MAYOR OF LONDON

HOMES FOR LONDONERS

DRAFT GOOD PRACTICE GUIDE TO ESTATE REGENERATION

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FOREWORD

London is the greatest city in the world, and its greatest strength is the people who live here. The sheer diversity of Londoners, whether born here or elsewhere, is a key part of the capital's vibrancy and success.

As Londoners, we are proud that this diversity is part of every neighbourhood, with people from different backgrounds living side-by-side. Yet we also know that London's success has brought huge challenges. One in particular is the soaring cost of housing, which has seen huge numbers of Londoners priced out of a city they once called home.

That is why we must protect and improve estates owned by councils and housing associations across London. The social housing they provide is a foundation of our mixed city. Indeed, it ensures that Londoners on low incomes have somewhere decent and affordable to live in the capital.

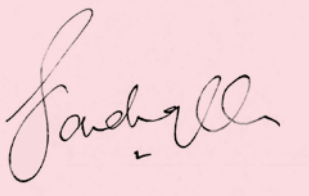
In some cases, little needs to be done to protect and improve those estates. However, others may require more ambitious regeneration plans, for example to improve the quality of housing and nearby public space, and to make the most of opportunities for building new and affordable homes.

When plans for estate regeneration are considered, I want to see existing local residents closely involved from the outset. We need to make sure that tenants and leaseholders on the estate are treated fairly, and we must protect existing affordable housing throughout.

Involving residents at the start helps build trust in the process. It also means residents can help shape the options that emerge. That is why I am developing a good practice guide for how to approach estate regeneration that puts local people at its heart. I want to consult widely on this draft, so that the final guide is fit for Londoners.

The final guide will be launched in 2017, and I hope it will become a London-wide standard. I hope it will support residents to become more closely involved with decisions over the future of their homes and neighbourhoods. Above all, I want it to help us build the London of the future of which we can be proud.

I look forward to hearing Londoners' views and I look forward to the final guide playing a key role in maintaining and promoting our capital as a city for all Londoners.



Sadiq Khan
Mayor of London

INTRODUCTION

'Estate regeneration' covers a broad range of projects in London, and for the purpose of this document it is defined as the process of physical renewal of social housing estates through various combinations of refurbishment, investment, intensification, demolition and rebuilding. Many of London's housing estates have undergone or are undergoing this process, meaning it has come to affect many thousands of Londoners.

Estate regeneration often involves disruption and change to communities, sometimes over several years, and in some cases it has resulted in conflict between residents and local authorities or housing associations. This is despite the many benefits that estate regeneration can bring, including better quality homes and neighbourhoods, and an important contribution to London's need for new and affordable homes.

The Mayor believes that for estate regeneration to be a success, there must be resident support for proposals, based on full and transparent consultation. These proposals should offer full rights to return for displaced tenants and a fair deal for leaseholders, and demolition should only be followed where it does not result in a loss of social housing, or where all other options have been exhausted.[1]

To encourage these principles to be followed across London, the Mayor is committed to publishing a 'Good Practice Guide to Estate Regeneration'. It will be aimed at local authorities and housing associations, covering three key issues:

1. Aims and objectives of estate regeneration;
2. Consultation and engagement with residents;
3. A fair deal for tenants and leaseholders.

Once adopted, the Guide is intended to reassure Londoners that they will be given real opportunities to shape estate regeneration, that engagement and consultation will be meaningful, and that offers of rehousing and compensation will meet guaranteed standards.

The principles set out in this draft of the Guide should be read in conjunction with a number of other documents that address related issues in estate regeneration projects, covering everything from urban design principles to methods of procurement, as well as with statutory housing and planning policy documents.[2]

1 'A Manifesto for All Londoners', 2016
2 For example, see 'Estate Regeneration Sourcebook' (Urban Design London, 2015) and 'Altered Estates' (HTA/Levitt Bernstein/Pollards Thomas Edwards, 2016) for overviews of design, engagement and procurement; DCLG's 'Estate Regeneration National Strategy', which addresses the end-to-end process of estate regeneration; and London First's forthcoming guide on how boroughs can finance projects.

This is a draft Guide for consultation. Following consultation, a final version will be published and the Mayor will put it into practice by including it as part of funding conditions for affordable housing grant. This means that any future estate regeneration project that seeks new funding from the GLA will be required to conform to the principles set out in this Guide.

Even where GLA funding is not involved, the Mayor wants the Guide to be used to help inform proposals for any estate renewal scheme in London. The Mayor has a planning role in many regeneration proposals, and can currently apply policies from the existing London Plan that state the loss of affordable housing should be resisted unless it is replaced at existing or higher densities with at least the equivalent amount of floor space. The Mayor will look to protect and strengthen this commitment as part of the development of his new London Plan.

The Mayor will furthermore seek to incorporate relevant parts of the final Guide into his new London Housing Strategy, a draft of which is due for publication in 2017. In addition to his funding and planning roles, the Mayor will encourage local authorities and housing associations to follow the principles and practices in this Guide to ensure their widest possible application.

ABOUT THIS CONSULTATION

Comments on the draft Guide are invited from any organisation, group or individual with an interest in estate regeneration. In addition to this, the GLA will be undertaking direct consultation with Londoners who are residents of social housing estates.

The consultation will run for 13 weeks from 13 December 2016 to 14 March 2017.

Responses to this consultation should be emailed to this address:
erguideconsultation@london.gov.uk

Alternatively responses may be sent by post to:
Estate Regeneration consultation
Housing & Land Directorate
City Hall
The Queen's Walk
London SE1 2AA


Kingspan
Kooltherm

CHAPTER 1
AIMS AND OBJECTIVES OF ESTATE REGENERATION

1 This chapter addresses the aims and objectives of estate regeneration, how these are put into practice, and some of the key issues that landlords should consider when preparing to engage with residents about regeneration options.

