

Holding on to the homes we have now and why PART 1



An information booklet for and by council and housing association tenants in London on dealing with estate 'regeneration' demolition proposals.

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1. Introduction

Thousands of Londoners live on council and housing association estates. As the price of housing in London keeps rising, council and housing association social-rented homes stand out as the only type of housing most Londoners can genuinely afford, but with fewer and fewer being available.

Yet, everybody seems to have a greedy eye on our estates – not to improve them for the working class tenants who live on them, but to drive us off and to use the land to build yet more expensive housing beyond the pockets of most people.

The word used for this is “regeneration”. But so often this is not a rebirth of something better, but a loss of social housing and replacement with something worse – glossier, newer, often taller, expensive flats crammed in at much higher densities on estates where social-rented homes along with our green spaces, children’s play areas and community halls once stood.

Demolition of whole estates has happened even where tenants and leaseholders have made it clear that they don’t want this to happen. It seems the odds are stacked against us.

This is why London Tenants’ Federation has produced this booklet, written by tenants for tenants who want to keep their homes for themselves and future generations.

When councils, housing associations and developers want the land our homes stand on, they rarely come clean about their real aims. Tenants and leaseholders are often dissatisfied with the service they are getting and our homes have often been neglected (even though rents and service charges have continued to rise over the years, compared to incomes).

When our homes have been neglected we are more ready to listen to the promises of getting a better home. But we need to be suspicious about these promises – as in case after case all over London they have proved to be empty.

Councils, architects and developers are willing to spend plenty of money (that would be better spent on the upkeep of our estates) calling meetings, holding so-called consultations, producing glossy materials and lovely models - apparently listening to what tenants want, while in the end, the result has been homes for market sale springing up where council homes have been demolished.

Most council estates already have plenty of homes concentrated on a relatively small space. Yet in the call for more housing at higher densities to be built, we are being asked to give up the rights to the land that our homes and amenities stand on (and which we have paid for year after year through our rents and service charges) to build homes that only wealthier Londoners can afford.

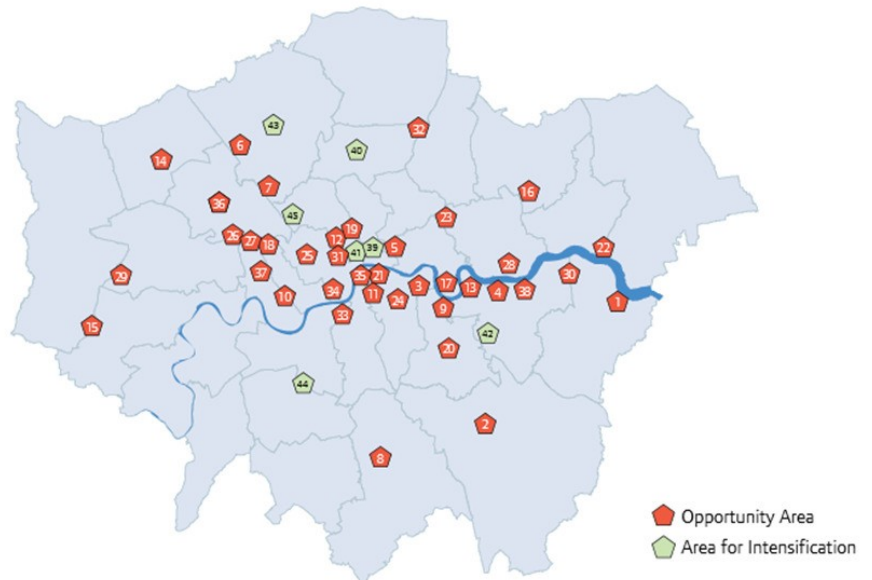
That is why, first and foremost, we say we must hold on to what we have!

2. Could your estate be up for demolition?

At present many estates are vulnerable.

Many are in ‘**opportunity**’ and ‘**intensification**’ areas, where the Mayor says more than 310,000 new homes can be built (but few, if any, will be social-rented homes) or ‘**regeneration**’ areas (which they say are the most ‘deprived’ areas in London). Combined, these are also the areas where there is most social-rented housing in London.

London’s 38 opportunity areas and seven areas of intensification are identified in the London Mayor’s London Plan, 2014 version. His officers are beginning to draw up a new London Plan (which is to include nine further opportunity areas).



Opportunity Areas

- 1 Bexley Riverside
- 2 Bromley
- 3 Canada Water
- 4 Charlton Riverside
- 5 City Fringe/Tech City
- 6 Colindale/Burnt Oak
- 7 Cricklewood/Brent Cross
- 8 Croydon
- 9 Deptford Creek/Greenwich Riverside
- 10 Earls Court & West Kensington
- 11 Elephant & Castle
- 12 Euston
- 13 Greenwich Peninsula
- 14 Harrow & Wealdstone
- 15 Heathrow
- 16 Ilford
- 17 Isle of Dogs
- 18 Kensal Canalside
- 19 King’s Cross - St Pancras

- 20 Lewisham, Catford & New Cross
- 21 London Bridge, Borough & Bankside
- 22 London Riverside
- 23 Lower Lee Valley (including Stratford)
- 24 Old Kent Road
- 25 Paddington
- 26 Park Royal
- 27 Old Oak Common
- 28 Royal Docks and Beckton Waterfront
- 29 Southall
- 30 Thamesmead & Abbey Wood
- 31 Tottenham Court Road
- 32 Upper Lee Valley
- 33 Vauxhall, Nine Elms & Battersea
- 34 Victoria
- 35 Waterloo
- 36 Wembley
- 37 White City
- 38 Woolwich

Areas for Intensification

- 39 Farringdon/Smithfield
- 40 Haringey Heartlands/Wood Green
- 41 Holborn
- 42 Kidbrooke
- 43 Mill Hill East
- 44 South Wimbledon/Colliers Wood
- 45 West Hampstead Interchange

These areas may also overlap with any of London’s 31 housing zones, where a total of 77,000 new homes are to be built, (but again, it is unlikely that these would be social-rented homes).

