

**THE LONDON BOROUGH OF BARNET (WEST HENDON REGENERATION
AREA) COMPULSORY PURCHASE
ORDER (No 3) 2018**

STATEMENT OF EVIDENCE OF **MR PAUL SHIPWAY**
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PLANNING INSPECTORATE REF : ENV/3164290

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1. INTRODUCTION

- 1.1 My name is Paul Shipway and I am currently the Head of Housing Strategy for the London Borough of Barnet within the Council's Growth and Development Team.
- 1.2 I started working for the Council on 1st July 2015 and immediately prior to this I was Head of Strategy and Performance for Regional Enterprise, a joint venture between the Council and Capita, between October 2013 and June 2015, and immediately prior to this I had worked for the London Borough of Barnet since 1st September 1997.
- 1.3 I am responsible for strategic housing matters for the London Borough of Barnet, including maintaining the Council's Housing Strategy and the commissioning of housing services within the borough.
- 1.4 I have been responsible for developing and maintaining the Council's Housing Strategy since April 2003.
- 1.5 Prior to April 2003 I was the Housing Performance Manager for the Council's Housing Service with responsibility for producing internal performance reports, government returns and Best Value performance indicators
- 1.6 Whilst I have not been directly involved with the delivery of the West Hendon regeneration scheme, I have worked on the Council's Housing Strategy since 2003. This provides the overarching framework within which housing proposals for West Hendon are framed. Delivery of the West Hendon Regeneration Project forms a key part of achieving the Council's Housing Strategy.

2. SCOPE OF EVIDENCE

In my evidence, I will:

- Describe the Council's Housing Strategy and the role of the Regeneration Project in the delivery of this;
- Provide information about the physical condition of the existing homes on the West Hendon Estate;
- Describe the Council's approach to decanting secure and non-secure tenants;
- Respond to the following objections relating the areas covered within this evidence:
 - Existing buildings structurally sound
 - Tenants forced from the estate

3. THE COUNCIL'S HOUSING STRATEGY

- 3.1 The Council maintains a Housing Strategy which sets out the Council's vision and objectives for housing in the Borough taking into account current and anticipated housing needs of current and future residents. The regeneration of West Hendon and other large council estates is a key component of the Housing Strategy. This will make a significant contribution towards meeting the housing needs of the Borough by providing thousands of high quality new homes, as well as improving the quality of the accommodation provided in these areas.
- 3.2 Across London and the Borough there remains a considerable under supply of housing across all tenures. Delivery of new and improved housing stock remains a key national and regional priority. The Council's Housing Strategy outlines how this objective will be achieved and constitutes part of the evidence base underlying the planning policy needed to achieve this objective.
- 3.3 Until 2003 the Council was required to submit a Housing Strategy document every year to the Government. This statement provides an overview of the Council's Housing Strategy documents produced in 2000, 2001, 2002 and 2003. After 2003, Local Authorities were no longer required to produce an annual Housing Strategy document, although there remained a statutory duty to maintain a strategy. The Council's next Housing Strategies were

produced in 2009/10 and 2015 Barnet's most recent Housing Strategy 2019-2024 was adopted in April 2019 (CDA.28).

Barnet's Housing Strategy 2000-2003 [Appendix 1]

- 3.4 The regeneration of the Council's largest council housing estates, including West Hendon, Grahame Park, Stonegrove/Spur Road and Dollis Valley, has been a key component of the Council's Housing Strategy since 2000. The 2000-2003 Strategy identified that a key challenge was creating holistic solutions to deal with the correlation between the highest deprivation levels in Barnet and the *"the close association between the highest deprivation levels in Barnet and our largest social housing estates"*. (Appendix 1 Part 3, Section 3 Page 24 as highlighted)
- 3.5 The Council's 2000-2003 Housing Strategy also recognised that the Council's objectives of regenerating West Hendon and the other large council estates could not be met from the capital resources available at the time, but *"that by realising the value of the land and working in partnership with developers and Registered Social Landlords we can build sustainable communities where people will want to live in future"* (Appendix 1 Part 3, Section 3 Page 25 as highlighted).
- 3.6 In view of this, the Barnet's Housing Strategy 2000-2003 set out plans to examine opportunities for estate regeneration on its largest estates with a view to:
- *"Reconfigure the layout of the blocks to use the available space and achieve the same or higher density of dwellings;*
 - *Develop a mix of dwelling types which will meet our needs for new homes over the next 3-5 years;*
 - *Develop balanced communities by diversifying the tenure mix and introducing leisure facilities and local health provision;*
 - *Break down the barriers which currently exist between these large estates and surrounding communities;*
 - *Design out crime and improve the living conditions of future generations of tenants."*

(Appendix 1 Part 3, Section 3 Pages 24-25 as highlighted)

Barnet's Housing Strategy 2001 [Appendix 2]

- 3.7 The 2001 Housing Strategy identified regeneration as the Council's key strategic challenge:

"Barnet's key strategic housing challenge for the next five years is the regeneration of the borough's most deprived neighbourhoods-particularly our priority estates" (Appendix 2 Executive Summary, Page 2 as highlighted).