OVERARCHING PRINCIPLES

2 The aims of an estate regeneration project will typically fall into three broad categories: maintaining good quality homes; supporting the supply of new housing; and improving the social, economic and physical environment in which those homes are located. Any proposal for regeneration of an estate should clearly and transparently articulate the rationale, aims and objectives of the project in the context of the landlord's strategic priorities and local and London-wide planning and housing policy. It should also set out what role stakeholders have played in developing and shaping the rationale, aims and objectives, and how the landlord and other agencies have supported them in doing so.

3 There is a range of ways in which the aims and objectives of estate regeneration could be communicated to residents. Boroughs and housing associations should consider setting these out in a single place, with clear and specific commitments written in understandable language. This could be in the form of a Residents' Charter. Where these are used, they should be developed in close consultation with residents.

4 In particular, the fundamental approach underlying the process should always be to engage early and meaningfully with existing residents. As the primary stakeholders, residents of an estate must be given sufficient opportunity to engage with and shape any proposals that will affect their homes, and they should be proactively supported to do so. In addition, the business or community tenants of an estate, the local authority, any housing association or developer that is involved, and agencies such as utility providers, TfL or Network Rail, should also be engaged in any regeneration process.

APPROACHES TO PHYSICAL REGENERATION

5 Once the aims and objectives of an estate regeneration scheme are formulated, the physical interventions required to achieve them can be considered. The approach taken will differ from project to project depending on factors that include: the existing characteristics and quality of an estate; the financial resources available; any regeneration or redevelopment plans that affect the wider area; and the wishes of residents and other stakeholders. These factors and how they are weighed up against each other should be set out clearly and transparently.

CASE STUDY 1
USING A RESIDENTS' CHARTER TO SET OUT PRIORITIES

The issue
A south London borough wanted to publicly set out in advance its underlying approach to the process of estate regeneration so that any residents on estates facing regeneration could be certain of the principles that would be followed by the borough in the way that it treated them and the nature of the new homes that were to be built.

What happened?
The borough undertook a process of consultation with estate residents, as well as the broader local community, to help decide what the residents' charter would contain. The council sent a letter to every council home and attended several community meetings and events seeking views on its proposals. Over 2,000 residents responded to the consultation over a number of months.

The outcome
The borough adopted six principles that governed its approach to regeneration and the treatment of residents which covered the following subjects:

- The principles of housing investment and estate renewal;
- How the borough will work with residents on the development of new homes;
- Resident involvement in the delivery process;
- Giving residents a say in housing management;
- Standards for quality and affordability;
- Housing options for tenants and leaseholders.

Lessons learned
During the consultation it became clear that the borough should engage and communicate with all residents on estates, and not just through established structures such as tenants and residents' associations. It was an opportunity for the borough to learn what resident priorities were for any estate improvements, with issues like sound insulation, space standards and provision of green and play spaces particularly valued by the community. During the process residents expressed a lack of confidence that the borough would keep to the principles it set out, and so it decided to ensure an annual review to check whether those promises were being kept.

6 There are a range of potential physical interventions that can be used to deliver an estate regeneration scheme, including: repairs and refurbishment; investment in the public realm; infill and intensification; and demolition and rebuilding. Often landlords will use an appraisal process to determine the most appropriate option(s). If done in an open-minded and transparent way, this can be a helpful tool in ensuring that stakeholders – particularly existing residents – have an opportunity to understand, challenge and shape plans for the future of their homes.

7 Demolishing and rebuilding homes is a time-consuming, expensive and highly disruptive process. Before deciding to go ahead with this route, it should be considered whether there are alternative ways of achieving the aims of estate regeneration. Where demolition and rebuild is chosen, the benefits of more and better quality housing, an improved public realm, and modern community facilities and other benefits that may arise from demolition should be set against the disbenefits in terms of the time taken to complete building works, the disruption to existing tenants, the financial cost of replacing the housing, and the environmental costs (including the 'sunk cost' of embedded carbon in existing buildings).

CASE STUDY 2
MIXING REFURBISHMENT AND REBUILD

The issue
A local authority in east London wished to improve the quality of housing on one of its estates, and found the best approach was through part demolition and part refurbishment.

Homes identified for demolition and rebuild would have been very costly to repair. Furthermore, their existing building structure contributed to a poor quality of built environment, with high instances of anti-social behaviour and no meaningful or usable amenity space. By contrast, the blocks identified for retention contained homes with good layouts and space standards, and were financially viable for the local authority to upgrade and refurbish.

What happened
The local authority found that the key challenge in mixing rebuild with refurbishment was to effectively integrate existing buildings with the new ones so they functioned together as 'one place'. This was achieved through redesign of the public realm, which unified and structured the estate's layout. Both the rebuilt and refurbished blocks utilised the same palette of high quality materials and similar design 'language' to minimise distinction between the two.

Refurbishment works on the retained homes included new kitchens, bathrooms, lifts, lighting, windows, roofs and public areas. Other issues were also addressed, such as lack of private amenity space (through the addition of winter gardens and balconies) and narrow deck access (by extending the walkways).

Consideration was also given to ensuring that all residents enjoyed equal access to communal and shared amenities such as landscaped courtyards and bike stores.

The outcome
The project plan included 275 homes to be retained and refurbished and 490 new homes built.

The case for retaining and refurbishing some of the homes was on the basis that existing units were of a high quality, and the retained blocks are of such a density that demolition and rebuild would have resulted in a relatively small addition to the total number of homes on the estate.

Avoiding demolition where possible considerably sped up the regeneration process, and resulted overall in less disruption to residents' lives.

Lessons learned
The approach described above was not without its challenges. Retaining existing blocks frustrated the optimum planning of the site and full realisation of the physical benefits of wholesale regeneration. There was a greater construction risk associated with carrying out works to existing structures, in terms of cost, time and feasibility, as well as in terms of gaining access to, and inconvenience of working in or nearby, occupied properties. The landlord also faced a challenge of integrating the old and new blocks, and existing residents 'versus' new residents, which raised issues around socio-economic divides in the local community.

However, enabling some residents to remain in their existing homes resulted in limited disruption to their individual lives. The local authority also found that this approach was more cost-effective for the number of homes achievable on the site.