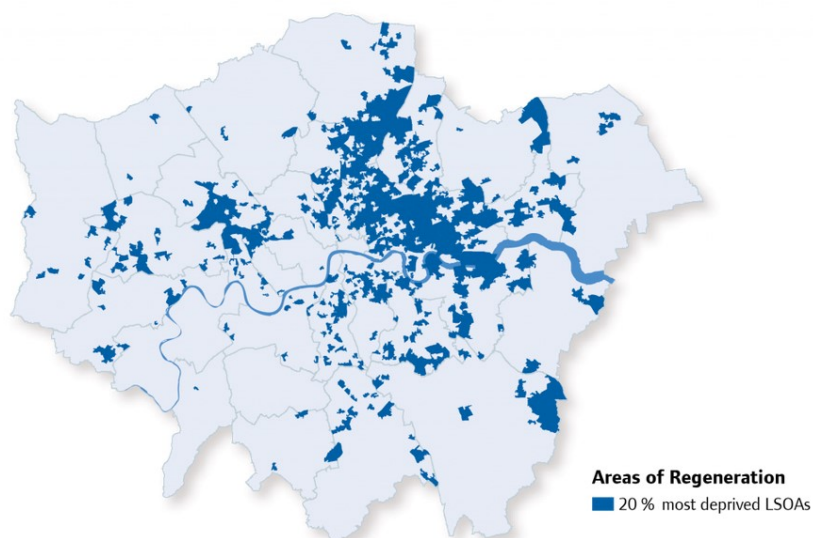
The Greater London Authority’s website provides a **list of these housing zones**, each has a drop down menu saying how many estate regeneration sites there are in that area.

Getting more information about what is planned at an early stage: Plans for redevelopment or demolition are often prepared and discussed with developers long before tenants are told anything. It is important to find out as much as possible, as early as possible, or you will always be on the back foot. Information, though, is not always easy to find.

Where to start looking: If you are a council tenant, the housing, planning or regeneration sections of your borough's website may contain some information, as may housing or regeneration committee papers. You could ask high grade housing, regeneration or planning officers and local councillors if your estate is up for 'regeneration' or demolition.

Ask for responses in writing, so you have a record of their response. If they don't respond, make a Freedom of information (FOI) request. FOI requests can be made to public bodies only. If you are a housing association tenant generally getting information will be more difficult. At the time of writing, however, housing associations are classified as public bodies, although the Government plans to reclassify them as private.

Information could be tucked away in planning policy documents. Boroughs' Local Plans might have sections about regeneration areas. Local Plans also include 'site allocations' (which are like adverts highlighting where land is available for development).



BEWARE - some boroughs are identifying council estates in their planning documents as 'site allocations', before having full consultation with tenants and leaseholders; effectively trying to make demolition a done deal and overriding Housing Act 1985 rights (see p 16).

A note on planning policy A lot of planning policy requires what the London Mayor and the boroughs describe as '*a more balanced mix of tenures*' in neighbourhoods *where social housing predominates and there are areas of deprivation*'. This encourages demolition of social-housing and replacing it with luxury homes.

How best to keep plans at bay? Make sure you have an active tenants' and residents' association that keeps a sharp eye on any failures to carry out repairs and to address issues such as anti-social behaviour. Be assertive about your rights to have a decent repairs service. If all else fails, legal action for disrepair is an option, but probably only as a last resort.

REMEMBER, as tenants and leaseholders we have contracts with our landlords. We pay our rents (even if covered by housing benefit) and service charges in return for the maintenance and quiet enjoyment of our homes. Landlords keep a sharp a eye on failures by tenants to pay their rents; we should keep a sharp eye on their failures to adhere to their side of the contract.

WOODBERRY DOWN ESTATE. HACKNEY—the regeneration reality

Woodberry Down Estate was built between 1948 and 1961. The last phase, Rowley Gardens, got a civic award, and still looks good today. The estate used to house 2,000 families in council social rented homes.

In 1999 the Labour government set out the Decent Homes Standard for council and housing association homes. Hackney Council's Structural Evaluation Report concluded that 31 out of 57 blocks on Woodberry Down were 'beyond economic repair' and decided the whole estate would have to be demolished. It is ironic that nearly 20 years on many of these same blocks are still standing and are still occupied today.

There was no ballot of residents, now about two-thirds tenants and one-third leaseholders. Meetings were held on different parts of the estate, conducted by a PR firm. There was no talk of private homes being developed. Everyone thought they would have new council homes on the estate. Everyone was told they would only have to move once.

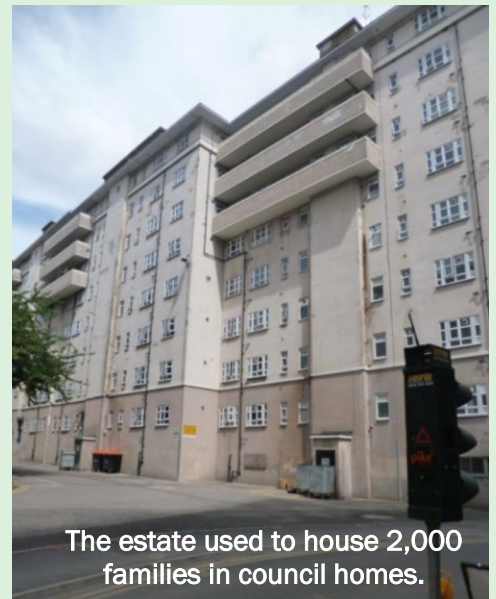
None of the new homes will be council homes. The social-rented homes will belong to Genesis Housing Association, and after Phase 1 people moving to a new Genesis home could see rent increases of £10 or £20 a week. Even tenants rehoused in Phase 1 are getting into debt because of higher bills. And some people have had to move three or four times.

In 2010, phase 2 of the redevelopment was identified as unrealisable because a grant expected from the Homes and Communities Agency was not coming after all. A year-long review took place in 2012 -13 and the updated scheme was approved in February 2014. The regeneration / redevelopment is now projected to go on till 2032. The number of phases has gone up from five to eight, and is currently still on Phase Two. The number of projected replacement homes has gone up from 4,500 to 5,557. Only 1,088 will be social rented, that is, if there is not another review.