Noting that:

"...nothing short of major regeneration will increase real opportunities for these residents, so we have made it our first, most challenging priority" (Appendix 2 Part 2, Page 6 as highlighted).

- 3.8 The 2001 Strategy stated that a radical solution was required to the needs of the West Hendon Estate as part of a wider approach to Neighbourhood Regeneration in Cricklewood and West Hendon.

Barnet's Housing Strategy 2002-2005 [Appendix 3]

- 3.9 By 2002, as set out in the Barnet Housing Strategy 2002-5, the Council had developed its strategy for its housing stock and delivery of the Decent Homes programme. In broad terms, this involved proceeding with the regeneration of its four largest council estates, including West Hendon, and carrying out a stock options appraisal for the remainder of the portfolio.
- 3.10 In 2000 the Government had published its Housing Green Paper; *Quality and Choice: A Decent Home for All* which included a commitment that all council homes should be brought up to a decent standard, and following the 2000 Spending Review set a public service agreement (PSA) target to make all council homes decent by 2010. This meant that the Council had to develop a plan for meeting this PSA target.
- 3.11 The Decent Homes standard set out a minimum standard that the Government expected all council homes to meet by 2010, including:

Criterion	Dwellings which fail to meet this criterion
(a) It meets the current statutory minimum standard for housing	Those containing one or more hazards assessed as serious ('Category 1') under the Housing Health and Safety Rating System.

Criterion	Dwellings which fail to meet this criterion
(b) It is in a reasonable state of repair	those where either: - one or more of the key building components are old and, because of their condition, need replacing or major repair; or - two or more of the other building components are old and, because of their condition, need replacing or major repair.
(c) It has reasonably modern facilities and services	those which lack three or more of the following: - a reasonably modern kitchen (20 years old or less); - a kitchen with adequate space and layout; - a reasonably modern bathroom (30 years old or less); - an appropriately located bathroom and WC; - adequate insulation against external noise (where external noise is a problem); and - adequate size and layout of common areas for blocks of flats. A home lacking two or fewer of the above is still classed as decent, therefore it is not necessary to modernise kitchens and bathrooms if a home meets the remaining criteria.
(d) It provides a reasonable degree of thermal comfort	This criterion requires dwellings to have both effective insulation and efficient heating. It should be noted that, whilst dwellings meeting criteria b, c and d are likely also to meet criterion a, some Category 1 hazards may remain to be addressed. For example, a dwelling meeting this criterion may still contain a Category 1 damp or cold hazard.

Source: Section 4, Page 11, *A Decent Home: Definition and guidance for implementation June 2006*, Department for Communities and Local Government

3.12 As the new social homes to be provided on the regeneration estates, including West Hendon, would exceed the Decent Homes standard, they were not included in the Council's subsequent bid for Decent Homes funding which was submitted to the Government in 2003 and described in Barnet's Housing Strategy 2002-2005:

"Our first priority will continue to be the current regeneration programme ...which already includes action to deliver modern housing that will more than satisfy the new decent homes standard" (Appendix 3 Section 4, Page 11 as highlighted).

3.13 The 2002-2005 Housing Strategy also set out how plans for the regeneration of West Hendon were being progressed in partnership with residents, traders and other stakeholders as a discrete component of the Council's wider plans for

the regeneration of Cricklewood and Brent Cross (**Appendix 3 Section 5, Page 15 as highlighted**).

- 3.14 In addition, the plans for regenerating West Hendon were set out in more detail, including the replacement of the existing estate with some 2000 new homes built to a very high design standard, along with the redesign of the existing local centre which was in decline, and significant improvements to local transport infrastructure (**Appendix 3 Section 5, Pages 15-16 as highlighted**).

Barnet Housing Strategy 2003-2010 [Appendix 4]

- 3.15 The 2003-2010 Strategy identified funding constraints and opportunities:

“Barnet is not able to access neighbourhood renewal funds from central Government. Our regeneration schemes rely on the inherent value of the land to generate sufficient cross subsidy to fund new replacement housing and other community infrastructure”(**Appendix 4, Page 17 as highlighted**).

- 3.16 As a general principle to deliver sufficient land value to facilitate regeneration it is necessary to increase the density of estates and facilitate the regeneration of the wider area to enable an uplift in property values. In such a scenario the land value created through redevelopment and additional homes funds the replacement of the existing social housing and associated new infrastructure at no cost to the Council.

- 3.17 The 2003-2010 Housing Strategy also reported that in December 2002, in a non-statutory test of opinion, 74% of West Hendon residents, on a 62% turnout, voted in favour of the principle of proceeding with the Council’s plans to regenerate the estate (**Appendix 4, Page 63 as highlighted**).