8 The options for physical interventions described above are not mutually exclusive: some projects may best meet their aims through full demolition and rebuild; some may rely predominantly on refurbishment and infill; and some may combine approaches, for instance by refurbishing a number of existing homes whilst demolishing and rebuilding others (as seen in case study 2). The most appropriate approach for each estate should be considered on a case-by-case basis.

ENSURING NO LOSS OF AFFORDABLE HOUSING

9 The Mayor believes that, where demolition and rebuilding is chosen as part of an estate regeneration, this should only happen where it does not result in a loss of social housing, or where all other options have been exhausted. This principle will apply to estate regeneration projects that seek new funding from the GLA.

10 Even where GLA funding is not involved, current London Plan policy states that the loss of affordable housing should be resisted unless it is replaced with better quality homes at existing or higher densities with at least the equivalent amount of floor space (see Appendix). The Mayor will continue to apply this approach when considering planning applications for estate regeneration projects. The policy will be reviewed as part of the development of his new London Plan, the draft of which is due for publication in 2017.

IMPROVING THE LOCAL ENVIRONMENT

11 When deciding on the scope of any estate regeneration scheme, local authorities and others should consider not just the 'red line' of the estate's boundaries, but also how the estate interacts, both in built form and accessibility, with the surrounding area. Estate regeneration can be an opportunity to re-integrate estates with their surrounding neighbourhoods and to deliver wider economic, social and physical regeneration.

12 Many estate regeneration projects seek to reintroduce traditional street patterns and create buildings that relate better in appearance and scale to their surroundings than the ones that have been demolished. Good estate regeneration can also utilise strategically-placed tall buildings to help with orientation, supplying appropriate density in well-connected places and maximising the amenity of certain locations.

13 The Mayor supports estate regeneration which seeks to make a positive contribution to the appearance of the site as well as the surrounding public realm.

MONITORING AND REVIEW

14 Before undertaking any estate regeneration scheme, robust mechanisms should be put in place to monitor the effectiveness and outcomes of the project. This should be a proactive and systematic process, developed in partnership with residents and other stakeholders, that aims to monitor the full range of outcomes and impacts of regeneration. This should include monitoring existing resident satisfaction, health and well-being, including of those residents who are displaced by the scheme and who do not return to the estate once the project is concluded.

CASE STUDY 3
LANDLORD SOCIAL IMPACT MONITORING

The issue
Partners involved in a west London estate regeneration scheme wanted to measure the social impact of their actions, and report on residents' feelings and experiences of the regeneration throughout the process.

What happened
Partners commissioned independent academic researchers to interview residents on both the existing and the regenerated parts of the estate as well as the surrounding area. Through these in-depth interviews they were able to gain a much deeper understanding of how residents felt about the estate regeneration, and how it could be a successful social regeneration as well as a physical one. The research will be carried out every two to three years during the 13-year lifetime of the regeneration process to measure progress against its indicators.

The outcome
As well as recognising the value that residents place on their connections with friends and neighbours in the area, the research identified further areas that would require attention in the coming years, in particular: ensuring that existing residents of the estate fully understand the re-housing process; and working to accommodate local organisations that offer informal, but very important, support services to the community.

Lessons learned
This process has helped the landlord better understand what needs to happen for the existing community to call the regeneration a success. Residents placed a lot of value on established neighbourhood connections and support structures which partners recognised they would need to try to maintain and build on as the regeneration progressed. At the same time, extra support will be given to existing and new residents to allow them to flourish.

15 There are different ways in which this could be done, although the most common practice is through surveys. These should be carried out regularly (at least every year) during the regeneration process and at pre-defined times (for example two years and five years) after the end of the project. Where possible, landlords should also seek to understand the impact of regeneration on households that have moved from an estate and not returned.

16 Landlords should seek to involve residents in the monitoring of the impact of an estate regeneration project. Where possible this might utilise approaches used during the regeneration process itself, so, for example, resident steering groups could become contract monitoring groups.

Good practice in the aims and objectives of estate regeneration:

- Set out the aims and objectives of the estate regeneration project transparently and clearly;
- Ensure residents and other stakeholders have meaningful and early opportunities to shape proposals;
- Consider the most appropriate combination of physical interventions to achieve the agreed aims of regeneration, including repair and refurbishment, investment in public realm, infill and intensification, demolition and rebuild;
- Where demolition and rebuilding is chosen as part of an estate regeneration, this should only happen where it does not result in a loss of social housing, or where all other options have been exhausted;
- Look to improve the appearance of estates and their relationship with the surrounding area;
- Proactively monitor the impacts and outcomes of regeneration, seeking to involve residents where possible.

CHAPTER 2
CONSULTATION AND ENGAGEMENT WITH RESIDENTS

17 This chapter addresses consultation and engagement with residents and other stakeholders, including some of the key issues that local authorities, housing associations, and their partners should consider when developing their plans to consult about estate regeneration schemes.

PRINCIPLES FOR CONSULTATION AND ENGAGEMENT

18 Where estate regeneration takes place there should always be full and transparent consultation.

19 Government has published a guide for what constitutes good practice for consultations.[3] This says that, among other things, consultations should have a purpose, be informative, and should only be one part of a comprehensive process of engagement.

20 In addition to these principles, the Mayor supports consultation over estate regeneration also being:

- Transparent – all the issues and options should be set out in clear, understandable language, with information that has influenced any decisions being shared as early as possible;
- Extensive – every reasonable effort should be made to engage with as broad a range of groups as possible, including primarily the residents of an estate, and also those living and working on or near it;
- Responsive – consultation should result in clear actions that arise directly as a result of the views expressed by respondents;
- Meaningful – views expressed during the process should be considered, and, where responses have not been agreed with, explanations given by the landlord for the course of action taken.

21 Consultation and engagement is a process, not an event. It should start at the earliest stages of a project, ideally building on existing dialogue between residents and local authorities/housing associations, and should be ongoing through the life of the project and beyond. It is vital that residents know when and how they can be involved in decision-making so that they are empowered and motivated to engage with what is being considered.