In October 2012 Phase 1 tenants, who had moved off the estate several years before, were finally due to be offered new social-rented homes. 400 secure tenants still live in the original homes on the estate. In March 2016, they were all given four days to express an interest in six properties. Tenants are living on a building site, and some in damp dwellings – problems not solved although the council has spent £19.8 million on repairs.

Meanwhile, on the prime part of the estate overlooking the reservoir (now renamed Woodberry Wetlands), developer Berkeley Homes has built its gleaming blocks for private sale - Residence Tower has 23 floors, with a private swimming bath and gym only for tower residents, Skyline with 30 floors, which was approved even though there was a big row about it, and other apartments. There is a token block of 117 social rented flats beside the reservoir.

In 2012 local vicar Reverend Tunde Roberts said: 'I was here 12 years ago and people were being told regeneration was taking place to benefit local residents, but now it's really about how much the developer makes out of it.'



The estate used to house 2,000 families in council homes.



Prices £525,999 -
£1,270,000

HEYGATE ESTATE, SOUTHWARK 2,500 new homes on the rebranded Elephant Park, only 74 of which will be social-rented.

Southwark council gave many reasons for its plans to demolish the Heygate Estate.

They said:

- the bad design of the stairwells on the estate led to crime and anti-social behaviour;
- the heating system kept breaking down;
- the estate had an 'ugly and polluted environment and poor local transport';
- "social housing generates people on low income which generates poor school performances [...] so middle class people stay away"
- the estate was "full of the wrong sort of residents"

In fact,

- while the estate was often portrayed as a crime den, its crime rate was less than half the borough average;
- the council had spent £250,000 on upgrading the estate's heating system in 2007;
- the estate had a lot of green spaces and 450 trees. Situated at the Elephant & Castle, a key transport hub for trains, tube and buses, poor transport links were clearly not a problem.

Seemingly then, the reason for demolition was simply that the council wanted to get rid of the estate's working class tenants, the 'wrong sort' of residents, and replace them with wealthier middle class residents.

Many councils say that homes on their estates are past their sell-by date. Actually, it is seldom that homes cannot be refurbished and while few councils are prepared to set out the costs, Anne Power from the London School of Economics says there is compelling evidence that estate or tower block refurbishment is both cheaper and less damaging to the environment than demolition and new build **'in all but the most extreme cases'**.

There is evidence for this in the case of the Heygate estate. In 1998, Southwark Council carried out a stock condition survey of its estates which provided estimated costs for repairs and maintenance during the following 30-years. The Heygate came in at a below average figure for the borough, with the estimated cost of maintenance and repairs being at just £21,700 per dwelling over 30 years.

In 2012, Gensler Architects made a submission to the Building Trust International HOME competition to design homes that could be delivered at a cost of £20,000. They proposed a refurbishment of the 1,212 council homes on the Heygate Estate, costing only £13,955 per dwelling; (£35m to refurbish the whole estate). The refurbishment proposal scheme would also have saved 40,000 tonnes of CO₂. The estate was sold by the council for £50m and £44m on moving residents out. The new scheme will provide only 74 social-rented homes, resulting in a loss of 1181.



There were 1,214 homes on the Heygate Estate, 189 (around 16%) were leasehold flats.



Homes already built on Elephant Park are priced at £1,150,000 for a three bedroom maisonette and £1,425,000 for a three bedroom town house

3. The early stages - if your council is suggesting regeneration, redevelopment /demolition of your estate

Regeneration almost always involves full or partial demolition of social-rented homes. Preventing this will take determination and persistence and will require you to demonstrate a strong **majority** view from your estate. We suggest:

- (i) **Make sure that everyone on your estate can come together independently from your council or other social landlord, for example in a tenants' and residents' association (TRA) to:**
 - give you space to openly discuss issues, share information, air any differences and ultimately give the best opportunities to keep people together and be able to express a strong democratic mandate on behalf of others on your estate;
 - provide space to look closely at information that has been provided and prepare for meetings with your landlord, or their consultants, so they can see you are well organised;
 - ensure any speakers at your meetings are there at your request and under your conditions.

- (ii) **Be active in - asserting your rights to have properly maintained homes for the rents and service charges that tenants and residents of your estate have paid for - for decades, holding people together and preventing your landlord managing to divide and rule. Be prepared for charm offensives which could be mounted to persuade you to agree to things that will not be good for you and yours in the long run. We suggest:**
 - put together a list of everyone on your estate that you and other TRA members know and try to get them involved;
 - prepare and distribute newsletters or short bulletins to each home on your estate so that people who don't or can't come to meetings are well informed (if you don't get to them first, your council or housing association will - often with glossy leaflets selling a dream of improvement if you accept demolition). It's always useful to knock on the door to introduce yourself when you distribute information, so that people know who their TRA reps are;
 - visit people who don't usually engage and discuss the issues with them face-to-face;
 - share out the work so that people don't become tired out - **this could be a long job**;
 - keep records, files and dates of all information, minutes of meetings, discussions and details you have discovered - things that might be useful to refer back to and to share with others;
 - always keep relationships with landlord officers and their consultants business-like.

- (iii) **Be wary of attempts to replace your elected tenants' and residents' association with other bodies like unelected steering groups. We suggest that you:**
 - insist that your council or housing association engage with you as the democratically elected tenants' and residents' association;
 - ensure that your TRA calls regular and open meetings, with (when you see fit) representatives of your landlord or anyone appointed by them invited as guests. If possible, leave space for discussion after they have left the meeting;
 - insist that all meetings called by the council or *Independent Tenant & Leaseholder Adviser* (ITLA) are open to all tenants and residents and that minutes of the meeting are distributed to, all residents;
 - if your landlord employs an ITLA remember - 'he who pays the piper calls the tunes'. We are not saying that some won't provide useful information - just be cautious.

