payments. This is a cause of hardship to indebted households, and the deductions should be waived where the resident is adhering to an existing agreement to reduce the arrears.

Additional reasons for a call-in

The signatories to this call-in are concerned that:

1. There is an unaddressed contradiction between the stance taken in the July 2018 report that strengthening was an alternative to demolition, and the stance taken by the Cabinet in November 2018, that a lack of an alternative precluded holding a pre-demolition ballot.
2. There is clearly a view amongst Broadwater Farm residents, as evidenced by the petition noted in the Cabinet report, that the assurances given in the consultation are inadequate and cannot be relied on.
3. There is a possibility that these sites could be left in 'limbo' if a decision to demolish is taken and a post-demolition ballot leads to proposals for rebuilding being rejected.
4. That the Cabinet report referenced the decision having "significant financial implications" as a reason not to hold a ballot prior to demolition. The same could be said of almost any major redevelopment, therefore this appears to create a precedent that could be used not to hold ballots at any point in the future.
5. There are reports that some residential leaseholders are having to move into the private rented sector.

3. Variation of Action Proposed

1. That an additional ballot should be held of the residents of Broadwater Farm on the principle of demolishing and rebuilding Tangmere and Northolt with strengthening the two blocks as the alternative.
2. The Broadwater Farm Rehousing and Payments Policy should be amended to deal with the points raised above.

Signed:

Councillor: (Please print name):

Countersigned:

1. Councillor: (Please print name):

2. Councillor: (Please print name):

3. Councillor: (Please print name):

4. Councillor: (Please print name):

Date Submitted:

Date Received :

(to be completed by the Democratic Services Manager)

Notes:

1. Please send this form to:

Ayshe Simsek(on behalf of the Proper Officer)
Acting Democratic Services and Scrutiny Manager
5th Floor
River Park House
225 High Road, Wood Green, London N22 8HQ
Tel: 8489 2920
Fax: 020 8881 5218

This form must be received by the Acting Democratic Services and Scrutiny Manager by 10.00 a.m. on the fifth working day following publication of the minutes.

2. The proper officer will forward all timely and proper call-in requests to the Chair of the Overview and Scrutiny Committee and notify the decision taker and the relevant Director.
3. A decision will be implemented after the expiry of ten working days following the Chair of Overview and Scrutiny Committee's receipt of a call-in request, unless a meeting of the Overview and Scrutiny Committee takes place during the 10 day period.
4. If a call-in request claims that a decision is contrary to the policy or budget framework, the Proper Officer will forward the call-in requests to the Monitoring Officer and /or Chief Financial Officer for a report to be prepared for the Overview and Scrutiny Committee advising whether the decision does fall outside the policy or budget framework.

This page is intentionally left blank

'CALL IN' OF DECISIONS OF THE CABINET

This form is to be used for the 'calling in' of decisions of the above bodies, in accordance with the procedure set out in Part 4 Section H.2 of the Constitution.

TITLE OF MEETING	Cabinet
-------------------------	---------

DATE OF MEETING	13 th November 2018
------------------------	--------------------------------

MINUTE No. AND TITLE OF ITEM	9 – Broadwater Farm
-------------------------------------	---------------------

1. Reason for Call-In/Is it claimed to be outside the policy or budget framework?
- 2.

Outside budget and policy framework

The decision by the Cabinet to reject a pre-demolition ballot of residents of Broadwater Farm falls outside the financial and policy framework.

It does not appear that at the time the Cabinet took its decision, the Council had yet secured an exemption from the GLA's requirement to hold a ballot. The GLA capital funding guide states in order to apply for an exemption on the grounds that a demolition is *"required to address concerns about the safety of residents"*, the applicant authority must demonstrate there are *"safety issues that cannot reasonably be resolved through other means."* As the Cabinet report from July 2018 demonstrates this was not the case, as strengthening was actively considered as an alternative. Given this, the risk of having to repay GLA capital funding needs to be considered and the fact that this was not, places the decision outside the budget framework.

Section 8.4 of the Housing Strategy says that the Council *"will work with residents at all times to make sure we are offering something that people genuinely want and that will make a real difference."* The failure to hold a pre-demolition ballot represents a failure to fulfil this obligation.


In addition, expectations of resident engagement and empowerment have been raised to a new and higher level by the Mayor of London's ballot requirement for estate regeneration schemes. Ballots have been introduced because softer methods of consultation have been perceived to be inadequate when making decisions to demolish people's homes and to transform neighbourhoods.

Therefore, the decision is out of line with the aspirations described in paragraph 4.3 of the Housing Strategy, 'Engaging and Enabling People'.





Finally, the Broadwater Farm Rehousing and Payments Policy does not comply with Paragraph 4.2 of the Housing strategy, 'Supporting the development of strong mixed communities', because:

- a) There is no guaranteed right to return for resident leaseholders who 'no longer reside in the borough'. Many of these leaseholders may need to move out of the borough due to reasons of cost.

Signed:

Councillor:  (Please print name): DAWN BARNES

Countersigned:

- 1. Councillor:  (Please print name): PAUL DENNISON
- 2. Councillor:  (Please print name): LUKE CALLEY-HARRISON
- 3. Councillor:  (Please print name): TAMMY PALMER
- 4. Councillor:  (Please print name): LIZ MORRIS

Date Submitted:

Date Received :

(to be completed by the Democratic Services Manager)

Notes:

- 1. Please send this form to:
 Ayshe Simsek (on behalf of the Proper Officer)
 Acting Democratic Services and Scrutiny Manager
 5th Floor
 River Park House
 225 High Road, Wood Green, London N22 8HQ
 Tel: 8489 2920
 Fax: 020 8881 5218

This form must be received by the Acting Democratic Services and Scrutiny Manager by 10.00 a.m. on the fifth working day following publication of the minutes.

- 2. The proper officer will forward all timely and proper call-in requests to the Chair of the Overview and Scrutiny Committee and notify the decision taker and the relevant Director.
- 3. A decision will be implemented after the expiry of ten working days following the Chair of Overview and Scrutiny Committee's receipt of a call-in request, unless a meeting of the Overview and Scrutiny Committee takes place during the 10 day period.
- 4. If a call-in request claims that a decision is contrary to the policy or budget framework, the Proper Officer will forward the call-in requests to the Monitoring Officer and /or Chief Financial Officer for a report to be prepared for the Overview and Scrutiny Committee advising whether the decision does fall outside the policy or budget framework.

8. DEPUTATIONS/PETITIONS/QUESTIONS

A deputation had been received from the Broadwater Farm Resident's Association, in relation to item 9 of the Agenda – Broadwater Farm.

Mr Jacob Secker, Secretary for the Broadwater Farm Resident's Association, was invited by the Leader to put forward his deputation to Cabinet.

Mr Secker was speaking as the representative of the Association, and Tangmere block resident with right of return, and introduced fellow deputation party members, Archbishop Frimpong who was a previous tenant at Tangmere with right of return, and Alan Goodall who was a resident at Northolt block.

Mr Secker began his representation by reiterating that the Association was demanding a ballot under Greater London Authority (GLA) rules for Tangmere and Northolt residents. He contended that this ballot should be on the question of whether the estate blocks should be strengthened or demolished and rebuilt. The Association felt that without the ballot, there could be no guarantee that the Council would abide by its commitment to re-provide the same number of Council homes at Council rent.

Mr Secker had observed in the consultation forms, a clearly stated commitment to residents of an equal number of Council homes at Council rent with more family sized accommodation for Northolt Block. However, Mr Secker argued this commitment for provision of an equal number of homes was not included in the report presented to Cabinet. The report advised at paragraph 6.61 that 'any' Council homes demolished would be re-provided, and the deputation felt that the term 'any' could be open to interpretation and called for the report be amended. There was a need make clear that the number of homes demolished would be equally re-provided otherwise this would make the consultation null and void.

With regard to Northolt, Mr Secker claimed that residents had been informed, in the consultation documentation, that when they were moved into a new home, if they did not like it then they would be allowed to request a move to another home. This commitment was also not included in the report and Mr Secker argued that if this commitment was also not adhered to, then the consultation would be deemed invalid.

Mr Secker continued to reiterate the importance of the ballot as the deputation party felt without this process there was no guarantee for residents that promises about re-provision of homes at Council rents would not be kept to.

Mr Secker conceded that, in the context of tower block safety across London, the safety issues with the blocks at Broadwater Farm was a relatively serious safety issue. He re-iterated that GLA rules stipulated that where there were reasonable alternative solutions to demolition, then there had to be a ballot. Mr Secker noted the Council's own surveyors stated the blocks could be strengthened, demonstrating there was a reasonable alternative to demolition, in his view, cheaper than the demolition, therefore, meeting the requirements of a ballot.

Mr Secker concluded his deputation by asserting that the reason the Council were not balloting residents was because there was not the intention to stick to its promises made during consultation with residents.

Following the deputation, the Leader invited Cabinet Members to ask questions.

Cllr Adje thanked the deputation and disputed their view that the report was not clear on equal numbers of re- provided Council homes. He referred to the report which stated at paragraph 6.61 – ‘*The Council was committed to replacing any Council homes which were demolished with new Council homes on the estate*’. Mr Secker reiterated that the use of the word ‘any’ was ambiguous and could mean any number of homes instead of the equal number of Council homes to those that were demolished.

The Cabinet Member for Housing and Estate Renewal responded to the deputation and stressed that the fundamental concern of the Council was for the safety of the residents at Tangmere and Northolt and they had always been the priority. The Cabinet Member made the following points:

- Disputed Mr Secker’s claim that the safety concerns were ‘relative’ and advised they were serious, especially in the aftermath of Grenfell. It was not appropriate to discuss level of concern that should be attributed to the safety of the blocks but accept the seriousness and duty to safeguard tenants and leaseholders in the two blocks.
- There were current mitigations in place to ensure the tenants were safe at Tangmere and Northolt but these were not long term sustainable solutions and the Council therefore needed to make a decision about how to resolve the serious structural issues at the two blocks. Other blocks on Broadwater Farm had been assessed and were being strengthened but this was not considered a reasonable option for Tangmere or Northolt.
- In June 2018, Cabinet considered the options available to it, decided that rebuilding the blocks would be the most suitable option, and consulted tenants with this preferred option put forward. There had been a significant response from residents, with 90% of those replying from Tangmere agreeing with the proposal and 80% of those replying from Northolt agreeing with the proposal.
- The report before Cabinet at this meeting recommended agreeing to demolish the Tangmere and Northolt blocks.
- An earlier Cabinet report made clear the Council’s guarantee to rebuild the same number of social rent tenancies following the demolition of the two blocks.

- The wording of the report would be changed so that ‘any’ at paragraph 6.61 became ‘all’ so that there was no doubt that all homes demolished, as part of this decision, would be replaced with the same number of Council rented tenancies, on the same terms. Every resident is guaranteed his or her right of return to the estate **when** the blocks were rebuilt.
- In terms of the funding, the Council had provisionally allocated part of the GLA Building Council Homes for Londoners funding allocation from the Mayor to rebuild the blocks. Due to the safety issues of the block, there was an urgent need to rehouse residents of Tangmere before the Cadent deadline. To complete a compliant ballot would have taken time, which was not available given the safety issue concerns. The Council were in discussion with the GLA for the application of an exemption and continue to work with them.
- Irrespective of any exemption granted by the GLA, and based on Council policy, there was always a commitment to holding a ballot as part of the engagement undertaken on the next phase of work, which would be developing proposals for the new homes on the estate. This ballot would be of residents across the whole Broadwater Farm estate, including those former tenants of Tangmere and Northolt who have relocated as a result of the issues discovered.

The Cabinet Member further confirmed that all of the existing social rented Council homes on the Broadwater Farm estate would be replaced.

The Leader thanked the deputation party at which point Archbishop Frimpong responded to note that he had full confidence in the Cabinet to keep their commitments. Cabinet continued to consider the Cabinet report on Broadwater Farm.

9. BROADWATER FARM

Following the deputation, the Cabinet Member for Housing and Estate Renewal formally introduced the report on Broadwater Farm. The Cabinet Member informed the meeting that once the structural issues became known, substantial work had been done across the estate to ensure the safety of residents. The nine medium rise blocks had had their individual gas supplies removed with heating and hot water provided initially by temporary oil fired boilers.

The Cabinet Member continued to outline that all these blocks would be connected to a modern district energy network by summer 2019, at a cost of £13m. In addition, strengthening and refurbishment works were being designed for the medium-rise blocks on Broadwater Farm. Kenley Tower, which passed the required safety tests, would also receive upgrade works, including new heating and hot water systems and associated works.

The Cabinet Member reminded the meeting of the purpose of the attached report, arising from the fact that two of the blocks on Broadwater Farm – Tangmere and Northolt - had failed the lower of the safety tests for buildings of their type. In June

Cabinet had taken a number of difficult decisions about the future of these two blocks. At that meeting Cabinet had considered the options available to address the structural issues affecting Tangmere and Northolt. All the options would have required residents to be rehoused from the two blocks so there had been no option for the residents to remain in their homes.

The rehousing of Tangmere residents had been more urgent due to the deadline for gas to be removed from all the blocks on Broadwater Farm. The process of rehousing Northolt residents has not started as this block did not have piped gas.

At its meeting in June Cabinet assessed that the strengthening works required to make the blocks safe were prohibitively expensive and did not represent value for money when compared to the other options. Consideration was also given to the type of building in question and its likely life span even if strengthening works were carried out.

Having considered the options in June, Cabinet decided that its preferred option was to demolish Tangmere and Northolt and then to build new, high quality replacement Council homes on Broadwater Farm. Consequently, residents had been consulted on this preferred option, and the results of the consultation for both blocks was that a very clear majority of residents agreed with the Council's proposal. This was 90% of residents in Tangmere and 80% of residents in Northolt in favour of this preferred option.

The Cabinet Member further informed Cabinet of the need to approve a rehousing policy setting out its commitment to the residents of these two blocks. This included a guaranteed right to return for Tangmere and Northolt tenants to the new homes when they were built. If Cabinet agreed the recommendations in the attached report, more detailed work would start on the proposals for the new homes and this would be done in consultation with residents of the estate.

The Cabinet Member acknowledged the decision to demolish Tangmere and Northolt was not an easy decision given some residents had been living in their homes for a number of years. However, it was clear that a large majority of those residents consulted at the two blocks supported the decision.

The Cabinet Member further put forward an amendment to the Rehousing and Payments Policy to ensure the wording of the policy properly reflected the Council's aims, following feedback from tenants. This amendment was to make clear that all tenants who move out of Tangmere or Northolt under the Policy or the Tangmere Priority Rehousing Scheme will be eligible for a second transfer with Band A priority following their first move out of the block. This would be regardless of whether their first move was through choice based lettings or through a direct offer, and this second move can be made at any time until either the tenant was offered one of the new replacement homes on the estate or s/he decides s/he does not wish to return.

The Cabinet Member sought agreement from Cabinet colleagues for an additional recommendation to delegate authority to the Director of Housing, Regeneration and

planning to amend the Rehousing and Payments Policy to allow all tenants to have second moves as set out above.

Following questions from Cllrs Berryman & Brabazon, the following information was noted:

- That paragraph 6.61 would be amended by replacing the word, '*any*' with '*all*'.
- The Cabinet Member and officers had advised the BWF residents Association, a few months ago, of the Council's application to the GLA for an exemption from the requirement to ballot.
- In reference to a ballot noted at paragraph 6.62 and whether this was the same (GLA) ballot that had been mentioned by the deputation, the Cabinet Member confirmed it was a different ballot. Due to the health and safety concerns, the situation in Tangmere and Northolt was pressing and there was not enough time to work with residents to prepare a redevelopment plan, and ballot residents on it, before taking a decision about whether to demolish the blocks. When the Council had such a plan for the rebuild, it was the intention to ballot the whole estate.

Following questions from Cllr Barnes, the following was noted:

- As soon as the Cabinet became aware of the serious structural risks posed by Tangmere and Northolt, they had acted swiftly and decisively to ensure the safety of its tenants. The Cabinet Member emphasised that Cabinet were not aware of any pre-existing concerns about the structural integrity of the tower blocks from the 1970s. If it was suggested that the Council knew of these structural issues then this was a fundamentally different question to the report in consideration, and would need to be explored. The Cabinet Member had no reason to believe that the Council knew of these structural issues from the 1970's.
- If future proposed plans were rejected in a ballot, the Cabinet Member advised that the Council would need to consider what to do next at that stage but it was clear that proposals could only be progressed when a ballot was successful.
- The remaining properties at Broadwater Farm were due to have refurbishment works and would also be connected to the new district heating network. The Cabinet Member acknowledged that it would be a challenging time for residents in the next few years. However, there was a need to make sure the work was carried out to bring the homes back up to standard. Officers further clarified that the medium-rise blocks were due to have strengthening works completed and this provided the opportunity to complete long overdue internal improvement works.
- It was further clarified that the future ballot would be a ballot of the whole estate and would entail prior conversations with residents living on the whole estate (including those who had moved out of Tangmere and Northolt because of the problems). Therefore it was not prudent, at this stage, to

speculate on a potential outcome to the ballot but have full discussions with residents beforehand.

The Leader highlighted the additional recommendation put forward by the Cabinet Member for Housing & estate renewal at paragraph 9 above,

RESOLVED

1. To note and considers the outcome of the consultation carried out with Council tenants living in Tangmere pursuant to section 105 of the Housing Act 1985, and the non-statutory consultation with the Council leaseholders of Tangmere, as summarised in section 6.20 – 6.26 of this report and set out in detail in appendix 1.
2. Having regard to the results of this consultation, to agree that Tangmere should be demolished and authorises the Director of Housing, Regeneration and Planning to serve the initial demolition notice on the secure tenants of Tangmere and to decide the timing of any final demolition notice that needs to be served.
3. To note and considers the outcome of the consultation carried out with Council tenants living in Northolt pursuant to section 105 of the Housing Act 1985, and the non-statutory consultation with the Council leaseholders of Northolt, as summarised in section 6.27 – 6.33 of this report and set out in detail in appendix 1.
4. Having regard to the results of this consultation, to agree that Northolt should be demolished and authorises the Director of Housing, Regeneration and Planning to serve the initial demolition notice on the secure tenants of Northolt and to decide the timing of any final demolition notice that needs to be served.
5. Having considered the results of the consultation on the Broadwater Farm Rehousing and Payments Policy as set out in section 6.40, to approve the final Broadwater Farm Rehousing and Payments Policy attached at appendix 2.
6. Having considered the results of the consultation on the Broadwater Farm Local Lettings Policy as set out in section 6.52, to approve the Local Lettings Policy attached at appendix 3.
7. To agree that the rehousing of tenants and leaseholders from Northolt should commence as soon as practicable, and delegates authority to the Director of Housing, Regeneration and Planning to determine the exact date that the rehousing of Northolt commences. The rehousing will be carried out under the Rehousing and Payments Policy recommended to Cabinet in 3.5 above.
8. To approve as required by Section 1 – Financial Regulations paragraph 5.23 (b) within the Housing Revenue Account a virement of £1.2m from the HRA

Building Regulations Review budget to a new budget 'Northolt Rehousing Costs'.

9. To delegate authority to the Director of Housing, Regeneration and Planning to amend the Rehousing and Payments Policy to allow all tenants who moved out of Tangmere and Northolt under the Policy or the Tangmere Priority Rehousing Scheme to be eligible for a second transfer with Band A priority following their first move out of the block. This would be regardless of whether their first move was through choice based lettings or through a direct offer, and this second move could be made at any time until either the tenant was offered one of the new replacement homes on the estate or he/she decides he/she does not wish to return.

Reason for decision

The Council has identified risks in a number of blocks on Broadwater Farm. Surveys have identified that Tangmere and Northolt have failed both the tests relating to Large Panel System (LPS) buildings, which means that there is a risk of progressive collapse caused by a force equivalent to a vehicle strike or bottled gas explosion. These risks have been mitigated through the introduction of measures set out in section six of this report, including:

- In Tangmere, which has piped gas, the replacement of gas cookers with electric cookers and the installation of gas interrupter valves, which will switch off the gas if a leak is detected. Northolt does not have piped gas.
- In both Tangmere and Northolt, a 24-hour concierge and a programme of home visits to reduce the risk that items such as bottled gas are taken into the building.

These mitigations reduce the risks, but do not remove them entirely. Further decisions are needed on how to address the structural problems identified in both blocks so that there is no risk of progressive collapse. In June Cabinet agreed, having considered the options that its preferred option was to demolish both blocks and replace them with high quality, new Council homes built on the estate. It further agreed that officers should consult residents of Tangmere and Northolt on the options for both blocks. This consultation took place between 12 September and 10 October and in the case of Council tenants was a statutory consultation under section 105 of the Housing Act 1985. The results of the consultation are set in sections 6.18 to 6.33 of this report, and show clear support for the Council's preferred option. Cabinet can therefore now make a decision on the future of both blocks in light of the results of the consultation alongside consideration of the technical and financial information presented in this report and the report to Cabinet of 26th June.

Because the Council was already aware of the requirement to rehouse residents of both Tangmere and Northolt (as all options to address the structural issues required each building to be emptied), in June Cabinet also agreed a draft Rehousing and Payments Policy for consultation. This consultation has now taken place, and a final

Rehousing and Payments Policy is presented for approval. The key commitments of the policy include:

- Guaranteed rights of return to the estate for all Council tenants and resident leaseholders who need to move out of Tangmere or Northolt.
- This includes a right to return to new build homes on the estate when they are built.
- Equity loans for resident leaseholders, to enable them to buy a new home in the borough with financial assistance from the Council.

In order to give residents who move out of Tangmere and Northolt the ability to return to Broadwater Farm more quickly if they want to, it is also proposed that a Local Lettings Policy is adopted. This will prioritise future lets on Broadwater Farm to these residents. The Council consulted on this proposed policy, and found clear support.

If Cabinet agrees that one or both blocks should be demolished, then demolition notices under Sections 138A and 138B of the Housing Act 1985 will need to be served on the secure tenants in those blocks.

Alternative options considered

The alternative options for rectifying the structural defects in Tangmere and Northolt were considered in detail in the report considered by Cabinet in June, and were explained in the consultation with residents.

Doing nothing is not an option, as both blocks have failed structural tests. The risks posed by the structural defects have been mitigated, but the blocks cannot remain occupied long-term as they are.

The main alternative option considered was to carry out major strengthening works to both blocks. Retrospective strengthening works would require the joints where walls, floors and ceilings meet to be strengthened. Windows would need to be removed to allow the strengthening materials to be fitted. The cost of these works to Tangmere is estimated at £13m while the cost of these works to Northolt is estimated at £12.5m. The works cannot be done while the residents remain in occupation.

In June, Cabinet decided, having considered the technical feasibility and the cost of the strengthening work that its preferred option is to demolish both blocks and replace them with high quality, new Council homes built on the estate. The consultation shows that a clear majority of residents agree with the Council's proposals.

Report for: **Cabinet 13 November 2018**

Title: **Broadwater Farm**

Report

Authorised by: **Helen Fisher, interim Director of Housing, Regeneration and Planning**

Lead Officer: **Dan Hawthorn, Director of Housing and Growth**

Ward(s) affected: **West Green**

Report for Key/

Non Key Decision: **Key Decision**

1. DESCRIBE THE ISSUE UNDER CONSIDERATION

- 1.1. At its meeting in June, Cabinet made a number of decisions relating to the Tangmere and Northolt blocks on the Broadwater Farm estate in response to the fact that both blocks have failed key structural tests for buildings of their type. This included the decisions to consult the residents of Tangmere and Northolt on the Council's preferred option to demolish the blocks and replace them with high quality, new council homes built on the estate. It also agreed to consult on a Rehousing and Payments Policy and Local Lettings Policy, because residents need to be rehoused from both blocks – at least temporarily – as all options to address the structural issues required each building to be emptied. This report presents the result of these consultations and recommends decisions on the future of both blocks.
- 1.2. In relation to the consultation on the Council's proposal for Tangmere, 91 per cent of Tangmere residents who responded to the consultation agree with the Council's preferred option to demolish the block and then rebuild the homes. This report therefore recommends that Tangmere is demolished, in line with the Council's preferred option, which has received support from a clear majority of Tangmere residents.
- 1.3. In relation to the consultation on the Council's proposal for Northolt, 81 per cent of Northolt residents who responded agree with the Council's proposal to demolish the block and then rebuild the homes. This report therefore recommends that Northolt is demolished, in line with the Council's preferred option, which has received support from a clear majority of Northolt residents.
- 1.4. June Cabinet also decided to start the rehousing of Tangmere residents, due to the fact that this block has failed both the tests relating to Large Panel System (LPS) buildings which means there is a risk of progressive collapse from an explosion caused by piped gas or from an explosion from a lower impact event such as a bottled gas explosion. This decision was taken because piped gas to the block was due to be turned off by the end of October 2018, and a decision on whether to strengthen or demolish Tangmere cannot be made until after consultation. All tenants of Tangmere have now been offered suitable alternative accommodation,

while the Council has also been working with resident leaseholders and private tenants to help them find alternative accommodation. In mid-October, the Council agreed with Cadent an extension to the deadline for Tangmere from the end of October to 15 November.