3 Consultation Principles 2016 (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/492132/20160111_Consultation_principles_final.pdf)

CASE STUDY 4
'BOTTOM UP' COMMUNITY ENGAGEMENT

The issue
Residents on an east London estate were opposed to initial plans for regeneration, and then worked with their landlord to produce a community-led vision for the estate.

What happened
Long term external funding for a community-based organisation and technical support from a University enabled tenants to explore alternative options and undertake their own resident engagement through workshops, walkabouts, a door-to-door survey (completed by half of the households) and interviews with local businesses, as well as establishing a Neighbourhood Forum and embarking upon a neighbourhood plan.

The outcome
The Neighbourhood Forum has been designated by the planning authority which gives it statutory consultee status. The Local Plan includes a site allocation for the area which supports the preparation of a neighbourhood plan in co-operation with the local authority in its role as landowner and housing authority. A draft neighbourhood plan has been produced by the residents, and consultation with key stakeholders is underway.

Lessons learned
The key lessons for successful community engagement in estate regeneration have been:

- Recognising the importance of sustained community development that is supportive of bottom-up tenant and resident involvement defining what they want from the regeneration;
- Ensuring access to independent technical advice to assist tenants and residents in making informed decisions about the costs and benefits of the options for estate regeneration;
- Using neighbourhood planning as a model for community engagement, as it offers possibilities for a collaborative approach between the tenants and residents, planning authority and landowners.

22 As projects develop and change, and as alternative options are considered with residents, different approaches to consultation and engagement may be appropriate. Local authorities, housing associations, and their partners should always be open to suggestions from residents and other stakeholders about developing more effective consultation and engagement mechanisms (see case study 4).

23 Consultation about proposals for regeneration of an estate should be open and transparent about what is achievable and how it will be funded. Where the rental income or other funding is insufficient to fund improvements and therefore market housing is required, this should be made clear in the consultation. Local authorities and housing associations should not waste their time, or more importantly that of estate residents, by consulting on options which are not viable or deliverable. Initial engagement should clearly state any non-viable or undeliverable options which have been discounted and why, and these decisions should be open to scrutiny by residents and other stakeholders. Relevant information that has influenced any decisions on options should be shared as early as possible.

24 When consulting on options for estate improvements and their costs, local authorities and housing associations should set out, as a benchmark, the cost of doing nothing, including the social costs. This might include the cost to residents' health of poor quality housing, the financial cost to the landlord of maintenance (given the number of years for which it would be effective), as well as the number of other households who might not otherwise have a home, or a home of the right size for their needs. Beyond this benchmark, the costs of all the options presented should be set out in both financial and social terms, including the cost of disruption to residents' lives for the duration of the project (see paragraph 7).

25 Where repair or refurbishment are viable options for achieving the aims of regeneration, the full costs of undertaking them should be set against the time for which they would maintain the existing homes to a reasonable standard. While it may be less expensive to repair than to rebuild in the short term, demolition may still be more cost effective over the longer term.

26 Equally, a holistic view of the benefits of the proposed options should be set out; for example, the benefits of more and better housing (including more environmentally sustainable housing), of an improved public realm, and new local infrastructure and green spaces. The cost of meeting resident expectations such as protecting particular local landmarks or vistas should be accounted for as well.

WHEN SHOULD CONSULTATION START?

27 Local authorities and housing associations should have mechanisms and structures in place for continuous engagement with their residents, regardless of whether there are plans for estate regeneration. However, regeneration plans will often be a catalyst for more thorough or intense engagement, and for more interest from residents in taking part.

28 In a context where there is continuous engagement and dialogue between local authorities/housing associations and their residents, there is no 'right' or 'wrong' time to start a discussion about the future of an estate. Earlier is generally better, though in some cases it may be appropriate for a landlord to gather certain information, such as initial structural surveys, before talking with residents about possible ideas for an estate.

WHO SHOULD BE CONSULTED?

29 When looking to engage with and consult those affected by a process of estate regeneration, local authorities and housing associations should take a wide view of who should be consulted. An estate's residents should be the primary consultees. As well as social tenants and resident leaseholders, local authorities and housing associations are also encouraged to consider relevant views from private tenants or those living in temporary accommodation on the estate, as well as non-resident leaseholders.

30 Consultation approaches should be tailored for different types of resident, taking into account their different needs, for example: elderly residents; those for whom English is not a first language; or those who have disabilities preventing them from being contacted by some of the consultation approaches listed in paragraph 33 would all need bespoke approaches to engagement.

31 Beyond this, it is not just those living on an estate that have an interest in what happens to it. Many estates have businesses located in them and these are often Small and Medium-sized Enterprises (SMEs) providing valued local services and employment. Owners and operators of these businesses should be involved in discussions around estate regeneration and weight attached to the importance of retaining local employment opportunities in any proposals. At the same time, many estates will have other uses on them, such as churches, schools or other community activities. Owners, operators and users of these should also be fully consulted and engaged with.

32 The impact of estate regeneration will usually last for many decades, well beyond the length of most tenancies. Although landlords should consider current residents' views as a priority, they should also consider how to take account of the interests of future residents who will benefit from the project.

WHAT FORM SHOULD CONSULTATION TAKE?

33 There are many options for consulting and engaging with residents, each with their own merits. No single approach is best, and any successful estate regeneration scheme will involve a number of different means of communicating with and involving residents, such as:

- Resident surveys;
- 'Door-to-door' talks;
- Ballots and votes;
- Specialist resident committees, forums, and workshops;
- Steering Groups with resident representation;
- 'Drop-in' days at community halls or centres;
- Letters, emails and newsletters to residents;
- Public meetings;
- Web-based consultation tools, such as Commonplace;
- Online forums, such as Facebook pages for the estate.

34 In most cases, surveys of residents (including door-to-door conversations) and small-scale meetings (including organised workshops or more informal drop-in events) will be appropriate ways to test views and satisfaction with proposals. These can retest opinions over time, and can enable views on a range of issues to be gauged and analysed, and for nuances in views to be established, especially in cases where the options for work on an estate are not binary.

35 Where undertaken, surveys and meetings should be repeated as proposals develop so that a 'real time' assessment of the acceptability of what is being proposed is enabled. This highlights a potential reason for caution around using ballots or votes, since they can risk turning a complex set of issues that affects different people in different ways over many years into a simple 'yes/no' decision at a single point in time.