- (iv) **If improvements are needed to your estate, demolition really should be the last resort, that is where homes are structurally unsound, which is rare. We suggest that you:**
- argue from the start - in most cases demolition is unnecessary, it disrupts people's lives, can cause distress and health problems (especially for older tenants), is more expensive and worse for the environment than refurbishment;
 - insist straight away on seeing a range of refurbishment options. NB landlords will often try to rule this out - suggesting that refurbishing homes would be too expensive or not viable - however in many instances they will not willingly provide hard evidence to support this.
 - point out that you are paying rent and service charges and that you expect the good upkeep of your homes.
- (v) **If your landlord is saying that demolition is the only option, insist on a ballot and get support for this across your estate. Also ask for the evidence.** Secure tenants are legally entitled to information on the management, maintenance, improvement or demolition of their homes. We suggest that you ask for the following:
- a full and independent stock condition survey of the homes on your estate, so that you have the evidence of their current physical condition;
 - detailed information on how much your landlord has spent on the management, maintenance and repairs on your estate compared to the average in your borough;
 - any planning policy documents or other broad proposals for your estate;
 - an independent comparison of likely costs and benefits of refurbishment compared to demolition (this must be asked for at an early stage before any deals are done with developers). This should include long-term social, economic and environmental costs and benefits. Often demolition and rebuild costs can appear to be cheaper, but simply because often costs - such as 'embodied carbon', displacement of tenants, compulsory purchase of leaseholders' homes and loss of social-rented homes - have not been included. Watch out for this!
- (vi) **You do not have to accept the argument that homes, however expensive they are, have to be built on your estate, to meet Mayoral targets.** You could argue:
- local authorities set their own targets for building new homes with the Mayor of London's office, as well as identifying the areas where they will be built;
 - your council does not have to identify housing estates as areas for development;
 - most boroughs fail to meet their social-rented homes targets, yet over-fulfil those for expensive market homes. They are not justified in demolishing social-rented homes to make space for yet more homes which don't meet the needs of most Londoners.
- (viii) **The more effective you are in staving off demolition plans at an early stage, the better, or this could be a very long and painful process. The stronger and more united residents on your estate are, the less keen your landlord will be to take you on. Your success will depend on you demonstrating a majority view on your estate, to scupper landlord 'tests of opinion'.**
- (ix) **Be sceptical of early promises - many landlords start off by selling you a 'dream' that will unlikely be the reality. See our case studies throughout this document for examples.**
- (X) **Keep pressure on your local councillors and MPs and, if you are council tenant, hold councillors to account, as they will likely have been informed and perhaps will have voted on any proposed estate demolition.** You could:
- challenge them in your local press (through letters and press releases) if you think they are operating against your interests ;
 - encourage individual tenants to email them or attend their surgeries to take up issues of disrepair.

WHAT ARE THE REAL PLANS?

The **Ferrier Estate, Kidbrooke, Greenwich**, had 1,733 social rented and 173 leasehold flats. It was demolished in 2009.



Developer Berkeley Homes is still in the process of replacing the estate with a rebranded **Kidbrooke Village** for a much larger and much wealthier community than the previous Ferrier estate residents. There will be a total of 4,763 new homes but



only 738 will be social rented - a **scandalous loss of 995 social-rented homes**.

NO SOCIAL HOUSING REGENERATION

Connaught, Morris Walk and Maryon Road Estates in Woolwich, Greenwich (provided 1,064 homes, of which 110 were leasehold flats).

There will be 1,500 replacement homes, 975 for sale, 150 intermediate, 375 affordable rent but no social-rented (a net loss of **954 social-rented homes**).



Originally tenants were told they would have a right to return. This was later retracted. The displacement of residents is ongoing. Many are elderly and have essential local support networks built up over many years.

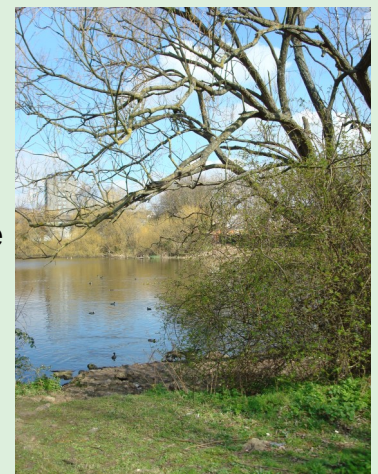
Greenwich Industrial History Society said of Morris Walk that while it had some design faults. "the outer faces of the concrete panels, finished with stone chippings are as good as when they were put up 40 years ago," and structurally it is "in good fettle".

WEST HENDON ESTATE, BARNET - another luxury development

From 2000, Barnet Council had plans to '*realise the value of the land working in partnership with developers and social landlords*', apparently to build '*sustainable communities*' on the West Hendon Estate. This meant they saw huge potential to deliver luxury homes beside the desirable Welsh Harp and to replace some existing social housing tenants too.

A test of opinion of the 680 households on the estate was carried out in 2002 about the proposed regeneration. The majority supported it. However, when residents later became aware that this meant development of 2,000 homes, two thirds of which would be luxury flats and penthouses (costing up to £1.5m) their residents' association asked for a proper ballot. This was refused. By 2004, the plans were set in local and London-wide planning documents (with the area being part of a London Plan Opportunity Area) with no substantial consultation of residents.

Redevelopment is occurring now. Current plans are for 2,194 new homes of which only 256 (less than 12%) will be social rented.



COLVILLE ESTATE - TENANT-LED TO TOP DOWN ESTATE 'REGENERATION'

The Colville Estate, built in the 1930s and 1950s, was originally made up of 435 council social rented homes, mostly in low rise blocks, with one 12 storey tower. The plan is to replace these homes with 925 new dwellings – plans which residents criticise for packing too many people in.



In 1999, when regeneration plans started, the estate had an active tenants' and residents' association (25 per cent leaseholders). They attended exhibitions, presentations by housing associations, visits to other estates, meetings, and interviews, and decided the best option was demolition and rebuild, and transfer from the council to a housing association. They agreed a Residents' Charter with a clear list of what they wanted, including high quality 'tenure neutral' build (where social rented and other forms of housing look the same), one move only, and no forced decanting off the estate. Most of the residents wanted low buildings.

