

**TITLE OF REPORT - Pilot resident ballot for Trinity Court (De Beauvoir Phase 2)**

**Key Decision No - NH Q88**

**CABINET MEETING DATE  
(2019/20)**

**20 July 2020**

**CLASSIFICATION:**

Open

**If exempt, the reason will be listed in the main body of this report.**

**WARD(S) AFFECTED**

All

**CABINET MEMBER**

Rebecca Rennison, Deputy Mayor

Finance, Housing Need, and Supply

**KEY DECISION**

Yes

**REASON**

Affects two or more wards

**GROUP DIRECTOR**

**Ajman Ali - Acting Group Director of Neighbourhoods and Housing**

## **1. CABINET MEMBER'S INTRODUCTION**

- 1.1. Our borough faces an unprecedented housing crisis, with around 13,000 families on our housing waiting list – 3,000 of whom are in temporary accommodation. Despite the desperation of families who need a genuinely affordable place to call home, the Government offers very little support to local authorities to build the new generation of Council housing we so badly need.
- 1.2. The importance of good quality, affordable housing has been made even more apparent by the coronavirus pandemic and the additional pressures placed on households living in overcrowded or unsuitable accommodation.
- 1.3. That's why Hackney is building. Despite government restrictions, we've built nearly 400 Council homes ourselves for social rent since 2011, alongside homes for shared ownership, and paid for by some for outright sale in the absence of any government funding. We're now working to scale up this programme, with more new homes for social rent and shared ownership, as well as new schools and a modern new leisure centre.
- 1.4. In the 2018 manifesto, the Mayor of Hackney pledged that: "Where any new regeneration scheme involves the large-scale demolition of residents' homes, we will support the use of ballots as part of a wide-ranging consultation and engagement plan which includes independent advice, building on existing Hackney best practice."
- 1.5. As the redevelopment of Trinity Court will involve the demolition of existing Council homes, we will be piloting a ballot of directly affected residents. This will ensure that residents remain at the centre of the decisions affecting their area and allow them to decide whether they support or oppose redevelopment. We will ensure any secure Council tenant whose home is demolished will be guaranteed a new, modern Council home on their estate.
- 1.6. Hackney works closely with existing residents to design new buildings, making sure their ideas are taken into account. Rather than sell off land to private developers, we'll build and manage these new homes and public facilities ourselves – making sure they pay a social dividend, not a financial one. And we'll guarantee local people have first dibs on new homes – whether giving existing Council tenants the first opportunity to move in or always marketing homes for sale to people living and working in Hackney first.

## **2. GROUP DIRECTOR'S INTRODUCTION**

- 2.1. Our successful, award-winning estate regeneration programme is helping transform unmodernised estates into new thriving, mixed tenure communities, with high standards of design and community facilities. We are building thousands of new homes, over half of which will be genuinely affordable for social rent and shared ownership.

- 2.2** We fully recognise, however, that our regeneration plans cause major disruption for local people affected by the changes taking place and for existing tenants who have to move out of their homes in order for redevelopment to take place. For this reason, we are committed to listen to existing residents affected by regeneration proposals from start to finish.
- 2.3** We are fully committed to listen to and work closely and collaboratively with residents at Trinity Court. We believe that a voluntary ballot of Trinity Court residents is an essential way of ensuring that Trinity Court residents have their voice heard on whether their homes should be included in the De Beauvoir Phase 2 redevelopment proposal.

### **3. RECOMMENDATION(S)**

**3.1.** That the Cabinet approves:

1. the principle of undertaking a pilot resident ballot at Trinity Court (De Beauvoir Phase 2).

### **4. REASONS FOR DECISION**

- 4.1.** As Hackney is facing an unprecedented housing crisis, the Council is building new genuinely affordable homes across a range of sites in the borough to help meet housing demand, engaging and consulting with the local community and putting residents at the heart of any proposals for redevelopment.
- 4.2.** To ensure that regeneration brings real benefits to local communities and opportunities are given to existing tenants, the Council has already developed and adopted Local Lettings Policies as well as the Leaseholder and Freeholder Options Document. Moreover, the Council follows the guidance provided in the 'Better Homes for Local People', the Mayor of London's Estate Regeneration Good Practice Guide. The latter sets out good practice and principles to deliver better homes for local communities, and encourages housing providers to openly engage with residents affected by a regeneration project, from its inception. The Mayor of London's Guide encourages the use of ballots when demolition is involved in a regeneration scheme in receipt of GLA funding (specific requirements for ballots are set out in the GLA's Capital Funding Guide).
- 4.3.** Although the De Beauvoir Phase 2 regeneration project is not in receipt of GLA funding and resident ballots are not mandatory for this project, the Council is committed to placing residents at the heart of decision-making and giving residents at Trinity Court (De Beauvoir Estate) the final say on whether their homes should be included in the redevelopment proposal. Holding a ballot of Trinity Court residents will give them the possibility of voting in favour of or against the demolition and redevelopment of their homes casting a 'yes' or 'no' vote.
- 4.4.** The experience of undertaking a pilot ballot at Trinity Court will positively contribute to informing the forthcoming resident ballots policy for Hackney that

will set out how resident ballots will be implemented in future regeneration projects not in receipt of GLA funding (where they are already required). The experience at Trinity Court will be used to inform the development of the resident ballots policy for other regeneration projects in Hackney.