36 Where possible, teams working on estate regeneration plans should be based on the estates affected with the express purpose of these teams being as accessible to residents as possible.

CASE STUDY 5
TENANT INVOLVEMENT IN REGENERATION

The issue
A local authority landlord in north London started from the position that estate regeneration would only succeed if it was supported by residents, and that therefore the offer to them should be one that recognised their priorities. The local authority, architect and developer worked closely with tenants to achieve this.

What happened
Following discussions with tenants it was agreed that all of the replacement council homes would be larger than the existing homes, and therefore also significantly larger than the London Housing Design Guide. The design and configuration of the replacement homes was led by residents via a series of design workshops facilitated by the project architects. Resident priorities included separate kitchens and double aspect homes, and the architects and the developer worked with residents to achieve these.

The outcome
The new social homes are larger than the planned private ones on the estate. This was important, not only to ensure that residents are gaining, not losing, space but also because by providing larger council homes it is hoped that there would be more space for children to learn. Furthermore, these larger homes would come to be the most desirable homes in the Council's stock, thereby changing perceptions of the estate as a place to live.

The experience of preparing plans for the redevelopment of the estate has had a positive impact on residents who have grown in confidence and have become empowered to do more in their local community. For example a resident-led social regeneration team has been established to consider ways to tackle social and economic deprivation and the residents are also preparing plans to establish a Tenant Management Organisation.

Lessons learned
Taking time to listen to tenants' priorities and involve them in the design of the new homes, as well as the broader 'offer' to them, resulted in strong tenant support for the regeneration, making the scheme more straightforward and positive for all parties.

37 Residents should be empowered by ensuring that they have meaningful input into as much of the discussion and decisions as possible around issues like design, scale and tenure. Often residents will need help and support to be able to engage more effectively in decisions about the regeneration process. Local authorities, housing associations, and their partners are therefore encouraged to consider independent capacity-building and advocacy support for residents. This can be expensive but will help to build trust and ultimately support a better project.

CASE STUDY 6
LANDLORD FUNDING OF AN INDEPENDENT TENANT AND LEASEHOLDER ADVISOR

The issue
A local authority in east London wanted to ensure that residents on one of its regeneration schemes were as fully engaged in the process as possible, and so has funded an Independent Tenant and Leaseholder Advisor (ITLA) for over 10 years. The ITLA's purpose is to provide independent and impartial advice to residents of an estate undergoing regeneration on all aspects of the proposals for the future of their homes, enabling them to interact fully and play an informed role in the process.

What happened
The ITLA has supported residents through all phases of the regeneration to date. Due to its long-term nature the ITLA has been crucial in keeping residents engaged throughout the process and has helped build trust between the local authority and residents, ensuring continued support for the project.

Their first task was to assist the local authority to set up a steering group with a robust and inclusive Terms of Reference, and this has met continuously on a regular basis. Local authority officers attend to report on progress and answer questions. The ITLA coordinates the meetings, sending out the agendas and minutes, providing an independent and impartial record. They spend a considerable amount of time on the estate engaging all of the residents to ensure a broad representation at meetings and to actively encourage participation. They also feedback to vulnerable and elderly residents who are unable to make meetings or drop-in sessions.

The ITLA also:

- Played a key role in establishing the first Tenants and Residents Association on the estate;
- Along with the local authority, held monthly drop-in and coffee morning sessions for tenants and leaseholders. These are informal forums for residents to ask questions about the regeneration process and to view/comment on proposals for the new developments;
- Helped ensure resident participation in the procurement of architect teams and developer/contractors.

The outcome
The ITLA has widened access to the regeneration process and ensured information has been shared with residents, supporting vulnerable residents or those resistant to the proposed changes. This was helpful during the compulsory purchase process through the ability to prove that all residents had been engaged and had a range of options in terms of their future housing. The ITLA helped the local authority engage

with hard-to-reach tenants and leaseholders, and ensured the right options and advice was passed on to private tenants of leaseholders. The ITLA is also an extra pair of eyes and ears on the ground, which helps flag up any potential risks and highlights concerns and views of the residents. This has helped the local authority to mitigate risk and proactively respond to residents' views.

The ITLA has ensured that all the procurement processes for design teams and developers/contractors working on the regeneration have included resident participants. It is often difficult to persuade residents to become involved in this process as it is both time consuming and complex. The ITLA has promoted the need for, and has helped identify, willing resident participants in all the project's procurement processes. It has provided appropriate training and support to ensure residents are able to engage effectively.

Lessons learned
The ITLA provides a beneficial service to residents experiencing the impact of regeneration, spending a lot of time on the estate through holding monthly drop-in sessions, door knocking and making direct appointments with residents. This amount of resource helps ensure the communication is accessible to all. The ITLA's hands-on regeneration and housing experience has also been key to their success.

However, more could have been done to empower residents throughout the process. There is scope for the service to support wider grass-roots community development, assisting the community of existing and new residents to be more cohesive.

38 The role of independent third parties can vary widely, and can include advising tenants on their rights, supporting residents in negotiating with the landlord, or helping residents 'skill up' and be involved in the process of selecting development partners. The Mayor will not prescribe any one approach but wishes to see residents supported to the fullest possible extent, and that all options for achieving this are explored.

INTERIM OFFERS

39 Estate regeneration is a long process, particularly where demolition and rebuilding occurs. Even relatively small schemes can take several years, while some of the larger projects currently underway in London have 30-year delivery plans. Given this, it is important for schemes to have 'interim' offers to residents throughout the lifetime of regeneration programmes. The benefits of estate regeneration should not only be felt at the end of the process but rather should seek to be delivered to residents throughout what are often long timescales.

CASE STUDY 7
RESIDENT RELATIONSHIP WITH PROSPECTIVE DEVELOPERS

The issue
A local authority in south London wanted to involve residents in a complex procurement process that could take up to 9-12 months to complete. Residents had previously been involved in engagement of masterplanners, and the local authority wanted to engage them in subsequent parts of the process.

