

## **Statement to the Inspector**

### **From resident members of the West Hendon Partnership Board**

#### **Introduction**

This statement is a distillation of many concerns held by five of the six resident members of the West Hendon Partnership Board (one member is currently away on holiday). We are providing this statement to bring to the Inspector's attention the views of those residents who have been most actively involved in monitoring the progress of the regeneration scheme since 2003. As residents we aim to work in partnership with the Council and its development partners to deliver regeneration outcomes that best meet the needs and aspirations of people living on the West Hendon estate.

We want to address four specific areas where we feel that the implementation of the proposals has encountered problems.

#### **1. Commitments entered into by the Council**

- The scheme has been the subject of broken promises and changes without proper consultation. Most notably commitments made by the Council in its Pledge of 2002 have not been honoured. These were:
  - 'You have will have a brand new home' – diluted to secure tenants only, homeowners cannot access the shared equity option and non-secure tenants only very rarely are allocated a brand new home
  - 'All will be housed on new development' – diluted as above
  - 'You will have a choice of landlord' – secure tenants only not non-secure ones
  - 'You will have a choice of where to move' – secure tenants only not non-secure ones
  - 'You have real say in the regeneration' – this seemed to be the case in the beginning but has since faded away
  - 'York Memorial park will not be touched' – promise not kept
  - 'Homeowners properties will be bought at current housing prices' – promise not kept

- ‘No Major works will be undertaken while the regeneration is under construction’ – promise not kept, e.g. current electrical / asbestos related works.
  - ‘You will have a real say in the regeneration process’ – this was the case at first but since then residents’ opinion has largely been ignored
- Other examples of promises not met or changed without consultation: environmental works, conservation and wild life preservation, play areas for all ages, density and height of new properties and the proportion of social and affordable housing / privately owned housing.
  - Also, the promise that ‘everyone can continue to live on the estate if they want to’ and Housing Overview & Housing Scrutiny Committee’s and Cllr Freer’s (Chair of Housing Committee) commitment in 2009 to turn the non-secure tenancies into secure ones.
  - Finally, had the Council kept its promises to non-secure tenants most of them would have been turned into secure tenants before the Localism Act 2011 and hence could not be offered a *flexible* secure tenancy but only a *traditional* (‘lifetime’) secure tenancy.

We ask the Inspector to:

- Recommend that the scheme delivers the proportion of socially rented and privately owned housing that was originally agreed with residents as residents were excluded from discussion about the change reflected in the 2006 PDA.
- Direct partners to identify reimbursement to residents where their rights such as right to light, over-sailing rights and right to access have been detrimentally affected by the construction works or where they have suffered loss of amenities such as parking spaces and provide information to residents publicising this.
- Consider whether the fact that promises to residents have not been met or diluted should be acknowledged and that, in recompense, partners be directed to find an additional sum of money to be granted to the West Hendon Community Trust Fund being set up by the partners for the future use in developing community projects on the estate.

## **2. Communications and consultation**

- The scheme has been subject to significant changes since the first regeneration proposals. Whilst we understand that this is common practice on other regeneration schemes, the resident side of the partnership board have, typically, received information about these changes too late to have the opportunity to make a meaningful input. An example of this: information about the S106 variation was given to us to look over on 28<sup>th</sup> October 2014, but we found out that this was a waste of time as the Committee meeting to make a decision about this was on 29<sup>th</sup> October 2014.
- Our attempts to engage with senior Councillors have been met with silence. Two recent examples are the invitation from the Chair of the Partnership Board to Cllr

Tom Davey (Chair of Housing Committee) to attend a public meeting about non-secure tenants to explain the relevant Council policies and the Chair of the Partnership Board's letter to the Leader of the Council also regarding non-secure tenants, both of these have not been responded to or even acknowledged.

- Consultation about communications with tenants about the legal action taken to ensure possession of properties in phase 3a gave resident board members insufficient notice (24 hours) of the content of the blanket possession (Ground 10A) letters.
- Communications with non-secure tenants have not been planned nor properly consulted on leading to hurried legal action and housing assessments and additional pressure being put on residents to accept unsuitable offers of rehousing.
- Partners' newsletters to residents have been produced with only very limited consultation with the resident-side of the partnership board.
- The partnership board has not been informed about the content of the hand-delivered (20<sup>th</sup> December 2014) communication to some leaseholders on the estate from Cllr Tom Davey stating that the offer to leaseholders regarding payment of the cost of electrical works is to be extended to all leaseholders on the estate and not just those in CPO1.

We ask the Inspector to:

- Walk around the estate and talk to residents, especially those living in homes next to the building works and to assess the disturbance to residents and the loss of amenities such as parking, York Memorial Park and play areas.
- Review the 2006 PDA and the process followed to produce this without consultation with residents.
- Direct partners to improve the environmental works for G block as requested by the partnership board; for example, creating a living wall on the eastern boundary of the block.
- Recommend that an agreed communications strategy and protocol be agreed with the partnership board that will be adhered to, including timelines, relevant committee dates and mechanisms for monthly updating.
- Recommend that Council committee and development partners' planning ensure that all relevant and correct information is provided to the partnership board with sufficient time for their input before decisions are made (minimum of 5 working days).