Housing Strategy 2010-2025 (CDA.31)

- 3.18 Following publication of the 2003-2010 Housing Strategy in January 2004, Barnet’s next Housing Strategy was adopted in 2010 with the overarching objective of *Providing housing choices that meet the needs and aspirations of Barnet residents* (**CDA.31**).

- 3.17 The Council’s 2010 Housing Strategy sets out how the Council will deal with a number of challenges including high prices, a shortage of affordable housing and a potential threat to the qualities that make the Borough attractive. In addition, it was recognised that in some areas, particularly in the West of the

Borough there were opportunities for significant transformation and regeneration (**Paragraph 3, Page 4 CDA.31**).

3.19 The Council's regeneration plans continue to be a key element of the 2010 Housing Strategy which restates the opportunities for significant transformation and regeneration in some areas of the Borough, including West Hendon and other regeneration estates.

3.20 The 2010 Housing Strategy (**CDA.31**) identified the following core objectives:

- Increasing housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents (Page 6);
- Improving the condition and sustainability of the existing housing stock (Page 12);
- Promoting mixed communities (Page 16);
- Maximising opportunities available for those wishing to own their home (Page 19);
- Providing housing related support options that maximise the independence of Residents (Page 21);
- Providing excellent value services that exceed resident's expectations (Page 28).

3.21 Housing is a key driver for the Council's growth and regeneration plans. The regeneration of West Hendon will contribute significantly towards the delivery of the 2010 Housing Strategy objectives "*increasing housing supply*" and "*promoting mixed communities*". These will be delivered through the provision of both affordable and market housing. The Scheme will provide approximately 2000 new homes, of which a minimum of 25% will be affordable, of which no less than 43% will be social rented units. The agreement with the Developer also includes an affordable housing review mechanism to ensure additional affordable housing will be provided if the project becomes more viable.

3.22 The rationale for estate regeneration is set out in the 2010 Housing Strategy (**CDA.31**) as follows:

“Our estate regeneration schemes will see the dismantling of our largest mono tenure council estates which have proved to be unpopular and limiting in terms of opportunities for residents living on them. These failing post war estates, Grahame Park, West Hendon, Stonegrove/Spur Road and Dollis Valley will be replaced by mixed tenure estates with new social housing, but also opportunities for entry level and market home ownership” (Paragraph 3, Page 7, CDA.31).

3.23 This is expanded upon further as follows:

*“Barnet is generally a prosperous place, but with pockets of deprivation particularly in the West of the Borough and on our largest council estates. Deprivation figures which were last updated in 2007 show that Barnet has 6 super output areas that are amongst the 10% most deprived in the country – as the map below shows these coincide with our largest council estates at Grahame Park, West Hendon, Stonegrove and Dollis Valley. The main themes of Barnet’s Local Area Agreement are **Driving Success** and **Tackling Disadvantage** and we want to create communities in these areas where residents have the same opportunities and access to economic success enjoyed across the Borough as a whole. A key objective of the Council’s strategy for these estates and other less affluent areas is regeneration which will involve the demolition and replacement of existing mono tenure social housing with more diverse mixed tenure communities.” (Paragraph 1, Page 16 CDA.31)*

Housing Strategy 2015-2025 (CDG.01)

3.24 The Council’s Housing Strategy 2015-2025 (**CDG.01**) builds upon the principles outlined in the previous strategies and sets out the case for increasing housing supply. This anticipates a growing population in the Borough, which is expected to increase by 76,000 people by 2039, resulting in a need for 27,500 new homes as identified in a Housing Needs assessment commissioned by the Council in 2014.

3.25 The Council’s Housing Strategy 2015-2025 (**CDG.01**) includes the following core objectives:

- *Increasing Housing Supply (Page 11);*
- *Delivery of Homes that people can afford (Page 19);*
- *Sustaining quality in the Private Rented Sector (Page 23);*

- *Tackling Homelessness (Page 26);*
- *Providing suitable housing to support vulnerable people (Page 32);*
- *Deliver efficient and effective services to residents (Page 41).*

3.26 Regeneration is dealt with under the first of the above objectives, in the following paragraphs of the Housing Strategy:

“Estate regeneration- focuses on the Council’s largest estates, Grahame Park, West Hendon, Stonegrove/Spur Road and Dollis Valley, and seeks to replace poor quality mono-tenure estates with high quality and modern mixed-tenure developments. Much of this is achieved through taking advantage of existing low densities which provide the opportunity for a higher number of new homes financed through private sales. Once fully completed, estate regeneration will see 3,000 existing council dwellings replaced with almost 7,000 mixed tenure homes, with existing secure council tenants rehoused in new homes provided by housing associations.