But in 2008, well into the financial crisis, negotiations with a housing association came to nothing, the residents' plan was abandoned to their frustration, and everything started from scratch. New architects were appointed and told there was a £40m deficit, no money, and any plan had to be cost neutral. Every effort was made to get residents to agree to new plans – the architects worked with them on a weekly basis, 50 – 150 people were coming to monthly drop-ins, models showed the new homes inside and out. Demolitions started. Bridport House, a block of 41 new social rented homes, was built.



But now, before any more homes can be built for the tenants and leaseholders, two towers of 198 luxury flats are going up, 16 and 20 storeys high, which developer Anthology is advertising one-beds for £615,000 to £780,000 going up to three beds at £1.7m to £2.5m. They stand on the site of demolished Harwood Court, a 12-storey block of 44 council flats. Looking at their design, and comparing it with Bridport House standing opposite, there is no way this is 'tenure neutral'. A big selling point is the view over the park to the City, which is close by.

Residents were told that they had to have the luxury towers to get the rest of the estate redeveloped. 291 of them were persuaded to sign a petition in favour of the scheme which the council presented in support at the planning committee. Meanwhile, most of the estate is still standing, and is likely to be there for another 15 years, even though the council declared it 'no longer fit for purpose' and the architect described it as 'coming to the end of its natural life'. Residents include people moved from demolished blocks – more than one move then. The scheme was meant to be cost neutral, but costs had gone up even before the towers were started. So, the future is uncertain.

In 2012 Jenny Hutchinson, who had lived on Colville Estate for 38 years, said accommodation offered to transfer her and others to did not compare with their current homes. "We've got ground floor flats and gardens. We've spent 30-odd years looking after our gardens, which we fought for, and we've saved the council thousands over the years in maintenance." The new Bridport House has other new buildings next to it "in one tiny area, which once looked okay with a nice bit of greenery round it. Now everyone looks into one another's flats."

4. Effective campaigning and support from others

Effective campaigning around preventing demolition of your estate at the early stages will require hard and focused work to ensure that all tenants and residents on your estate are properly informed and are able to speak together with one strong collective voice. Secure tenants (most council and some housing association tenants) have legal rights to be provided with information about the management, maintenance, improvement or demolition of their homes, to make their views known to their landlord and for landlords to consider representations. While this is an individual right, tenants working together can provide the strongest possibility of successfully assert your rights.

Campaigns of various sorts use different methods depending what the issues are. In relation to what happens on social housing estates, we suggest to be most effective and to spend your time most wisely, you must keep a **very clear focus on**: talking to and informing people on your estate about the dangers of allowing demolition to go ahead and being able to express a collective view from your estate. Try hard not to be distracted from this. To reassert, in most circumstances 'regeneration' will involve partial or full demolition of your homes for the purpose of moving you off and replacing you with more homes for a wealthier community.

We suggest the following as your basic campaigning toolbox, This is not to say that there are no other methods that you might also use, but certainly not as a substitute.

- (i) **Petitions can be a really powerful tool where used to express a majority view from residents of your estate (that of more than 50% and hopefully 60% of households).** A petition should set out what you don't or do want, followed by a list of signatures and addresses of social tenanted and leasehold homes on your estate.
 - Landlords can sometimes be negative about TRAs and suggest they don't represent a majority view. Carrying out a petition that a majority have signed will provide the democratic mandate you need. Solid petitions are very difficult to argue with.
 - Petitioning door-to-door is hard work, but your TRA will gain huge pay-offs. It will help you to get to know more people on your estate, to keep people informed, gain trust and keep people together. Present your petition to your landlord. You may wish to also submit it to the London Mayor and the Department for Communities and Local Government.
 - Some groups have used online petitions to gain support from outside their estates. This may be helpful in making links with others. It is best though if this used as addition, not a substitute, to a solid estate-based petition.
- (ii) **Window posters:** Having window posters displayed in as many flats as possible on your estate will a very strong visible demonstration of the collective view from your estate. This will also provide the basis for a local press story.
- (iii) **Send press releases and letters to local newspapers as this will help put pressure on landlords.**
 - While local authority officers are often used to being challenged by tenants and leaseholders, local elected councillors may be a lot more sensitive, so mentioning politicians in your press release, rather than officers, may well be more effective. Elected politicians should know and may have agreed to what is being planned.
 - Having an article expressing your concerns published in a local newspaper will also help to reassert (in print) to people on your estate what you are saying in meetings and in door knocking on your estate. Get to know one of two journalists from your local newspaper. They like to have good contacts within the community who may be able to give them stories about what is happening across the area they cover.
 - We suggest, however, that it is always better to write your own press releases - rather

than inviting the local press to any of your meetings. It means that you control the story. It's not helpful in having the press at a meeting that is not well attended or where there are tensions are expressed amongst tenants.

- If your local newspaper prints incorrect information in an article about your estate, or comments from your landlord that you don't support, **use this as an opportunity to send in follow up comment to the letters page** - to counter what has been said or to provide additional information that the newspaper has not included in the article.
- Add quotes from different tenants in your press releases and ask individual tenants to submit letters as this will help to avoid negative comments being made about a few 'usual suspects' or a 'non-representative minority'.

(iv) **Set up an estate Facebook page and or estate website.** This could help to draw in more residents - including people who would not ordinarily attend meetings on your estate.

(v) **Invite people from other estates where 'regeneration' / demolition has occurred to speak about the reality and how it has impacted on residents of their estate.**

(vi) **Try hard to avoid splits on your estate.**

- Divisions are difficult to deal with and add to the stresses of proposed demolition.
- Your landlord will pick up any signs of divisions and capitalise on this. Sometimes, particularly if you have poor conditions on your estate and have had years of neglect, it will be hard to counter the reams of glossy material showing (apparently) how wonderful everything will be if you accept demolition.
- Keep a cool head, allow people to express different views - but carefully explain what has happened elsewhere and what's most likely to happen on your estate. Getting into an argument in a meeting will just put others off. Remember you are not there to win an argument with other tenants, but to try to pull them together to prevent homes being demolished and having your community face the harsh consequences.