Assessors of the procurement submissions would need significant technical expertise to analyse the high degree of design, legal, and financial input from bidders. It was not considered feasible to involve local people as assessors of the procurement, but the local authority wanted to ensure residents remained engaged in the process.

What happened
To make sure local people were kept involved, the local authority spent time consulting with residents to agree a preferred option for development which was to be used as the basis for the procurement process. Options were fully explored and put to residents over an 18-month period so that residents could gain confidence in exploring them.

An open day was held where developers set out their emerging plans and re-iterated their commitment to delivering the masterplan that the local authority had developed with residents. This gave shortlisted bidders an opportunity to test and, if necessary, review emerging thoughts on their developing plans with residents.

Bidders exhibited their plans and talked to local people about them. This gave residents the chance to become familiar with the potential bidders and to explain their concerns, views and particular issues to them. Formal feedback was provided on separate forms for each bidder. Residents were asked to outline what they liked best and least about the schemes and to give their opinions on the bidders' proposals for resident involvement and engagement.

Residents were not asked to feedback on which bidders they preferred overall. The bids were emerging bids, and this exercise was not one which could inform the assessment process. A newsletter containing the bidders' proposals was sent out afterwards and the proposals were put on the website welcoming further feedback that could be passed on to the bidders.

The outcome
Local people were able to meet the bidders in person and see their developing schemes. It helped to re-assure residents that the bidders were aware of, and were promising to stick to, the commitments the local authority had made previously. Local people could see that the key elements of the preferred plan they had been involved in developing were being taken forward by the bidders.

Likewise, this process allowed bidders to hear local intelligence about the area face-to-face from local people, which could help them develop better bids which, if successful, would ease implementation.

Lessons learned
The local authority considered the process to be positive overall, and the bidders also found it useful. The intention to hold the open day had to be advertised at the start of the procurement process. The timing was difficult as it had to be at a stage in the process where bidders' plans were developed enough to give something to see but not so developed as to make it pointless. This timing clashed with the start of the summer holiday which was unfortunate but did allow this exercise to be part of a wider fun day of events which the borough believes drew a greater diversity of local residents to visit the exhibition.

Good practice in consultation and engagement with residents:

- Ensure that consultation is transparent, extensive, responsive and meaningful;
- Set out every viable option, with landlords sharing supporting information or data as early as possible;
- Consider the costs and benefits, both in financial and social terms, of all viable options against 'doing nothing';
- Consult primarily with social tenants and resident leaseholders, and consider relevant views from other affected parties including private tenants, non-resident leaseholders, and business or community tenants;
- Use a range of methods of engagement, including surveys, open days, small-scale meetings, and written communication, with estate-based regeneration teams where possible;
- Enable meaningful participation by residents through investing in their capacity to engage with estate regeneration projects;
- Explore 'interim offers' to residents during the process.

CHAPTER 3
A FAIR DEAL FOR TENANTS AND LEASEHOLDERS

40 This chapter considers issues of re-housing, compensation and advice for tenants and leaseholders affected by estate regeneration.

41 The legal requirements and duties owed to residents will differ depending on the tenure of their current homes, but the overarching expectation should be that all residents should be informed and involved in the process as much as possible, and that landlords should be sensitive to residents' housing needs and preferences.

42 Boroughs and landlords (where the borough is not both) should work together to make sure that private tenants on estates being considered for regeneration are aware of their options and rights, including signposting towards alternative housing options. Boroughs may also have duties under homelessness legislation towards private tenants in estates undergoing regeneration.

43 Where residents of an estate are required to move as part of a regeneration scheme, they are more likely to move willingly if they feel that every reasonable effort has been made to find them appropriate alternative housing and/or provide reasonable compensation for their homes and the costs of moving.

44 Where estate regeneration involves building social housing other than that needed to rehouse any tenants whose homes are being demolished, landlords may want to consider whether local lettings policies may be appropriate to help increase local support for the extra homes being built.

45 Extra support and assistance should be offered to more vulnerable households living on estates, regardless of their tenure. In some cases this may mean that they want to move out of London or into specialist accommodation, and landlords should seek to help meet these needs as much as possible.

SOCIAL TENANTS

46 Tenants of boroughs or housing associations with secure or assured tenancies will have clear legal rights associated with that tenancy[4] and landlords are under a statutory duty to follow them. Landlords should see statutory requirements as a minimum and not a maximum approach to compensating and supporting tenants affected by estate regeneration.

47 Where tenants need to move from estates facing regeneration, they should be given high priority in the local allocations policy. Any offer of alternative accommodation should be reasonable, in that it meets the needs of the household in terms of property size and individual requirements.

4 Primarily the Housing Act 1985, but also the Land Compensation Act 1973

48 Landlords should always seek to offer the maximum payable home loss compensation permitted by legislation to tenants that meet the statutory criteria[5] that are displaced from their homes due to the regeneration programme. Landlords should also pay for the 'disturbance costs' of moving home. This means, for example, paying for the reasonable costs of moving, such as removal costs, telephone and utility connection costs, including installation of appliances, and the laying of new carpets and curtains.

Rights to Return

49 Estate regeneration can be a hugely disruptive process for affected households. Disruption should be kept to a minimum, and therefore in any regeneration project where demolition is involved, the aim should be for households to move no more than once during the process wherever possible. This will be easier to achieve on schemes with a number of phases.

50 The Mayor believes that existing social housing tenants should be offered a right to return to the regenerated estate. Landlords should offer tenants who have to move off the estate while works are underway a full right to return to a property of a suitable size, at the same or similar level of rent, the same level of security of tenure[6] and with the appropriate design features. This right is subject to some criteria, which are set out below, as well as each landlord's own eligibility requirements.[7]

51 Households that are currently overcrowded should always be offered homes large enough for their needs[8] and should not be offered homes which, if accepted, would be overcrowded. Households that underoccupy their current homes should not in all cases automatically qualify for a new home with the same number of bedrooms. Landlords may, for instance, choose to limit the number of bedrooms offered to underoccupiers to a maximum of one greater than their need.