Although hampered by the economic downturn, good progress has been made with the estate regeneration programme. A total of 534 new homes have already been delivered at Stonegrove/Spur Road, with the whole scheme expected to complete by 2018, and 257 new homes have been built at West Hendon. Grahame Park has proved more challenging, but 533 new homes have already been provided with 147 currently on site. Following the appointment of new delivery partners, Countryside Properties and London and Quadrant Housing Association, the first phase of Dollis Valley is now on site with the whole scheme expected to complete by 2018” (Paragraphs 4&5, Page 13 2015-2025 CDG.01).

3.27 The Council’s Housing Strategy also recognises that the process of regeneration can be disruptive for residents and sets out the Council’s intention to minimise this:

“We recognise that regeneration can be a disruptive process for residents, particularly those that are living

in non-secure accommodation, and will seek to minimise this disruption at the point that tenants are required to move by making use of flexibilities within our allocations scheme and providing advice and support. We will also consider buying out leaseholders in financial hardship when this will assist in the regeneration process" (Paragraph 6, Page 13 CDG.01).

Housing Strategy 2019- 2024 (CDA.28)

- 3.28 The latest Housing Strategy 2019-2024 was agreed by the Council's Housing Committee on 1 April 2019, and reflects changes that have occurred since 2015, including changes in national policy and new legislation, a new London Housing Strategy and the impact of the Grenfell Tower fire disaster.
- 3.29 The Housing Strategy 2019-24 (**CDA.28**) recognises the continuing shortfall in housing supply in the borough, and the need for more housing to meet this. Evidence for this is provided by a Strategic Housing Market Assessment completed in 2018 which identifies a requirement for 76,500 new homes in Barnet by 2041.
- 3.30 The Council's Housing Strategy 2019-2024 (**CDA.28**) includes the following core objectives:
- *Raising standards in the private rented sector.*
 - *Delivering more homes that people can afford.*
 - *Safe and secure homes.*
 - *Promoting independence.*
- 3.31 Regeneration is dealt with under the objective *Delivering more homes that people can afford*, in the following paragraphs within the Housing Strategy:

"Much of our housing growth will be delivered through our ambitious growth and regeneration plans. As well as our estate regeneration schemes which are all now underway, this includes the wider growth areas of Brent Cross/Cricklewood, Colindale and Mill Hill East. Our aim has been to focus growth on the parts of the borough that will benefit from regeneration and that have the capacity for growth,

while protecting the qualities of the existing successful suburbs." (**Paragraph 6, Page 14 CDA.28**).

- 3.32 West Hendon is specifically talked about in the Housing Strategy 2019-24 as follows:

"West Hendon - located to the south-west of the borough, the West Hendon estate sits between a section of the A5 Edgware Road and the Welsh Harp Reservoir, a Site of Special Scientific Interest.

With the ambition to create a thriving new neighbourhood, re-development is underway to replace existing poor-quality homes with over 2,000 high-quality houses, 25% of which will be affordable, surrounded by improved public space and transport links, thriving shops and businesses, a community centre and a new primary school.

Construction started in 2011 with 851 new homes built to date. A new interim hub provides residents access to a community space until a permanent facility is delivered at a later stage.

Planning consent has been achieved for a new landmark facility, the new Phoenix Canoe Club. This will fully exploit the benefits of the Welsh Harp as an asset for water sports and recreational activities.

*The council has enacted Compulsory Purchase Order powers to enable assembly of land and property for development." (**Paragraph 6, Page 15 CDA.28**).*

- 3.33 In summary, progressing the Regeneration Project is fundamental to delivery of the Council's Housing Strategy. It will ensure that the existing social housing is replaced with homes that exceed the Decent Homes Standard, whilst also enabling the overall delivery of more than 2000 new homes to meet housing need in the London Borough of Barnet. In addition, the Estate, which suffers from high levels of deprivation, will be replaced with a new mixed tenure development that integrates with the surrounding area, meeting a key objective for the Council in tackling the problems associated with its largest council estates.

4 STOCK CONDITION

- 4.1 As set out in the Council's Housing Strategy 2002-2005 the Council's approach to meeting the Decent Homes standard on its largest council estates including West Hendon, is through the delivery of new homes through its regeneration programme:

"The new decent homes standard is welcomed by the Council which has long been committed to providing comfortable decent homes for local people.

Our first priority will continue to be the current regeneration programme for Barnet's four largest estates covering some 3,000 homes.... which already includes action to deliver modern housing that will more than satisfy the new decent homes standard" (Appendix 3, paragraph 11 as highlighted).

