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| **Item No.**  | Classification:Open | Date:October 2022 | Decision maker:Cabinet Member for Council Homes and Homelessness |
| **Report title:** | Local Letting scheme – Aylesbury First development site – FDS A |
| **Ward(s) or groups affected:** | Faraday |
| **From:** | Karen Shaw – Head of Housing Solutions |

# RECOMMENDATION

1. The Cabinet Member for Council Homes and Homelessness agrees the contents of this report.
2. The Cabinet Member for Council Homes and Homelessness note the available properties scheduled for development at the First Development Site (FDS), which is situated between Westmoreland Road and Albany Road on the Aylesbury Estate.
3. Agree 100% of letting for the First Development Site (FDS) is earmarked for existing and defined former local tenants of the Aylesbury estate.
4. Agree the pre-allocation criteria for the homes located on the FDS including the following order of priority.
5. All residents (including accepted homeless households residing within temporary accommodation) from the following Phase 2B blocks: Padbury, Ravenstone, Winslow, Wendover 241-471.
6. All tenants and resident leaseholders approved for a council tenancy (not including accepted homeless households residing within temporary accommodation), in the remaining phase 2 & 3 blocks: Wendover 1-240, Taplow, Brockley House, Wolverton, Northchurch 1-56, 184 East Street A-F, 218 East Street A-F.
7. All other residents (including accepted homeless households residing within temporary accommodation) in blocks (Wendover 1-240, Taplow, Northchurch 1-56, 184 East Street A-F, 218 East Street A-F).
8. Tenants within phase 4a of the Aylesbury regeneration.
9. Tenants within phases 4b & 4c of the Aylesbury regeneration.
10. Residents who expressed a right to return following rehousing from the First Development Site.
11. To note the pre-allocation operational procedures applied by the Housing Allocations team.

1. To note that 22 homes on the FDS Package A subject to shared ownership grant from the GLA will be offered to Aylesbury resident leaseholders across all phases of the regeneration on shared equity or equity loan terms, with priority given to those in active phases.

**BACKGROUND INFORMATION**

1. The council continues the ongoing regeneration programme of the Aylesbury Estate by providing high quality homes and greater living spaces. The intended outcomes are to achieve improved community cohesion and to retain as many residents from the estate as possible, and provide opportunities for residents to fulfil their potential.
2. The first new homes were developed in 2012. This resulted in tenants from the Aylesbury estate being successfully rehoused.
3. In July 2019, residents were able to move successfully to the new homes on Manor Place.
4. Following the confirmation of the Compulsory Purchase Order (CPO) of the FDS in November 2018 and subsequent vacant possession achieved in March 2019, the intended programme of regeneration of the Aylesbury estate progressed with the development of the new homes on the FDS.
5. Following negotiations, and as set out in the Cabinet report dated 14 July 2020, Southwark Council purchased 581 out of the 842 new homes that were to be delivered on the FDS development. These new council homes are being delivered in two construction packages (Package A and Package B), and will be available from late 2022, and all are expected to be completed by 2025
6. Package C will continue to be delivered as a mixed-tenure development as NHG homes.
7. These new homes are targeted primarily at the tenants on active regeneration phases on the Aylesbury Estate, as well as the non-active phase 4. Tenants who have already left the estate during the regeneration, and have expressed a desire to return to the estate, will also be able to access the new homes.
8. The cabinet report of the 12 March 2019 (Aylesbury Regeneration Programme Moving Forward) identified that phase 4a will be listed for pre-allocation of the FDS.
9. Tenants who move out of the blocks in active phases receive a programme of support during the move. This includes:
* Boxes and packaging delivered before the move
* Disconnection and reconnection of appliances
* Removals arranged and paid by Southwark
* Home loss payment
* Contribution towards carpets and curtains
* Extra time to move between properties

**New Development on the First Development Site (FDS)**

1. The development of new homes on FDS will be completed over three construction packages (two council and one Notting Hill Genesis)
2. This will also include a quota of accessible housing properties suitable for residents on the housing register.

**Table 1 - New development homes across FDS Packages A & B**

|  |  |  |
| --- | --- | --- |
| **Projected delivery Date** | **Package**  | **Total Homes** |
| end -2022/23 | Package A – Council | 229\* |
| End -2025 | Package B - Council | 352 |
| **Total** | **581** |

*\* includes 22 shared ownership homes and 61 specialist homes (of which 54 Extra Care and 7 LD)*

**Phase 2 and 3**

1. The regeneration programme currently has two active phases including phase 2 and phase 3.
2. As at the 1 October 2022 phase 2 includes 43 tenants and phase 3 includes 71 tenants. Such residents have been assessed in line with the allocations scheme and placed in band 1 on the Homesearch bidding scheme. Residents are able to access the online bidding website in order to bid for all advertised properties that become available during the weekly bidding cycle.