52 The Mayor recognises and welcomes the fact that many boroughs and housing associations already offer these terms to existing tenants in estate regeneration schemes. Often not all tenants will take up the offer of a right to return, and many will prefer to stay in homes that they have moved to in advance of the regeneration process.

53 There may be some occasions where a landlord is keen to change the mix of homes on a regenerated estate. For example, if an estate has a high proportion of one bedroom homes that are being demolished, the landlord may want replace some of them with the same or greater floorspace arranged as fewer, family-sized homes. In this case, during the consultation process with residents, landlords should as far

5 Ibid.
6 The Government is phasing out lifetime tenancies except in particular circumstances, and has indicated but not confirmed that tenants moving due to estate regeneration will be protected. Regulations setting this out are expected in the winter of 2016/17.
7 Landlords may decide to exclude some tenants from eligibility for the right of return for some reasons, for example where there is a history of rent arrears or anti-social behaviour. These criteria should be defined in advance.
8 In line with local allocation policies.

CASE STUDY 8
MANAGEMENT OF THE MOVING PROCESS

The issue
The demolition and rebuilding of an estate in west London saw over 80% of residents choosing to move off the estate and slow take up of the replacement rented homes. Equally, none of the existing leaseholders chose to buy a replacement home on the new estate, despite the fact that they were newly built.

What happened
The landlord adopted a 'move once' policy. Secure tenants were given a choice of being rehoused elsewhere or in one of the new homes built on the estate. Tenants who were over-occupying were prioritised in bidding for choice-based lettings and those who were under-occupying were provided with a financial incentive to downsize. All tenants were provided with statutory home loss payments, reasonable costs and a disturbance allowance. The rehousing policy also provided for a discretionary payment in exceptional circumstances but none was requested.

Leaseholders were offered open market value plus a home loss payment (10% of the home's value) and had the opportunity to purchase a new build unit on the new estate at full market value or on equity share or shared ownership terms, according to their circumstances. None of the leaseholders chose these options.

The outcome
Over 80% of residents elected to be rehoused elsewhere and lettings for the rented units were slow with a disproportionate number of allocations going to homeless households. Many of the viewings were conducted while it was still an active building site and feedback indicated that the units were perceived to be small and dark.

Lessons learned
Following poor take up on the initial phase, the landlord decided that:

- Better marketing and communications was needed for the rented homes to promote take up and minimise unnecessarily empty homes;
- Design issues needed addressing, by avoiding single aspect units on subsequent schemes;
- There should be better joint working with Social Services to ensure vulnerable tenants are supported during the moving process;
- A closer focus on rehousing was called for, with a detailed live operational rehousing plan to monitor allocations, adaptations and support needs;
- Boilers and copper piping needed stripping out to reduce theft and flooding in empty homes;
- Skips were needed to prevent fly tipping by residents during moves.

as possible seek to quantify the number of existing tenants in one bedroom homes who will want to return, and assess how this number is likely to evolve across the lifetime of the project. If the landlord is keen to reduce this number further, they should attempt to do so through sensitive discussion with those tenants who need one bedroom homes, involving offers of alternative accommodation that are suitable and voluntary.

SHORT-TERM/TEMPORARY TENANCIES

54 Where a firm decision to undertake estate regeneration has been made, it is reasonable to avoid granting new long-term tenancies for empty properties in the estate. Any temporary uses of homes should be carefully considered for their impact on existing residents of the estate and be subject to consultation and engagement. This should include the benefits of such an approach, including its positive impact on reducing homelessness and helping to ensure homeless households are accommodated as close to their social networks and places of work as possible.

55 Where boroughs or housing associations propose to let homes on short-term tenancies they should ensure that new tenants are fully informed about any plans to regenerate the estate and are aware of their rights, including how they differ from those on secure tenancies. Short-term tenants should be regularly reminded of these differences to avoid confusion at a later stage.

LEASEHOLDERS[9]

56 The rights of resident and non-resident leaseholders in relation to compensation are set out in legislation.[10] Where it is necessary to acquire homes owned by leaseholders for the purposes of regeneration, landlords should always seek to do so by negotiation in the first instance. This should be based on a value of the leaseholder's home undertaken by an independent valuer, paid for by the landlord if the leaseholder requests it.

57 The Mayor believes that landlords should always offer market value (plus home-loss payments where appropriate) for leaseholders' homes in good faith in the first instance in order to incentivise leaseholders to sell, and therefore avoid a time-consuming compulsory purchase process. Landlords should also look positively at paying for other costs that might be borne by leaseholders, such as the cost of moving home or setting up new utility connections.

9 For the vast majority of London's estates the owner-occupiers will be leaseholders but this is used as short-hand for owners and therefore includes the minority of affected freeholders.
10 s5 of the Land Compensation Act 1961 [as amended 1973]

58 The Mayor considers it good practice for the following options to be offered to resident leaseholders:

- The market value for the leaseholder's home as determined by independent valuation; and
- The right to return to a new home on the regenerated estate on at least either: a shared equity basis, where the leaseholder owns a proportion of the new home equivalent to the value of the property that they gave up, with no rent payable on the remaining 'unsold' share, and with the leaseholder allowed to retain any uplift in the value of their share of the new property between the point of purchase and any eventual sale; or a shared ownership basis, where the leaseholder owns a share of a new affordable home, is able to increase the share owned over time, and may pay rent on the remaining share to the borough or housing association in the meantime.

59 In addition to the above, other innovative ways are encouraged to support leaseholders to move to alternative accommodation that meets their needs and which could enhance the speed of, and satisfaction with, the regeneration process.

60 Non-resident leaseholders have different statutory entitlements to resident leaseholders in terms of compensation. Notwithstanding this, landlords should approach the purchase of their homes with the intention of securing them by agreement and avoiding a compulsory purchase process. If non-resident leaseholders return to their home on the estate before or during the regeneration process, landlords should take into account the length of their residency before offering them resident leaseholder re-housing options.