(VII) **Support offered by others.** At times, having support from people who don't live on your estate may be helpful. However, care should be taken in determining what support you want or need, particularly to ensure that what is offered doesn't cause you more problems than you already have (which has occurred in some instances), We suggest:

- Carefully scrutinise any support that is being offered, ensuring that it will support you in your aims.
- To maintain the trust of the people on your estate it is best that key roles, especially around talking to people at their doors, is done by people who live on your estate, who know the area well and who understand clearly what the proposals might mean for your community. Otherwise, you could perhaps provide a briefing for supporters to use and have one of your TRA members go with them to see how well they engage with people at the door and how sensitive they are. If this doesn't go well it might be better for them to provide support in other ways.
- Examples of useful support from people who don't live on your estate could be - to support you in taking notes at meetings, in writing and designing newsletters, researching useful information and providing expert technical advice.
- Social housing tenants have a range of political affiliations. Beware of campaigners coming to your estate that use trade-mark political tracts and chants as this will put many tenants and residents off. It will make it more difficult to keep people together, regardless of their political opinions.
- Be careful of others who want to come and interview people on your estate for their own work or projects. Ensure this does not conflict with what you are doing and that it doesn't make people cautious about opening the door to speak to you.

CARPENTERS ESTATE, NEWHAM—17 years of ‘regeneration’



Carpenters Estate, Newham comprising 707 homes, was built in the late 1960’s. It has three 22 storey tower blocks and 267 low rise flats and houses. Some of the low-rise flats and houses are freehold.

Residents, so far, have had at least 14 years of changing ‘regeneration’ plans, from refurbishment to full demolition. Millions of pounds have been lost - in rent and council tax - as homes have been left empty as tenants have been moved off the estate (£9.25m from 2006-14 with increasing sums lost over the years) in addition to decant costs. Around half of the homes on the estate are currently empty.

<u>CARPENTERS ESTATE</u> <u>COST PLAN SUMMARY</u>			
	<u>Cost</u>	<u>Units</u>	<u>£/Unit</u>
Refurbish Lund Point	21,100,000	168	125,595
Refurbish Dennison Point	20,500,000	132	155,303
Public Realm Works	12,600,000		
Total	54,200,000		

Regeneration ideas were floated from 2000/01. In 2003/05, Broadway Malyan were commissioned to produce a master plan (as part of proposals around bringing homes to a decent homes standard). This

included demolition of one of the tower blocks, environmental improvements, infill development and refurbishment of tower blocks. Consultation with residents included voting via a bespoke interactive television system.

Later, Newham council asked consultants to look again at the masterplan in the context of ‘overall regeneration’ of Stratford and to consider a business case of using cross-subsidy to refurbish the tower blocks and to build 1,500 new homes.

In 2007 an ‘early’ but excessively high (index linked) cost plan for refurbishment proposed **£42.6m** for the two tower blocks, which led to demolition proposals.

The council said and continues to say that:

- asbestos in the tower blocks is a major problem and the reason for high estimated costs. Its website says that there is a skeleton of asbestos, buried underneath the concrete skin;
- works could not be done other than through the use of scaffolding and moving people out of their homes (also very expensive).

However,

- Asbestos is only a problem if you damage it. The council’s website currently says that the asbestos in the tower blocks is now safe and will remain safe. Engineering consultancy, Public Realm who carried out the report on the existing structure in 2007 says that the external precast concrete faces of the tower blocks have been covered with asbestos cement sheeting fixed on timber batons. The cost plan does not suggest high costs for removal of asbestos - but rather high costs over-cladding - alone £6m for each block.
- Fairly recent (full refurbishment and re-cladding) of similar tower blocks to those on the Carpenters Estate in Southampton (although not quite as high) with asbestos cement panels were carried out at between £3m and £4m.
- Full refurbishment (including over-cladding) of the three Edwards Woods Estate’s tower blocks in Hammersmith and Fulham cost in total £13.5m (or £4.5 m each).

Newham’s cabinet agreed to demolish the estate in 2008. Further plans and policy for the estate were set out in 2011/12 in some of the borough’s planning documents. Consultation which took place prior to this was with the wider community, not just Carpenters Estate residents and there were very clear differences in view. While consultation meetings were held on the estate about proposed redevelopment, it was neither full nor extensive.

Some residents thought that even if the tower blocks were demolished that they would get new homes on the estate and have a 'right to return'. However, when Newham Council made a deal with University College London to replace the estate with a UCL campus in late 2011, residents knew for certain that this would not be the case. Residents fought hard against this plan and gained wide coverage in national press and television. In May 2013, UCL abandoned its controversial plans (for 'commercial reasons'),



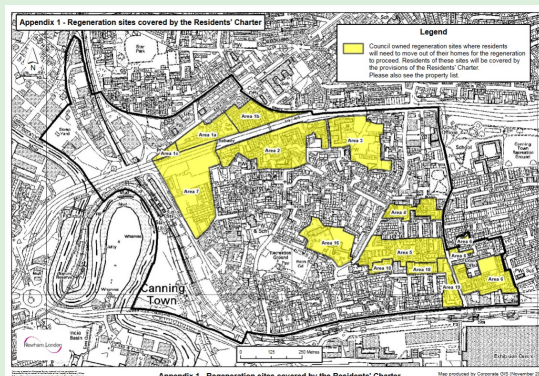
After this, a residents' and local stakeholders' Community Plan was produced in 2013 as an alternative to the council's plans. This was put together from wide consultation on the estate - meetings, walkabouts and a door-to-door survey which was completed by more than half the households on the estate. In that survey only one resident said that they didn't want Newham Council to consider all options to refurbish rather than to demolish the estate.

The Carpenters Community Plan has been taken further to develop a Neighbourhood Plan, which includes the wider Greater Carpenters Neighbourhood. The Forum was designated by the London Legacy Development Corporation, which is the local planning authority, in 2015.

Newham continues to look to establish a joint venture partnership to fully redevelop the estate and now plans to replace Carpenters Estate homes entirely with 3,000 new homes. It has still never carried out a full and detailed cost assessment of refurbishment of homes on the estate and has never carried out full consultation nor listened to a majority view from the estate, since its early consultations on demolition of one tower block and some infill development.