- 4.2 The cost of bringing the existing stock up to Decent Homes Standard was discussed in detail during the Inquiry to CPO1 (**Inspectors report Paragraph 583, p97/8 (CDA.19)**). The costs outlined are now somewhat historic, actual costs would now likely be significantly larger on account of deterioration in condition and increasing construction costs. Furthermore, leaseholders would be required to contribute towards such costs on account of their lease terms.
- 4.3 The Secretary of State in confirming CPO1 agreed with the Council and the Inspector that the residential accommodation on the estate is dated and significant financial resources would be required to bring the homes up to Decent Homes Standards (**Paragraph 14 Secretary of State's Decision letter (CDA.20)**).
- 4.4 Marsh Drive within CPO 3 was built using the "Large Panel System" (LPS) method. LPS is a method of construction which came under scrutiny during the 1970's and 1980s following the partial collapse in 1968 of Ronan Point, a tower block in Newham, killing four people and injuring seventeen others. This scrutiny impacted on the ability of residents to mortgage properties and to this day it is not possible to readily mortgage the estate properties on the open market. The First Inspector also agreed that the Large Panel System form of construction used on the estate is a fundamental concern (**Paragraph 583, page 97 (CDA.19)**).
- 4.5 In 2017 Barnet Homes responded to a Ministry of Housing, Communities and Local Government guidance note concerning the 'Safety of Large Panel

System Buildings', sent following concerns raised by the London Borough of Southwark who had identified cracking in four LPS constructed tower blocks. Barnet Homes initiated structural engineering investigations of all LPS council blocks, including those on the West Hendon estate and whilst these investigations have not identified any cause for immediate remedial action, this further highlights the undesirable nature of the construction method.

4.6 Aside from the current condition and inherent construction deficiencies the Estate and housing stock also suffers from many of the problems associated with post-war public housing including:

- Poor thermal performance and condensation issues
- Poor access and layout
- Poor parking arrangements
- Severance from the adjoining area
- Relatively low density despite the brutalist appearance
- Mono-tenure structure
- Difficult to maintain and manage
- Poorly laid out and under used public spaces
- Lack of passive security/safe by design
- Lack of private amenity space
- Higher than average levels of crime and antisocial behaviour

4.7 Since consideration of these issues at the CPO1 inquiry, a substantial proportion of the Estate has been demolished with work now well advanced on phase 3 of the Regeneration Project. As a part finished Regeneration Project and part demolished time expired estate, consideration of refurbishing stock is no longer appropriate as there remains no feasible alternative to the provision of the Scheme.

4.8 There are other reasons for the inclusion of the houses in Marriotts Close within the CPO 3 Order Land, and these are addressed in the evidence of Nathan Smith (Developer) and Hendrick Heyns (Architect).

4.9 At **paragraph 614, page 103 (CDA.19)** the Inspector concluded that:

“There is no feasible alternative to the provision of comprehensive redevelopment.....Accordingly, the confirmation of the CPO would be the only means of delivering this important comprehensive redevelopment scheme...”

5 DECANT STRATEGY

- 5.1 The high-level strategy for rehousing residents on the Estate is described in the Residential Decant Strategy (CDB.12). This document sets out that all residents should normally expect to receive at least 12 months' notice before they are expected to move (Paragraph 3, Page 1,CDB.12).
- 5.2 The decanting of leaseholders, freeholders and private tenants is also considered in the evidence of Ms Blackman.
- 5.3 The decanting of both secure and non-secure tenants is managed by Barnet Homes on behalf of the Council.
- 5.4 In Phase 3b the Council successfully decanted 74 secure tenants, 69 of whom moved to a newly built property on the estate. A satisfaction survey undertaken by Metropolitan in 2015 demonstrated that the overwhelming majority of the 69 tenants moving to a new home on the estate were satisfied with both the moving process and their new home. The full results of the survey are attached as **Appendix 6**, and are summarised below:

Satisfaction survey of 69 tenants who moved to Gadwall and Bullfinch Houses				
Total responses 57	Very Satisfied	Satisfied	Dissatisfied	Very Dissatisfied
Overall Satisfaction with the move process	43.85%	47.36%	8.77%	0%
The overall quality of your home	54.38%	40.35%	3.5%	1.75%

- 5.5 There are nine residential blocks and ten houses within the CPO 3 Order Land comprising 242 dwellings, as summarised in the table below¹:

Block	Number of dwellings
209-232 Marsh Drive	24
193-208 Marsh Drive	16
169-192 Marsh Drive	24

¹ Note that a similar table in the Council's Statement of Case, Paragraph 3.13, understates the number of dwellings for each block by 1 unit, with the exception of 1-10 Marriotts Close which is correctly shown as 10 units.

145-168 Marsh Drive	24
97-144 Marsh Drive	48
73-96 Marsh Drive	24
49-72 Marsh Drive	24
25-48 Marsh Drive	24
1-24 Marsh Drive	24
1-10 Marriotts Close	10
Total	242

- 5.6 Within the above properties there are 75 secure tenants and 98 non-secure tenants who will need to be decanted by Autumn 2021.