**Right to return**

1. Former tenants who moved from the FDS as a result of the regeneration programme were given the option to request a right to return to the new development site. As of September 2019, the Aylesbury team had recorded 57 households whom exercised a right to return.

**Phase 4**

The table below shows the existing breakdown of the remaining tenanted homes located within phase 4 of the Aylesbury estate as at 20 October 2022.

**Table 2 – Phase 4A**

|  |  |  |
| --- | --- | --- |
| **Phase 4a** | **Existing**  **Bed size** |  |
|   | Bedsit | 1 bed  | 2 bed | 3 bed | 4 bed | Total Tenants | Households Registered |
| 1 - 299 Missenden | 0 | 92 | 71 | 71 | 60 | 294 | 174 |
| Chadwell House | 0 | 8 | 0 | 0 | 0 | 8 | 5 |
| Darvell House | 0 | 0 | 4 | 4 | 0 | 8 | 3 |
| Inville Road | 0 | 0 | 0 | 9 | 0 | 9 | 2 |
| Lees House | 12 | 0 | 0 | 0 | 0 | 12 | 9 |
| Soane House | 9 | 18 | 5 | 0 | 0 | 32 | 13 |
| **Total** | **21** | **118** | **80** | **84** | **60** | **363** | **206** |

**Table 3 – Phase 4b**

|  |  |  |
| --- | --- | --- |
| **Phase 4b** | **Existing**  **Bed size** |  |
|   | Bedsit | 1 bed  | 2 bed | 3 bed | 4 bed | Total Tenants | Households Registered |
| Albany Road | 2 | 0 | 0 | 2 | 0 | 4 | 0 |
| Danesfield | 0 | 0 | 17 | 6 | 8 | 31 | 15 |
| Emberton | 0 | 0 | 19 | 6 | 10 | 35 | 10 |
| Latimer | 0 | 11 | 13 | 17 | 96\* | 137 | 57 |
| Michael Faraday House | 7 | 20 | 31 | 48 | 0 | 106 | 33 |
| **Total** | **9** | **31** | **80** | **79** | **114** | **313** | **115** |

*\* includes 22 five beds homes, 1 six bed home, 1 seven bed home*

**Table 4 – Phase 4c**

|  |  |  |
| --- | --- | --- |
| **Phase 4c** | **Existing**  **Bed size** |  |
|   | Bedsit | 1 bed  | 2 bed | 3 bed | 4 bed | Total Tenants | Households Registered |
| Calverton | 0 | 0 | 17 | 6 | 8 | 31 | 18 |
| Gaitskell House | 4 | 0 | 29 | 31 | 0 | 64 | 27 |
| Gayhurst | 0 | 10 | 47 | 63 | 42\* | 162 | 74 |
| Hambledon | 0 | 0 | 10 | 10 | 0 | 20 | 11 |
| **Total** | **4** | **10** | **103** | **110** | **50** | **277** | **130** |

*\*includes 8 five bed homes, 1 six bed home*

1. Tables 2 - 4(above) also shows that a combined figure of 451 households on phase 4 have requested a transfer from their existing tenancy by registering on Southwark’s Homesearch Bidding scheme. Three hundred and seventy three (373) of these households have been assessed as having a housing need, which includes residents whom are residing in overcrowded circumstances, medically unsuitable housing as well as resident’s under-occupying accommodation.
2. Southwark Council’s Housing Allocations scheme provides for the use of a Local Lettings policy, as part of a multi-agency approach with existing local communities and in partnership with Private Registered Provider Landlords to take account of social factors.

**Pre allocation process**

1. The pre-allocation of properties from the FDS will take place in November 2022.
2. The pre-allocations of the new homes will be completed in line with the priority order as listed within table 5 below:

