

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?
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	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:	20			
Physically securing the site (hoarding)				
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>