Secure Tenant Decant

- 5.7 The Council has a good track record of successfully moving secure tenants on its regeneration estates. Evidence of this is provided through the satisfaction survey referred to in 5.4 of my statement above.
- 5.8 The Residential Decant Strategy (**CDB.12**) confirms that the Developer is contractually obliged to rehouse the Council's secure tenants on the Estate within the new development. Secure tenants are entitled to a property of at least the same size or larger if required by their housing need in accordance with the West Hendon allocations protocol. This has been incorporated into a moving pack for secure tenants, "West Hendon Regeneration Secure Tenants' Moving Pack" (developed in conjunction with the Resident's Regeneration Group) (**Appendix 5, Page 9**).
- 5.9 Secure tenants may also choose to be rehoused away from the Estate, in which case their needs will be assessed in accordance with the Council's Housing Allocations Scheme (**CDA.32**) which provides a consistent and fair policy for the allocation of social housing in the Borough. This also outlines other assistance that the Council provides to housing applicants, including advice and access to housing in the private rented sector.
- 5.10 The Housing Allocations Scheme (**CDA.32**) was prepared in accordance with the Council's duties under the Equality Act 2010 and an Equalities Impact Assessment was prepared in regard to the policy. The assessment identified a number of equalities questions and risks associated with persons with protected characteristic and confirmed that there were appropriate mitigation measures in place to adequately deal with those identified risks.

- 5.11 Under the Housing Allocations Scheme (**CDA.32**), households are assessed against a set of banding criteria which determine the level of priority that they will have for council and housing association homes that become available for letting. The scheme also sets out the size of accommodation that households will be considered for based on their size.
- 5.12 All secure tenants are entitled to a Home-loss Payment to compensate them for the loss of their home. They are also eligible to claim for reimbursement of disturbance costs they may incur in moving home, including items such as disability adaptations, removal expenses, disconnection and reconnection of existing telephones and appliances including plumbing washing machines, redirection of post and the provision of carpets.
- 5.13 All secure tenants who need to move in order to enable phases 5 & 6 of the Scheme to proceed, will be visited by officers from Barnet Homes in July 2019, to have their housing needs assessed using the Secure Tenants Allocations Protocol for new West Hendon Homes (**Appendix 5, Pages 9, 10, 11 & 12**). For those wishing to remain on the Estate, and the Housing Allocations Scheme (**CDA.32**), for those wishing to move elsewhere.
- 5.15 As described at page 66 paragraph 10.2 of the Council's Statement of Case (**CDA.09**), vacant possession of properties occupied by secure tenants will sought through the use of possession proceedings following the Secretary of State approval of the redevelopment and regeneration of the Estate on 1 August 2014 (**CDA.24**).
- 5.16 Notices of Seeking Possession (NOSPs) will be served on all remaining secure tenants, approximately 12 months prior to vacant possession being required. Following the requisite 28-day notice period from the date that NOSPs are served, the Council may issue proceedings seeking a possession order under section 83 of the Housing Act 1985 and Ground 10A of Part II to schedule 2 of that Act.
- 5.17 As at June 2019, 31 secure tenants within phases 5 & 6 of the scheme, have accepted an offer to move early into a newly built home within phase 3b of the scheme. These tenants will have a secure or assured tenancy and it is anticipated will have moved into their new homes by the end of July 2019.
- 5.18 On 13 December 2018, the Council held a drop-in event at the Community Hub on the estate for those living within the CPO3 Order Land. The purpose of this drop-in was to answer any questions about the CPO process and possible timeline and to give any general information.

- 5.19 A further drop-in event was held on 13 February 2019, specifically for secure, non-secure and private tenants living within the CPO3 Order Land.
- 5.20 At the West Hendon Partnership Board Open Meetings on 23 January 2019 and 24 April 2019, updates were given to residents on the progress of CPO3.

Non-secure tenants

- 5.21 Since the Regeneration Project commenced the Council has not granted any new secure tenancies and instead has used vacant housing as temporary or non-secure accommodation. Any persons moving to this stock were made aware of the Regeneration Project, the temporary nature of their occupation and the need to decant/relocate. This approach has allowed the stock to perform a useful temporary purpose in meeting housing need. At paragraph 602, page 101 of the Inspectors Report into CPO1 (**CDA.19**) the Inspector agreed this approach made beneficial use of the housing stock.
- 5.22 However, on account of the temporary nature of these occupations the non-secure residents will be significantly impacted by the Orders as they will not automatically be entitled to rehousing. Instead the Residential Decant Strategy (**Paragraph 9 Page 1, CDB.12**) sets out that non-secure tenants will be rehoused by the Council in accordance with its Housing Allocations Scheme(**CDA.32**) (see 5.11 above) in the twelve months leading up to the agreed vacant possession date. This involves assessing whether or not the affected tenants are in need of or eligible for housing assistance.
- 5.23 This assessment process follows a consistent and fair process ensuring that the specific needs or protected characteristics of the affected parties are taken into account. This process has not yet commenced as the Council wishes to ensure that maximum benefit can be obtained from the use of the existing housing as temporary accommodation. Non-secure tenants have been advised of the process through consultation, public meetings and discussions/meetings with Housing Officers.
- 5.24 The Council has a good track record of rehousing non-secure tenants in alternative accommodation from its regeneration estates.
- 5.24 Of the 81 non-secure tenants displaced as a result of CPO2, 68 have been rehoused. For the remaining 13 who were not assisted, this was due to a variety of reasons including rent arrears, imprisonment, refusal of reasonable offers made of alternative accommodation and securing their own accommodation.