Table 5 – Priority Order

|  |  |  |  |
| --- | --- | --- | --- |
| Priority | Pre allocation priority group |  Pre allocation process | Shortlisting criteria |
| 1 | All residents (including accepted homeless households residing within temporary accommodation) from the following Phase 2B blocks (Padbury, Ravenstone, Winslow, Wendover 241-471). | Homesearch bidding website | Allocations scheme Priority banding/star criteria/length of time on estate |
| 2 | All tenants and resident leaseholders approved for a council tenancy (not including accepted homeless households residing within temporary accommodation), in the remaining phase 2 & 3 blocks (Wendover 1-240, Taplow, Brockley House, Wolverton, Northchurch 1-56, 184 East Street A-F, 218 East Street A-F). | Homesearch bidding website | Allocations scheme Priority banding/star criteria/length of time on estate |
| 3 | All other residents (including accepted homeless households residing within temporary accommodation) in blocks (Wendover 1-240, Taplow, Northchurch 1-56, 184 East Street A-F, 218 East Street A-F). | Homesearch bidding website | Allocations scheme Priority banding/star criteria/length of time on estate |
| 4 | Tenants within phase 4a of the Aylesbury regeneration. | Homesearch bidding website  | Allocations scheme Priority banding/star criteria/length of time on estate |
| 5 | Phase 4B & 4C tenants  | Homesearch bidding website | Allocations scheme Priority banding/star criteria/length of time on estate |
| 6 | Residents who expressed a right to return following rehousing from the First Development Site. | Direct pre-allocation | Greater length of time away from the site will be given priority. |

1. All households under-occupying accommodation will be eligible to be allocated a property 1 room size above their assessed bedroom need. Further additional allocation information is listed within appendix A.
2. All allocations will consider medical needs and welfare recommendations, i.e. floor level, number of internal steps, adaptations, etc.
3. The Residents will be given a minimum of 4 weeks notice of the initial bidding cycle where the properties will be advertised. This will include specific details of the properties that will become available i.e. number of rooms floor level, accessibility, etc.
4. Should the list above be exhausted and no households identified for the available homes, the remaining homes will be allocated through the general Homesearch bidding scheme to the remainder of households on the housing register.

**New homes subject to Shared Ownership Grant funding**

1. There are a total of 22 homes on the FDS Package A, that are subject to shared ownership grant funding from the GLA. The Council will in the first instance offer these homes to Aylesbury resident leaseholders through a process to be determined in consultation with colleagues in Regeneration. It is proposed that priority will be given to resident leaseholders in an active phase of the regeneration.
2. If these homes subject to shared ownership grant from the GLA are not taken up by Aylesbury resident leaseholders the Council has the option to either convert these units to social rent homes whereby they will be subject to this local lettings policy, or to sell these homes as shared ownership homes for local Southwark residents. Any decision on this will be taken at a later date once the number of these homes not taken up by Aylesbury resident leaseholders is known.

**Equalities Impact assessment**

1. When considering the recommendations in this report, the cabinet member must have due regard to the continuing public sector equality duty contained within section 149 of the Equality Act 2010. That is the need to eliminate discrimination, harassment, victimisation or other prohibited conduct; advance equality of opportunity between persons who share a relevant protected characteristic and those who do not and foster good relations between those who share a relevant characteristic and those that do not share it. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
2. The local lettings plan seeks to prioritise those households in active phases, who have lived for a number of years knowing they will have to move out of their current home. The plan will not discriminate against any particular group.
3. Those households living in uncertainty will have the opportunity of a positive move to a permanent home.

**Consultation with stakeholders**

1. There has been extensive consultation with residents over a number of years about the redevelopment of the estate. Resident representatives have attended regular meetings with the council and NHG to discuss progress, future plans and address any issues arising as the regeneration progresses.
2. The Aylesbury Housing Forum met regularly pre-covid with a remit to consult and inform residents, as well as to provide residents with a forum to raise any issues, concerns or questions. Re-starting this forum will be looked at as part of the new engagement plan being developed for the estate.
3. All tenants remaining in phases two and three have regular one-to-one meetings with the local Resident Services Team. In these meetings the tenants are updated on timelines for new homes becoming available, and current options are explored.
4. In the year preceding Covid, all residents in phase 4a were contacted and the option to move to the new homes on the FDS site was discussed.
5. Tenants and Residents Association representatives have recently been consulted on the proposed local lettings plan, with a broad agreement being reached.
6. Ward Members have also been consulted and are in agreement with the priority cascade for the lettings plan.

**Policy implications**

1. The Council has the ability to draw up a local lettings policy in accordance with section 7.10 of its published allocations scheme, which is framed within the context of the Localism Act 2011.
2. The recommendations will remain in place pending any review of the Allocations Scheme.
3. The contents of this report has been proposed in good faith with the assumption of the ability to meet the general housing needs through our existing Housing Allocations scheme. However, it must be noted that should there be an emergency, which places a huge demand on the housing need within the borough, we can seek a review of this Local lettings scheme.

**Community impact statement**

1. The recommendations set out in this report will have a positive impact on the Aylesbury community by giving existing secure tenants the opportunity to opt to move to a social rent home in their neighbourhood.

**Resource implications**

1. The operational process will be conducted using the joint staffing resources within the Housing Solutions and Resident Service departments.