CANNING TOWN AND CUSTOM HOUSE - Mixed Community Initiative

Canning Town and Custom House, Newham, like Woodberry Down and Ferrier estates, was one of New Labour's 2005 'Mixed Communities Initiatives'. These aimed to 'significantly transform areas with high concentrations of poverty' by building huge numbers of expensive homes that existing residents would not be able to afford. Originally, 75% of the 4,500 existing homes (around 3,375) were social-rented.



A masterplan for the area's regeneration was first commissioned in 2001 and was included in Supplementary Planning Guidance 2004. From 2001 to 2004, 1,800 homes in the area were demolished, providing seven sites for development; two more were added later. In 2006, a further 1,700 homes were listed to be demolished. Construction of new homes started in 2010. Newham Council's website says that in 2015, 900 new homes had been developed, 900 more were under construction and that a total of 12,000 homes would be developed. It describes this as '*projects being underway showing the commitment to global investors to make their mark in Newham*'.

Many of the properties planned for demolition are still there and residents in some parts have been told that they will not be moved out until 2022. Most of the original residents that have been moved from their homes, now live outside the area. Only 17% of additional homes developed in Newham from 2005-15 were social rented. At this rate, we must assume that the maximum number of replacement social-rented homes (of 12,000) would only be 2,253 (a net loss of a third of the original).

5. Some legal and policy stuff

- (i) **THE HOUSING ACT 1985, SECTION 105** This gives secure tenants rights to be consulted by their landlord on matters relating to the management, maintenance, improvement or demolition to their homes, to make their views heard and that the authority considers tenants' representations. Although this is an individual right, it can be used effectively through tenants working together. Most council tenants (at present) are secure tenants as are some housing association tenants (where their tenancy started before January 1989). Some housing associations state in their tenancy agreements that their tenants have the same rights in relation to section 105 of the 1985 Housing Act, but certainly not all do.
- **To make best use of section 105 of the 1985 Housing Act**, make sure that the voice of tenants and leaseholders on your estate is heard before your landlord carries its own 'tests of opinion' or surveys, which will not be as thorough as you will want and will have loaded questions aimed at getting the response they want. Again, getting a majority of households signed up to a petition on your estate saying simply that they don't want demolition, will be a far better way of asserting a strong collective voice from your estate.
 - **If you are an assured tenant of a housing association estate**, we suggest that still work hard to inform and to keep as many people together as possible on your estate. Carrying out petitions signed by a majority of households on your estate, organising window poster displays etc. and using local press to asset a democratic view from your estate will still be hard for your landlord to ignore. (See *section 4(i)*)
 - **Increasingly landlords and others are suggesting that they will consult more widely than just tenants and leaseholders of any individual estate.** Generally we suggest that if this is the situation with your landlord, that you remind them of your legal rights, which do not apply to others. Ensure that your rights are not weakened through others (outside your estate) having a say on what happens on your estate. Remember, your estate is not like a public park that is maintained by the general council tax payer. Tenants and leaseholders exclusively cover the costs of management and maintenance of the homes, green, play and community spaces on their estate - some for decades. However, some estates include schools, shops, and local businesses within their boundaries, in these circumstances, we feel tenants may feel there is common interest and should have the right to determine who else should be consulted.
- (ii) **THE COMMONHOLD AND LEASEHOLD REFORM ACT 2002 SECTION 151**
- The law requires that leaseholders must be consulted before landlords carry out qualifying works or enter into a long-term agreement for the provision of services. Most will know this a 'Section 20' which refers to the old statutory consultation procedure in the Landlord and Tenant Act 1985 Section 20.
 - This requires landlords must state why the works or agreement are necessary.
 - First-Tier tribunals have the powers to determine Section 20 notices.
- (iii) **LAND COMPENSATION ACT 1973**
- This covers compulsory purchase and compensation for residential owners and occupiers. It does not apply to early stages of estate regeneration and we will deal with this in more detail in part two of our 'Holding onto what we have' booklet.
- (iv) **CONSULTATION**
- Where public authorities have a duty to consult it is governed by a common law duty to act fairly. The principles of fair consultation (which have been settled for some years in the courts and since 2014 by the Supreme Court) are:
- (a) consultation must be at a time when proposals are at a formative stage;
 - (b) the proposer must give sufficient reasons for any proposal to permit intelligent

consideration and response;

(c) adequate time must be given for consideration and response and

(d) the product of consultation is conscientiously taken into account when finalising the decision.

The Supreme Court in 2014 (regarding a case in Haringey concerning Council Tax reduction) took the above further, and required Haringey Council to consult not only on its own proposals but to provide a brief outline of the alternative options the council had considered and the reasons for their rejection. It said that in this case the failure to do this had led to real unfairness. This would appear to set out a principle that a public body must consult on all possible alternative ways (including those it may have already discarded) in which a specific objective might be capable of being achieved.

Analyses of the judgement since this time suggest that the judgement may be applied in different contexts around when public bodies must consult on discarded alternatives. Nonetheless the principles are all worth bearing in mind in your negotiations.

Housing associations are currently defined as public bodies although the government plans to redefine them as private bodies.

(v) Generally, we would suggest that looking at legal remedies should only ever be a last ditch-attempt in trying to address problems relating to 'regeneration' / demolition.

With knowledge of what 'estate regeneration' generally means, we suggest that from the start tenants and residents associations make it clear to their landlords that

- unless funding is available to deliver social-rented homes to replace any demolished (on their estate) that no demolition should occur, unless homes are proven to be structurally unsound (with independent evidence to support this);
- you want them to prioritise what residents want in terms of estate improvements;
- you want to know how much money is available to carry out improvements without deals with private developers so that you can set your priorities accordingly;
- you want your landlord to lobby for funding to deliver social-rented homes;
- if your landlord continues to go ahead with plans for demolition tell them that that you want a ballot (as occurred with stock transfers).

(iii) GOOD PRACTICE GUIDES ON ESTATE REGENERATION

- **The Government's guide is not perfect but provides some useful information around what your landlord should do as a minimum.** <https://www.gov.uk/government/publications/estate-regeneration-good-practice-guide>
- **The London Mayor's good practice guide on estate regeneration** - final document to be published in 2017.