- 5.25 Of those 68 rehoused tenants, 43 have been rehoused on a council secure tenancy and in total 65 have been rehoused within Barnet.
- 5.26 Three non-secure tenants were rehoused outside of the Barnet. Two of these were rehoused in neighbouring London boroughs, and one outside of London due to their particular circumstances.
- 5.27 There are 98 non-secure tenants who need to be moved by Autumn 2021 to enable phases 5 and 6 of the Scheme to proceed.
- 5.28 The process of visiting the non-secure tenants and establishing their current housing needs will commence approximately 12-18 months before the vacant possession date which is currently Autumn 2021. Barnet Homes have a Decant Project Team who will work full time on ensuring that the assessments are completed in a timely manner.
- 5.29 The Council will endeavour to minimise the amount of disruption experienced by non-secure tenants. As part of the rehousing assessment, the individual circumstances of each household will be considered in detail, including access to schools, medical facilities, support networks and protected characteristics. The Council will seek to rehouse tenants within the London Borough of Barnet wherever reasonably possible.
- 5.30 To mitigate the impact on non-secure tenants there is a range of assistance options that they can access when they are moved, including:
- **Assistance with removals.** All non-secure tenants are offered the opportunity for the removal of their belongings to be carried out by Barnet Homes' contractor JA Steels at no cost to themselves. This is not a statutory entitlement and is instead offered to mitigate the impact on residents.
 - **Discretionary Housing Payments (DHP).** Applicants with medical requirements or who are unable to move in the given timeframe can apply for to the Council for a DHP to cover the rent on the property they are moving for 1 week in order to give them time to move, as housing benefit can only be claimed on one property at a time.
 - **Furniture and Decoration Vouchers.** Where a non-secure tenant is rehoused in a council property, up to £250 can be awarded to help them furnish or decorate the accommodation.
 - **Crisis Fund.** Tenants who are in exceptional hardship, in receipt of Benefits, on a low income pending a Housing Benefits / Council Tax claim with no other source of funds/grants can be apply for a Crisis Fund payment in order to purchase essential furniture items such as

white goods, beds, or items necessary to make a property safe and suitable to live in. This is dependent on a financial assessment conducted by the Council.

Private tenants

- 5.31 Within the Estate are a number of private tenants occupying privately owned residential units. There are also a number of private tenants or guardians occupying some units owned by the Developer. These are market rented units rather than social rented units. The majority of these tenants or guardians will be relocated through lease provisions instead of the Orders. Should these parties have difficulty in rehousing, they will be offered housing assistance if deemed eligible when assessed against the criteria in the Council's Housing Allocations Scheme (**CDA.28**).

In phase 3b and 3c of the scheme, a number of private tenants faced difficulties relocating. In these cases, housing assistance from Barnet Homes was offered to secure alternative accommodation. Similar assistance will be offered to those affected by CPO3 if required.

6 Responses to Objections Objections to the Scheme

The Secretary of State has received three objections against the confirmation of the Orders (**CDA.03 and CDA.06**). A schedule of objectors for each order is in the Core Document library at **CDD.03**.

Objection 1 - Petition Objection submitted by Jasmin Parsons (Plot 18)

- 6.1 An Objection dated 12 November 2018 (submitted by email on 7 January 2019) has been submitted by Jasmin Parsons. This includes a petition which has been signed by 24 residents who are included in CPO3, 8 residents still living in properties included in CPO2, 12 residents living in the new development and a further 20 people living in the surrounding area. The Council's response to the grounds raised is as follows:

Existing buildings structurally sound

- 6.2 The objection states that the existing dwellings were built to Parker Morris standard +10% and provide spacious dwellings which would continue to serve the residents if the dwellings had been properly maintained. The new homes would be built to 'Homes for Life' Standard which will reduce the actual living space.