- 1.5. This report recommends that the rehousing of Northolt commences shortly after November Cabinet, with the exact date to be determined by the Director of Housing, Regeneration and Planning. It also proposes a final proposed Rehousing and Payments Policy following consultation which sets out how residents will be rehoused from Northolt, and also the commitments the Council will make to residents of both Tangmere and Northolt. This includes right of return to the estate on the same terms and conditions, including to new homes on the estate when they are built.
- 1.6. If Cabinet agrees that one or both of Tangmere and Northolt should be demolished, a number of further actions will need to be taken to facilitate vacant possession of the buildings ahead of demolition, and to allow more detailed work to commence on the proposals for new homes on the estate. This report sets out, and where appropriate seeks approval for, these next steps.

2. CABINET MEMBER INTRODUCTION

- 2.1. Since the structural issues with eleven of the twelve blocks on Broadwater Farm became known, substantial work has been done across the estate to ensure the safety of residents. The nine medium rise blocks have had their individual gas supplies removed and have heating and hot water provided by new temporary oil boilers. All these blocks will be connected to a new modern district energy network by the summer of next year, at a cost of £13m. In addition, strengthening and refurbishment works are being designed for these medium-rise blocks. The Kenley tower, which passed all the required safety tests, will also receive upgrade works, including new heating and hot water systems and associated works.
- 2.2. But, as we know, two of the blocks on Broadwater Farm – Tangmere and Northolt - failed the safety test for buildings of their type. So we have had to make a number of difficult decisions about the future of these blocks. Last time Cabinet considered Tangmere and Northolt, it looked at the options available to address the structural issues. All the options would have required residents to be rehoused from the two blocks, and the strengthening works that would be needed to make the blocks safe were prohibitively expensive.
- 2.3. Having considered the options, Cabinet decided that its preferred option was to demolish Tangmere and Northolt, and then to build new, high quality replacement Council homes on Broadwater Farm. We have now consulted residents on this preferred option, and for both blocks a very clear majority of residents agreed with the council's proposal. Residents told us that they want high quality council homes at council rents, with a greater number of larger homes that better meet the needs of local families. So tonight Cabinet is asked, in line with residents wishes, to agree the demolition of these two blocks.

- 2.4. Cabinet is also asked to approve a rehousing policy setting out our commitments to the residents of these two blocks. This includes a guaranteed right to return for Tangmere and Northolt tenants to the new homes when they are built.
- 2.5. If Cabinet agrees the recommendations in this report, more detailed work will start on the proposals for the new homes and this will of course be done in consultation with residents of the estate. This is not an easy decision to make. But it is an essential one to ensure the safety of residents. It is also now clear that it is a decision that the residents of Tangmere and Northolt strongly support.

3. RECOMMENDATIONS

It is recommended that Cabinet:

- 3.1. Notes and considers the outcome of the consultation carried out with Council tenants living in Tangmere pursuant to section 105 of the Housing Act 1985, and the non-statutory consultation with the Council leaseholders of Tangmere, as summarised in section 6.20 – 6.26 of this report and set out in detail in appendix 1.
- 3.2. Having regard to the results of this consultation, agrees that Tangmere should be demolished and authorises the Director of Housing, Regeneration and Planning to serve the initial demolition notice on the secure tenants of Tangmere and to decide the timing of any final demolition notice that needs to be served.
- 3.3. Notes and considers the outcome of the consultation carried out with Council tenants living in Northolt pursuant to section 105 of the Housing Act 1985, and the non-statutory consultation with the Council leaseholders of Northolt, as summarised in section 6.27 – 6.33 of this report and set out in detail in appendix 1.
- 3.4. Having regard to the results of this consultation, agrees that Northolt should be demolished and authorises the Director of Housing, Regeneration and Planning to serve the initial demolition notice on the secure tenants of Northolt and to decide the timing of any final demolition notice that needs to be served.
- 3.5. Having considered the results of the consultation on the Broadwater Farm Rehousing and Payments Policy as set out in section 6.40, approves the final Broadwater Farm Rehousing and Payments Policy attached at appendix 2.
- 3.6. Having considered the results of the consultation on the Broadwater Farm Local Lettings Policy as set out in section 6.52, approves the Local Lettings Policy attached at appendix 3.
- 3.7. Agrees that the rehousing of tenants and leaseholders from Northolt should commence as soon as practicable, and delegates authority to the Director of Housing, Regeneration and Planning to determine the exact date that the rehousing of Northolt commences. The rehousing will be carried out under the Rehousing and Payments Policy recommended to Cabinet in 3.5 above.
- 3.8. Approve as required by Section 1 – Financial Regulations paragraph 5.23 (b) within the Housing Revenue Account a virement of £1.2m from the HRA Building Regulations Review budget to a new budget 'Northolt Rehousing Costs'.

4. REASONS FOR DECISION

- 4.1. The Council has identified risks in a number of blocks on Broadwater Farm. Surveys have identified that Tangmere and Northolt have failed both the tests relating to Large Panel System (LPS) buildings, which means that there is a risk of progressive collapse caused by a force equivalent to a vehicle strike or bottled gas explosion. These risks have been mitigated through the introduction of measures set out in section six of this report, including:
- In Tangmere, which has piped gas, the replacement of gas cookers with electric cookers and the installation of gas interrupter valves, which will switch off the gas if a leak is detected. Northolt does not have piped gas.
 - In both Tangmere and Northolt, a 24 hour concierge and a programme of home visits to reduce the risk that items such as bottled gas are taken into the building.
- 4.2. These mitigations reduce the risks, but do not remove them entirely. Further decisions are needed on how to address the structural problems identified in both blocks so that there is no risk of progressive collapse. In June Cabinet agreed, having considered the options, that its preferred option was to demolish both blocks and replace them with high quality, new council homes built on the estate. It further agreed that officers should consult residents of Tangmere and Northolt on the options for both blocks. This consultation took place between 12 September and 10 October and in the case of council tenants was a statutory consultation under section 105 of the Housing Act 1985. The results of the consultation are set in sections 6.18 to 6.33 of this report, and show clear support for the Council's preferred option. Cabinet can therefore now make a decision on the future of both blocks in light of the results of the consultation alongside consideration of the technical and financial information presented in this report and the report to Cabinet of 26th June.
- 4.3. Because the Council was already aware of the requirement to rehouse residents of both Tangmere and Northolt (as all options to address the structural issues required each building to be emptied), in June Cabinet also agreed a draft Rehousing and Payments Policy for consultation. This consultation has now taken place, and a final Rehousing and Payments Policy is presented for approval. The key commitments of the policy include:
- Guaranteed rights of return to the estate for all Council tenants and resident leaseholders who need to move out of Tangmere or Northolt.
 - This includes a right to return to new build homes on the estate when they are built.
 - Equity loans for resident leaseholders, to enable them to buy a new home in the borough with financial assistance from the Council.
- 4.4. In order to give residents who move out of Tangmere and Northolt the ability to return to Broadwater Farm more quickly if they want to, it is also proposed that a Local Lettings Policy is adopted. This will prioritise future lets on Broadwater Farm to these residents. The Council consulted on this proposed policy, and found clear support.

- 4.5. If Cabinet agrees that one or both blocks should be demolished, then demolition notices under Sections 138A and 138B of the Housing Act 1985 will need to be served on the secure tenants in those blocks.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1. The alternative options for rectifying the structural defects in Tangmere and Northolt were considered in detail in the report considered by Cabinet in June, and were explained in the consultation with residents.
- 5.2. Doing nothing is not an option, as both blocks have failed structural tests. The risks posed by the structural defects have been mitigated, but the blocks cannot remain occupied long-term as they are.
- 5.3. The main alternative option considered was to carry out major strengthening works to both blocks. Retrospective strengthening works would require the joints where walls, floors and ceilings meet to be strengthened. Windows would need to be removed to allow the strengthening materials to be fitted. The cost of these works to Tangmere is estimated at £13m while the cost of these works to Northolt is estimated at £12.5m. The works cannot be done while the residents remain in occupation.
- 5.4. In June, Cabinet decided, having considered the technical feasibility and the cost of the strengthening work that its preferred option is to demolish both blocks and replace them with high quality, new council homes built on the estate. The consultation shows that a clear majority of residents agree with the Council's proposals.

6. BACKGROUND INFORMATION

The Broadwater Farm estate

- 6.1. The Broadwater Farm estate comprises 12 blocks. Construction on the blocks began in 1969 and completed in the early 1970s using a Large Panel System (LPS) method of construction. The estate comprises:

- Two tall high-rise blocks of 18 storeys
 - Northolt
 - Kenley
- One 6 storey block of ziggurat construction
 - Tangmere
- And nine medium rise blocks of 4-6 storeys above a concrete podium
 - Croydon
 - Lympne
 - Debden
 - Hornchurch
 - Hawking
 - Manston
 - Martlesham
 - Rochford
 - Stapleford

Tangmere and the nine medium-rise blocks had piped gas when the testing described below was carried out, though as set out below work has been underway to remove piped gas from these blocks. The two high-rise blocks do not have piped gas.

Structural requirements relating to Large Panel System buildings

- 6.2. The process by which the structural problems with the Broadwater Farm blocks became known is set out in detail in the report to Cabinet of June 2018, and is summarised in this section.
- 6.3. The blocks on Broadwater Farm are amongst a number of buildings in the country which were constructed using a Large Panel System (LPS) method of construction. This is the same method of construction as that used for Ronan Point in the London Borough of Newham, where a gas explosion in 1968 from a gas hob caused progressive collapse of one corner of the block. Following the Ronan Point disaster, regulations were introduced which state that LPS systems with a piped gas supply should be able to withstand an explosive force measuring 34 kN/m², which is the equivalent of a piped gas explosion. The requirement for LPS blocks without a gas supply is that they should be able to withstand an explosive force of 17 kN/m², which is the equivalent of the force of a vehicular strike to the building or from a bottled gas explosion.
- 6.4. The structural issues on Broadwater Farm became known following structural tests undertaken from late 2017. This testing was carried out in response to information received from the then Department for Communities and Local Government (DCLG) regarding concerns which had come to light with the LPS Ledbury Estate in Southwark. A report commissioned by Southwark Council raised concerns around the gas supply to the LPS blocks, and neither Southwark nor their structural engineers were able to locate records of the blocks' construction or any remedial works. The then DCLG wrote to building owners who have LPS blocks to alert them to the position regarding the Ledbury estate, asking them to review their records pertaining to strengthening work and structural design of their LPS buildings.
- 6.5. Similarly, Haringey Council and Homes for Haringey were only able to identify partial archive evidence relating to previous structural works carried out to the blocks on Broadwater Farm. As these records did not provide sufficient assurance about whether Broadwater Farm met the regulations relating to LPS blocks, Homes for Haringey commissioned structural tests of the blocks. This work was carried out by structural engineers Ridge, and has been peer-reviewed by Curtins. The testing method involved 'opening up' a sample of vacant properties on the estate to understand the construction of the blocks in line with government regulations and guidance on LPS blocks issued by the Building Research Establishment (BRE). The tests identified structural issues with 11 of the 12 blocks on the Broadwater Farm estate. The test reports relating to the Broadwater Farm blocks have been published on Homes for Haringey's website, and a link is provided in section 10 of this report.

The medium-rise blocks

- 6.6. In December 2017, test results showed that the nine medium-rise blocks on the estate – all of which had piped gas at the time the tests were undertaken - had failed the 34 kN/m² test. As a result, the Council and Homes for Haringey decided to put in place a first phase of mitigating measures. These were:
- The replacement of gas cookers with electric cookers in all 725 homes
 - The installation of gas interrupter valves in all the 725 homes, which will switch off the gas if a leak is detected

- 6.7. The mitigation measures reduced the risk of an explosion from the piped gas in the buildings, and mean that it has not been necessary for residents to be rehoused from these blocks. Work is underway to mitigate the risk of a gas explosion more comprehensively by removing piped gas from all the medium rise blocks. At its meeting on 14 August 2018, Cabinet agreed the award of a contract to install a new district heating system on the estate. This work comprises two phases. First, temporary boilers will be installed to allow for alternative heat and hot water to be provided to the blocks ahead of the date the gas is switched off by the gas provider Cadent. The second phase of work will switch the blocks to a new central energy centre by mid-2019.
- 6.8. The tests also identified some strengthening works required to the medium-rise blocks, at the points where the four storey parts of the blocks meet the six storey sections. This will require residents in these sections of the medium-rise blocks to be rehoused temporarily to allow these works to take place.

Tangmere

- 6.9. Tangmere has failed both the 34 kN/m² test and the 17 kN/m² tests. This means that there is a risk from both a piped gas explosion and from a lower impact event such as a bottled gas explosion. As Tangmere had piped gas at the time the tests were undertaken, the same mitigations were put in place as the medium-rise blocks as set out in 6.6 above. As it had failed the lower test the following additional safety measures have also been put in place:
- Homes for Haringey are undertaking home visits to every property to check for the presence of both bottled gas and oxygen cylinders
 - A 24 hour concierge has been implemented to prevent residents bringing any such items into the building.
- 6.10. Whilst these mitigations have reduced the risk of progressive collapse, the work needed to enable Tangmere to meet the 17 kN/m² test is much more significant. The Cabinet report of June 2018 set out in detail the scale and cost of the strengthening work that would be needed, based on a feasibility study and cost estimate prepared by Ridge. These showed that the cost of the strengthening works was estimated at £13.1m (equivalent to £112,000 per flat). When other costs are factored in (for example the need to connect Tangmere to the renewed district heating system) the total cost of the works required to Tangmere to make it safe for long-term habitation and meet the Decent Homes Standard is approximately £19m in total (a total cost of £164,000 per flat). The scale of this work means that residents would need to be rehoused from Tangmere for at least a year once the block was vacant to enable the work to take place.
- 6.11. Having considered the technical and financial information relating to Tangmere at its meeting in June, Cabinet decided that its preferred option was to demolish Tangmere and to build new homes on the Broadwater Farm estate, and to consult the residents of Tangmere on the Council's preferred option. The results of this consultation are set out below in paragraphs 6.20 – 6.26.
- 6.12. Cabinet also decided in June to start the rehousing of residents from Tangmere. This decision was taken because Cadent had indicated that the gas to Tangmere –

in common with all the blocks on the estate with piped gas – would be turned off at the end of October 2018. As it was not possible in June to make a decision on the future of Tangmere as the consultation with residents had not taken place, it was necessary to commence the rehousing to allow residents to move before gas was removed from the block. For Tangmere this deadline has been extended to mid-November.

Northolt

- 6.13. Northolt has also failed the 17 kN/m² test. The same mitigations have been put in place as set out in 6.9 regarding Tangmere.
- 6.14. Whilst these mitigations have reduced the risk of progressive collapse, as with Tangmere the work needed to enable Northolt to meet the 17 kN/m² test is significant. The Cabinet report of June 2018 set out in detail the scale and cost of the strengthening work that would be needed, based on a feasibility study and cost estimate prepared by Ridge. These showed that the cost of the strengthening works was estimated at £12.1m. When other costs are factored in – including switching Northolt to the renewed district energy network – the total cost of the works required to Northolt to make it safe for long-term habitation is approximately £14.6m in total (a total cost of £145,000 per flat). As with Tangmere, the scale of this work means that residents would need to be rehoused from Northolt for at least a year once the block was vacant to enable the work to take place.
- 6.15. Having considered the technical and financial information relating to Northolt at its meeting in June, Cabinet decided that its preferred option was to demolish the block and to build new homes on the Broadwater Farm estate, and to consult the residents of Northolt on the Council's preferred option. The results of this consultation are set out below in paragraph 6.27 – 6.33.
- 6.16. Because Northolt does not have piped gas, it has not been necessary to rehouse residents ahead of a decision on the future of the block. Section 6.50 of this report recommends an approach for the rehousing of Northolt residents following the consultation on the future for the block and on the proposed Rehousing and Payments Policy.

Kenley

- 6.17. The other high-rise block on the estate – Kenley – has passed the 17 kN/m² test and is therefore structurally secure. It does not have piped gas so the 34 kN/m² test does not apply. Kenley will be connected to the renewed estate-wide district energy network as part of the contract awarded by Cabinet in August 2018.

Consultations on the futures of Tangmere and Northolt

- 6.18. In June Cabinet agreed that officers should consult the residents of Tangmere and Northolt on the two feasible options to address the structural problems identified, that is whether to carry out the strengthening works or whether to demolish the blocks and rebuild Council homes on the estate. Cabinet agreed that its preferred option would be to demolish the blocks, for the reasons set out in that report including the impact such works would have on the Council's financial position.

Method

6.19. The consultation was carried out by way of a letter and question booklet. These were hand delivered to residents on 12 September, with the consultation closing on 10 October. Consultation materials were provided in other languages, large print or braille as needed. A number of drop-in events were held on the estate within the foyer areas of the Tangmere and Northolt blocks. Homes for Haringey staff also knocked on residents doors on a number of occasions to answer questions and remind residents about the consultation.

Summary of the results of the consultation on the future of Tangmere

- 6.20. In total, 43 responses were received from Tangmere residents – 42 to the statutory consultation with secure tenants and one to the non-statutory consultation with leaseholders.
- 6.21. Responses were also received from the Broadwater Farm Residents Association and Defend Council Housing. These responses are not included in the tables below, but are summarised in the consultation report at Appendix 1.
- 6.22. In response to the question 'Do you agree with the Council's proposal to demolish Tangmere and then build new homes on the Broadwater Farm Estate'? the following responses were received:

Do you agree with the Council's proposal to demolish Tangmere and to rebuild the homes on the Broadwater Farm estate?						
	Secure tenant		Leaseholder		All responses	
Strongly Agree	31	74 %	-	-	31	72 %
Broadly Agree	7	17 %	1	100 %	8	19 %
<i>Not sure</i>	-	-	-	-	-	-
Broadly Disagree	2	5 %	-	-	2	5 %
Strongly Disagree	2	5 %	-	-	2	5 %
Total	42	100 %	1	100 %	43	100 %

- 6.23. 91 per cent of respondents agree with the Council's proposal – either strongly or broadly. In the statutory consultation with secure Council tenants, 91 per cent also agreed with the proposal – 74 per cent strongly agreed while a further 17 per cent broadly agreed.
- 6.24. Residents were also asked to give reasons for their answers. These are analysed in more detail in appendix one. Where residents agreed with the Council's proposal, the main reasons given were around the safety issues, and that they agreed that trying to fix these issues was not worth the cost. A large number of residents

mentioned the problems the block suffers with leaks. A number of residents said that they perceived the block as being old. Where residents said that they disagreed with the proposal, the main reasons included that the need to move was unexpected, and it is unfair that residents of Tangmere (and Northolt) are particularly impacted by the structural defects found in their blocks.

6.25. Residents were also asked how important they thought the following considerations were in deciding the future of Tangmere:

- Of those who responded, 81% said that they thought having the same number or more council homes at council rents was important or very important.
- 53% of those who responded thought that it was important or very important that Tangmere residents could stay on Broadwater Farm.
- The vast majority (84%) of those who responded thought it was important or very important that a greater number of larger, family homes are provided that better meet the needs of local residents.
- 81% of those who responded thought that it was important or very important to improve the quality of the homes on the Tangmere site.
- 74% of those who responded thought that the cost to the Council and value for money for council tenants was an important or very important consideration.

6.26. The consultation responses show that there is clear support for the Council's proposal to demolish Tangmere and build new Council homes to replace those demolished. The main reasons residents gave were around the safety issues with the block, and the high cost of the works that would be needed to repair the block. A large number of residents also mentioned the other problems with Tangmere, such as the leaks and that they felt that the block was old. In terms of the considerations residents think are important when deciding the future of the block, the most important factors amongst those who responded were the provision of larger homes, having the same number of more council homes at council rents and improving the quality of the homes. Being able to stay on the estate had the lowest priority.

Summary of the results of the consultation on the future of Northolt

6.27. In total, 65 responses were received from Northolt residents – 55 to the statutory consultation with secure tenants and 10 to the non-statutory consultation with leaseholders.

6.28. Responses were also received from the Broadwater Farm Residents Association and Defend Council Housing. These responses are not included in the tables below, but are summarised in the consultation report at Appendix 1.

6.29. In response to the question 'Do you agree with the Council's proposal to demolish Northolt and then build new homes on the Broadwater Farm Estate?' the following responses were received:

Do you agree with the Council's proposal to demolish Northolt and to rebuild the homes on the Broadwater Farm estate?

	Secure tenant		Leaseholder		All responses	
Strongly Agree	38	69 %	7	70 %	45	69 %
Broadly Agree	8	15 %	-	-	8	12 %
<i>Not sure</i>	2	4 %	-	-	2	3 %
Broadly Disagree	5	9 %	3	30 %	8	12 %
Strongly Disagree	2	4 %	-	-	2	3 %
Total	55	100 %	10	100 %	65	100 %

- 6.30. 81 per cent of respondents agree with the Council's proposal – either strongly or broadly. In the statutory consultation with secure Council tenants, 84 per cent agreed with the proposal – 69 per cent strongly agreed while a further 15 per cent broadly agreed.
- 6.31. Residents were also asked to give reasons for their answers. These are analysed in more detail in appendix one. Where respondents agreed with the Council's proposal, the main reasons given concerned the safety issues with the block and the cost of resolving these. A number of residents also mentioned wider problems they experienced, such as overcrowding. One tenant who said they disagreed gave a reason, saying that they enjoy living in Northolt and so would rather it was strengthened. A number of leaseholders also raised concerns about what the proposals could mean for them in terms of the value of their properties and rehousing options for them.
- 6.32. Residents were also asked how important they thought the following considerations were in deciding the future of Northolt:
- Of those who responded, 75% said that they thought having the same number or more of council homes at council rents was important or very important.
 - 54% of those who responded thought that it was important or very important that Northolt residents could stay on Broadwater Farm.
 - The vast majority (82%) of those who responded thought it was important or very important that a greater number of larger, family homes are provided that better meet the needs of local residents.
 - 83% of those who responded thought that it was important or very important to improve the quality of the homes on the Northolt site.
 - 77% of those who responded thought that the cost to the Council and value for money for council tenants was an important or very important consideration.
- 6.33. The consultation responses show that there is clear support for the Council's proposal to demolish Northolt and build new Council homes to replace those demolished. The main reasons residents gave were around the safety issues with the block, and the high cost of the works that would be needed to repair the block. A number of residents also mentioned other problems such as overcrowding. In terms of the considerations residents think are important when deciding the future of the block, the most important factors amongst those who responded were improving the quality of the homes, providing a greater number of larger homes and having the

same number or more council homes at council rents. Being able to stay on the estate had the lowest priority.

- 6.34. The Council received a petition signed by 70 residents of Tangmere and Northolt, which asked the Council to hold a ballot on whether to strengthen or demolish the blocks. This will be responded to in line with the Council's procedure on petitions, explaining that the Council's position is that it is not appropriate to hold a ballot on this question, as it concerned a health and safety issue with significant financial implications. The response explained that a ballot would be held on proposals for new homes. Only one of the responses to the section 105 consultation mentioned a ballot.

Tangmere and Northolt: next steps

- 6.35. This report makes recommendations about the future of Tangmere and Northolt in light of the findings of the resident consultation, as well as the financial and technical considerations. If Cabinet agrees that either or both of Tangmere and Northolt should be demolished, a number of further decisions are required to ensure that all residents are rehoused, the Council can gain vacant possession of the block and more detailed work can start on the proposals for new homes on the estate. These considerations are set out below.