CRESSINGHAM GARDENS, LAMBETH

The estate has 296 homes (about a third leasehold flats). In 2012, the council began to consult on proposals to demolish these homes and replace with around 550 new homes. This was justified on

by 'the housing crisis' as well as high costs of refurbishment. The council withdrew a refurbishment option part way through consultation. Although a Judicial Review ruled this unlawful, following a further council consultation, it continues with demolition and redevelopment plans.

We anticipate that many more councils will justify redevelopment of social-housing estates on the basis of housing need, although most have constantly failed to oversee delivery of sufficient social-rented homes that meet the greatest need, on land available to build new homes. From 2005-15 Lambeth Council over-met targets for homes for sale, based on London Plan percentage targets, by around 1,800, yet under-delivered social-rented homes by 1,300.



7. Information, and links (click on the names of documents)

(i) Links to articles and documents about refurbishment, demolition and why we need to hold on to the social-rented homes we have now

- [Does demolition or refurbishment of old and inefficient homes help to increase our environmental, social and economic viability](#) - Anne Power
- [Confronting the question of demolition or renovation](#) - This paper examines the reasons for demolition of buildings in the US, Canada and Europe and recommendations of alternative approaches
- [Estate architect bemoans demolition obsession](#) - 24housing
- [The benefits of refurbishment](#) - Roof, Cladding and Insulation
- [Industry reaction: Architect slams report calling for wholesale tower block demolition](#) - Architects Journal
- [Lacaton & Vassal's approach is encapsulated by an exclamation: "Never demolish, never remove or replace, always add, transform, and reuse"](#) - Metropolis article about Lacaton and Vassal (French architects) who have pioneered a strategy for saving social housing threatened with demolition and the communities that live in them.
- [To demolish or to refurbish, that is the urban question](#) - Financial Times (You may have to cut and paste the text into google or other search engine to get this)
- [Knock it down or do it up - the challenge of estate regeneration](#) - London Assembly Housing Committee Report
- [The truth about gentrification, regeneration or con trick](#) - Aditya Chakraborty and Sophie Robinson-Tillett (Guardian article about Woodberry Down Estate)
- [Lives torn apart and assets lost : this is what a Labour privatisation would mean.](#) Aditya Chakraborty - Guardian article
- [The rise and fall of the council estate](#) - Andy Beckett (Guardian article about Aylesbury Estate)
- <http://35percent.org/> - a website monitoring 'regeneration in the Elephant and Castle area.
- [A short film about Cressingham Estate](#)
- [The estate we are in](#) – West Hendon
- [London Tenants Federation's Analysis of London Plan Housing Targets](#) - 10 year (2005-10) - highlighting failures across London to deliver social rented housing (only 17% of all homes delivered during this period of time) while 70% were private homes for sale
- [Estate Regeneration Sourcebook - Urban Design London](#) A view from the other side - see particularly the preface from David Lunts, Executive Director of Housing, Greater London Authority (page 3).

(ii) Information documents including those produced by LTF and Just Space on demolition v refurbishment with UCL Engineering Exchange

- [Demolition or refurbishment \(a review of the evidence\)](#)
- [Making decisions on refurbishment or demolition of social housing](#)
- [Refurbishment and Demolition - Community Toolkit](#)
- [Refurbishment and Demolition - Health & Well-being Factsheet](#)
- [Refurbishment and Demolition - Embodied Carbon Factsheet](#)
- [Refurbishment and Demolition - Lifespans & Decisions Factsheet](#)

REGENERATION AS WE MAY WANT IT

EDWARD WOODS ESTATE,
Hammersmith & Fulham



The refurbishment of the three tower blocks of the Edward Woods Estate involved adding wind turbines, cladding and solar panels, new communal areas, lighting, renewed electrical systems, double

glazing to windows in stairwells, gas central heating to bedsits and conversion of space to provide offices for voluntary sector organisations. Funding came from a variety of sources, the Greater London Authority, section 106 (planning gain monies), the housing revenue account, and construction and sale of 12 penthouses on the top of the blocks.

COLNE AND MERSEA HOUSES
Barking and Dagenham



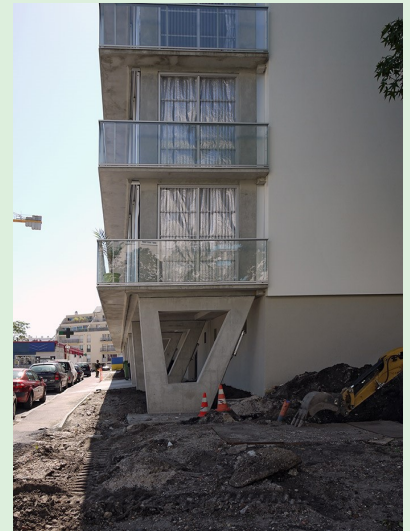
The refurbishment of these 17 storey tower blocks involved exterior insulated cladding with U values better than building regulations, insulated roofs, triple glazed windows with integral blinds on the south-facing windows, smart meters in each home, water-saving devices, a communal gas-fired central heating system (with expected 40% reductions in tenants' energy bills, improved door entry systems with CCTV and bathroom and kitchen upgrades.

GRAND PARC, BATIMENT G, BORDEAUX



We have included this example from France since the architects that refurbished this and two other 11 storey blocks (with a total of 530 flats) on a 4,000 home social housing

estate have adopted a strategy for saving social housing in France. Their approach is 'never demolish, never remove, always add, transform and reuse' and importantly they provide evidence that refurbishment is much cheaper than demolition and rebuild.



The architects in collaboration with others wrapped the existing buildings with new precast concrete facades, extending the flats by four metres, with full-height windows – all on a budget of just €65,000 per home (half the price of building new). Entrance ways and common areas have been made wider and more transparent; new lifts and upgrading of plumbing and ventilation systems have also included in the scheme.

ETHELRED ESTATE, Lambeth

The three tower blocks of this 1970's estate were part of a 'sustainable refurbishment' project to achieve 80% carbon emissions. Works included new kitchens and bathrooms, thermal installations, windows and roof renewal, photovoltaic façades, solar panels and lift replacements.

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