- 4.5.** Organising the ballot may generate some additional costs in the De Beauvoir Phase 2 project. For instance, an independent body may have to be appointed to undertake the ballot and give more independence and credibility to the vote. However, the Council already invests in extensive engagement with residents and wider stakeholders when developing regeneration schemes and the ballot would not result in any significant increase in costs.

## **5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 5.1.** Holding a resident ballot at Trinity Court is not mandatory and an alternative option would be not to undertake the pilot. However, this would be a missed opportunity to:

1. give residents at Trinity Court a say on including their homes in the redevelopment proposal;
2. gain experience useful to better inform the borough-wide resident ballots policy for regeneration projects; and
3. fulfill a commitment within the Mayor of Hackney's 2018 Manifesto.

## **6. BACKGROUND**

- 6.1.** Regeneration ballots form part of the good practice and principles set out by the Mayor of London in his 'London Estate Regeneration Good Practice Guide: Better Homes for Local People', that recognises Hackney Council's arrangements for consultation with residents as an example of best practice.
- 6.2.** The Mayor of London's requirements for resident ballots in the case of 'Strategic Estate Regeneration Projects' that are in receipt of GLA funding were introduced in 2018 and are contained within the GLA's Capital Funding Guide, a live document that defines how ballots are implemented and describes them as a milestone in an estate regeneration project.
- 6.3** The De Beauvoir Phase 2 project is not in receipt of GLA funding so ballots of Trinity Court residents are not mandatory and are not subject to the Mayor of London's requirements. However, the Council is committed to giving residents at Trinity Court the final say on whether the demolition and redevelopment of their homes should go ahead.
- 6.4** Undertaking resident ballots, as part of a wide-ranging consultation and engagement plan, is one of the commitments within the Mayor of Hackney's 2018 Manifesto ('Building A Fairer, Safer and More Sustainable Hackney').

## **6.5 Policy Context**

In Hackney's year-long consultation with residents in 2015/16 - 'Hackney: a place for everyone', that informed the Hackney Housing Strategy 2017-22, the surveyed residents expressed concerns about housing availability and affordability in Hackney and suggested that building more social housing and other genuinely affordable housing should be a priority. 'Building high quality, well-designed and genuinely affordable new homes' became the first key theme of the 'Delivering the homes Hackney needs' Housing Strategy.

Undertaking the voluntary resident ballot at Trinity Court will reinforce Hackney's commitment to build new, genuinely affordable homes for local communities, taking into account the views of residents involved in the redevelopment proposal, and ensuring that local communities benefit from the regeneration taking place in the borough.

The Council is working on a resident ballots policy for Hackney that will set out how resident ballots will be implemented in future regeneration projects that are not in receipt of GLA funding, and are therefore not subject to the Mayor of London's requirements. The policy on resident ballots for regeneration projects in Hackney will be presented to Cabinet in early Autumn. In the meantime, a resident ballot will be piloted at Trinity Court.

## **6.6. Equality Impact Assessment**

An Equality Impact Assessment is not required; however, the specific needs of Trinity Court residents (e.g. elderly residents, those whose first language is not English) eligible to vote will be considered to ensure that all voters can read and understand the question posed in the ballot which will be as direct and unambiguous as possible.

## **6.7. Sustainability**

There would be no new impacts on the physical and social environment from proceeding with the recommendations of this report. Should residents vote in favour of redevelopment, the impact of this will be addressed in subsequent Cabinet reports.

## **6.8. Consultations**

There is no requirement for statutory consultation in relation to undertaking the resident ballot at Trinity Court. The ballot is itself a means of engagement to ensure that residents have their say on whether their homes should be re-developed.

The resident ballot is a tool to engage with residents and take their views into consideration in addition to: 1) ongoing extensive consultation carried out with residents on the De Beauvoir Estate, and 2) a steering group which meets

regularly and works alongside the design team and Council officers to promote the interests of the community.

## **6.9. Risk Assessment**

Organising and holding the ballot at Trinity Court may generate additional costs as, for instance, an independent body may have to be appointed to give more independence and credibility to the vote. However, arranging the ballots would not result in any significant increase in costs. Moreover, adequate and effective project and cash flow management will ensure that any additional cost is manageable.

## **7. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES**

There are no direct financial implications of the recommendations in the report. The cost of the development scheme will be appraised and subject to other financial approvals.

### **8. VAT Implications on Land & Property Transactions**

Not applicable.

## **9. COMMENTS OF THE ACTING DIRECTOR OF LEGAL & GOVERNANCE**

**9.1** The Mayor's Scheme of Delegation provides that the Mayor and Cabinet shall approve all corporate policies and strategies, which includes this Trinity Court Pilot Ballot.

**9.2** Once formally completed, and even though the ballot itself is not mandatory, the ballot will give residents certain legal rights to hold the Council to account in terms of the result.

**9.3** The Hackney Housing Strategy 2017- 2022 is referred to at paragraph 6.5 above and careful consideration should be given by Officers to ensure that the ballot proposed in this Report is complementary to that Strategy and to the Council's wider Housing and Regeneration aims.

## **APPENDICES**

Appendix 1 - Plan - De Beauvoir Phase 1 and Phase 2 Proposed Development Sites

Appendix 2 - Trinity Court specifics (plan, photo, units and tenures)

## **EXEMPT**

Not applicable.

## BACKGROUND PAPERS

In accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012 publication of Background Papers used in the preparation of reports is required

### Description of document (or None)

None

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