Broadwater Farm Rehousing and Payments Policy

- 6.36. On 26 June 2018, Cabinet approved the Tangmere Rehousing Priority Scheme (TRPS) setting out the rehousing offer for Tangmere residents and payments they would receive. This policy was an interim policy to cover the urgent need to rehouse Tangmere residents before the gas supply was turned off to the block at the end of October 2018 (which has since been extended to mid November).
- 6.37. Cabinet also agreed to consult on the draft Broadwater Farm Rehousing and Payments Policy which, if and when it is approved, would replace the Tangmere Rehousing Priority Scheme and sets out the Council's rehousing commitments including how the Council will give rights of return to residents of Tangmere and Northolt and the payments that will be made to tenants of Tangmere and Northolt. The policy also sets out the rehousing offer for: (1) Northolt tenants; (2) Tangmere tenants who have already accepted a new home through a Direct Let; and (3) any Tangmere tenants who have not yet accepted an offer of a new home (and who will be entitled to a similar Direct Let, because of the urgency of vacating that block for the reasons set out in this report and the report to Cabinet on 26 June).
- 6.38. In October, Cabinet agreed that discretionary Home Loss payments should be made to the tenants of Tangmere regardless of the decision on the future of the block. This recognised the exceptional circumstances of the Tangmere situation – in particular that residents needed to be rehoused at short notice and before a decision on how the structural issues would be rectified could be made.
- 6.39. A final proposed policy is presented with this report for Cabinet approval, following the consultation. The policy has four main aims for those who are required to move because of significant structural repairs and/or future demolition of their home:

- To set out the rehousing offer for tenants as set out in 6.37 above.

- To set out the type and size of housing tenants will be offered and how properties will be allocated.
- To set out the tenants' and leaseholders' rights to return to the estate when a suitable property becomes available. This applies to all Council tenants and leaseholders who will need to move out of Tangmere and Northolt due to the structural problems with the blocks.
- To set out payments available to tenants and leaseholders who are required to move.

Summary of the results of the Rehousing and Payments Policy consultation

6.40. Appendix 1 sets out the findings of the consultation on the proposed Rehousing and Payments Policy in detail. The responses can be summarised as:

- When asked what size home tenants should be offered, the vast majority of those who answered this question (50 out of 60 respondents or 83%) thought it should be the appropriate size home for the household being offered (as opposed to the same size as their current home).
- When asked for their comments about the numbers of offers of alternative accommodation, Northolt tenants were strongly in favour of more than one offer with most of these suggesting two or three offers or through the Choice-Based Lettings scheme. Three residents expressly stated that they were against the Choice-Based Lettings scheme being used.
- When asked if tenants who have moved out of Tangmere or Northolt should have a Right to Return to a newly built home, the vast majority of respondents (92 out of 99 respondents or 93%) supported this proposal.
- There was also strong support (57 out of 65 respondents or 88%) for resident leaseholders having a guaranteed right of return to any new homes built on the estate. There was also support (46 out of 54 respondents or 85%) for the Council to offer a higher equity loan in some circumstances.

Changes to the Broadwater Farm Rehousing and Payment Policy following consultation

6.41. The consultation has shaped the final Broadwater Farm Rehousing and Payments Policy, which is presented with this report for approval. In particular, the draft policy has been changed as a result of the consultation in the following main areas:

- Rehousing of Northolt residents will be carried out through Choice-Based Lettings initially, to give residents as much choice as possible.
- The ways in which residents can return to the estate have been clarified, in particular to be clear that residents will have a guaranteed right to return to new build homes on the estate. Resident leaseholders will also have a right to return to new build homes.
- The policy also sets out how the Council will show discretion to meet its policy aims of ensuring that the residents of Tangmere and Northolt can stay in the local area. This may include offering a resident leaseholder a higher equity loan in some circumstances, if there is a compelling reason based on a leaseholder's circumstances.

6.42. The key commitments of the final policy are summarised below.

Broadwater Farm Rehousing and Payments Policy: Key commitments

Rights to Return

6.43. A key commitment of the proposed policy is for secure tenants to have a guaranteed right to return to the estate. Such offers will be made according to their housing need at the time of the offer, and will be honoured in two ways:

- By an offer of a property elsewhere on the estate which had been vacated by another secure tenant
- By an offer of a newly built replacement home, once these are available

6.44. Households may refuse an offer to return to an existing home on the estate which will end their right to further offers of existing homes on the estate. However, households will still be eligible for an offer of a newly built replacement home. Refusal of a newly built home will end both rights of return.

6.45. It is proposed that existing resident leaseholders are given the Right to Return to a new build property on the estate where they continue to own and live in a property in the borough. This right will also be extended to any partners who have inherited the Equity Loan following the death of the original leaseholder (in the manner set out in the policy).

Keeping Band A for future moves

6.46. Because of the urgency of the Tangmere rehousing, offers of alternative accommodation have been made through 'direct lets', that is the Council made offers of accommodation directly rather than allowing tenants to bid. The Council recognises that this limits the amount of choice tenants have, but judged it to be necessary in the circumstances. However, in order to give tenants as much choice as possible the policy proposes that where tenants have moved from Tangmere or Northolt under a single direct let and have not had an offer of another property through the Choice-Based Lettings scheme, they are given 'Band A' priority on the housing register. This will allow them to continue to bid for alternative accommodation through the Choice-Based Lettings System with high priority.

Equity loans for resident leaseholders

6.47. Resident leaseholders who wish to remain in the borough but who cannot afford to purchase a new property outright may be able to buy a new property within the borough using an Equity Loan from the Council.

6.48. Equity Loans will be available to fund up to 40% of the purchase price of a leaseholder's new home in the borough where the leaseholder invests the whole of the market value and Home Loss Payment received on sale of their flat to the Council. Higher levels of Equity Loan may also be considered by the Broadwater Farm Discretion Panel where the standard 40% loan would not enable the leaseholder to purchase a new home in the borough.

- 6.49. The Equity Loan only needs to be repaid upon sale of the property or transfer to another owner unless to a co-habiting partner at the time of the owner's death. Any increase or decrease in the value of the property will be apportioned between the leaseholder and the Council in line with their original and any further contributions, which are calculated as percentages

Rehousing Northolt residents

- 6.50. Unlike Tangmere, there is no deadline for rehousing Northolt residents associated with the 'gas out' date, as the block does not have piped gas. The policy therefore proposes that Northolt tenants are given access to the Choice-Based Letting system shortly after the Cabinet decision on the future of the block, with the exact date determined by the Director of Housing, Regeneration & Planning. It is proposed that offers are made via Choice-Based Letting for a period determined by the Director of Housing, Regeneration & Planning, after which offers will be made directly to ensure that the block is vacated promptly in order to give effect to Cabinet's decision. The Council may also make direct offers if this is requested by the tenant or is determined to be appropriate in a particular case, for example with larger households where the number of suitable properties which become available will be limited, or make direct offers to all remaining households if the balance of risk in relation to Northolt is judged to have changed. In these cases, direct offers will enable a household to be offered alternative accommodation more quickly. Officers will also start conversations with leaseholders about their options and buying back their properties, in line with the final Rehousing Policy.

The Broadwater Farm Discretion Panel

- 6.51. The Rehousing and Payments Policy seeks to cover the majority of cases, but a Broadwater Farm Discretion Panel has been created to assess any cases where there may be exceptional circumstances. This panel would seek to apply the guiding principles of the Rehousing and Payments Policy – such as ensuring that tenants and resident leaseholders are able to return to the estate on the same terms as they have currently.

Examples which may be considered include:

- Where a tenant has requested for their household to be separated into two or more households
- Where a leaseholder would require an Equity Loan greater than 40%
- Where there has been a significant change in a leaseholder's circumstances since leaving the Broadwater Farm estate

Local Lettings Policy

- 6.52. In order to meet the Right to Return prior to new homes being built, a Local Lettings Policy is proposed to ensure that, where practical, all future lets on Broadwater Farm are offered to tenants of Tangmere and Northolt who have moved off the estate and who wish to return.

Summary of the results of the Local Lettings Policy consultation

Do you agree that tenants who need to move off Broadwater Farm because of the

structural issues should be given priority for any homes that become vacant on Broadwater Farm?

	Secure tenant		Leaseholder		All responses	
Yes	73	75 %	10	91 %	83	77 %
No	9	9 %	-	-	9	8 %
<i>Don't know</i>	-	-	-	-	-	-
<i>No answer</i>	15	15%	1	9 %	16	15%
Total	97	100 %	11	100 %	108	100 %

Do you agree with the proposed priorities set out in the proposed Local Lettings Policy?

	Secure tenant		Leaseholder		All responses	
Yes	75	77 %	10	91 %	85	79 %
No	6	6 %	-	-	6	6 %
<i>Don't know</i>	-	-	-	-	-	-
<i>No answer</i>	16	16%	1	9 %	17	16%
Total	97	100 %	11	100 %	108	100 %

Summary of the final Local Lettings Policy

6.53. The Local Lettings Policy states that each vacant property on the estate will be offered to households in the following order of priority:

1. Secure tenants who remain in Northolt or Tangmere and need to be rehoused using a Direct Let, in the following order of priority:
 - a. Tenants who are vulnerable
 - b. Tenants with a local connection (as defined in the policy)
 - c. All other tenants from these blocks – with priority given to those who have lived on the estate the longest
2. Secure tenants who left Tangmere or Northolt after 26 June 2018 and still have a right to return to a vacant property and who have a housing need that matches the size of the available property.

In the event of tenants otherwise having equal priority the property will be offered to the tenant with the earliest start date to their tenancy on the estate.

6.54. Households as determined by the Housing Allocations Policy.

Securing vacant possession of Tangmere and Northolt ahead of demolition

6.55. If Cabinet agrees that Tangmere and/or Northolt should be demolished, a number of further actions will be needed ahead of demolition and to allow more detailed work on the proposals for new homes to start. These are set out below. The estimated costs of demolition are £2.5m for Tangmere and £2m for Northolt.

Acquisition of leasehold interests

- 6.56. Since the June Cabinet decision, the Council has been working with leaseholders in Tangmere to enable them to move out of Tangmere, and to negotiate the buyback of their properties. The Rehousing and Payments Policy sets out the ways the Council will assist resident leaseholders to buy a new home.
- 6.57. The Council will continue negotiations with Tangmere leaseholders in order to acquire their properties by private treaty, and will start negotiations with the leaseholders of Northolt from the date the rehousing of that block commences. Should the Council and any leaseholders not reach an agreement in a reasonable period, it may be necessary, as a last resort, for the Council to consider using its compulsory purchase powers. This would form the basis of a separate report to Cabinet for a future decision.

Seeking possession of secure tenanted properties

- 6.58. The Council has to date not served any Notices of Seeking Possession on the secure tenants of Tangmere, as it has sought to make offers of alternative accommodation which residents accept. This approach will continue with Northolt. If any tenant does not agree to an offer of alternative accommodation which the Council believes is suitable, it may be necessary for the Council to seek an order for possession. Where a property is being demolished (but not disposed of), the Council can seek possession of a secure tenant's property under Section 84 of the Housing Act 1985 and using Ground 10 of Schedule 2 of the Housing Act 1985. Ground 10 requires that alternative accommodation is offered to the secure tenant. Although the notice period for Ground 10 is 28 days, re-possession of a home will be subject to court proceedings which may take up to 6 months to conclude.

Demolition Notices

- 6.59. On approval of the demolition of one or both blocks, it is proposed to serve Initial Demolition Notices (IDNs) under Section 138A of the Housing Act 1985 on all secure tenants. The effect of the IDN is to inform the secure tenants that their right to buy is suspended, this will be followed by a Final Demolition Notice (FDN) under section 138B when a date has been set for the demolition to take place. The effect of the FDN is to stop the right to buy. IDNs can last for a period of 7 years. It is proposed that both the IDN and FDN be served also on the leaseholders so they are informed that the Council plans to demolish their flats in the future.

Planning process

- 6.60. Before any physical demolition can be carried out, the Council must submit to the Planning Authority a Demolition Notice and Demolition Method statement which considers the impact on surrounding properties in terms of dust, noise etc. These processes take around 6 weeks and 3-4 weeks respectively but can be started at the same time.

Next steps on replacement homes

- 6.61. The Council has committed to replacing any council homes which are demolished with new council homes on the estate. As reported to Cabinet in June, the Council commissioned some initial capacity studies to determine how much housing could be built on the estate and where. This work is ongoing, the final studies will be made available to residents and other stakeholders as part of the collaborative work to develop detailed proposals for new homes.
- 6.62. If Cabinet agrees to demolish one or both blocks and build new homes, work will start to develop options for new homes. Crucially, there will be detailed resident engagement on the proposals, and the housing principles that will determine the number of homes and the types of design that could be considered. The Council is committed to holding a ballot of Broadwater Farm residents once proposals for replacement Council homes have been developed. This ballot will be of residents across the whole Broadwater Farm estate, including former residents of Tangmere and Northolt.
- 6.63. The work on more detailed proposals will also determine how the new homes will be funded and delivered. The Council included the replacement homes for Tangmere and Northolt in its bid to the GLA for grant funding (as the timetable for bidding required submissions by the end of September). Whilst detailed work will need to be carried out to assess the financing of the new homes, the proposed lifting of the Housing Revenue Account Borrowing Cap widens the options available to the Council. It is the Council's intention to hold the replacement homes in the Housing Revenue Account.

7. CONTRIBUTION TO STRATEGIC OUTCOMES

- 7.1. Priority 5 of the Council's Corporate Plan is to "Create homes and communities where people choose to live and are able to thrive" and within this says that the Council "will effectively manage existing housing and provide excellent services to residents".
- 7.2. Objective 4 of the Haringey Housing Strategy 2017-2022 identifies that a key priority is to "Provide stable, safe well-managed homes in decent environments". Ensuring that all residents live in safe homes is essential to delivering this priority.
- 7.3. Ensuring that residents of Tangmere and Northolt live in safe homes supports the emerging 2019-2023 Borough Plan, which has as its first priority 'a safe, stable and affordable home for everyone, whatever their circumstances'. Outcome 3 of the housing priority is 'We will work together to drive up the quality of housing for everyone', with the specific objective of ensuring safety and improving conditions in housing of all tenures across the borough.

8. STATUTORY OFFICER COMMENTS

Finance

- 8.1. This report has a number of recommendations that will adversely impact the Council's Housing Revenue Account and General Fund to varying degrees.

- 8.2. The rehousing of tenants from both Tangmere and Northolt will result in an unbudgeted loss of rental income to the HRA once the blocks are empty. This will create a pressure in the HRA.
- 8.3. Once rehoused the Tangmere and Northolt blocks will need to be made safe from trespass through physical measures such as hoarding and the maintenance of a guarding presence. These costs are unbudgeted and will create a pressure in the HRA.
- 8.4. In June, Cabinet agreed to start the rehousing of residents from Tangmere, including buying back the leaseholder properties in the block. At the time the rehousing of Tangmere started, there were 13 leaseholder in Tangmere.
- 8.5. The rehousing of residents of Northolt ahead of demolition will also require buying back the leasehold properties in this block. Currently there are 14 leaseholders flats in Northolt of which 3 are non-resident.
- 8.6. There will also be an impact on the number of households in temporary accommodation, as lets will need to be prioritised for the tenants of Northolt. This will be a pressure on the general fund (GF).
- 8.7. The estimated financial effects of the rehousing of Tangmere were presented at the June cabinet as shown below:

Issue	HRA	HRA	GF	GF
	2018/19	Full	2018/19	Full
	Effect	Year	Effect	Year
	£000's	£000's	£000's	£000's
HRA Revenue:				
Loss of rental income (full year effect)	117	473		
HRA Capital:	100			
Physically securing the site (hoarding)				
Guarding costs	125	250		
Leaseholder buy back (inc. estimated SDLT liability and fees)	3,354			
Relocation costs	178			
Equity loan (maximum)	1,868			
Equity Loan SDLT	93			
Increased temporary accommodation costs			203	406
Total cost	5,835	723	203	406

- 8.8. Of the estimated effect of £5,835 in 2018/19, £117k loss of rental income cost has been recognised in the 2018/19 HRA full year forecast. The remaining cost of £5,718k in 2018/19 will be contained in the 2018/19 HRA capital programme budget as highlighted in the June Cabinet report.
- 8.9. Within the approved 2018/19 HRA capital programme there is a budget for Broadwater Farm of £11.5m. At its meetings in June and August 2018 Cabinet

made decisions in relation to Tangmere decanting and Broadwater Farm district heating and committed the available Broadwater Farm budget set out below:

Tangmere Rehousing	£5.718m
BWF Distract Heating	£5.782m
Total Committed	£11.5m

8.10. The estimated financial effects to decant tenants of Northolt are set out below:

Issue	HRA	HRA	GF	GF
	2018/19 Effect	Full Year	2018/19 Effect	Full Year
	£000's	£000's	£000's	£000's
HRA Revenue:				
Loss of rental income (full year effect)	13	398		
HRA Capital: Physically securing the site (hoarding)	20			
Guarding costs	32	131		
Leaseholder buy back (inc. estimated SDLT liability and fees)	553	2,569		
Homeloss	126	535		
Relocation costs	33	140		
Equity loan (maximum)	488	1,789		
Equity Loan SDLT	18	67		
Increased temporary accommodation costs			90	383
Total cost	1,283	5,717	90	383

- 8.11. Of the estimated effect of £1,283 in 2018/19, £13k loss in rental income has been recognised in the HRA full year forecast. An approval for virement from HRA Building Regulations Review budget to a new budget line, Northolt Decanting Budget, is sought as part of this report, to fund the remaining cost of £1.2m..
- 8.12. Of the £5,717 in 2019/20, £398k relates to loss in rental income; while £5.4m relates to capital costs, which will be reflected in the 2019/20 capital programme budget.
- 8.13. In order for the Northolt decant to proceed sufficient resources need to be identified, and as such to fund the proposed Northolt expenditure a virement must be undertaken.
- 8.14. Officers have advised that HRA Building Regulations Review budget can be utilised and that budget can be vired into the Northolt Decant scheme. If this virement is accepted then the budget will be sufficient to cover the proposed expenditure.
- 8.15. It is estimated that the demolition of both Tangmere and Northolt blocks will cost about £4.5m. This cost will be reflected the HRA capital programme budget for future years.

- 8.16. The June cabinet report, “Blocks on the Broadwater Farm Estate” highlighted the cost of rebuilding the blocks, should this option be chosen. This cost will be included in the HRA capital programme for future years.
- 8.17. Cabinet are requested to agree this virement as per recommendation 3.8.
- 8.18. The financial implications of the Broadwater Farm Rehousing and Payments Policy and the Local Lettings Policy have been captured in the finance comments as highlighted above.

Legal

- 8.19. The Assistant Director for Corporate Governance has been consulted on this report and where not set out below legal comments have been incorporated into the main body of this report.
- 8.20. In making its decision Cabinet must conscientiously take into account the outcome of the consultation, and be satisfied that the consultation adhered to the other “Sedley principles”, namely:
- (1) That consultation was at a time when proposals are still at a formative stage;
 - (2) That sufficient reasons were given for any proposal to permit of intelligent consideration and response;
 - (3) That adequate time was given for consideration and response
- 8.21. Cabinet must also be satisfied that its decision is compatible with tenants’ and leaseholders’ human rights under the European Convention. The demolition of each block will necessarily require the prior ending of secure tenants’ tenancies and leaseholders’ leases (subject to the possible need for compulsory purchase) and will impact upon the following Convention rights in particular: Article 8 (right to respect for private and family life); Article 1 Protocol 1 (protection of property).
- 8.22. The Convention Rights are each qualified; that is, there is a balance to be struck between the Convention Right and other interests and rights. Any restriction on the exercise of the right must be in accordance with the law, and in the public interest.
- 8.23. The public interests to be taken into account in considering Article 8 rights include, in particular, public safety.
- 8.24. The public interests relevant to Article 1 Protocol 1 rights include in particular the right of to control the use of property in accordance with the general interest.
- 8.25. The Assistant Director Corporate Governance sees no legal reason preventing Cabinet from approving the recommendations in the report, and considers that Cabinet may be satisfied that they are compatible with tenants’ and leaseholders’ human rights.

Equalities

- 8.26. The Council has a Public Sector Equality Duty under the Equality Act (2010) under which it must have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share these protected characteristics (see below) and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.27. The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

8.28. An Equality Impact Assessment has been undertaken on the potential impacts of the decisions on those with protected characteristics. This document takes into account the outcomes of the consultation on the future of the homes at Tangmere and Northolt, and on the draft Broadwater Farm Rehousing and Payments Policy and Broadwater Farm Local Lettings Plan.

8.29. The assessment has identified that the main impacts which will affect residents with protected characteristics, is that the impact of residents will be greater for those who depend on local support and services including elderly residents, those with high support needs and those with children in local schools.

8.30. This impact is mitigated by Northolt tenants having the option to bid for their next home and having the highest priority of Band A together with their applicable date being the start date of their tenancy. Where a direct let is required, or where the tenant chooses to take this option, additional mitigation is offered by priority for rehousing in the local area being given to vulnerable residents, and then to those with local connections including those with children attending a local school.

8.31. The Equality Impact Assessment (EqIA) is attached as Appendix 4.

9 USE OF APPENDICES

Appendix 1: Report on the results of the consultations

Appendix 2: Proposed Broadwater Farm Rehousing and Payments Policy

Appendix 3: Proposed Broadwater Farm Local Lettings Policy

Appendix 4: Equality Impact Assessment

10. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Report to 26th June Cabinet regarding the results of the structural reports on the Broadwater Farm blocks, and minutes of Cabinet's decisions:

<https://www.minutes.haringey.gov.uk/mgAi.aspx?ID=58198>

Broadwater Farm structural reports and cost estimates:

<https://www.homesforharingey.org/your-neighbourhood/safety-estates/broadwater-farm/broadwater-farm-reports-june-2018>

Housing Allocations Policy 2015 as amended 1 May 2017 & 14 March 2018

http://www.haringey.gov.uk/sites/haringeygovuk/files/haringeys_housing_allocations_policy_2015_amended_14_march_2018.pdf

Estate Renewal Rehousing and Payments Policy

http://www.haringey.gov.uk/sites/haringeygovuk/files/estate_renewal_rehousing_and_payments_policy_2017.pdf

Award of contract for design and enabling works for Broadwater Farm Estate district heating system, Cabinet Member Signing 20 April 2018:

<https://www.minutes.haringey.gov.uk/ieListDocuments.aspx?CId=435&MId=8795>

Minutes of the Cabinet decision on 14 August 2018 to award a contract for the installation of a new district heating system on the Broadwater Farm estate:

<https://www.minutes.haringey.gov.uk/mgAi.aspx?ID=58353>

This page is intentionally left blank

Report on the Broadwater Farm consultations

On 26 June 2018 Cabinet agreed to carry out four consultations relating to the structural issues identified with the Tangmere and Northolt blocks on the Broadwater Farm estate. These were:

- A consultation with the residents of Tangmere on the future of the block, with the Council's preferred option being to demolish the block and rebuild the homes on the estate
- A consultation with the residents of Northolt on the future of the block, with the Council's preferred option being to demolish the block and rebuild the homes on the estate
- A consultation on a draft Broadwater Farm Rehousing and Payments Policy, which would set out how residents are rehoused from the block (as all scenarios for addressing the structural issues would require at least the temporary rehousing of all residents from the blocks).
- A consultation on a draft Broadwater Farm Local Lettings Policy, which would apply if one or both of the blocks was demolished and would allow tenants to return to the estate more quickly by prioritising future lets for tenants who have moved off the estate due to the structural issues.

In the case of the consultations on the future of Tangmere and Northolt, this constituted a section 105 consultation under the Housing Act 1985 for secure tenants. There is no statutory duty to consult leaseholders, though the consultation also sought their views.

This report sets out the outcomes of these four consultations and the responses to the questions within each consultation. Where appropriate, the consultations asked responders to give reasons for their answers and these are also summarised.

The findings of the consultation will be used to guide decisions made by the Council regarding:

- The future of Tangmere
- The future of Northolt
- The content of the Broadwater Farm Rehousing and Payments Policy
- How the Local Lettings Policy will operate, including who will be given priority

The Consultation

The four consultations ran from 12 September to 10 October 2018 with each secure tenant and resident leaseholder being issued an individual consultation pack (a covering letter and questionnaire). In the case of joint tenants or a lease in two names, both individuals were given a pack.

The packs were hand delivered to all residents in Tangmere and Northolt, and were made available in other languages, large print and Braille as needed.