- 6.3 The First Inspector, stated at IR:583 (CDA.19) that the existing residential accommodation of the estate was dated and that the construction form was a fundamental concern. Significant financial resources would be required to bring the properties up to Decent Homes Standards, a part of which would be borne by the leaseholders.
- 6.4 The First Inspector concluded that the reduction in maintenance standards was due to the intention to regenerate the site and was not the reason why the properties are in need of replacement.
- 6.5 The First Inspector concluded at IR:584 (CDA.19) that the relative spaciousness of the dwellings and their ramped accessibility did not compensate for the fundamental design issues which need to be addressed and the new dwellings would meet Lifetime Homes Standard. The Lifetime Homes Standard is a set of principles that that should be incorporated into housing design to maximize independence and quality of life whilst not compromising other design issues such as aesthetics or cost effectiveness.
- 6.6 The Secretary of State agreed with the conclusion of the Inspector (DL:14). (CDA.20)
- 6.7 The Second Inspector reached a similar conclusion (IR:389) and in IR:391 (CDA.12) concluded that it was likely that it time residents would consider their new homes more comfortable, more convenient and more efficient to run and maintain.
- 6.8 Following the move of secure tenants to their new homes in phase 3b, a resident satisfaction survey was undertaken. 57 out of 69 tenants who were moved responded to the survey. 91% of those who responded said they were satisfied or very satisfied with their new homes.
- 6.9 The council's view, which was accepted by the First Inspector and Second Inspector, is that the fundamental problems with the design and construction of the existing properties is not offset sufficiently by the relative spaciousness of these properties. In addition, the replacement properties meet the Lifetime Homes Standard and have achieved a high level of satisfaction amongst secure tenants who have moved into them.

Tenants forced from the Estate

- 6.10 The objection states that the Estate is in a prime location, that tenants have been forced from the estate and no new council tenancies are available.

- 6.11 All secure tenants within the Scheme are entitled to a new tenancy on the estate. This can be either a tenancy from Metropolitan Thames Valley or a tenancy from the Council.
- 6.12 Council non-secure tenants were offered units on the Estate as temporary accommodation after the commencement of the Regeneration Project. This is why they have limited security of tenure and why they were not offered a right to remain on the Estate. The use of housing on the Estate as non-secure accommodation allowed the existing stock to perform a useful albeit temporary function.
- 6.13 It is accepted that many of these residents may now consider themselves part of the local community. Prior to terminating leases, the Council will assess residents' circumstances against the Council's Housing Allocations Scheme (CDA.32). This is a scheme applied consistently across the Borough which was prepared and is implemented in light of the Council's Housing and Equality Act obligations. Where residents are identified as eligible for housing assistance this will be provided.
- 6.14 All non-secure tenants decanted from Phase 3a,3b,3c and 4 who were eligible for housing assistance were offered this, and the majority were rehoused within the Borough, many with greater security of tenure as set out in paragraph 5.25 above.
- 6.15 Within Phases 5 & 6, the Council will attempt to relocate non-secure tenants within the local area; however, this cannot be guaranteed because relocation will be dependent on their assessed housing need and availability of alternative accommodation and the timing of relocation.
- 6.16 At IR:596 (CDA.19) the First Inspector in considering the approach to non-secure tenants in Phase 3b identified the use of use of vacant accommodation for non-secure tenants as practical for maintaining activity/use and providing homes. At IR:597 the Inspector highlighted that an alternative approach would only serve to encourage abandonment of the buildings.
- 6.17 The CPO2 Inspector noted this policy at IR:401 (CDA.12) and that the Council seemed to be taking its responsibility for the well-being of the non-secure tenants seriously. At paragraph IR:406 the Inspector concurred with the view of the CPO1 Inspector that on the matter of the non-secure tenants, no case had been put forward that was so compelling as to indicate the CPO should not be confirmed.

6.18 The Council has demonstrated a good track record in rehousing non-secure tenants within the borough, and is confident that this will also be the case for those currently living in properties within the CPO 3 Order Land

7 Conclusion

7.1 The regeneration of the West Hendon Estate has been a key element of the Council's Housing Strategy since 2000, which has focused on a programme of demolishing and rebuilding the Council's largest council estates to address inherent problems associated with their construction, design and layout.

7.2 As well as improving living conditions and the local environment for residents, as evidenced by high levels of satisfaction amongst secure tenants already rehoused in a new property, the Scheme will also provide additional new homes which will help to meet the significant demand for housing in the London Borough of Barnet.

7.3 Appropriate arrangements are in place to rehouse both secure and non-secure tenants currently living on the Estate. Secure tenants are guaranteed a new home within the Scheme of at least the same size they currently occupy. Non-secure tenants are not offered the same guarantees as secure tenants, on account of the temporary nature of their tenure. However, their housing need will be assessed against the Council's housing policies and they will be rehoused when eligible for assistance.

7.4 The original homes on the Estate are in poor condition and the large panel system method used for their construction is a fundamental concern. In view of this, there is no feasible alternative to the comprehensive redevelopment of the Estate and completion of the Regeneration Project.

8 Declaration

I believe that the facts stated in this proof of evidence are true.



Mr Paul Shipway 4 July 2019