

Appendix 1

Policy Statement

Resident Ballots for Regeneration Projects in Hackney

1. Purpose

- 1.1 The Mayor of London has introduced a requirement to undertake resident ballots in the case of 'Strategic Estate Regeneration Projects' that are in receipt of GLA funding (as defined in section 3.1 below). The requirements came into force from 18 July 2018.
- 1.2 This paper sets out how the Council intends to implement resident ballots for future regeneration projects that are not in receipt of GLA funding, and are therefore not subject to the Mayor of London's requirements.
- 1.3 It is recommended that Registered Providers use this paper as policy guidance for any regeneration projects that they propose to carry out in the borough.

2. Context

- 2.1 In his 2018 manifesto, the Mayor of Hackney pledged that: "*Where any new regeneration schemes 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.*"
- 2.2 The Mayor of London's detailed requirements regarding Resident Ballots for Estate Regeneration are set out as a condition of GLA funding. They are contained in Section 8 of the GLA's Capital Funding Guide¹, which is a 'live' document, and is subject to periodic changes and updating.

3. Definition of Strategic Estate Regeneration Projects

- 3.1 The Mayor of London's requirement for resident ballots applies to 'Strategic Estate Regeneration Projects', part-funded by the GLA, where *both of the* following criteria are met:
 1. demolition of any affordable or leasehold homes on an existing social housing estate; AND

¹ GLA Affordable Housing Capital Funding Guide:
https://www.london.gov.uk/sites/default/files/3_cfg_section_8_resident_ballots_-_18_june_2021.pdf

2. construction of at least 150 new homes, regardless of tenure, within the boundaries of the estate.
- 3.2 A summary of some other key points from the GLA's funding guide are attached as an appendix to this paper.

4. Implementation of Estate Regeneration ballots in Hackney

- 4.1 The GLA's guidance will apply to all strategic estate regeneration projects that are part-funded by the GLA. The guidance below therefore only applies to projects that are not in receipt of GLA funding.
- 4.2 The Council is committed to carrying out ballots on any new council regeneration scheme that involves large-scale demolition of residents' homes, irrespective of whether GLA funding has been secured for the scheme.
- 4.3 In carrying out ballots for projects not in receipt of GLA funding, the Council will generally seek to conform to the guidance contained in the GLA's Capital Funding Guide at the time a formal decision is made to proceed with the project. However, the following will also apply:
- (i) ***Where a formal decision had been taken prior to July 2018:*** Ballots will not apply where a formal decision had already been taken by the Council to proceed with a regeneration project prior to the Mayor of London's requirements coming into force (18 July 2018).

In these cases, a decision had already been taken to proceed with the regeneration and extensive engagement and consultation with residents had already taken place. Hackney Council's arrangements for consultation and engagement with residents have been acknowledged as an example of best practice in the Mayor of London's Good Practice Guide to Estate Regeneration.

- (ii) ***The number of demolitions is small in relation to the estate regeneration project as a whole:*** In these cases, only those residents whose homes are being demolished would be balloted. There may be projects where, to enable the effective delivery of a larger project, a small number of demolitions may be necessary. Where such proposals would increase housing supply (helping to deliver desperately needed genuinely affordable homes), make improvements to the wider estate, or involve minimal disruption to other residents, only those directly affected by the loss of their home should be balloted.
- (iii) ***Infill projects on estates, where there is no demolition of occupied homes:*** Ballots will not be carried out in these circumstances. However, it will remain a key feature of the Council's approach that all proposals for new

housing and related development on estates are subject to extensive consultation and engagement with the residents who may be affected, for example by the disruption caused as a result of the construction of new homes. Joint working with local residents and councillors is vital to ensure that local issues and views are heard, and that these views constructively contribute towards achieving the best outcomes.

APPENDIX

Summary of some of the key points of the GLA's Capital Funding Guide

Please note that the Funding Guide is a 'live' document and is subject to change.

1. **Estate boundary:** The guidance acknowledges that there may be cases where the boundary of an existing estate is unclear, and agreement should be reached with the GLA in these cases.
2. **Landlord Offer:** Providers must produce a Landlord Offer to eligible residents, which must contain sufficient information for residents to make an informed decision about the future of their estate. The GLA guidance lists the minimum information that must be provided.
3. **Eligibility:** Ballots must be open to social tenants who are resident at the time the Landlord Offer is published; to leaseholders and freeholders who have been living in their properties as their principal home for at least one year; and to any resident whose principal home is on the estate and who has been on the Council's housing register for at least a year. There is no limit to the number of eligible voters per household, but only residents aged 16 or above are eligible to vote.
4. **Timing:** Ballots should be carried out prior to the procurement of a development partner and/or to finalising the specification of works.
5. **Independent Body:** A suitably qualified Independent Body must be appointed to undertake the resident ballot.
6. **Voting:** Ballots must offer a 'yes' or 'no' vote to eligible residents on the Landlord Offer. There is no minimum threshold for turnout. In the event of a 'no' vote, the GLA places no limit on the number of subsequent ballots.
7. **Exemptions:** There are a number of tightly defined exemptions, including current Strategic Estate Regeneration Projects that secured full or outline planning permission prior to 18 July 2018 where that permission has not lapsed. However, where the permission is later varied to include additional demolitions of social housing not included in the original decision notice, then the ballot requirement would apply.