During the consultations, a number of drop-in events were arranged for residents to ask questions. These were held in the foyer areas of Tangmere and Northolt themselves, to ensure that residents could easily attend. They were also held into the early evening for those who were not at home during the day. Translators for the main languages other than English spoken on the estate (Turkish and Somali) were present at all sessions, and translators for other languages arranged as necessary.

Date	Time	Venue
12 th September 2018	3pm - 7pm	Base of Tangmere
18 th September 2018	3pm - 7pm	Base of Northolt
22 nd September 2018	12 midday to 2 pm	Community Centre, Adams Road, Tottenham
26 th September 2018	3pm - 7pm	Base of Tangmere
3 rd October 2018	3pm - 7pm	Base of Northolt
10 th October 2018	3pm - 7pm	Base of Tangmere

The Council also undertook door-knocking in both blocks and discussed the consultations with Tangmere tenants as they moved. Further work was also undertaken by the Independent Tenant Leaseholder Advisors who also held drop-in sessions and undertook their own door-knocking.

Responses

During the consultation period, a total of 108 responses were received from 105 of the 206 properties (51%) with a further response being received two weeks after the consultation closed. This final response, from a Tangmere tenant has not been included in the tables in this report.

Response rates varied between Tangmere (42 out of 104 properties or 40%) and Northolt (63 out of 102 properties or 62%). A breakdown of responses and properties by tenure and block are provided below.

Conversations with residents indicate that Tangmere was lower as many had already been made an offer of alternative accommodation under the Tangmere Rehousing Priority Scheme (which was approved by the Council as an interim scheme to enable rehousing to commence before the October deadline). The response rate from Tangmere is still relatively high for consultations of this type.

Block	Secure tenants	Resident leaseholders*	Total
Tangmere <i>104 properties</i>	42 responses <i>from 41 properties</i>	1 response <i>From 1 properties</i>	43 responses <i>from 42 properties</i>
Northolt <i>102 properties</i>	55 responses <i>from 53 properties</i>	10 responses <i>from 10 properties</i>	65 responses <i>from 63 properties</i>
Both <i>206 properties</i>	97 responses <i>from 94 properties</i>	11 responses <i>from 11 properties</i>	108 responses <i>from 105 properties</i>

* The Resident leaseholder responses includes one response from a leaseholder's tenant

Responses were also received from the Broadwater Farm Residents Association ("BFRA") - which set out responses to each question and their reasons - and Defend Council Housing which set out general reasons requesting a ballot but did not provide responses to each question.

These additional responses are not included in the totals above or in the individual tables for each answer. However, the report does provide their comments on each question.

Section 105 consultation:

Section 105 of the Housing Act 1985 places a legal obligation on local housing authorities to consult with secure tenants on “matters of housing management” which are likely to significantly affect them such as the demolition of properties. This consultation was carried out separately for each block and considered independently of each block. This is reflected in the tables below which report separately the responses from the secure tenants and other residents who responded.

SECTION 105 CONSULTATION: THE FUTURE OF TANGMERE

The S105 consultation on the future of Tangmere asked the following question and whether they agreed or disagreed. The table below shows the responses.

Do you agree with the Council's proposal to demolish Tangmere and then build new homes of the Broadwater Farm Estate?

	Secure tenants		Other	
Strongly Agree	31*	38 (90%)	-	1
Broadly Agree	7		1	
Not Sure				
Broadly Disagree	2	4 (10%)	-	-
Strongly Disagree	2		-	
Total	42*		1	

* the above total does not include the one response received 2 weeks after the consultation closed which strongly agreed with the proposal.

As can be seen from the above table, there was overwhelming support for the proposal with 39 residents / 91% of all residents agreeing with the proposal and only 4 residents / 9% of all residents disagreeing.

Those agreeing with the proposal explained that they supported the proposal as they felt the block was very old, was in a poor condition, and that it should be replaced with new homes.

Only four tenants disagreed with the proposal, one explaining that they did not support the proposal as that the tenant felt it unfair that only two out of 13 blocks were to be demolished.

Other responses

In addition to the table above, two other responses to the consultation were received.

The first was from the BFRA who provided one response for both blocks which was that they were 'Not sure' whether they supported the proposal. The reasons given for this was that they felt that a ballot was needed and that they were

"not happy that there is enough evidence that, in the event of demolition, promises to re-provide at least the same number of council houses at council rents well be kept".

and that

"The consultation documents give figures for the cost of re-providing council housing in an effort to show that this will be a financially sound option. However, no evidence is given to back up the cost figures for rebuilding, there are no references to other documents which show that the rebuilding costs given are correct figures"

Defend Council Housing also submitted a response which again provided the same response for both blocks which was that they disagreed with the proposal. Although the Council had committed to re-providing the same number of Council homes, the main reasons for their disagreement was that

"it seems very unlikely that the Council would fund an equal number of council properties at equal rents to those currently existing"

and that;

“the plan to demolish Tangmere and Northolt is part of a wider plan to knock down a homeless hostel on The Avenue, adjacent to the estate, the Enterprise Centre and a now abandoned school building, in a ‘ribbon of redevelopment’ across Broadwater Farm”.

Priorities for Tangmere residents

The s105 consultation then asked residents to clarify how important five statements were.

Please tell us how important the following statements are to you:

Description	Very important	Important	Neither important or unimportant	Fairly unimportant	Not important at all	No response
Having the same number, or more, council homes at council rents as now	29	6	2	1	-	5
Making sure Tangmere residents can stay on Broadwater Farm	17	6	5	4	6	5
Having more larger homes that better meet the needs of local residents (ie more family homes)	31	5	1	1	3	2
Improving the quality of homes on the BWF estate	30	5	1	1	3	3
The cost to the Council and value for money for council tenants	25	7	5	-	2	4

All these statements were assessed as “very important” by the BFRA.

The responses indicate that providing new and larger homes were the main priorities of residents, and that providing homes for them to return has the lowest priority.

SECTION 105 CONSULTATION: THE FUTURE OF NORTHOLT

The S105 consultation on the future of Northolt asked the following question and whether they agreed or disagreed. The table below shows the responses.

Do you agree with the Council's proposal to demolish Northolt and then build new homes of the Broadwater Farm Estate?

	Secure tenants		Other	
Strongly Agree	38	46	7	7
Broadly Agree	8	(84%)	-	(70%)
Not Sure	2	2	-	-
Broadly Disagree	5	7	3	3
Strongly Disagree	2	(13%)	-	(30%)
Total	55		10	

As can be seen from the above table, there was overwhelming support for the proposal with 53 residents / 82% of all residents agreeing with the proposal and only 10 residents / 15% of all residents disagreeing.

Those agreeing with the proposal explained that they supported the proposal as they felt the block was very old, was in a poor condition and not worth repairing, and that it should be replaced with new homes.

Of the 10 residents who disagreed with the proposal, only four explained their reasons, with three providing the same response. One response stated the reason for not supporting the proposal was that their *"wish would be for my flat to be fixed along with the rest of Northolt for returning to later"*. The joint statement advised that their reasons for not supporting the proposal was around the reimbursement to leaseholders but that *"If the Council were to make a fair value valuation, then we would be happy to remove our objections"*.

Other responses

In addition to the table above, two other responses to the consultation were received.

The first was from the BFRA who provided one response for both blocks which was that they were 'Not sure' whether they supported the proposal. The reasons given for this was that they felt that a ballot was needed and that they were

"not happy that there is enough evidence that, in the event of demolition, promises to re-provide at least the same number of council houses at council rents well be kept".

and that

"The consultation documents give figures for the cost of re-providing council housing in an effort to show that this will be a financially sound option. However, no evidence is given to back up the cost figures for rebuilding, there are no references to other documents which show that the rebuilding costs given are correct figures"

Defend Council Housing also submitted a response which again provided the same response for both blocks which was that they disagreed with the proposal. Although the

Council had committed to re-providing the same number of Council homes, the main reasons for their disagreement was that

“it seems very unlikely that the Council would fund an equal number of council properties at equal rents to those currently existing”

and that;

“the plan to demolish Tangmere and Northolt is part of a wider plan to knock down a homeless hostel on The Avenue, adjacent to the estate, the Enterprise Centre and a now abandoned school building, in a ‘ribbon of redevelopment’ across Broadwater Farm”.

Priorities for Northolt residents

The s105 consultation then asked residents to clarify how important five statements were.

Please tell us how important the following statements are to you:

Description	Very important	Important	Neither important or unimportant	Fairly unimportant	Not important at all	No response
Having the same number, or more, council homes at council rents as now	41	8	4	4	-	8
Making sure Northolt residents can stay on Broadwater Farm	27	8	15	2	6	7
Having more larger homes that better meet the needs of local residents (ie more family homes)	43	10	-	1	2	9
Improving the quality of homes on the BWF estate	48	6	2	1	1	7
The cost to the Council and value for money for council tenants	35	15	5	2	-	8

All these statements were assessed as “very important” by the BFRA.

The responses indicate that improving the quality of homes is the main priority of residents, and that providing homes for them to return has the lowest priority.

CONSULTATION ON THE BROADWATER FARM REHOUSING AND PAYMENTS POLICY

Consultation on the Broadwater Farm Rehousing and Payments Policy (RPP) was also undertaken. The proposed policy will have a long-term impact on the residents of Tangmere and Northolt. It was therefore important that these residents could contribute to the development of this policy before a final version was approved.

The draft RPP set out the priorities for rehousing, the size of properties offered to tenants, how those properties would be offered and the Right to Return to the estate. The draft policy also set out payments to tenants and offer of an Equity Loan to resident leaseholders.

As Tangmere residents were already being rehoused in the manner set out in the (TRPS) the 5 questions 1-5 were only asked to Northolt residents. The first two tables provided below therefore only contain answers from Northolt residents.

Are there any other groups who you think should be given priority?

Northolt tenants were asked about the priority for new homes. While most respondents were in favour of the priorities given, or provided no comments, the other groups who respondents felt should be given priority included;

- Households with children (mentioned in 6 responses)
- Households with physical or mental health issues (4 responses)
- Households with an elderly residents (3 responses)

The BFRA agreed with the proposal priorities.

What size home do you think tenants should be offered?

Northolt tenants were asked what size home tenants should be offered.

Answer	Responses
The appropriate size home for the household	46 (71%)
The same size as their current home	14 (22%)
Blank or no response	5 (8%)
Total	65 (100%)*

** Percentages above do not add up to 100% due to rounding*

The vast majority of those who answered this question (50 out of 60 respondents or 83%) supported the appropriate size home for the household being offered.

The BFRA response was that tenants should be offered an “*appropriate size home for the household*” but that “*tenants should not be offered a property that is smaller than their current property*”

It is Council policy to allow a household to keep one spare room if they voluntarily move to a smaller property. Do you think that residents who downsize from Northolt should be able to keep one spare room?

Northolt tenants were asked about under-occupying households.

Answer	Responses
Yes	43 (66%)
No	12 (18%)
'Don't know' or no response	10 (15%)
Total	65 (100%)*

** Percentages above do not add up to 100% due to rounding*

The majority of those who answered this question supported the council policy to allow households to retain a spare bedroom. However, it should be noted that all Northolt properties have one bedroom, so will have no effect on Northolt tenants.

Do you have any comments about the proposal to make one offer of accommodation?

Northolt residents were asked about their thoughts on the proposal to only offer tenants one property through a Direct Offer. The summary below includes comments made to both this particular question and the following question about future moves.

19 residents expressed the view that they should be allowed more than one offer, with most of these suggesting two or three offers. 10 residents expressed that residents should be given a choice and/or that properties should be allocated through the Choice Based Lettings scheme. However, three residents expressly stated that they were against the Choice Based Lettings scheme being used.

Do you have any comments about future moves?

While 19 Northolt residents provided a full response to this question, there was no general theme apart from a concern about needing to move more than once, the type of property they wished to have and whether they were in favour or against Choice Based Lettings.

The BFRA commented that tenants should not be asked to move to a smaller property as a result of any demolition, and that residents should remain top priority until they receive a new home.

Do you agree that secure tenants who have had to move off the estate due to the demolition of their existing block should be prioritised for new homes if and when they are built?

This and the following questions were asked to all residents.

Answer	Responses
Yes	92 (85%)
No	7 (6%)
'Don't know' or no response	9 (8%)
Total	108 (100%)*

** Percentages above do not add up to 100% due to rounding*

The vast majority of residents of those who answered this question (92 out of 99 respondents or 93%) supported this proposal.

The BFRA also supported this proposal but demanded ‘a *guaranteed not a ‘prioritised’ right to return*’.

Do you think that resident leaseholders should have a guaranteed right of return to new homes built on the estate if a decision is taken to demolish Northolt and build new homes on BWF?

Answer	Responses
Yes	57 (53%)
No	8 (7%)
‘Don’t know’ or no response	43 (40%)
Total	108 (100%)

The vast majority of residents of those who answered this question (57 out of 65 respondents or 88%) supported this proposal

The BFRA also supported this proposal.

Please give us the reasons for your answer and any further comments you have in the box below.

Most residents supported the Right to Return for resident leaseholders and those that cited a reason explained that the reason for their decision was that leaseholders had not chosen to leave and were part of the community.

The BFRA commented that they should not be asked to move to a smaller property as a result of any demolition, and that residents should remain top priority until they receive a new home.

The BFRA explained that:

“We want leaseholders to have a guaranteed right to an equity loan, the council should not oblige leaseholders who want the right to return to take a shared ownership property”.

Do you have any comments about these payments for secure tenants?

While the responses were all in favour of the payments, a frequent comment was that the money should be paid in advance of moving to help the resident move. Early responses seemed to indicate that residents believed that the lump sum payments was to cover moving costs which are actually covered by the disturbance payments.

The BFRA responded that Home Loss should be paid regardless of the decision made on the future of each block and that rent arrears should not be deducted from this payment.

Do you think that the Council should offer a higher equity loan in some circumstances, if there is a compelling reason based on a leaseholder's circumstances?

Answer	Responses
Yes	46 (43%)
No	8 (7%)
'Don't know' or no response	54 (50%)
Total	108 (100%)

The vast majority of residents who answered this question (46 out of 54 respondents or 85%) supported this proposal.

The BFRA responded that a higher equity loan should be offered.

Are there any other commitments which you think the Council should be offering resident leaseholders?

9 residents provided additional commitments which focused on a higher valuation of the leaseholder's property, usually for the offers to be enough for them to purchase a new home in the area.

The BFRA responded that

"It is not clear that a 40% equity loan will be high enough for leaseholders to buy a new flat in Haringey. If a leaseholder cannot get a mortgage up to the level required to buy a reasonable replacement property, then the Council must provide an additional loan"

Do you have any other comments on the Council's rehousing commitments as set out in the draft policy?

The responses to this question raised similar concern to the comments made in earlier sections, namely that tenants should be allowed to bid for new homes, leaseholders should receive an increased offer.

The BFRA responded that

"We want guarantees that any new flats built will not have a smaller floor size than existing flats in Tangmere with the same number of bedrooms. So, for example, a newly built 3-bedroom flat should not have a smaller floor size than an existing 3-bedroom flat in Tangmere".

CONSULTATION ON THE BROADWATER FARM LOCAL LETTINGS POLICY

A fourth consultation was carried out which was on a proposed Local Lettings Policy which would set out that tenants leaving BWF would have priority for future voids, and any new built replacement homes.

Three questions were asked in this consultation.

Do you agree that tenants who need to move off BWF because of the structural issues should be given priority for any homes that become vacant on BWF?

Answer	Responses
Yes	84 (78%)
No	9 (8%)
'Don't know' or no response	15 (14%)
Total	108 (100%)

The vast majority of residents who answered this question (84 out of 93 respondents or 90%) supported this proposal.

The BFRA supported this proposal

Do you agree with these priorities?

Answer	Responses
Yes	86 (80%)
No	6 (6%)
'Don't know' or no response	16 (15%)
Total	108 (100%)*

* Percentages above do not add up to 100% due to rounding

The vast majority of residents who answered this question (86 out of 92 respondents or 93%) supported this proposal.

The BFRA supported these priorities.

If you have any further comments, please write them below.

Responses to this questions were generally about the rehousing offer generally and concern about the offer they would receive rather than the Local Lettings Policy. Three leaseholders with the same typed response suggested that

"Leaseholders should be entitled to council properties during the transition period. The council should waive any rental charges to the leaseholders".

The BFRA commented that;

"Any out of pocket expenses incurred by residents while being away from Broadwater Farm before right to return should be taken into account and compensation agreed, for example for extra travel expenses."

DEMOGRAPHICS OF RESPONDENTS

The tables below show the Sex, Age Disability, Ethnicity and Religion of those who responded to the consultations and compares this to the data held for Tangmere and Northolt residents. These tables do not include the response received two weeks after the consultation closed.

Respondents were also asked about Sexual Orientation, Gender reassignment and whether they were a Refugee or Asylum Seeker. The responses to these questions are not reported below as this data is unavailable or unknown for residents and the provision of data may lead to individuals being identified.

Sex

Gender	% of all responses	% of all residents
Female	31%	42%
Male	33%	55%
No response /not known	36%	2%-
Total	100%*	100%*

* Percentages above do not add up to 100% due to rounding

Age

Age	% of all responses	% of all residents
Under 44	18%	24%
45 to 64	28%	43%
65 or over	29%	25%
No response /not known	26%	8%
Total	100%*	100%

* Percentages above do not add up to 100% due to rounding

Disability

Disability	% of all responses	% of all residents
Physical disability or Mental ill health	32%	9%
No disability	19%	33%
No response /not known	48%	57%
Total	100%*	100%

* Percentages above do not add up to 100% due to rounding

Ethnicity

Ethnicity	% of all responses	% of all residents
Asian	2%	4%
Black	36%	47%
Chinese or other	3%	9%
Mixed	8%	2%
White	23%	27%
No response /not known	28%	10%
Total	100%	100%*

** Percentages above do not add up to 100% due to rounding*

Religion

Religion	% of all responses	% of all residents
Christian	32%	28%
Muslim	20%	16%
No Religion	6%	7%
Other	-	2%
No response / not known	42%	46%
Total	100%	100%

Broadwater Farm Re-housing and Payments Policy

CONTENTS

1	INTRODUCTION	3
1.1	When will this policy apply and who does it affect?	3
1.2	Policy context.....	3
2	REHOUSING OFFER TO TENANTS	4
2.1	Initial meeting and Need Assessment.....	4
2.2	What properties will be offered?	5
2.3	Remaining Tangmere tenants who are under-occupying their current home.....	5
2.4	Where will be new property be located and who will be the new landlord?.....	6
2.5	How will new homes be offered?	6
2.6	Right to review	6
2.7	Who will get priority for Direct Offers?.....	7
2.8	Further moves for those allocated home through Direct Offers	7
3	THE RIGHT TO RETURN.....	8
3.1	Right to Return for Secure Tenants	8
3.2	Right of review	9
3.3	Right to Return for Resident leaseholders	9
4	PAYMENTS MADE TO TENANTS AND RESIDENT LEASEHOLDERS	10
4.1	Available payments.....	10
4.2	Disturbance Payments.....	11
4.3	Home Loss payments to secure tenants.....	12
4.4	Home loss and Basic Loss payments to resident and non-resident leaseholders respectively together with Market Value,	12
4.5	Additional payments	12
5	REHOUSING OPTIONS FOR LEASEHOLDERS	13
5.1	Purchase on the open market.....	13
5.2	Additional options	13
5.3	Equity Loan.....	13
	APPENDIX 1 – Links to other documents and policies	16
	APPENDIX 3 – Section 13.3 of the Housing Allocations Policy	20
	APPENDIX 4 – Section 6.3 of the Estate Renewal Rehousing & Payments Policy ..	21

1 INTRODUCTION

1.1 When will this policy apply and who does it affect?

- 1.1.1 This policy applies to secure tenants and resident leaseholders (together “residents”) of Tangmere and Northolt (together “the blocks”) required to move permanently, as a result of the structural defects identified to those blocks.
- 1.1.2 Non-resident leaseholders will not be offered any rehousing but will be eligible for payments when they have sold their property to the Council.
- 1.1.3 This policy does not apply to tenants of non-resident leaseholders. They will instead receive advice and support to find a new home, and will be eligible to approach the Council as homeless if they are unable to do so.
- 1.1.4 For the purpose of this policy, a resident leaseholder is defined as a leaseholder who resided in one of the blocks as at 26 June 2018.
- 1.1.5 This policy applies to all secure tenants and leaseholders of Northolt and Tangmere, to former Tangmere secure tenants who have moved since 26 June 2018 under the provisions of the Tangmere Rehousing Priority Scheme and to all leaseholders resident on that date who have moved under those provisions. This policy replaces and extends that Scheme.

Rehousing

- 1.1.6 This policy provides for rehousing of affected residents. The affected residents will have a dedicated rehousing officer who will provide help and support throughout every step of the move process. This will include additional support such as packing and un-packing services for elderly or vulnerable residents.
- 1.1.7 Where there is a need for a household to move to a different part of the borough, Homes for Haringey staff will work with households and provide support if new arrangements to access public services such as healthcare and education need to be made. Financial assistance will also be provided to cover the costs of moving home as described in this policy.

Payments

- 1.1.8 The policy provides for Home Loss and disturbance payments to residents in the blocks required to move permanently because their home will be demolished.
- 1.1.9 It also provides for Basic Loss payments to non-resident leaseholders who choose to sell their flats back to the Council if their block is to be demolished.

1.2 Policy context

- 1.2.1 The policy incorporates some of the Council’s existing policies and explains how these will be applied.

1.2.2 Two existing policies which have been previously been subject to consultation and have been approved by Cabinet are particularly relevant. These policies are;

- **Housing Allocation Policy 2015**

This policy sets out how Council and Housing Association rented properties are allocated, including the priority given to each household and the size of accommodation they will be offered.

- **Estate Renewal Rehousing and Payments Policy**

This policy sets a baseline offer of rehousing and payments to tenants and leaseholders where they are required to move because their estate is subject to a renewal scheme.

The ERRPP is based on three guiding principles

- No tenant or leaseholder will be financially worse off
- All Tenants and Resident Leaseholders will have a Right to Return
- All Tenants and Resident Leaseholders who wish to move will be supported to do so.

Where possible, the Council is committed to honouring these commitments.

1.2.3 This policy also refers to other policies such as the Council's Under-Occupation payments policy which sets out payments for households downsizing to smaller homes.

1.2.4 Links to each of these policies can be found in Appendix 1. Copies of these policies can be made available on request.

2 REHOUSING OFFER TO TENANTS

2.1 Initial meeting and Need Assessment

2.1.1 The Council aims to rehouse all households based on their need and where possible, their rehousing preferences. To enable this for Northolt tenants, tenants will have access to the Choice Based Lettings scheme for an initial period to be determined by the Director of Housing, Regeneration and Planning ("Initial Period"). At the end of the Initial Period, any tenants remaining in Northolt will be made Direct Offers of alternative accommodation. To establish each household's rehousing needs and preferences, a dedicated Rehousing Officer will meet with each household. Given the urgency to move tenants from Tangmere, Choice Based Lettings will not apply to any secure tenants remaining in Tangmere at the implementation of this policy. They will be made Direct Offers.

2.1.2 At this meeting the rehousing officer will ensure that the household understands the process and the support that is available to them. The Rehousing Officer will also seek to establish each household's needs through completing a needs assessment form. The Rehousing Officer will also ask

households to state any preferences they may have for their new home such as:

- The location and landlord
- Whether they wish to be considered for an offer of an alternative flat on the estate matching their housing need either at the time of the move, or at a later date when a suitable property becomes available.

2.1.3 The preferences made by each household will affect how quickly a new home can be found if a Direct Offer is used and the Council will be under no duty to meet preferences where a suitable home is unlikely to become available quickly enough.

2.1.4 Residents should be aware that the Council will not rehouse unauthorised occupants, sub-tenants, lodgers, licensees, other non-secure occupants and persons included on applications for rehousing but who are not considered to be part of the tenant's household. However, the Council will offer Housing Advice to these households to assist them to find another home quickly.

2.1.5 In cases of fraudulent applications, the Council will consider what sanctions might be pursued.

2.2 What properties will be offered?

2.2.1 Northolt tenants will be able to bid for and/or receive Direct Offers of new homes on the basis of their housing need which is set out in Section 8 of the Housing Allocation Policy (see Appendix 2). Rehousing of any secure tenants remaining in Tangmere will continue to be by Direct Offers only.