**Director of Law and Democracy**

1. In accordance with the requirement under Part 6 of the Housing Act 1996 to have a scheme for determining priorities and procedures in the allocation of its housing, the council has in place a main housing allocations scheme. The scheme gives effect to the statutory requirement to give reasonable preference to certain groups of housing applicants.
2. Generally, the council must not allocate council housing (or nominate an applicant to a housing provider with whom it has a nominations agreement) except in accordance with its main allocation scheme.
3. Under s166A(6) of the 1996 Housing Act, the council may depart from its main allocation scheme where it puts in place a local lettings policy which prioritises particular groups of applicants for particular properties, provided the cumulative effect of such schemes does not displace the system of reasonable preference set out in the main allocation scheme.
4. Paragraph 7.10.2 of the council’s current main allocation scheme incorporates a local lettings policy which provides for 50% of all allocations for ‘the new London Borough of Southwark 1000 properties initiative (to be) allocated to existing tenants local to the redevelopment/new build scheme’.
5. The local lettings scheme proposed in this report provides for 100% of allocations in the First Development Site to be made to existing local tenants. The report confirms that in other respects, it is consistent with the local lettings policy incorporated in the main allocation scheme.
6. Leaseholders will be offered homes through shared equity, or shared equity loan. The Council has powers under s32 of the Housing Act 1985 and the General Housing Consents 2013 to make disposals of housing land on these terms.
7. General Consent A3.1.1 provides that a local authority may dispose of land (including buildings i.e. houses and flats) for a consideration equal to its market value. The consents include the grant of a shared ownership lease within the definition of disposal, and the definition of “shared ownership lease” means a lease granted on payment of a premium calculated by reference to a percentage of the market value.
8. The Localism Act 2011 provides councils with the power to do anything an individual can do, provided it is not prohibited by other legislation. The scope of the power is set out in sections 1 to 6 of the Act. In summary the power enables councils to do things an individual may generally do, anywhere in the UK or elsewhere for a commercial purpose or otherwise, for a charge or without a charge.
9. When considering the recommendations in this report, the cabinet member should be satisfied that there is justification for the proposed 100% allocations in this local scheme and that the scheme does not displace the system of reasonable preference in the council’s main allocation scheme.
10. Paragraph 7.10.4 of the Council’s main scheme further provides that ‘Local Lettings policies will be reviewed on a regular basis and equality impact assessments undertaken with consultation undertaken with customers and communities before a Local Lettings Plan is agreed’.
11. The law requires that consultation must be undertaken when proposals are at a formative stage and include sufficient reasons for the proposal and time for interested parties to respond. The Cabinet member is required take into account the outcome of the consultation when making a decision on the recommendations and is referred to in the consultation section of this report.

**Public Sector Equality Duty (PSED)**

1. The Public Sector Equality Duty is referred to in the body of the report.

**BACKGROUND DOCUMENTS**

|  |  |  |
| --- | --- | --- |
| **Background Papers** | **Held At** | **Contact** |
| Aylesbury Regeneration Programme Moving Forward | Cabinet | Neil Kirby |
| London Borough of Southwark Allocation Scheme 2013 | Housing Solutions – Resident Services | Alex Herd |

**APPENDICES**

|  |  |
| --- | --- |
| **No.** | **Title** |
| Appendix 1 | Local lettings scheme additional information |

**AUDIT TRAIL**

|  |  |
| --- | --- |
| **Cabinet Member** | Cabinet Member for Council Homes and Homelessness |
| **Lead Officer** | Cheryl Russell, Director of Residents Services |
| **Report Author** | Alex Herd, Housing Choice and Supply ManagerAndrew Rogers, Area Manager |
| **Version** | Version 1 |
| **Dated** | 31 October 2022 |
| **Key Decision?** | No |
| **CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER** |
| **Officer Title** | **Comments Sought** | **Comments included** |
| Director of Legal Services | Yes | Yes |
| Strategic Director of Finance and Corporate Services | No | No |
| **Cabinet Member**  |  |  |

**Appendix 1**

Local Letting Scheme – additional information

* Existing tenants or joint tenants are accepted as part of the local lettings scheme.
* Relatives of tenants or private tenants of leaseholders will not be considered.
* Households will be prioritised in accordance with section 24 and the ordering process.
* Requests for additional bedrooms will be permitted for tenants currently under occupying accommodation by a maximum of 1 room above assessed bed need.
* Homeloss payment will only be paid to resident’s whom are listed on an active regeneration phase upon the signing the new tenancy.
* Residents with rent arrears will be referred to the income team in order to make an arrangement to clear the arrears.
* At the point of offer, any arrears will be cleared through direct payment form the homeloss payment.