### **3. Homeowner valuations and homeowner options**

- The process of calculating, re-calculating and negotiating offers to homeowners has not been transparent to residents and information requested by the resident-side of the partnership board has been provided retrospectively after decisions have been made, or the information provided has been incomplete or confusing and, sometimes, requests have been declined on the grounds of professional or commercial confidentiality.
- The offers made have been staggeringly low. They do not reflect current market valuations as was stated in the Pledge and are considerably lower than Right to Buy valuations published two years ago by the Council (LBB Property Value Guide 2012). Our enquiries as to how these offers represent a 'market valuation' have elicited little meaningful response.

- There have been three different 'offers' made to homeowners under CPO1 in the last 5 months. The most recent, made mid-November 2014, is conditional, i.e. subject to it being accepted by 6<sup>th</sup> January 2015. We are very uncomfortable about this tactic. Whilst professional people may be used to, and capable of, actively participating in this process, many of the West Hendon homeowners are not, even with the limited independent technical advice that some may have accessed. We believe that the process of 'negotiation by individual treaty' has created additional stress for people who are already feeling disempowered because of their extremely limited options.
- Indeed, many of the homeowners are middle-aged or elderly people who have lived on the estate for many years, first renting and then purchasing their properties, and now find themselves with no real prospect of being able to purchase a similar property in the area or indeed just about anywhere in London.
- We feel that the process of negotiating offers with homeowners has relied too much on brinkmanship, disempowering residents, often elderly or vulnerable ones, and putting homeowners under considerable stress about their financial future.
- The shared equity deal for West Hendon is considerably less accessible than on other Barnet regeneration estates forcing West Hendon homeowners to commit their 10% home loss compensation as well as 50% of the equity; this will leave them with no financial compensation

We ask the Inspector to:

- Direct the Council to be more generous and transparent about the valuation process
- Direct the Council to give homeowners more time to negotiate a reasonable price for their homes
- Direct the Council to remove the conditions attached to the last offer to homeowners
- Assess the implications of the hand-delivered (20<sup>th</sup> December 2014) communication from Cllr Tom Davey stating that the offer to leaseholders regarding payment of the cost of electrical works is to be extended to all leaseholders on the estate and not just those in CPO1 and assess whether this invalidates the conditions (time-limiting acceptance) contained in the most recent offer letter (mid-November) to leaseholders in CPO1.
- Ask partners to provide a more equitable shared equity option that can actually be accessed by West Hendon homeowners without having to use all of their home loss compensation
- Ask partners to remove the current obligation for homeowners to add their 10% home loss payment to the 50% share of the equity if they want to take up the shared equity option.
- Ask partners to remove the shared equity restrictions that disenfranchise many of the homeowners who bought their homes from previous homeowners or purchased their properties after the restrictive September 2003 cut-off date (which was not mentioned in the 2002 Pledge).

#### **4. Non-secure tenants**

- About a third of West Hendon estate residents are tenants who have been granted non-secure (i.e. temporary) tenancies that have considerably less rights attached to them than secure tenancies. Many of these residents have been living on the estate under this tenancy arrangement for many years – some for as long as 12 years, most

over 5 years. Whilst we acknowledge that the Council has changed its housing policy (albeit without informing the Partnership Board/ RRG) in order to keep these residents on temporary tenancies for such a long period of time, we do not believe that the personal, social or community implications are acceptable.

- Most non-secure tenants were rehoused onto the estate through the 'homeless route' having vulnerability issues related to a variety of factors such as family /child welfare and physical or mental health conditions. Uncertainty about their future rehousing (non-secure tenants are limited to one offer of rehousing only) places an additional burden upon people less likely to be able to cope.
- Whilst we note that Barnet Homes has been able to offer secure tenancies to some of the non-secure tenants required to move for decanting purposes this has not applied to all of them, some are being offered further non-secure tenancies on other regeneration estates. We believe this is unfair: after being so long on temporary tenancies all of these people should be offered secure Council ones when they are rehoused. We also believe that when these tenants are required to move that they should be treated in the same way as secure tenants and be eligible to receive up to the same number of offers of alternative accommodation (i.e. up to three) and the same disturbance rights / allowances as current secure tenants.

We ask the Inspector to:

- Ask the Council to reconsider its policy about non-secure tenants on the West Hendon estate and honour its previous commitments with a view to offering all non-secure tenants secure Council tenancies (not Housing Association tenancies unless specifically requested by the tenant) when they are being rehoused. We ask that this should, if possible, be offered without prejudice to all existing non secure tenants currently living on the estate or as a minimum those granted non-secure tenancies from the time that the Leader of the Council committed to this in 2009.
- We further ask that the Council be directed to allow non-secure tenants to be eligible to be made up to three offers of rehousing as is the case for secure tenants.

Father John Hawkins – Chair, West Hendon Partnership Board

Louise Bates – Vice-Chair, West Hendon Partnership Board