2.2.2 Properties which meet specialist needs, such as mobility requirements, will, in the first instance, only be offered to households with these needs.

2.2.3 It is likely that most residents will move to another Council property and so will be charged a Council rent. However, the rents and charges in their new home will be the standard charges for that particular property and so may differ from the charges of their existing home.

2.3 Remaining Tangmere tenants who are under-occupying their current home

2.3.1 Under the current Housing Allocations Policy, tenants who are willing to transfer to a smaller property and who have more than one spare bedroom will be able to retain spare bedroom(s). This scheme is available to all under-occupying tenants across the borough and will continue to apply to remaining Tangmere tenants who permanently move to a smaller home elsewhere in the borough.

2.3.2 This offer will not apply where the Council is required to take legal action, such as the enforcement of notices to recover the property.

2.3.3 In addition to the payments set out in section 3, tenants who move to a smaller property in or outside the Broadwater Farm Estate will also be entitled to financial incentives for each room they are giving up. Tenants will be offered £1,000 for downsizing plus a further £1,000 for each bedroom given up. However, this payment will not be made for temporary moves until and unless a decision is made to demolish the tenant's original home or where the tenant has decided to remain in their new home.

2.4 Where will the new property be located and who will be the new landlord?

2.4.1 In the Initial Period, Northolt tenants will be able to choose the location and landlord of the homes they bid for. For any remaining Tangmere tenants, and any Northolt tenants who have been unsuccessful at the end of the Initial Period, or who have requested a Direct Offer, the Council will seek to rehouse tenants in an area and with the landlord they have chosen where this is possible consistently with the urgency of the situation. Where this is not possible the Council will be under no duty to meet tenants' preferences.

2.5 How will new homes be offered?

2.5.1 Given the need to move Tangmere tenants as quickly as possible, all offers to them under the Tangmere Rehousing Priority Scheme were made by a Direct Offer. As this urgency continues, any further offers to any Tangmere tenants remaining in the block will continue to be made on a Direct Offer basis.

2.5.2 In contrast, the rehousing of Northolt tenants is less urgent. Northolt tenants will therefore be given access to the CBL system to select their new home in the Initial Period. However, the Council may also assist households with a Direct Offer where this is requested by the tenant or where this would be the most effective method to allocate property suitable to their needs.

2.5.3 During the Initial Period, Northolt tenants will be given Band A priority with an application date set to the date their BWF tenancy started.

2.5.4 At the end of the Initial Period (and also for any remaining Tangmere tenants) the Council will make Direct Offers to those households who have not found a new home using this system. These Direct Offers will represent the tenant's final offer and tenants of Northolt will not be able to bid for further homes through the Choice Based Lettings Scheme.

2.5.5 Households matched to a property through a Direct Offer will receive an Offer Letter inviting them to view the property, though they may also receive a phone call and/or email to minimise any delays.

2.6 Right to review

2.6.1 Only one Direct Offer of 'suitable accommodation' will normally be made. If the offer is refused, the tenant is entitled to request a review of the suitability of the accommodation offered. A further offer will only be considered if the review decision is that the offer is unsuitable.

- 2.6.2 The request for a review must be made within 7 days of the offer, and the Council will make a review decision within 14 days thereafter
- 2.6.3 The Review will otherwise proceed as set out in paragraph 13.3 of the Allocations Policy (see Appendix 3).
- 2.6.4 If a review confirms the suitability of the offer, in the absence of exceptional circumstances, the Council may commence possession proceedings to ensure vacant possession of the property within a timely fashion to permit the vacation of the block to allow demolition to proceed.

2.7 Who will get priority for Direct Offers?

- 2.7.1 It is anticipated that most Northolt tenants will find a new home using the CBL system during the Interim Period. However, where Northolt tenants have been unable to do so, or have refused offers, and for any remaining Tangmere tenants, the Council will review available properties and allocate them to remaining tenants. In many cases, each property will be suitable for more than one household and so any offers or viewings will be made in order of priority as set out below.

Priority 1: Those who are vulnerable, who have specialist needs such as mobility requirement, or who have an additional needs or medical equipment which would create a risk.

Priority 2: Where a preference for a local home has been made, those who have a member of the household attending a local school, or have support services only available in the local area or those who are working locally. "Local" and "locally" are taken to mean within N17/N22 postcodes),

Priority 3: All other households

- 2.7.2 Should a property be suitable for more than one household with the same priority, then the property will be offered to the household with the earliest start date to their tenancy on the estate. Tenancies elsewhere will not count toward priority.
- 2.7.3 The start date for those who succeeded to their tenancy will be the start date of the original tenancy at that address.

2.8 Further moves for those allocated home through Direct Offers

- 2.8.1 Where tenants have been offered a new home through a Direct Offer, and this is their only offer of suitable accommodation, they will be eligible for a "second move" through the CBL system and will be given Band A priority for that move. This second move will be available to most Tangmere tenants who received only one offer of suitable accommodation through a Direct Offer. Any offers made – whether through CBL or a Direct Offer – which are deemed to be unsuitable will be ignored.

- 2.8.2 Band A priority for 'second moves' will not be granted to households who have been offered (but refused) a suitable home through a Choice Based Lettings scheme, or to households who have requested a Direct Offer in lieu of using the Choice Based Lettings scheme. Households requesting a Direct Offer may receive more than one offer where available subject to the discretion of the Council
- 2.8.3 Tenants taking up this offer of a 'second move' will receive financial help with the move in the form of disturbance payments set out in 4.3 below, but will not receive a further 'Home Loss' payment
- 2.8.4 It is anticipated that most Northolt tenants will be offered a new home through the Choice Based Lettings scheme and so not require further moves.

3 THE RIGHT TO RETURN

3.1 Right to Return for Secure Tenants

3.1.1 Tenants will have two Rights to Return;

- a) Tenants will have the Right to Return to the Broadwater Farm Estate, to a suitable vacant property if one becomes available
- b) The Right to Return to a replacement home built on the estate on the site of Tangmere or Northolt.

3.1.2 Any offer to return to a replacement home will end both Rights to Return. However, tenants who refuse or accept an offer to return to a vacant home on the estate will retain the Right to Return to a newly built replacement home.

3.1.3 Offers made under the Right to Return will be made on the basis of the household's Housing Need at the time of the offer.

3.1.4 Tenants will retain the Rights to Return until one of the following has occurred;

- The tenant has informed the Council that they do not wish to return to the estate.
- The tenant has refused an offer of a suitable newly built replacement property on the Broadwater Farm Estate.
- The tenant's tenancy at their new home (or any replacement) has been ended.

3.1.5 The tenant's Right to Return to a vacant flat on the estate will be ended if the tenant refuses an offer of a suitable accommodation on the estate. Refusal of an offer of a suitable vacant home will not affect the tenant's Right to Return to a newly built home.

3.1.6 Tenants will only be entitled to one offer under each Right but may request a review of that offer as set out in 3.2 below.

3.1.7 Households who are awaiting an offer under either Right to Return will be made a suitable offer on the estate as they become available. These homes will be offered on the basis of Housing Need, as set out in the Housing Allocations Policy in force at the time of the offer. Priority will be given as described in section 2.6 above.

3.1.8 Tenants returning will receive financial help with the move in the form of disturbance payments set out in 4.3 below, but will not receive a further 'Home Loss' payment.

3.2 Right of review

3.2.1 Only one Direct Offer will normally be made. If the offer is refused, the tenant is entitled to request a review of the suitability of the accommodation offered. A further offer will only be considered if the review decision is that the offer is unsuitable. The Review will proceed as set out in paragraph 13.3 of the Allocations Policy (see Appendix 3).

3.2.2 In exceptional cases requests to go beyond the policy may be considered by the Broadwater Farm Discretion Panel.

3.3 Right to Return for Resident leaseholders

3.3.1 The Estate Renewal Rehousing and Payments Policy also offers resident leaseholders a Right to Return to a newly built replacement home on the estate.

3.3.2 On completion of the new homes, former resident leaseholders will be offered a property with the same number of bedrooms as their previous BWF home unless there has been a significant change in their circumstances.

3.3.3 Significant changes include (but are not limited to) where the leaseholder:

- No longer resides in the borough and/or no longer has links to the BWF estate or area.
- No longer owns the property they live in and/or no longer has assets to invest and/or released a significant proportion of their original assets.
- Has since downsized to a smaller property

3.3.4 Where there have been significant changes, any request to return will be assessed by the Discretion Panel. While the panel is expected to be sympathetic to cases where the former BWF resident leaseholder does not meet these criteria, offers will be in line with those envisaged by the general principles of the Estate Renewal and Rehousing Policy. Offers are unlikely to be made where additional finance is unwarranted and/or where the leaseholder no longer has connections with the area or borough.

3.3.5 Leaseholders who wish to take up this offer will be required to invest the value of their home at the time of the offer. Leaseholders will be eligible for an Equity Loan where needed regardless of whether they have previously taken

up this offer. Details of the Equity Loan are set out in 5.3 below and in Appendix 4.

3.3.6 No further Home Loss payments will be made for returning moves. Returning Leaseholders will not be expected to invest the value of their Home Loss which was paid when the Council purchased their original BWF home which would normally be required for an Equity Loan.

3.3.7 To enable a resident leaseholder to return, the Council will pay the same Disturbance costs and Additional Payments as set out in 4.2 and 4.5 below.

4 PAYMENTS MADE TO TENANTS AND RESIDENT LEASEHOLDERS

4.1 Available payments

4.1.1 As the Council has decided to demolish both blocks and replace them with new homes. The Council's Estate Renewal and Rehousing Policy will therefore apply.

4.1.2 Payments potentially available will be:

- Disturbance Payments
- Market value (of leaseholder property)
- Home Loss payments
- Basic Loss Payments
- Under-occupation payments
- Additional Payments

Disturbance Payments – payments to tenants and resident leaseholders to cover the costs of moving home.

Market Value- payments by the Council to purchase the leasehold interest of leaseholders

Home Loss Payments – payments to secure tenants and resident leaseholders to compensate them for the permanent loss of their home:

- To tenants – a flat rate payment, currently £6,100
- To resident leaseholders – a payment of 10% of the value of the property with (currently) a minimum of £6,100 and maximum of £61,000

Basic Loss Payments – payments to non-resident leaseholders to compensate them for the permanent loss of their property. Calculated at 7.5% of the value of the property with a maximum of £75,000

Under-occupation payments – See section 2.3 above for details of what these cover and when they will be paid

Additional Payments to Resident leaseholders – these payments cover the legal and other costs of selling their existing flat and buying a new one

4.1.3 If the leaseholder does not accept the valuation agreed between their valuer and the Council's valuer, or the valuation following any dispute resolution, they will be determined to have rejected the Council's offer to buy by agreement. They will in these circumstances have the statutory right to have the matter referred to the Lands Chamber of the Upper Tribunal.

4.2 Disturbance Payments

4.2.1 Moving home can be costly and the Council is seeking to make sure that tenants do not incur any reasonable additional costs because of the move.

4.2.2 Examples of costs which might be considered reasonable include:

- Removal costs from the current home to the new home.
- Redirection of mail for each authorised surname living at the address.
- Telephone and internet disconnection and reconnection.
- Disconnection of any television aerials or satellite dishes
- Washing machine, cooker, dishwasher and plumbed fridge disconnection
- Any extra costs of new school uniform if moving to a different area
- Dismantling and re-fitting of fitted resident owned furniture (such as kitchen units and wardrobes
- Reimbursements for wage or salary loss on the day of the removal

4.2.3 Secure Tenants can also claim the following costs:

- Home improvements that have been notified and approved by the Council, less the cost of depreciation. Receipts are not required, but the improvement must have been approved by the Council, as improvements carried out without the Council's consent could amount to a breach of tenancy.
- Where the costs of adaptations in the old home were previously met by a tenant, the Council will reimburse the tenant subject to relevant receipts being available.

4.2.4 Further detail is provided in para 5.2 of the Estate Renewal Rehousing and Payments Policy.

4.2.5 These payments will be made directly to the tenant or leaseholder, and will only be made in respect of one replacement property on any move. These payments will however be made for each move the tenant or leaseholder is required to make.

4.2.6 Tenants/leaseholders are offered two payment method options:

- A Claim Option where the tenant/leaseholder submits a Disturbance Payment claim form for any legitimate expenses with receipts or proof of expenses
- A Fixed Payment Option where tenants/leaseholders receive a fixed sum payment instead of claiming for each expense. Payments are based on property size;

1 bedroom	2 bedrooms	3 bedrooms	4 bedrooms
£1,650	£2,000	£2,400	£2,780

4.3 Home Loss payments to secure tenants

- 4.3.1 These statutory payments are made when a decision is made to demolish a secure tenant's home. These payments are set annually by the Government and currently stand at £6,300 per tenancy.
- 4.3.2 Home Loss payments have been offered to all Tangmere tenants on a discretionary basis prior to the decision to demolish and, following the decision to demolish Northolt, these payments will also be available to all secure tenants in Northolt. These payments will apply to all Secure Tenants in these blocks regardless of how long they have been resident in Broadwater Farm.
- 4.3.3 Payments will normally be made only after the clearance of and return of the return of keys to the property the tenant is vacating. Any rent arrears the tenant owes will be deducted from these payments.

4.4 Home loss and Basic Loss payments to resident and non-resident leaseholders respectively together with Market Value,

- 4.4.1 The Council will purchase the flats of any leaseholders affected at Market Value.
- 4.4.2 Resident leaseholders will also receive a Home Loss Payment in addition to market value which is equivalent to 10% of the value of their home (with a minimum currently of £6,300, and a maximum currently of £63,000).
- 4.4.3 Non-resident leaseholders will receive a Basic Loss Payments in addition to market value which is equivalent to 7.5% of the value of their home (with a maximum of £75,000).
- 4.4.4 These payments will normally be made only after the return of keys and the sale completion. Any rent, service charge or major works arrears may be deducted from these payments.

4.5 Additional payments

- 4.5.1 Resident leaseholders are also entitled to an Additional Payment.
- 4.5.2 Additional Payments can include:
- Early mortgage redemption fees at the existing property
 - Conveyancing costs
 - Mortgage and lender fees arising from the purchase of a replacement property
 - Stamp duty land tax arising from the purchase of a replacement property
 - Solicitor/legal fees arising from the purchase of a replacement property

- In some cases, payment for replacing white goods or furnishings owned by the leaseholder where the existing white goods/furnishing do not fit into the new property
- Removal and reinstatement of disabled adaptations as agreed by Haringey Council's Occupational Therapist

4.5.3 Emergency payments may be made available to those who will need this payment to secure a new home.

Additional Payments are only available to assist purchase of a replacement home within the United Kingdom.

5 REHOUSING OPTIONS FOR LEASEHOLDERS

5.1 Purchase on the open market

5.1.1 If the leaseholder uses the payments received to buy a new property on the open market in the United Kingdom, they will receive Additional Payments as set out above at paragraph 4.5. They may however wish to take up one of the further options outlined below.

5.2 Additional options

5.2.1 Leaseholders who reside in one of the block, as 26 June 2018 may qualify for additional assistance from the Council.

5.2.2 Practical non-financial help may be provided in buying another property outside Haringey This will be limited to information on how to purchase a property on the open market such as finding solicitors, surveyors etc..

5.3 Equity Loan

5.3.1 Resident leaseholders who wish to remain in the borough but who cannot afford to purchase a new property outright may be able to buy a new property within the borough using an Equity Loan from the Council. Details of this scheme are set out at Appendix 4

5.3.2 Unlike a mortgage, these loans do not attract any interest and will only need to be repaid when the property is sold or transferred to another owner unless the property is inherited by the leaseholder's spouse, civil partner or a person living with them as their husband or wife.

5.3.3 Equity Loans will be available to fund up to 40% of the leaseholder's new home in the borough where the leaseholder invests the whole of the Market value and Home Loss Payment received on sale of their flat to the Council.

5.3.4 These loans are being made available primarily to help those who would not be able to purchase a home off the estate without the loan – they are not intended to help purchase more expensive properties off the estate or to be used to fund very high value properties. There is therefore a double cap on the value of the replacement home. That is, the maximum value of the replacement home cannot be higher than the lower of the following two criteria:

- Where the total of the Market Value and Home Loss Payment equals 60% of the value of the new property being purchased. This is equivalent to the new home being a maximum of 1.83 times Market Value of the current home.
- The borough-wide upper quartile house price. The most recent published value is £637,250 as reported by the GLA in August 2017.

5.3.5 While the leaseholder may contribute any other capital or savings, these additional funds can only be used to reduce the size of the Equity Loan and cannot be used to purchase a higher value property.

Ownership and responsibilities

5.3.6 The leaseholder is responsible for repairs, service charges and all other costs associated with the new property, but there is no interest payable on the Equity Loan.

5.3.7 Under the Equity Loan arrangement, the leaseholder will be the sole legal owner and is able to sublet the property subject to the usual requirements to notify the freeholder or any other relevant terms in the lease.

Repayment of the Equity Loan and Sale

5.3.8 The leaseholder may at any time repay part of the Equity Loan at any time. In order to do so a new valuation of the property will need to be obtained and each partial repayment of the loan must be for at least 10% of the property's current value. This valuation, and any associated administrative costs, will be the responsibility of the leaseholder.

5.3.9 The Equity Loan only needs to be repaid upon sale of the property or other transfer to another owner unless under the inheritance provisions below. Any increase or decrease in the value of the property will be apportioned between the leaseholder and the Council or its appointed agent in line with their original contributions and any staircasing, which are calculated as percentages.

5.3.10 Prior to any sale the Council or its appointed agent will require a further valuation to be obtained so that the amount that is due to be repaid to the landlord can be calculated. This will be at the expense of the leaseholder along with all associated administrative costs connected with the sale.

Inheritance and death of the leaseholder

5.3.11 Following the death of the leaseholder, the Equity Loan will need to be repaid when the property is transferred to another owner unless the property is inherited by the leaseholder's spouse, civil partner or a person living with them as their husband or wife. The partner may take a transfer of the property without having to repay the Equity Loan, so long as the partner resided at the home with the leaseholder at the time of the leaseholder's death.

5.3.12 Succession by a partner without repayment of the Equity Loan can take place on any property located in the borough, but can only take place once. This

offer will be subject to the partner being able to retain at least a 60% equity share of the property's value at that time (for example, being able to maintain payments on any mortgage funding that share). Surviving partners who are unable to fund a 60% share may be offered a Shared Ownership arrangement as described in the Estate Renewal Rehousing and Payments Policy.

APPENDIX 1 – Links to other documents and policies

Estate Renewal Rehousing and Payments Policy

http://www.haringey.gov.uk/sites/haringeygovuk/files/estate_renewal_rehousing_and_payments_policy_2017.pdf

Housing Allocations Policy 2015 as amended 1 May 2017 & 14 March 2018

http://www.haringey.gov.uk/sites/haringeygovuk/files/haringeys_housing_allocations_policy_2015_amended_14_march_2018.pdf

Under-Occupation Incentives

<http://www.haringey.gov.uk/housing/housing-options/under-occupation>

APPENDIX 2 – Section 8 of the Housing Allocations Policy

8 TYPE OF PROPERTY OFFERED

8.1 Property size and household size

8.1.1 The Council, Homes for Haringey and Registered Providers will always aim to make best use of their housing stock.

8.1.2 When determining the number and ages of the people who may occupy a property, the Council will have regard to the bedroom entitlement set out in 8.7 below.

8.1.3 Sometimes the applicant with the highest priority may not be allocated a home if this would result in either overcrowding or under-occupation, or if it would not make best use of ground floor or specially adapted accommodation.

8.1.4 Properties that have level access will be prioritised for those applicants who have a very serious medical need (so are in Band 'A') and require such accommodation.

8.1.5 If the landlord agrees an applicant will be allowed to move into a home that is smaller than their needs, where this improves their situation. For example, if an applicant has 4 children and is entitled to a 4-bedroom home but is living in one with 2 bedrooms, their application for a 3-bedroom home may be considered.

8.1.6 Registered Providers may apply different standards. The Home Connections advert will confirm how many people can be accommodated.

8.2 Parents with 'staying access' to dependent children or shared residence orders

8.2.1 Applicants with a shared residence order or staying access for children are not automatically entitled to bedrooms for their children.

8.2.2 The general principle is that a child needs one home of an adequate size, and that the Council and Registered Providers will not accept responsibility for providing a second home for children.

8.2.3 In determining the size of accommodation required for a household, children from current or former relationships will only be counted as part of the household if they live with the applicant for more than 50% of the time. Suitable evidence must be provided, in the form of a Residency Order and a child benefit statement.

8.3 Parents with a dependent child who is in foster care or being looked after by the local authority

8.3.1 When assessing bedroom entitlement, the Council will only take into account children who are currently in foster care or being looked after by the local

authority if the Children & Young People's Service (CYPS) confirms that the children will be returned to the applicant when the applicant is rehoused in accommodation of a suitable size.

8.4 Support for fostering and adoption

8.4.1 When assessing bedroom entitlement, the Council will take into account the Children & Young People's Service's assessment of the requirements of prospective foster carers and adopters. This will not, however, result in any priority being given for overcrowding.

8.5 Applicants with a medical or social need for a larger property

8.5.1 Applicants can apply for an extra bedroom due to their medical or social needs. Their circumstances will be considered and evidence supporting the need for an extra room will be required.

8.6 Extra rooms for carers

8.6.1 If an applicant states that they need an extra room for a carer, the Council will carry out an assessment of the applicant's needs and decide whether or not an extra room is required. Due to the high demand for housing, such requests are only likely to be agreed in exceptional circumstances.

8.6.2 The Council's Adult Social Care service should be able to provide evidence of the need for a 'live in' carer and confirmation (where appropriate) that, if the support was not provided, the applicant would qualify for funding for a 'live in' carer.

8.6.3 Where the Council is satisfied that there is a need for a live-in carer who is not cohabiting with another member of the household, the household will be entitled to an additional bedroom.

8.6.4 To qualify for an additional bedroom for a carer, the applicant must demonstrate that this care is provided by someone who would not otherwise live with the applicant and that, if they are a relative or friend, they are in receipt of a Carer's Allowance.

8.6.5 In exceptional circumstances, an extra bedroom may be awarded where a substantial amount of specialist medical equipment has been installed in the home.

8.7 Guidance on bedroom entitlement

8.7.1 Although the assessment of applicants' bedroom entitlement is complex and based on a range of factors, the table on the next page provides guidance on how many bedrooms an applicant should have.

8.7.2 It should be noted that, if a member of the applicant's household is pregnant, this does not entitle them to an extra bedroom. Instead, their application will be amended on receipt of the birth certificate.

8.7.3 For the purposes of assessing the applicant's bedroom entitlement, adults under the age of 25 will be assessed as young people in accordance with the table below.

Household size	Lowest number of bedrooms needed
1 adult	Bedsit
2 adults living together as a couple	1 bedroom
Adults living together but not as a couple	1 bedroom each
1 adult (or 2 adults living together as a couple) with 1 child	2 bedrooms
1 adult (or 2 adults living together as a couple) with: <ul style="list-style-type: none"> ▪ 2 children of the opposite sex (both under 10); or ▪ 2 children/young people of the same sex 	2 bedrooms
1 adult (or 2 adults living together as a couple) with: <ul style="list-style-type: none"> ▪ 2 children of the opposite sex (at least one aged 10 or over); or ▪ 3 or 4 children / young people of the same sex; or ▪ 4 children / young people (two male & 2 female); or ▪ 4 children / young people (3 of one sex & 1 of the other) – where at least one male and one female are aged under 10 	3 bedrooms
1 adult (or 2 adults living together as a couple) with: <ul style="list-style-type: none"> ▪ 4 children / young people (3 of one sex & 1 of the other, where all of the former and/or the latter are aged 10 or over); or ▪ 5 or 6 children / young people of the same sex; or ▪ 5 or 6 children / young people (3 or 4 of one sex & 1 or 2 of the other); 	4 bedrooms
1 adult (or 2 adults living together as a couple) with: <ul style="list-style-type: none"> ▪ 6 children / young people (three male & 3 female) – where all males and/or all females are aged 10 or over; or ▪ 7 or more children / young people. 	5 or more bedrooms

8.8.1 Due to the shortage of family homes, very large families that are in urgent need of rehousing may prefer to be offered two separate properties, rather than bid for a property that is smaller than they need.

8.8.2 For this to happen, there must be an adult member of the household who is eligible for housing and is willing to hold the second tenancy. They must join the Housing Register and be rehoused after the original applicant, who will be offered alternative accommodation that is of a size that reflects the reduced size of their household.

APPENDIX 3 – Section 13.3 of the Housing Allocations Policy

13.3 Requesting a review of the suitability of an offer of housing

- 13.3.1 Under the choice based lettings scheme, there are generally no penalties for most applicants who refuse an offer of permanent accommodation. However, if applicants receive a direct offer and refuse that offer, their priority may be reduced and, if they are homeless and subject to 'auto-bidding', the Council's homelessness duty may cease if they refuse an offer of suitable accommodation.
- 13.3.2 Where an applicant refuses an offer of accommodation, the Council may ask them to complete a form to record the reasons why the property has not been accepted. This information will be used to monitor the lettings process and the standard of accommodation, and to inform future decisions on the way in which services are delivered.
- 13.3.3 If an applicant wishes to request a review of the suitability of an offer of housing or, if applicable, that the Council's duty has ceased, they must submit their request to the Council in writing within 21 days of the offer being refused. The Council will normally confirm, in writing, the outcome of the review within 56 days and, in its reply, it will describe any further rights of appeal that the applicant has if they are still not satisfied with the decision.
- 13.3.4 Where the Review Officer decides that the offer of accommodation was not suitable, any penalty that has been imposed (including the discharge of the Council's homelessness duty) will be cancelled:
- Applicants who have not accepted the offer will be entitled to another offer of accommodation (through choice based lettings, a direct offer or 'auto-bidding', as appropriate)
 - Applicants who have accepted the offer and taken on the tenancy of that accommodation will be placed in Band A of the Housing Register and will be given an effective date that matches the date that they accepted the tenancy.

APPENDIX 4 – Section 6.3 of the Estate Renewal Rehousing and Payments Policy

6.3 Equity Loans

Resident leaseholders and freeholders who wish to remain in the renewal area, or borough, but who cannot afford to purchase a new property outright may be able to buy a new property with an Equity Loan from Haringey Council, the developer or a Housing Association. This offer is only open to those who are able to afford 60% of the full purchase price unless an individual scheme has offered a lower minimum percentage. It should be noted however, that total housing costs cannot be exactly replicated, as lender rates are subject to change. Utilities, ground rent and service charge costs may also be different at the new properties compared with the leaseholder's existing property.

Minimum percentages required for Equity Loans

The policy below has used an equity requirement of 60% to qualify for an Equity Loan. This percentage is the minimum requirement for all schemes where this policy applies. However, individual schemes may offer a lower minimum equity share which should be used in place of references to 60% in the text below.

The new property

New properties on the renewal scheme bought under this arrangement cannot have a greater number of bedrooms than the leaseholder's existing property unless the leaseholder finances the cost of any additional bedrooms themselves. The value of any additional bedrooms will be determined by taking the difference in value between the larger property the leaseholder wishes to purchase and the value of a comparable property which is the same size as the leaseholder's current property. The comparable property will be in the same location, condition and terms as the proposed larger property.

Leaseholder and freeholder contribution

Leaseholders are eligible for this option where they agree to contribute;

- The market value of the property of their current home, made up of any equity in the property, plus any outstanding mortgage, and
- Any Home Loss payment, ie 10% of the market value of the property being acquired, subject to the statutorily defined limit as outlined in section 4.

Portable Equity Loans

Equity Loans are available for properties in other parts of the borough. These loans are being made available primarily to help those who would not be able to purchase a home on the estate without the loan – they are not intended to help purchase more expensive properties off the estate or to be used to fund very high value properties. There is therefore a double cap on the value of the replacement home.

That is, the maximum value of the replacement home cannot be higher than the lower of the following two criteria:

- Where the value of the current property plus 10% Home Loss equals 60% of the value of the new property being purchased. This is equivalent to the new home being a maximum of 1.83 times the value of the current home.
- The borough-wide upper quartile house price. The most recent published value is £637,250 as reported by the GLA in August 2017 and will be updated every year.

Additional contributions

While the leaseholder may contribute any other capital or savings, these additional funds can only be used to reduce the size of the Equity Loan and cannot be used to purchase a higher value property. Equity Loans will not be available for the purchase of properties that are more expensive than these limits.

It should be noted that if the leaseholder's existing property was purchased using a mortgage, a further mortgage to at least the same value as the one held on the existing property being purchased by Haringey Council will need to be raised before (or at the same time as) the purchase of the new property can take place. Haringey Council and the independent financial advisor can assist leaseholders in finding a new mortgage.

The Equity Loan

Subject to the above maximum values and percentage contributions, and the investment of the value of the existing property plus Home Loss, the remaining proportion of the property will be funded by an interest free equity loan from Haringey Council, the developer or the Housing Association, which will be secured as a charge on the property.

Ownership and responsibilities

Properties bought using an Equity Loan are leasehold properties (similar to 'Right to Buy'), meaning that there is a lease for a fixed period of time, typically 99 years. The leaseholder is responsible for repairs, service charges and all other costs associated with the new property, but there is no interest payable on the equity retained by the provider.

The leaseholder is able to repay part of the Equity Loan at any time. In order to do so a new valuation of the property will need to be obtained and each partial repayment of the loan must be for at least 10% of the property's current value. This valuation, and any associated administrative costs, will be the responsibility of the leaseholder.

Under the Equity Loan arrangement, the leaseholder will be the sole legal owner and is able to sublet the property subject to the usual requirements to notify the freeholder or any other relevant terms in the lease.

Sale and Repayment of the Equity Loan

The Equity Loan only needs to be repaid upon sale of the property. Any increase or decrease in the value of the property will be apportioned between the leaseholder

and the landlord or its appointed agent in line with their original contributions and any staircasing, which are calculated as percentages.

Prior to any sale the landlord or its appointed agent will require a further valuation to be obtained so that the amount that is due to be repaid to the landlord can be calculated. This will be at the expense of the leaseholder along with all associated administrative costs connected with the sale.

Inheritance and death of the leaseholder

Following the death of the leaseholder, the Equity Loan will need to be repaid when the property is transferred to another owner unless the property is inherited by the leaseholder's spouse, civil partner or a person living with them as their husband or wife. The partner may succeed to the property without having to repay the Equity Loan, so long as the partner resided at the home with the leaseholder at the time of the leaseholder's death.

Succession by a partner without repayment of the Equity Loan can take place on any property located in the borough, but can only take place once. This offer will be subject to the partner being able to retain at least a 60% equity share of the property's value at that time. Surviving partners who are unable to fund a 60% share may be offered a Shared Ownership arrangement as described below.

This page is intentionally left blank

BROADWATER FARM LOCAL LETTINGS PLAN

1 The need for a Local Lettings Plan

- 1.1 The Broadwater Farm Emergency Rehousing Policy offers two different Rights to Return to all tenants in Tangmere and Northolt who have been required to move due to emergency repairs.

a. The Right to Return to a vacant property on the estate.

Returning tenants will only have one offer of a vacant property. Returning tenants who refuse this offer will lose their Right to Return to a vacant property. Acceptance or refusal of a vacant property will not affect the tenants Right to Return to a newly built property.

b. The Right to Return to a newly built property built on the former sites.

Tenants will only have one offer of a newly built property and refusal of this will be deemed to have ended both Rights to Return.

- 1.2 To honour these commitments, this Local Lettings Plan sets out the priorities for vacant homes on the Broadwater Farm estate.

2 Application of this policy

- 2.1 This lettings plan will come into force following approval by the Cabinet and remain in place until there are no remaining tenants with either Right to Return.

- 2.2 This policy does not apply to lets where a property is unavailable due to successions or legal reasons.

3 Priority for vacant properties on Broadwater Farm

Each vacant property on the estate will be offered to households in the following order of priority.

1 Secure tenants who remain in Northolt or Tangmere and need to be rehoused using a Direct Let

- a. Tenants from these blocks who are vulnerable
- b. Tenants from these blocks with a local connection
- c. All other tenants from these blocks

2 Secure tenants who left Tangmere or Northolt after 26 June 2018 and still have a Right to Return to a vacant property.

- d. Tenants retaining a Right to Return to a vacant property and who have a Housing Need for this size property.

Within any grouping described above, priority will be given to those with the earliest Broadwater Farm tenancy start date.

In the event of tenants otherwise having equal priority the property will be offered to the tenant with the earliest start date to their tenancy on the estate. In the event of there being no such tenant, then:

- e. Households as determined by the Housing Allocations Policy

4 Priority for newly built properties built on the site of Tangmere and/or Northolt

- 4.1 Lets to newly built replacement properties will be allocated on the same basis as described above.

5 Definitions

- 5.1 Housing Needs and suitability of properties will be determined by the Housing Allocations Policy in force at the time. Tenants will have the right to appeal if they believe that the property is not suitable.
- 5.2 The start date for those who succeeded to their tenancy will be the start date of the original tenancy so long as the tenancy was also in the same property.
- 5.3 Previous tenants will retain the Rights to Remain until one or more of the following has occurred;

For the Right to Return to a vacant property

- The tenant, or their successor, has received an offer of a suitable vacant property on the Broadwater Farm Estate

For both Rights of Return

- The tenant, or their successor, has received an offer of a suitable newly built property on the Broadwater Farm Estate
- The tenant no longer holds a social tenancy.

Any offers to return will be made on the basis of their Housing Need at the time of the offer regardless of the size of their original home on Broadwater Farm or their home at the time of the offer.

- 5.4 Vulnerable tenants is taken to mean tenants (or members of their household) who are vulnerable, at high risk to themselves or the property, or who have specialist needs such as mobility requirements.

5.5 Local connection is taken to mean where a tenant or member of their household is attending a local school, or have support services only available in the local area ("local" and "locally" meaning within N17/N22), or those who are working locally.

6 Discretion

6.1 This policy cannot cover every eventuality and the Council reserves the right to make offers outside of this lettings plan in exceptional circumstances.

This page is intentionally left blank

EQUALITY IMPACT ASSESSMENT

The **Equality Act 2010** places a '**General Duty**' on all public bodies to have '**due regard**' to the need to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity for those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them.

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Stage 1 – Screening

Stage 2 – Full Equality Impact Assessment

An Equality Impact Assessment provides evidence for meeting the Council's commitment to equality and the responsibilities under the Public Sector Equality Duty.

1. Responsibility for the Equality Impact Assessment

Name of proposal	Demolition of Tangmere and Northolt, Rehousing of residents from both blocks.
Service area	Housing Strategy and Commissioning
Officer completing assessment	Martin Gulliver
Equalities/ HR Advisor	Hugh Smith
Cabinet meeting date (if applicable)	13 November 2018
Director/Assistant Director	Dan Hawthorn

2. Summary of the proposal

Background

On 26 June 2018, Cabinet made a number of decisions regarding blocks on the Broadwater Farm estate that had been found to have structural issues.

This included the decision to start the rehousing of residents from the Tangmere block and Cabinet agreed a policy – the Tangmere Rehousing Priority Scheme – which set out how this rehousing would be carried out.

Cabinet also agreed that residents of Tangmere and Northolt are consulted on the future of the two blocks. The two main options identified were to carry out strengthening works or to demolish the blocks and then rebuild the homes. Cabinet agreed that its preferred option was to demolish and then rebuild, for the reasons set out in the June Cabinet report including the significant cost of the strengthening works which do not represent value for money.

Cabinet also agreed two further policy consultations:

- A consultation on a proposed Broadwater Farm Rehousing and Payments Policy
- A consultation on a proposed Broadwater Farm Local Lettings Plan

An EqIA was considered by Cabinet as part of making its decisions in June and is published here:

<https://www.minutes.haringey.gov.uk/documents/s102078/180626%20BWF%20EQIA%20final.pdf>

The June EqIA considered the equality impact of the rehousing of residents from Tangmere under the Tangmere Rehousing Priority Scheme, and the potential impacts of the proposed Rehousing and Payments Policy and proposed Local Lettings Plan which at that point were still subject to consultation and were not in force.

This EqIA will consider the decisions recommended in the report to 13 November Cabinet on the futures of Tangmere and Northolt. This report recommends:

- The demolition of Tangmere and Northolt and replacement with new council housing
- The rehousing of Northolt residents.
- A final proposed Broadwater Farm Rehousing and Payments Policy following consultation
- A final proposed Local Lettings Plan following consultation

Impact

The main impact of these decisions will be on the tenants and leaseholders of Northolt, who will be rehoused ahead of the block being demolished. However this rehousing would have been required in any case, as the alternative option for remedying the structural issues (strengthening) would also have required rehousing of these residents. The decision to demolish Tangmere also means that residents who have been rehoused from this block following the June decisions will not be able to return to their former homes in the Tangmere block.

Since the June decision to rehouse Tangmere residents, the Council has supported these residents through the rehousing process with in-depth discussions with each household to understand their housing need and rehousing preferences. Where possible, the Council sought to meet these preferences through their housing offer with additional priority given to those with local connections to allow them to remain in the area if they so wish (as set out in the Tangmere Rehousing Priority Scheme).

Tenants were also given practical support to help them through the viewing and moving process including help with the costs of moving home, including removal costs. At the time of rehousing Tangmere tenants, no decision had been made regarding the future of the block and tenants were advised of realistic timescales for their potential return to the estate and offered the right to return to their previous home if a decision was made to carry out strengthening works to the block.

Impact: Northolt rehousing

The impact of the rehousing may include stress, disruption to existing communities and social networks within Broadwater Farm estate, and disruption to access to public services and employment within the vicinity of the estate. As such, the Council has a duty to mitigate any discrimination that may occur and foster ongoing good relations between communities both within the estate and in the areas in which tenants are rehoused.

Residents of Northolt will be given the same support as those rehoused from Tangmere. This will include in-depth discussions with each household to understand their housing need and rehousing preferences. Tenants will also be given practical support to help them through the viewing and moving process including help with removals and other costs of moving home.

Over-occupying households will be able to move to an appropriate size property and, if they wish, to remain there. Those who are under-occupying their home will be required to move to a smaller property but will be able to retain one spare bedroom if they currently have more than two spare bedrooms.

Following feedback from the consultations, it is proposed that the rehousing is carried out through choice-based lettings (CBL) initially, which will mean that tenants are able to bid on available alternative homes with high priority. This will give tenants more choice. The health and safety risks mean that direct offers may need to be made to ensure the rehousing is carried out in the timescales required.

Impact: Proposed Broadwater Farm Rehousing and Payments Policy

The proposed policy sets out the rehousing priorities for Northolt residents. It also sets out the rehousing process and priorities for any residents still resident in Tangmere when the policy come in to effect, however these are the same as the Tangmere Rehousing Priority Scheme under which Tangmere Rehousing has been carried out since June 2018.

The policy also sets out payments to Tangmere and Northolt tenants and leaseholders following a decision to demolish the block. However, as approved by Cabinet in October 2018, Tangmere tenants were offered payments equal to the statutory Home Loss regardless of the eventual decision. Other payments in the policy are, where appropriate, the same as those set out in the approved Estate Renewal Rehousing and Payments Policy.

Following the consultation, the policy was amended to include a right to return for resident leaseholders. This right will apply to all resident leaseholders who still own and live in a property in the borough at the time the new blocks are completed. Resident leaseholders who do not meet these criteria will also be considered via the Discretions Panel.

The draft policy was subject to consultation and this Equalities Impact Assessment has been updated following completion of that consultation.

Impact: Proposed Broadwater Farm Local Lettings Policy

The Local Lettings Policy is necessary to honour the right to return offered in the Rehousing and Payments Policy. The impact of this policy will allow tenants to return to

the estate as quickly as possible through an offer of a vacant home which becomes available elsewhere on the estate and in addition, offers a right to a replacement home once these have been built.

3. What data will you use to inform your assessment of the impact of the proposal on protected groups of service users and/or staff?

Protected group	Service users	Staff
Sex	Council held housing data.	This policy does not affect staff.
Gender Reassignment	n/a	
Age	Council held housing data.	
Disability	Council held housing data.	
Race & Ethnicity	Council held housing data.	
Sexual Orientation	n/a	
Religion or Belief (or No Belief)	Council held housing data.	
Pregnancy & Maternity	n/a	
Marriage and Civil Partnership	n/a	

Outline the key findings of your data analysis.

Sex

SEX	Northolt	Tangmere	Both	Borough population
Female	39%	46%	42%	49%
Male	59%	51%	55%	51%
Unknown	2%	3%	2%	-

Compared to the borough profile, there are more males than females in these blocks. This is largely because of the high number of one-bedroom properties, which represent around 50% of Tangmere and all Northolt flats, and these are more likely to be allocated to single men, as census data indicates that single men are less likely to have sole caring responsibilities for children. Haringey's Allocations Policy allocates two bedrooms to households comprising one adult and one child.

Gender reassignment

The council does not have local data regarding this protected characteristic. There is no reason to believe that there will be specific impacts for this protected group and will try to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.

Age

AGE BAND	Northolt	Tangmere	Both	Borough population
16-24	3%	3%	3%	14%
25-44	32%	11%	21%	48%
45-64	26%	60%	43%	26%

65+	32%	17%	25%	12%
Unknown	7%	9%	8%	-

The profile of these blocks (and Council households generally) is significantly older than the general borough population. The decision will therefore have a proportionately higher impact on older residents.

Disability

Disability rates are significantly lower than those in the borough despite a higher reporting rate. It is therefore unlikely that individuals with disabilities will be overrepresented among those impacted by the decision.

DISABILITY	Northolt	Tangmere	Both	Borough population
No	35%	32%	33%	17%
Yes	8%	11%	9%	15%
Unknown	57%	57%	57%	67%

Race and Ethnicity

Northolt and Tangmere (and Council households generally) have higher proportions of Black households and lower proportions of White households than in the rest of the borough. The decision will therefore have impact on a proportionately higher number of Black residents.

ETHNICITY	Northolt	Tangmere	Both	Borough population
Asian	3%	6%	4%	10%
Black	54%	40%	47%	16%
Chinese or Other	7%	12%	9%	4%
Mixed	3%	-	2%	9%
White	21%	33%	27%	66%
Refused/Unknown	12%	9%	10%	-

Mixed ethnicity households represent 4% of the general population but are under-represented among residents in these block. It is not anticipated that there will be a disproportionate impact on this groups

Sexual Orientation

Sexuality is frequently under-reported, with only half of residents in these blocks declaring this information. However, on the limited data available, there appear to be similar proportions of Gay, Lesbian and Bisexual as the general population. There is therefore unlikely to be a disproportionate impact on residents with this protected characteristic.

Religion and belief (or no belief)

While there are significantly lower proportions of Christians and those stating 'No

Religion' in comparison to the borough's population, this is in part explained by lower reporting rates with 46% refusing/not responding compared to 12% borough wide.

RELIGION/FAITH	Northolt	Tangmere	Both	Borough population
Christian	32%	23%	28%	50%
Muslim	14%	17%	16%	11%
No Religion	10%	5%	7%	20%
Other	3%	3%	2%	5%
Not known/refused	41%	51%	46%	12%

Other religions, such as Judaism, Hinduism and Buddhism, are under-represented among residents in these block in comparison with the general population, and so it is not anticipated that there will be a disproportionate impact on these groups.

Pregnancy and maternity

The council does not hold data on pregnancy and maternity among its tenants and leaseholders and so this is unknown for Northolt residents. However, this data will become available once Northolt tenants and leaseholders are interviewed with regard to their households and current circumstances.

The council will need to ensure that it considers the inequalities and discrimination experienced by those who are pregnant or who are new mothers throughout this Equalities Impact Assessment.

Marriage and Civil Partnership

The council does not hold data on marriage and civil partnership among its residents. The council will need to ensure that it considers the inequalities and discrimination experienced by those who are married or in a civil partnership throughout this Equalities Impact Assessment.

4. a) How will consultation and/or engagement inform your assessment of the impact of the proposal on protected groups of residents, service users and/or staff?

During the spring of 2018, Homes for Haringey undertook considerable engagement with residents over the safety and inspection of these blocks.

Following a Cabinet decision to approve the rehousing of Tangmere residents, there was further engagement to enable them to be rehoused as quickly and efficiently as possible, taking into account the circumstances of each household.

In addition to this informal engagement, the Council has also carried out four separate consultations between 11 September and 10th October 2018;

- Section 105 consultation on the future of Tangmere
- Section 105 consultation on the future of Northolt
- Consultation on the draft Broadwater Farm Rehousing and Payments Policy
- Consultation on the draft Broadwater Farm Local Lettings Policy

As part of these consultations, a letter/information pack was sent to all residents in Tangmere and Northolt, and was made available in Turkish and in other languages, large print and Braille on request.

During the consultations, a number of events were arranged for residents to find out more about the decision options and policies. Translators were available at all sessions and others were arranged where necessary.

The Council also undertook door-knocking exercises in both blocks and discussed the consultations with Tangmere tenants. Further work with was also undertaken by the Independent Tenant Leaseholder Advisor who also held drop-in sessions and undertook their own door-knocking

A total of 108 responses were received from 105 of the 206 properties (51%). However, response rates varied between Tangmere (42 out of 104 properties or 40%) and Northolt (63 out of 102 properties or 62%). A breakdown of responses and properties by tenure and block are provided below.

4. b) Outline the key findings of your consultation / engagement activities once completed, particularly in terms of how this relates to groups that share the protected characteristics

A full description of the consultation outcomes is provided in the consultation report. In general, the proposals set out in the four consultations were strongly supported, with few respondents disagreeing with the proposals. A similar rate of tenants with protected characteristics supported the proposal, with no significant variation among tenants who share any particular protected characteristic. Due to the high rate of support there is limited value in analysing responses by protected characteristics and there is a danger with several that such analysis may reveal the responses of individuals.

In terms of response rate for protected groups, these were largely in line with the known demographics of the blocks, though it is noted that there was a slightly lower proportion of respondents between 45 and 65 (38%) compared with the population of the two blocks (47%) and higher among those 65 and over (29% compared with 27%).

Consultation on the future of Tangmere

There was majority support for the proposal with 39 residents / 91% of all respondents agreeing with the proposal to demolish Tangmere and then build new homes of the Broadwater Farm Estate. Only 4 residents / 9% of all respondents disagreed with the proposal.

Tangmere residents were also asked about their priorities with regard to future objectives. These responses indicate that providing new and larger homes were the

main priorities of residents, and that providing homes for them to return has the lowest priority.

Consultation on the future of Northolt

There was also majority support for the proposal with 53 residents / 82% of all respondents agreeing with the proposal to demolish Northolt and then build new homes of the Broadwater Farm Estate. 10 respondents / 15% of all respondents disagreed with the proposal.

Northolt residents were also asked about their priorities with regard to future objectives. The responses indicate that improving the quality of homes is the main priority of residents, and that providing homes for them to return has the lowest priority

Consultation on the Broadwater Farm Rehousing and Payments Policy

Northolt tenants were asked about the priority for new homes. While most respondents were in favour of the priorities given, or provided no comments, the other groups who respondent felt should be given priority included;

- Households with children (mentioned in 6 responses)
- Households with physical or mental health issues (4 responses)
- Households with an elderly residents (3 responses)

Northolt tenants were asked what size home tenants should be offered. The vast majority of those who answered this question (50 out of 60 respondents or 83%) supported the appropriate size home for the household being offered

Northolt residents were also asked about their thoughts on the proposal to only offer tenants one property through a Direct Offer. The majority of those who commented wanted more than one offer, explaining that tenants should be given a choice and/or that properties should be allocated through the Choice Based Lettings scheme. However, three residents expressly stated that they were against the Choice Based Lettings scheme being used.

The vast majority of residents of those who answered this question (92 out of 99 respondents or 93%) supported the proposal that departing tenants should be given priority for new built replacement homes and that resident leaseholders should have the right to return with 57 out of 65 respondents or 88% supporting this proposal. 46 out of 54 respondents or 85% also supported leaseholders being given a higher level of Equity Loan where this was a compelling reason. These questions were asked of tenants and leaseholders of both Northolt and Tangmere.

Following consultation, the Rehousing and Payments policy has been amended to allow residents to use the Choice Based Lettings Scheme. Those with children in a local school will be given priority to remain in the local area should they wish to do so.

Consultation on the Broadwater Farm Local Lettings Policy

A fourth consultation was carried out which was on a proposed Local Lettings Policy

which would set out that tenants leaving BWF would have priority for future voids, and any newly built replacement homes.

The vast majority of residents who answered this question (84 out of 93 respondents or 90%) supported this proposal

The vast majority of residents who answered this question (86 out of 92 respondents or 93%) also supported the priorities set out in the policy

5. What is the likely impact of the proposal on groups of service users and/or staff that share the protected characteristics?

1. Sex

Positive	Y	Negative	Y	Neutral impact		Unknown Impact	
----------	---	----------	---	----------------	--	----------------	--

The data analysis in Section 3 shows that there are proportionally fewer women among households in the blocks, but that women still form a significant proportion of residents. People with this protected characteristic will therefore be potentially negatively impacted by the decision to rehouse residents, but likely to be positively assisted by the Rehousing and Payments Policy.

Rehousing

Moving home will be more disruptive to households with children, who may have to make alternative arrangements for schooling. These changes are more likely to affect single mothers who may have support networks in place in the local area, benefit from local facilities aimed at single parent households, and benefit from proximity to work arrangements. Census data indicates that 92% of lone-parent households in West Green are led by women and therefore any impact on lone-parent households will primarily impact women.

The effects of being required to move will, in part, be offset by support being given to each household, including financial help with the costs of moving. Where possible, the Council will match the household's preference regarding the location of the new home, and additional priority will be given to vulnerable households and those with children in local schools. As the new homes will be based on Housing Need, the moves will also allow those households who are over-occupying to move to an appropriate size home which, if they desire, could be offered to them permanently

The proposed Broadwater Farm Rehousing and Payments Policy

Following consultation, the Rehousing and Payments policy has been amended to allow residents to use the Choice Based Lettings Scheme. Those with children in a local school will be given priority to remain in the local area should they wish to do so.

As the new homes will be based on Housing Need, those who are over-occupying their home will benefit from larger properties.

The proposed Local Lettings Plan

The Local Lettings Plan will enable households to return to the estate should they wish and so return to their community and previous support networks. These lets will be based on their housing need at the time of the return. This policy will particularly benefit families, including single parent-led families, by allowing them to move to a larger property if their housing needs have increased. We know that the vast majority of single parent households in Haringey are led by women, and so it is reasonable to expect that this policy would have a positive impact in relation to this protected characteristic.

2. Gender reassignment

Positive		Negative		Neutral impact		Unknown Impact	Y
----------	--	----------	--	----------------	--	----------------	---

The Council does not have local data regarding this protected characteristic. There is no reason to believe that there will be specific impacts for this protected group and the council will try to ensure that discrimination, harassment and victimisation is tackled based upon this and any other protected group.

3. Age

Positive	Y	Negative	Y	Neutral impact		Unknown Impact	
----------	---	----------	---	----------------	--	----------------	--

The data analysis in Section 3 shows that elderly residents are overrepresented among households in the blocks. This protected characteristic will therefore be potentially negatively impacted by the decision to rehouse residents, but likely to be positively assisted by the Rehousing and Payments Policy.

Rehousing

Moving home is likely to have more significant effects on those who are elderly or vulnerable as older residents are more likely than the general population to experience mental health difficulties and have physical disabilities. They may find moving to a new home more difficult, especially if moved outside their current area, and households that require adaptations to their home may find it more difficult to bid for properties in the local area.

The effects of being required to move will, in part, be offset by support being given to each household, including financial help with the costs of moving, and the Council applying priority for vulnerable households. As the policy has been amended to allow Choice Based Lettings, priority will be given to those who have the longest tenancy on the estate. It is likely that this will give further priority to older residents.

The draft Broadwater Farm Rehousing and Payments Policy

The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established support networks

Older resident leaseholders are more likely to have reduced their mortgage but will also face more difficulty in obtaining a new or replacement mortgage. However, the offer of an Equity Loan will enable them to find a new home in the area, should they wish to do so, using the value of their current property and the Home Loss payment.

Resident Leaseholders will also benefit from the Right to Return which has been included in the policy following consultation. Older people are over-represented among leaseholders.

The proposed Local Lettings Plan

The Local Lettings Plan will enable households to return to the estate should they wish and so return to their community and previous support networks. These lets will be based on their housing need at the time of the return. This policy will allow households to move to a larger property if their housing needs have increased. This may benefit young households, as these are most likely to experience an increase in housing need due to starting a family.

4. Disability

Positive	Y	Negative	Y	Neutral impact		Unknown Impact	
----------	---	----------	---	----------------	--	----------------	--

The data analysis in Section 3 shows that residents with disabilities are under-represented among households in the blocks, but still form 9% of residents. Residents with this protected characteristic will therefore be potentially negatively impacted by the decision to rehouse residents, but likely to be positively assisted by the Rehousing and Payments Policy.

Rehousing

Residents with mental health needs and learning disabilities may find moving to a new home more difficult, especially if moved outside their current area. Households that require adaptations to their home may find it more difficult to bid for properties in the local area.

The effects of being required to move will, in part, be offset by support being given to each household, including financial help with the costs of moving, and the Council applying priority for vulnerable households.

The Draft Broadwater Farm Rehousing and Payments Policy

The draft policy seeks to offer mitigations to the moves by prioritising vulnerable households, who will be given priority to remain in the local area.

Those needing adapted homes may benefit from being given priority to move to a new home which is suitable to their needs. The policy also offers payments to households which may assist households with arrears clear these.

The Local Lettings Plan

The Local Lettings Plan will enable households to return to the estate should they wish and so return to their community and previous support networks. These lets will be either based on their housing need at the time of the return. This policy will particularly benefit households whose housing needs have changed and who require new accommodation. This will benefit households whose members include individuals with disabilities by ensuring that their home is appropriate for their needs.

5. Race and ethnicity

Positive	Y	Negative	Y	Neutral impact		Unknown Impact	
----------	---	----------	---	----------------	--	----------------	--

The data analysis in Section 3 shows that black households are overrepresented among households in the blocks. This protected characteristic will therefore be potentially negatively impacted by the decision to rehouse residents, but likely to be positively assisted by the Rehousing and Payments Policy.

Rehousing

BAME communities are disproportionately represented in the tenant and leaseholder population of the estate and there may be specific cultural ties, such as businesses locally that cater for specific cultural needs of residents of a particular race or ethnicity. The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established communities and offers a right to remain or return to the Estate should they wish.

The effects of being required to move will, in part, be offset by support being given to each household, including financial help with the costs of moving. The moves will also allow those households to move to an appropriate size home. Those downsizing will receive payments.

The Proposed Broadwater Farm Rehousing and Payments Policy

As the new homes will be based on Housing Need, those who are over-occupying their home will benefit from larger properties. The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established communities. The policy also offers payments to households which may assist households with arrears to clear them.

BAME households are more likely to have lower incomes. The decision to support existing resident leaseholders to buy new homes by offering them affordable home ownership will help home owners on lower incomes and is therefore more likely to benefit BAME households. The offer of an Equity Loan will enable them to find a new home in the area, should they wish to do so, using the value of their current property and the Home Loss payment.

The proposed Local Lettings Plan

The proposed Local Lettings Plan will enable households to return to the estate should they wish. These lets will be based on their housing need at the time of the return. As

BAME households are overrepresented among affected households, this will have a proportionately positive impact with regard to this protected characteristic.

6. Sexual orientation

Positive		Negative		Neutral impact	Y	Unknown Impact	
----------	--	----------	--	----------------	---	----------------	--

As described in the Section 3, the council does not hold data on sexual orientation in these blocks. The impact of these groups is therefore unknown.

Rehousing

Moving home is disruptive to all residents but there is no reason to believe that this protected characteristic will be more affected by this move.

The effects of being required to move will, in part, be offset by support being given to each household (including financial help with the costs of moving).

The Proposed Broadwater Farm Rehousing and Payments Policy

The draft policy will affect all residents but there is no reason to believe that this protected characteristic will be more affected by this move.

The draft policy also offers payments to households which may assist households with arrears clear these.

The draft policy will support residents to remain in the local area where possible and offers a right to remain or return to the estate should they wish.

The proposed Local Lettings Plan

The Local Lettings Plan will enable households to return to the estate should they wish and so return to their community and previous support networks. There is no reason to believe that individuals with this protected characteristic will not benefit from provisions in the Local Lettings Plan.

7. Religion or belief (or no belief)

Positive	Y	Negative	Y	Neutral impact		Unknown Impact	
----------	---	----------	---	----------------	--	----------------	--

The data analysis in Section 3 shows that there is limited data on the religion of households these blocks. From the 56% of households where religion is known, Christians are under-represented among households in these blocks and the proportion of Muslims is in line with the general population. Residents with these protected characteristics will therefore be potentially negatively impacted by the decision to rehouse residents, but likely to be positively assisted by the Rehousing and Payments Policy.

Rehousing

There may be a greater impact on those who go to a specific place of worship or are part of a religious community.

The effects of being required to move will, in part, be offset by support being given to each household, including financial help with the costs of moving. The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established communities.

The Proposed Broadwater Farm Rehousing and Payments Policy

The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established communities. The proposed policy will therefore support residents to remain in the local area where possible and offers a right to remain or return to the estate should they wish.

The proposed Local Lettings Plan

The proposed Local Lettings Plan will enable households to return to the estate should they wish and so return to their community and previous support networks. There is no reason to believe that individuals with this protected characteristic will not benefit from provisions in the Local Lettings Plan.

8. Pregnancy and maternity

Positive	Y	Negative	Y	Neutral impact		Unknown Impact	
----------	---	----------	---	----------------	--	----------------	--

The data analysis in Section 3 shows that women are under-represented among households in the blocks but still form a significant proportion of residents. The Council does not hold data on pregnancy and maternity among its tenants and leaseholders.

Rehousing

Moving home is likely to be more disruptive to pregnant women, those with young children, and single mothers. Pregnant women and young parents may rely on family members and friends living locally to provide care and support. These residents may also benefit from local facilities and services for expectant parents, parents, and single parent households.

The effects of being required to move will, in part, be offset by support being given to each household, including financial help with the costs of moving. The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established support networks. This approach will also help the tenants with the timing of any moves. Households with young children frequently require a larger home than they currently have. As the new homes will be based on Housing Need, the moves will also allow those households to move to an appropriate size home.

The proposed Broadwater Farm Rehousing and Payments Policy

Pregnant women and young parents may rely on family members and friends living locally to provide care and support. The draft policy will give priority to vulnerable households and offer a right to return to the estate. All residents, including pregnant women and mothers of young babies, will be provided financial and practical support to assist relocation.

The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established communities.

As the new homes will be based on Housing Need, those who have recently increased their family size are likely to be over-occupying their current home. These households will benefit from larger properties. The policy also offers payments which may assist households with arrears to clear them.

The proposed policy will support residents to remain in the local area where possible and offers a right to return to the estate should they wish.

The proposed Local Lettings Plan

The proposed Local Lettings Plan will enable households to return to the estate should they wish and so return to their community and previous support networks. These lets will be based on their housing need at the time of the return. This policy will particularly benefit families, including single parent families, by allowing them to move to a larger property if their housing needs have increased. It will also benefit those who experience an increase in housing need due to starting a family.

9. Marriage and Civil Partnership *(Consideration is only needed to ensure there is no discrimination between people in a marriage and people in a civil partnership)*

Positive	Y	Negative	Y	Neutral impact		Unknown Impact	
----------	---	----------	---	----------------	--	----------------	--

People who are in a civil partnership will be treated the same as people who are married in all respects.

10. Groups that cross two or more equality strands e.g. young black women

There are more young black single men living on the estate relative to other parts of the borough. These households will need a different type of support compared to families, and each household will have a tailored support package. The Council will support these residents by conducting in-depth discussions to understand their housing need and rehousing preferences.

The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established communities.

Tenants will also be given practical support to help them through the viewing and moving process including help with removals and other costs of moving home. Tenants will be offered vacant properties which become available on the estate.

The Right to Return will allow these households to return to the estate should they wish and so retain established support networks. This Right is enabled by the Local Lettings Plan.

Outline the overall impact of the policy for the Public Sector Equality Duty:

The greatest impact of these proposals will be on those who are dependent on local support networks and public services such as schooling, including children, parents, single parents, and older people. This is because any move away from Broadwater Farm caused by rehousing may make it more difficult for these residents to maintain these support networks and continue to access services. However, these impacts are mitigated by the revised rehousing and payments policy allowing tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established communities. Accordingly, the Council will aim to meet its Public Sector Equality Duty to eliminate discrimination against individuals and groups who share protected characteristics and foster good relations between those who share these characteristics and those who do not.

Replacement housing will be offered according to Housing Need which may benefit those who are over-crowded and/or need specialist housing. Those wishing to return will be given an offer of a new home based on their new housing need at the time of the return, and so will allow those whose housing needs have changed to move to a more appropriate home. This will both support existing communities to remain and also allow housing to be allocated where it is needed.

6. a) What changes if any do you plan to make to your proposal as a result of the Equality Impact Assessment?

Outcome	Y/N
No major change to the proposal:	Y
Adjust the proposal:	
Stop and remove the proposal:	

6 b) Summarise the specific actions you plan to take to remove or mitigate any actual or potential negative impact and to further the aims of the Equality Duty

Impact and which protected characteristics are impacted?	Action	Lead officer	Timescale
Loss of local support and increased distance from schools <ul style="list-style-type: none"> • Females (with children) • Pregnancy • Disabled residents • Elderly residents 	The revised rehousing and payments policy allows tenants to use the Choice Based Lettings scheme which will assist them to select a new home near to any established communities. The proposed Rehousing and Payments Policy also offers tenants and resident leaseholders the Right To Return to the estate if	Director of Housing, Regeneration and Planning	Ongoing

	they wish		
Please outline any areas you have identified where negative impacts will happen as a result of the proposal but it is not possible to mitigate them. Please provide a complete and honest justification on why it is not possible to mitigate them.			
Where there is a need for a household to move to a different part of the borough, Homes for Haringey staff will work with households and provide support if new arrangements to access public services such as healthcare and education need to be made. Financial assistance will also be provided to cover the costs of moving home.			
To mitigate the longer-term impact of rehousing, the Rehousing Policy offers residents the Right to Return to the estate, if they wish to.			
6 c) Summarise the measures you intend to put in place to monitor the equalities impact of the proposal as it is implemented:			
Ongoing monitoring of these policies will be undertaken as households are interviewed, moved and, if they desire, return to the estate.			

7. Authorisation	
EqlA approved by Dan Hawthorn (Director)	Date

8. Publication <i>Please ensure the completed EqlA is published in accordance with the Council's policy.</i>

Please contact the Policy & Strategy Team for any feedback on the EqlA process.

This page is intentionally left blank

Report for: Special Overview and Scrutiny Committee 6th December 2018

Title: Monitoring Officer and Section 151 Officer's Report on the Call-In of a Decision taken by the Cabinet on 13th November 2018 relating to the Tangmere and Northolt blocks on Broadwater Farm

Report authorised by : Bernie Ryan, Monitoring Officer

Lead Officer: Raymond Prince, Assistant Head of Legal Services and Deputy Monitoring Officer

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

1.1 To advise the Overview and Scrutiny Committee on the call-in process, and in particular whether the decisions taken by Cabinet on 13th November 2018 in relation to the Tangmere and Northolt blocks on Broadwater Farm and an associated Rehousing and Payments Policy and Local Lettings Policy, is within the Council's budget and/or policy framework.

2. Cabinet Member Introduction

N/A

3. Recommendations

3.1 That Members note:

- (a) The Call-In process;
- (b) The advice of the Monitoring Officer and Section 151 Officer is that the decision taken by Cabinet was inside the Council's budget and policy framework

4. Reasons for decision

4.1 The Overview and Scrutiny Committee (OSC) is expected to take its own decision with regard to whether a called-in decision is outside or inside the budget/policy framework when considering action to take in relation to a called-in decision.

5. Alternative options considered

N/A

6. Background information

Call-in procedure rules

- 6.1 Once a validated call-in request has been notified to the Chair of OSC, the Committee must meet within 10 working days to decide what action to take. In the meantime, all action to implement the original decision is suspended.
- 6.2 If OSC Members determine that the original decision was within the policy/budget framework, the Committee has three options:
- (i) to not take any further action, in which case the original decision is implemented immediately
 - (ii) to refer the original decision back to Cabinet as the original decision-maker. If this option is followed, the Cabinet must reconsider their decision in the light of the views expressed by OSC within the next five working days, and take a final decision
 - (iii) to refer the original decision on to full Council. If this option is followed, full Council must meet within the next 10 working days to consider the call-in. Full Council can then decide:
 - to either take no further action and allow the decision to be implemented immediately, or
 - to refer the decision back to the Cabinet for reconsideration. The Cabinet's decision is final.
- 6.3 If the Overview and Scrutiny Committee (OSC) determine that the original decision was outside the budget/policy framework, the Committee must refer the matter back to the Cabinet with a request to reconsider it on the grounds that it is incompatible with the policy/budgetary framework.
- 6.4 In that event, the Cabinet would have two options:
- (i) to amend the decision in line with OSC's determination, in which case the amended decision is implemented immediately.
 - (ii) to re-affirm the original decision, in which case the matter is referred to a meeting of full Council within the next 10 working days. Full Council would have two options:
 - to amend the budget/policy framework to accommodate the called-in decision, in which case the decision is implemented immediately, or
 - to require the decision-maker to reconsider the decision again and to refer it to a meeting of the Cabinet, to be held within five working days. The Cabinet's decision is final.

The Policy Framework

- 6.5 The Policy Framework is set out in the Constitution at Article 4 of Part Two (Articles of the Constitution) which I reproduced as follows:

“Policy Framework

These are the plans and strategies that must be reserved to the full Council for approval:

- Annual Library Plan
- Best Value Performance Plan
- Crime and Disorder Reduction (community safety) Strategy
- Development Plan documents
- Youth Justice Plan
- Statement of Gambling Policy
- Statement of Licensing Policy
- Treasury Management Strategy

Any other policies the law requires must be approved by full Council.

Such other plans and strategies that the Council agrees from time to time that it should consider as part of its Policy Framework:

- Housing Strategy”

- 6.6 The policy framework is intended to provide the general context, as set by full Council, within which decision-making occurs. In an executive model of local authority, the majority of decisions are taken by the executive – in Haringey’s case this being the Cabinet/Leader/Cabinet member. It is not expected that every executive decision taken should satisfy every individual aspect of the framework, but they should not be outside the framework. Case law also makes it clear that it would not be a proper use of a full Council approved plan or strategy to seek to make it a means for full Council to micro-manage what ought to be executive decisions.

The Budget Framework

- 6.7 The budget framework is the 2018/19 Budget and Medium Term Financial Strategy (MTFS 2018 19 – 2022/23) Report approved by Full Council at its meeting on 26th February 2018.
- 6.8 The policy and budget framework is intended to provide the general context, as set by Full Council, within which executive decision-making occurs. The general premise is that executive decisions must be within the scope of the policy and budgetary framework and should not be wholly inconsistent with it.

7. Current Call-In

- 7.1 On 23rd November 2018, a valid call-in request was received in relation to the Cabinet decisions of 13th November 2018 in relation to the Tangmere and Northolt blocks on Broadwater Farm. A copy of the Cabinet report dated 13th November 2018; the published draft minutes and the call-in request all form part of the published Agenda pack distributed to Members of the Overview and Scrutiny Committee, and so are not reproduced again here as appendices to this report.

7.2 The call-in request asserts that the decision was outside the policy or budget framework.

8. Monitoring Officer's Assessment

8.1 The Monitoring Officer's assessment is that the decision taken by Cabinet does fall inside of the Council's policy framework for the following reasons.

8.2 As detailed at paragraph 6.5 above, the Housing Strategy does form part of the Council's policy framework. However, the Broadwater Farm Rehousing and Payments Policy does not form part of the same framework. Further, and in any event, as the report of the Interim Director of Housing, Regeneration and Planning makes clear, there is no conflict between the two documents.

9. The Section 151 Officer's Assessment

9.1 The Section 151 Officer's assessment is that the decision taken by Cabinet does fall inside of the Council's budget framework for the following reasons.

9.2 The financial implications of the decisions taken by Cabinet were detailed in the November 2018 cabinet report.

9.3 The reason for call-in refers to the potential risk of having to repay GLA funding. Cabinet have not made any decisions relating to drawing down affordable housing grant from the GLA in relation to Tangmere and Northolt. The Council will only be able to access this funding after it has met a number of conditions, which will include it either being granted an exemption from the ballot requirements or it being determined that it has met the ballot requirements. There is therefore no risk that the Council will have to repay any capital funding linked to the ballot requirement, as the GLA will not give the Council any capital funding until this is resolved and this funding only starts to be paid when there is a start on site on the replacement homes.

10. Contribution to strategic outcomes

N/A

11. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance and Procurement

The Chief Finance Officer's comments are set out above.

Legal

The Monitoring Officer's comments are set out above.

Equality

N/A

12. Use of Appendices

13. Local Government (Access to Information) Act 1985

N/A

This page is intentionally left blank

Report for: **Special Overview and Scrutiny Committee on 6th December 2018**

Title: **Call-in of Cabinet's decisions relating to the Tangmere and Northolt blocks on Broadwater Farm**

Report

Authorised by: **Helen Fisher, interim Director of Housing, Regeneration and Planning**

Lead Officer: **Dan Hawthorn, Director of Housing and Growth**

Ward(s) affected: **West Green**

Report for Key/

Non Key Decision: **Key Decision**

1. DESCRIBE THE ISSUE UNDER CONSIDERATION

- 1.1. The purpose of this report is to provide further information to support the Overview and Scrutiny Committee's consideration of the issues raised in the 'call-in' of the Cabinet decisions of 13th November 2018 in relation to the Tangmere and Northolt blocks on Broadwater Farm.

2. CABINET MEMBER INTRODUCTION

- 2.1. My introduction to the original report considered by Cabinet on 13 November 2018 set out the case as I see it for that decision. This report deals with the specific points raised in the call-in, and I would simply and clearly confirm my view that nothing raised in the call-in or set out in this report changes my view that the decision taken on 13 November 2018 was the right one.

3. RECOMMENDATIONS

- 3.1. It is recommended that the Committee take into account the information in this report when considering its decision on this matter.

4. Background

The decision and the call-in

- 4.1. At its meeting on 13th November 2018, Cabinet made a number of decisions relating to the Tangmere and Northolt blocks on Broadwater Farm. The decisions and the report are published on the Council's website and are accessible at the link provided in paragraph 10 below.
- 4.2. Following the publication of the draft minutes of the meeting on 16th November 2018, a 'call-in' of the decision was received and deemed valid in line with the criteria set out in Part Four, Section H of the Council's Constitution. Accordingly, the matter is now to be considered by the Overview and Scrutiny Committee.

Reasons for the call-in

- 4.3. The call-in form states that *“The decision by the Cabinet to reject a pre-demolition ballot of residents of Broadwater Farm falls outside the financial and policy framework”* and lists four primary reasons in support. The form also lists five additional reasons for call-in, and lists two proposed variations to the action taken by Cabinet. This report provides an officer response to reasons for call-in, and the proposed variations. The report of the Monitoring Officer and Section 151 Officer which is also presented as part of this item makes recommendations around whether any of the decisions fall outside the financial and policy framework.

Primary Reason 1

- 4.4. *“It does not appear that at the time the Cabinet took its decision, the Council had yet secured an exemption from the GLA’s requirement to hold a ballot. The GLA capital funding guide states in order to apply for an exemption on the grounds that a demolition is “required to address concerns about the safety of residents”, the applicant authority must demonstrate there are “safety issues that cannot reasonably be resolved through other means.” As the Cabinet report from July 2018 demonstrates this was not the case, as strengthening was actively considered as an alternative. Given this, the risk of having to repay GLA capital funding needs to be considered and the fact that this was not, places the decision outside the budget framework.”*

Response

- 4.5. It is accepted that as at the date that Cabinet took its decision on 13th November 2018, no exemption from the GLA requirement to hold a ballot had been secured. However, it is not accurate to suggest that there is a consequential risk that funding will have to be repaid for the following reasons.
- 4.6. Cabinet have not made any decisions relating to drawing down affordable housing grant from the GLA in relation to Tangmere and Northolt. The Council will only be able to access this funding after it has met a number of conditions, which will include it either being granted an exemption from the ballot requirements or it being determined that it has met the ballot requirements. There is, therefore, no risk that the Council will have to repay any capital funding linked to the ballot requirement, as the GLA will not give the Council any capital funding until this is resolved and this funding only starts to be paid when there is a start on site on the replacement homes.

Primary Reasons 2 and 3

- 4.7. *“Section 8.4 of the Housing Strategy says that the Council “will work with residents at all times to make sure we are offering something that people genuinely want and that will make a real difference.” The failure to hold a pre-demolition ballot represents a failure to fulfil this obligation”.*
- 4.8. *In addition, expectations of resident engagement and empowerment have been raised to a new and higher level by the Mayor of London’s ballot requirement for estate regeneration schemes. Ballots have been introduced because softer methods of consultation have been perceived to be inadequate when making*

decisions to demolish people's homes and to transform neighbourhoods. Therefore, the decision is out of line with the aspirations described in paragraph 4.3 of the Housing Strategy, 'Engaging and Enabling People'."

Response

- 4.9. It is accepted that the Council did not hold a pre demolition ballot with residents before Cabinet took its decision on 13th November 2018. However, the Council is confident that the decisions taken by Cabinet were preceded by an appropriate degree of resident consultation, and in compliance with the Housing Strategy for the following reasons.
- 4.10. Section 4.3 of the Housing Strategy sets out the Council's broad aims in terms of engaging and enabling residents regarding housing. This includes ongoing community engagement to improve local services and environments. The section concludes "*We are promoting community participation in shaping new development and, in Tottenham Hale and North Tottenham, the council is engaging users and residents in the design of new homes and places. We will continue to ensure residents are closely involved in council-led housing initiatives, improvements and regeneration schemes, and this is set out in 8.4 below.*"
- 4.11. Section 8.4 of the Housing Strategy then sets a number of ways in which the Council will seek to give residents a stake in growth. In relation to engagement in council-led housing initiatives, this section says: "*As we pursue [existing estate renewal schemes] and other initiatives, we will work with residents at all times to make sure we are offering something that people genuinely want and that will make a real difference – this is absolutely central to our growth priorities.*" It is worth noting that the Housing Strategy was adopted before the Mayor's Estate Regeneration Guidance, including ballots, was published and that the new Strategy that is now being developed will be able to reflect as appropriate the content of that guidance.
- 4.12. In terms of how the Council has engaged and consulted residents in the decision-making process to date, the Council has carried out a detailed consultation of the residents of Tangmere and Northolt on the options for the two blocks, as well as on the associated rehousing policy and local lettings policy. This form of consultation allowed the Council to ask a range of questions to get an in-depth understanding of what residents thought, and why. The findings of this consultation were considered by Cabinet as part of the decisions it took at its meeting in November. As that report set out, the consultation found an overwhelmingly high level of support for the Council's preferred option as regards both Tangmere and Northolt. The Council does not consider this type of consultation to be a 'softer' method of consultation – the Council has a statutory duty under section 105 of the Housing Act 1985 to consult secure tenants who are likely to be substantially affected by a matter of housing management, such as its proposals relating to Tangmere and Northolt.
- 4.13. One of the advantages of this type of consultation is that it allows the Council to gain a richer understanding of residents' views and priorities. For example, a number of respondents to the consultation from Tangmere mentioned the leaks the block suffers from, and when asked which out of a number of considerations they thought was most important, the most frequent response from residents of both blocks was improving the quality of the homes on the Tangmere and Northolt sites.

As the consultation explained, the strengthening works would not address all the issues with these two blocks, some of which are caused by the design of the blocks. For example, the leaks Tangmere suffers from are because the design of the block is that water drains internally through its structure and this has led to water ingress problems which are extremely hard to identify and address. Such ingress leads to premature deterioration of other structural components. It is therefore very difficult – if not impossible – to address the concerns residents highlighted with the leaks and the general quality of the block without demolishing and then rebuilding the homes. This also means that Tangmere would also likely need ongoing and costly works to try to address the leaks even after strengthening works are done. This level of detail on residents' views could never be extrapolated from a simple yes/no ballot.

- 4.14. Another consideration residents told us they thought was important was the size of the homes provided. Residents said they wanted a higher number of larger homes than those currently in the blocks (Northolt is all one bed homes and Tangmere has a high proportion of one beds compared to local housing need). The decisions taken at November Cabinet will allow these residents to be rehoused in alternative accommodation that is the right size for them and their household (as defined by the Council's Allocations Policy). They will then have the right to return to the estate, including the right to a newly built home on the estate which will be the right size for them and their household.
- 4.15. Accordingly, as stated above, the Council is therefore confident that the decisions taken by Cabinet in November were preceded by an appropriate degree of resident consultation, and that they reflect as much as possible what residents genuinely want based on the findings of this consultation.
- 4.16. Importantly, resident engagement will continue throughout the process of providing new homes on the estate. As paragraph 6.63 of the November Cabinet report states, there will be detailed resident engagement on developing the proposals for new homes and the housing principles that will determine the number of homes and the types of design that could be considered.
- 4.17. It is accepted that the Mayor's guidance – and indeed the commitments of the new Haringey administration – see a role for ballots in typical estate regeneration schemes. And as stated above, a ballot will take place on the redevelopment proposals at Broadwater Farm. However, the Mayor's guidance recognises that some situations do not allow full compliance with its requirements, including for reasons of health and safety, and it is the judgement of this administration that this is just such a situation.
- 4.18. In addition to the formal consultation undertaken with the residents of Tangmere and Northolt on the futures of these blocks, there has also been a significant programme of resident engagement in relation to the structural issues identified on the Broadwater Farm estate. This was set out in detail in paragraphs 6.35 to 6.39 of the June Cabinet report.

Primary Reason 4

- 4.19. *“Finally, the Broadwater Farm Rehousing and Payments Policy does not comply with Paragraph 4.2 of the Housing strategy, ‘Supporting the development of strong mixed communities’, because:*

- a) *There is no guaranteed right to return for resident leaseholders who ‘no longer reside in the borough’. Many of these leaseholders may need to move out of the borough due to reasons of cost.*
- b) *The equity loans scheme for resident leaseholders should be amended to include succession for immediate family members, rather than partners only.*
- c) *Rent and service charge arrears are being deducted from Home Loss payments. This is a cause of hardship to indebted households, and the deductions should be waived where the resident is adhering to an existing agreement to reduce the arrears.”*

Response

- 4.20. It is not accepted that the Broadwater Farm Rehousing and Payments Policy does not comply with Paragraph 4.2 of the Housing Strategy for the following reasons.
- 4.21. Section 4.2 of the Housing Strategy provides a narrative on the wide range of homes the borough needs to meet current and future housing need and “*to obtain the mix in our communities that lies at the heart of our vision for housing in the borough*”.
- 4.22. The Council’s commitments to residents affected by estate renewal proposals were further developed in the Estate Renewal Rehousing and Payments Policy (ERRPP) which was approved by Cabinet in October 2017. The ERRPP is not part of the Council’s policy framework in the way the Housing Strategy is, but it does set out commitments the Council has made to residents affected by estate renewal proposals. The ERRPP does not automatically apply to Tangmere and Northolt as the demolition proposals are based on health and safety issues rather than estate renewal proposals. However, a number of the commitments contained in the ERRPP have been offered to the residents of Tangmere and Northolt through the Broadwater Farm Rehousing and Payments Policy (the policy), which was approved by Cabinet in November 2018 following resident consultation. The policy aims to be consistent with the ERRPP as far as possible in these circumstances.
- 4.23. The policy sets out two stages of a rehousing offer for resident leaseholders – initial rehousing to allow the resident leaseholder to move out of Tangmere or Northolt, and then a right to return to a new build property when they are built. It is important that the policy commitments for both stages are considered together, for the reasons set out below.
- 4.24. In terms of initial rehousing, the policy seeks to enable resident leaseholders to remain in the borough, if they wish to. The Council will provide financial assistance to enable residents to stay in the borough. This will take the form of an equity loan from the Council to help fund the cost of a replacement home. Generally loans will be able to fund up to 40% of the leaseholder’s new home in the borough, though as set out in section 6.51 of the November 2018 Cabinet report the Council also has in place a procedure to show discretion where appropriate. This includes cases where a leaseholder requires an equity loan higher than 40% in order to remain in the borough or to return to the estate.
- 4.25. The second part of the offer for resident leaseholders – as referred to in the reason for call-in – is the right to return. The policy says that former resident leaseholders of Tangmere and Northolt will be offered a property with the same number of

bedrooms as their previous Broadwater Farm home. The policy does recognise that there may be changes in leaseholders' circumstances between the time they move out of their current home and the time when new build homes are available. This could include changes to the leaseholder's household size or their financial circumstances. The policy says that where there have been significant changes, the circumstances will be considered by the Broadwater Farm discretion panel. The panel will make decisions in line with the general principles guiding the Council's rehousing policies (ie both the ERRPP and the policy). This includes the aim to allow current resident leaseholders to return to the estate to a newly built leasehold property which is similar to their current home.

- 4.26. The policy does not say that resident leaseholders who no longer reside in the borough will not have a right to return. Because the policy envisages that those resident leaseholders who wish to stay in the borough will be able to for the reasons summarised in paragraph 4.24 above, the assumption is that these resident leaseholders will still be resident in the borough when the new homes are built and ready to move in to. The reference in the policy to any leaseholder who no longer resides in the borough therefore refers to a leaseholder choosing to leave the borough because they wish to, rather than because of their financial circumstances.
- 4.27. If a resident leaseholder has chosen to leave the borough, but wishes to exercise a right to return, this will be considered by the discretion panel. It should be noted that if the resident leaseholder has retained demonstrable links to the borough and/or to the estate, then the panel would confirm that they retain a right to return.
- 4.28. To summarise, the policy envisages that those resident leaseholders who wish to remain in the borough when they leave Tangmere or Northolt will be able to do so. It then envisages that they will be given a right to return to new homes on the estate when they are built. In view of the fact that some years will have elapsed between the two moves, the policy also sets out a discretion procedure to consider any cases where there have been significant changes to a leaseholders' circumstances.
- 4.29. It should be noted that the ERRPP states that "where a resident has chosen to move to a new home out of the borough, the Right to Return would no longer apply" (section 4.3 of that policy). The policy is, therefore, entirely in line with existing policy on this point.
- 4.30. In regards to inheritance of an equity loan, the policy – again in line with the ERRPP – limits inheritance to the leaseholder's spouse, civil partner or a person living with them as their husband or wife. This means that the partner may succeed to the property without having to repay the Equity Loan, so long as the partner resided at the home with the leaseholder at the time of the leaseholder's death. Any requests for an equity loan to be inherited by someone who does not meet these criteria would be considered by the discretion panel, who would seek to make a decision in line with the general principles guiding the Council's rehousing policies, as well as the financial implications to the Council of further extending the duration of the loan.
- 4.31. It should be noted that where an equity loan arrangement is not inherited and needs to be paid back to the Council, any increase (or decrease) in the value of the property will be apportioned between the leaseholder and the Council in line with their original contributions and any further contributions.

4.32. In regards to deducting arrears from Home Loss payments, it is existing Council policy to deduct any debts owed to the Council from such payments (see section 5.1 of the ERRPP). Any cases where the resident thinks that this could cause hardship can be referred to the discretion panel. It should be noted that separate payments will be made to residents to cover the cost of moving home (disturbance payments). As these cover expenses that the resident would otherwise incur, no debts will be deducted from these payments. Paragraph 4.2.2 of the policy sets out costs which may be covered by disturbance payments, including:

- Removal costs from the current home to the new home.
- Redirection of mail for each authorised surname living at the address.
- Telephone and internet disconnection and reconnection.
- Disconnection of any television aerials or satellite dishes
- Washing machine, cooker, dishwasher and plumbed fridge disconnection
- Any extra costs of new school uniform if moved to a different area
- Dismantling and re-fitting of fitted resident owned furniture (such as kitchen units and wardrobes
- Reimbursements for wage or salary loss on the day of the removal

Additional Reason 1

4.33. *“There is an unaddressed contradiction between the stance taken in the July 2018 report that strengthening was an alternative to demolition, and the stance taken by the Cabinet in November 2018, that a lack of an alternative precluded holding a pre-demolition ballot.”*

Response

4.34. It is not accepted that there is a contradiction as alleged for the following reasons.

4.35. Both the June 2018 and November 2018 Cabinet reports are concerned with the options for rectifying the structural defects with the two blocks. The June report identified the options for the blocks, which were to either carry out strengthening works or to demolish the blocks and then build new homes to replace those that would be demolished in this scenario. At the June meeting Cabinet agreed, having considered these options and the information provided in the report, that its preferred option was to demolish both blocks and then build new homes. In June, Cabinet also decided – in line with the Council’s statutory duty under section 105 of the Housing Act 1985 – to consult the residents of Tangmere and Northolt on the options. The November report set out the results of this consultation and recommended further decisions in light of the findings of the consultation.

4.36. The consultation documentation set out the options for the blocks, and explained why demolition and rebuilding was the Council’s preferred option. The consultation asked (among a number of other questions) whether they agreed with the Council’s preferred option and, if they did not, to state which of the other options they supported.

4.37. The November report does not state that there was no alternative to demolition, and section five summarises the alternative options and refers to the June report where these options were set out in greater detail. The November report explains that the

consultation found strong support for the Council's preferred option from the residents of both Tangmere and Northolt.

- 4.38. In view of the fact that the proposed demolition of Tangmere and Northolt is due to the serious structural issues to both blocks that were identified in early 2018, it is not possible to hold a ballot which is fully compliant with the GLA ballot requirements introduced in July 2018.
- 4.39. The GLA guidance envisages that prior to a ballot, the Council will have developed a 'Landlord Offer' which sets out in some detail its proposals for the future of the estate. The GLA guidance the Landlord Offer must include:

"The broad vision, priorities and objectives for the estate regeneration, including information on:

- o Design principles of the proposed estate regeneration.*
- o Estimated overall number of new homes.*
- o Future tenure mix.*
- o Proposed associated social infrastructure."*

- 4.40. In view of the fact that the focus to date has been on how to most appropriately address the risks associated with the structural issues with the two blocks, the only work that has been commissioned relating to new homes are some initial high-level capacity studies to determine how much housing could be built on the estate and where. Developing the vision, objectives and design principles for an estate regeneration project is something that needs to be developed in close consultation with residents of the estate over a period of time. This is not something that should be rushed, but nor should it delay the decisions needed now on how to address the structural issues with the Tangmere and Northolt blocks.
- 4.41. The GLA guidance also states that a ballot should take place before residents are rehoused. Again, this is not possible with these two blocks, where, in response to the pressing and serious health and safety concerns, rehousing is already underway in Tangmere and will soon start for Northolt.
- 4.42. The GLA ballot guidance recognises that there will be occasions where the requirement cannot apply in the manner set out. Exemption 2 concerns demolition required to address concerns about the safety of residents. This exemption states that an exemption may be granted *"where demolition is necessary as a result of resident safety issues that cannot reasonably be resolved through other means."*
- 4.43. It should be noted that the GLA's requirement to hold a ballot is only a condition of receiving funding from the GLA towards the cost of building new homes to replace those which are demolished. This does not affect the Council's ability to make decisions on the futures of Tangmere and Northolt within its own decision-making framework.
- 4.44. While the Council is not in a position to hold a GLA-compliant ballot before decisions need to be taken on the futures of Tangmere and Northolt, it has committed to holding a ballot of the whole estate on the development proposals when these are developed. This will include the objectives and design principles outlined in paragraph 4.39 above. In line with the GLA guidance, this ballot will be of

all eligible residents on the estate and will include residents of Tangmere and Northolt, who have a right to return to the estate.

- 4.45. If, for any reason, the Council is not granted an exemption by the GLA it would then need to consider the next steps based on the circumstances at the time in discussion with the GLA. Note that the Council could pursue the scheme without using GLA grant and instead use its own resources to fund the cost of new homes such as Right to Buy receipts.
- 4.46. For the reasons set out above the Council does not believe it is possible to hold a fully compliant ballot, and any non-compliant ballot could leave the Council and/or GLA open to legal challenge, which could only further delay the replacement of the demolished homes.

Additional Reason 2

- 4.47. *“There is clearly a view amongst Broadwater Farm residents, as evidenced by the petition noted in the Cabinet report, that the assurances given in the consultation are inadequate and cannot be relied on.”*

Response

- 4.48. It is not accepted that this is a concern for the following reasons.
- 4.49. The most effective way for the commitments made by the Council to the residents of Tangmere and Northolt to be honoured is to adopt them in formally approved Council policy. The commitments as regards rehousing are reflected in the Broadwater Farm Rehousing and Payments Policy which was approved by Cabinet at its meeting in November 2018. This sets out a number of commitments, including:
- Tenants will move to an alternative council home that is the right size for them and their household
 - Tenants can stay in the home they have moved to, but will retain Band A priority to bid for a different home if they wish to move again (a second move)
 - All Tangmere and Northolt tenants will have a right to return to a new build home on the estate once they are built
 - Resident leaseholders will be given financial assistance to find a new home in the borough, and will have a right to return to newly built homes on the estate
- 4.50. The other commitment the Council has made is that all council homes which are demolished will be replaced with the same number of new council homes on the estate. The Council has been clear about this commitment from the outset, and the work done on the comparative costs of the options was done on this basis. As well as the commitments given at Cabinet and in the consultation documentation, it should also be noted that the draft London Plan (which is likely to come in to force in mid 2019) will require the replacement of any social housing which is demolished as part of the redevelopment of an existing housing estate. Policy H10 of the draft London Plan states that:

“Where loss of existing affordable housing is proposed, it should not be permitted unless it is replaced by equivalent or better quality accommodation, providing at least an equivalent level of affordable housing floorspace, and generally should produce an uplift in affordable housing provision.”

It goes on to say that *“the existing affordable housing floorspace should be replaced on an equivalent basis i.e. where social rented floorspace is lost, it should be replaced by general needs rented accommodation with rents at levels based on that which has been lost, and the delivery of additional affordable housing should be maximised.”*

- 4.51. The assurances given in the consultation have therefore not only been repeated throughout the process to date, they have also been adopted into council policy. Further, both our Local Plan and the Mayor’s emerging plan both require full re-provision of any social rented homes that are demolished.
- 4.52. While the petition received by the Council called for a ballot on demolition or strengthening, it did not say that one of the reasons for petition was that residents didn’t believe the Council’s assurances.
- 4.53. It should be noted that a ballot would not make the commitments outlined above any more or less guaranteed than they will be once they form part of the Council’s policy framework.

Additional Reason 3

- 4.54. *“There is a possibility that these sites could be left in ‘limbo’ if a decision to demolish is taken and a post-demolition ballot leads to proposals for rebuilding being rejected.”*

Response

- 4.55. It is not accepted that this is a concern for the following reasons.
- 4.56. The Council would seek to mitigate this risk by working closely with residents on the estate to develop proposals that have their support. The decision to hold a ballot on the proposals for new homes could slow down the process, but this needs to be balanced against the council’s long-standing commitment to ballot residents of the estate at the most appropriate time – which is when proposals for replacement Council homes have been developed.
- 4.57. The risk that that the new homes could be delayed by a resident ballot does not change the case for demolishing Tangmere and Northolt due to the serious structural issues present in the blocks.

Additional Reason 4

- 4.58. *“That the Cabinet report referenced the decision having “significant financial implications” as a reason not to hold a ballot prior to demolition. The same could be said of almost any major redevelopment, therefore this appears to create a precedent that could be used not to hold ballots at any point in the future.”*

Response

- 4.59. It is not accepted that this is a concern for the following reasons.
- 4.60. The paragraph in the November Cabinet report states: “[The petition] will be responded to in line with the Council’s procedure on petitions, explaining that the Council’s position is that it is not appropriate to hold a ballot on this question, as it concerned a health and safety issue with significant financial implications. The response explained that a ballot would be held on proposals for new homes. Only one of the responses to the section 105 consultation mentioned a ballot.”
- 4.61. The paragraph is therefore referring to the financial implications of the health and safety issues, as outlined in the Cabinet report and summarised above. It is not the case that all redevelopment proposals involve serious structural issues like those present in Tangmere and Northolt. For the avoidance of doubt, the Council supports the use of ballots on estate renewal proposals and would foresee them being used for any future estate renewal proposals other than in the small number of cases where an exemption applies. It also does not consider the decision to not hold a pre-demolition ballot on Tangmere and Northolt to set a precedent for future estate renewal proposals. The Council will be holding a resident ballot for its proposals for the High Road West scheme in 2019.

Additional Reason 5

- 4.62. *“There are reports that some residential leaseholders are having to move into the private rented sector.”*
- 4.63. It is not accepted that this is a concern for the following reasons
- 4.64. As outlined above, the Broadwater Farm RPP sets out how the Council will enable resident leaseholders to buy a new home in the borough, including with financial assistance from the Council if needed. Given the particular circumstances affecting Tangmere – where the vast majority of tenants have now been rehoused and the gas to the block has been switched off– the Council is extending the offer of rented accommodation to resident leaseholders to allow them to move out of the block more quickly. This is because it takes time for the Council to agree and then complete on the buyback of their property, and then more time for them to identify and purchase a new home that meets their needs. The offer of rented accommodation allows them to complete this process without having to remain in the Tangmere block if they don’t wish to. The Council will meet the cost of this accommodation up to a certain level. It is not expected that leaseholders will remain in private rented accommodation long-term unless they choose to under their own arrangements.
- 4.65. If a resident leaseholder wishes to remain in their Tangmere property until the Council buys it back from them, they have a right to. As gas to the block has now been switched off, the Council is providing temporary radiators and immersion heaters if their flats do not already have them.

Variation of Action Proposed

- 4.66. The call-in proposes to variations, which are responded to below.

- 4.67. Variation of Action proposed 1: *“That an additional ballot should be held of the residents of Broadwater Farm on the principle of demolishing and rebuilding Tangmere and Northolt with strengthening the two blocks as the alternative.”*
- 4.68. The proposed variation is not accepted for the following reasons
- 4.69. The Council has carried out a detailed consultation on the options for Tangmere and Northolt with the residents of the two blocks. This consultation was considered by Cabinet at its meeting in November and provided a significant amount of information to allow Cabinet to properly understand residents’ views in relation to the options before it made its decisions. It is not clear, now that a consultation has been held with a very clear outcome, what further information a ballot would provide to Cabinet as part of its decision making.
- 4.70. As also explained further above, a ballot of all residents on the estate will be held once the more detailed proposals for new homes are developed.
- 4.71. Variation of Action proposed 2: *“The Broadwater Farm Rehousing and Payments Policy should be amended to deal with the points raised above.”*
- 4.72. It is not accepted that a need to amend the policy arises for the following reasons.
- 4.73. The responses provided above are intended to reassure Overview and Scrutiny Committee that the Broadwater Farm Rehousing and Payments Policy has considered the matters identified in the call-in. In particular, the responses above clarify the ways in which resident leaseholders will be enabled to stay in the borough. They also clarify how the Council will use the discretion procedure to ensure equitable outcomes for residents in line with the aims of the Council’s rehousing policies.

5. CONTRIBUTION TO STRATEGIC OUTCOMES

- 5.1. The contribution of the decision in question to strategic outcomes was set out in the report to 13 November Cabinet.

6. STATUTORY OFFICER COMMENTS

Finance

- 6.1. The Section 151 Officer has been consulted in the preparation of this report.
- 6.2. The financial implications of the decisions taken by Cabinet were detailed in the November 2018 cabinet report.

Legal

- 6.3. The Assistant Director of Corporate Governance has been consulted in the preparation of this report, and his views are as set out in his Monitoring Officer report.

Equalities

N/A

9 USE OF APPENDICES

10. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Report to 26th June Cabinet regarding the results of the structural reports on the Broadwater Farm blocks, and minutes of Cabinet's decisions:

<https://www.minutes.haringey.gov.uk/mgAi.aspx?ID=58198>

Broadwater Farm structural reports and cost estimates:

<https://www.homesforharingey.org/your-neighbourhood/safety-estates/broadwater-farm/broadwater-farm-reports-june-2018>

Housing Allocations Policy 2015 as amended 1 May 2017 & 14 March 2018

http://www.haringey.gov.uk/sites/haringeygovuk/files/haringeys_housing_allocations_policy_2015_amended_14_march_2018.pdf

Estate Renewal Rehousing and Payments Policy:

http://www.haringey.gov.uk/sites/haringeygovuk/files/estate_renewal_rehousing_and_payments_policy_2017.pdf

Draft London Plan:

https://www.london.gov.uk/sites/default/files/draft_london_plan_chapter_4.pdf

This page is intentionally left blank