Good practice in a fair deal for tenants and leaseholders:

- Social tenants fully compensated for their inconvenience, and given high priority for rehousing;
- Social tenants only to move once where possible, and otherwise offered full rights to return to suitable homes with same or similar rents;
- Market value plus appropriate home-loss payments offered to leaseholders, with resident leaseholders offered shared equity or shared ownership on the regenerated estate;
- Private tenants made aware of their options and rights, including signposting towards alternative housing options, and short-term tenants fully informed about the regeneration plans;
- Extra support and assistance offered to vulnerable or protected groups.

SUMMARY/CHECKLIST OF KEY REQUIREMENTS

Aims and objectives for estate regeneration

- Are the aims and objectives transparently and clearly stated?
- Have there been meaningful opportunities for engagement from all stakeholders, with residents' view being primary?
- Has the most appropriate combination of interventions been considered, including repair, refurbishment, investment, infill, demolition & rebuild?
- If demolition and rebuilding has been chosen as part of an estate regeneration, is this only happening where it does not result in a loss of social housing, or where all other options have been exhausted?
- Will the proposed regeneration improve the appearance of the estate and surrounding area?
- Is there proactive monitoring of outcomes in place, with resident involvement?

Consultation and engagement with residents

- Has consultation been transparent, extensive, responsive and meaningful?
- Are all the viable options set out, with supporting data shared as early as possible?
- Has there been consideration of the costs and benefits, both in financial and social terms, of all viable options against 'doing nothing'?
- Have social tenants and resident leaseholders been engaged primarily, and relevant views considered from other affected parties, including private tenants, non-resident leaseholders, and business/ community tenants?
- Has an appropriate range of methods of engagement been used?
- Has there been support for residents to participate meaningfully?
- Have 'interim offers' to residents been explored?

A fair deal for tenants & leaseholders

- Have social tenants been fully compensated for inconvenience and given high priority for rehousing?
- Will social tenants be moved only once where possible and otherwise offered full rights to return to suitable homes at the same or similar rents?
- Have full market value and appropriate home-loss payments been offered to leaseholders?
- Have resident leaseholders been offered shared equity or shared ownership on the regenerated estate?
- Have private tenants been made aware of their rights and options and signposted towards alternative housing options, with short-term tenants fully informed about regeneration plans?
- Has extra support and assistance been offered to vulnerable or protected groups?

APPENDIX
EXISTING PLANNING POLICY (PUBLISHED BY THE PREVIOUS MAYOR)

CURRENT LONDON PLAN POLICY ON ESTATE REGENERATION

1 This section sets out the relevant existing planning policies in the London Plan in relation to estate regeneration. The Mayor is currently reviewing the London Plan and is seeking publish a new Draft London Plan by Autumn 2017 and adopt a new London Plan by 2019. It is his intention that the principles set out in this guide are, as far as possible, adopted in this. For planning decisions taken ahead of the new London Plan being adopted, the Mayor must rely on policy in the existing London Plan.

2 Existing London Plan policy 3.4 resists the loss of affordable housing unless this is replaced at existing or higher densities with at least the equivalent amount of floorspace reprovided. This principle also applies to other tenures and types of housing.

3 Existing London Plan paragraph 3.82 confirms that the redevelopment of affordable housing should not be permitted unless it is replaced by better quality accommodation and at least the equivalent amount of affordable housing floorspace.

4 The same paragraph sets out the local circumstances which should also be taken into account when considering proposals for estate regeneration, this includes:

- The regeneration benefits to the local community;
- The proportion of affordable housing in the surrounding area and the need to provide mixed and balanced communities; and
- The amount of affordable housing intended to be provided elsewhere in the borough.

5 Existing London Plan policy 3.9 'Mixed and Balanced Communities' encourages a more balanced mix of tenures and household incomes across London through small and large scale development, particularly in some neighbourhoods where social renting predominates and there are concentrations of deprivation.

6 Existing London Plan policy 3.12 states that the maximum reasonable amount of affordable housing should be sought when negotiating on private residential and mixed use schemes, having regard to local and strategic affordable housing requirements; affordable housing targets; the need to encourage rather than restrain development; the need to promote mixed and balanced communities; the size and type of affordable housing needed in particular locations; the specific site circumstances; the resources available to fund affordable housing; and the priority to be accorded to affordable family housing.

7 Existing London Plan policy 3.11 states that boroughs should seek to maximise affordable housing provision and ensure an average of at least 17,000 net additional affordable homes per year over the plan period.

8 A wide range of other existing London Plan policies may also be relevant to estate regeneration schemes including those on design and heritage, housing choice, play space, social infrastructure, climate change and energy efficiency and transport.

THE HOUSING SUPPLEMENTARY PLANNING GUIDANCE (PUBLISHED MARCH 2016)

9 The GLA publishes Supplementary Planning Guidance (SPG) to provide greater detail on how to interpret and implement some of the policies in the London Plan.

10 A Housing SPG was published under the previous Mayor in March 2016[11], and so whilst the detailed policy still applies in current planning terms, it does not necessarily reflect the views or direction of travel of the current Mayor.

11 The March 2016 Housing SPG provides further advice on how the reprovision of affordable housing should be assessed in estate regeneration schemes in terms of calculating no net loss. This confirms that:

- Net loss calculations can be made on the basis of habitable rooms rather than dwellings where the redevelopment of an estate is providing a housing mix that is more appropriate to the needs of both existing and prospective future residents – for example, where an increased provision of family dwellings is proposed.
- Former social rented properties sold under right to buy/right to acquire should be categorised as market sector housing.
- The objective of no net loss should generally be achieved without taking into account areas outside the estate boundary (but can include non-residential spaces within the overall estate boundary, e.g. underused open space).
- To achieve no net loss, significantly increased density may be necessary in order to increase the viability of schemes and achieve a more mixed and balanced community.

11 Note this Housing SPG, published in March 2016 by the previous Mayor, should not be confused with the current Mayor's Draft Affordable Housing and Viability SPG, published in November 2016.

12 In terms of affordable housing tenures on estate regeneration schemes, the SPG advises that:

- The replacement of social/affordable rented homes by intermediate housing may be acceptable where it can be robustly demonstrated that this would achieve a more appropriate housing mix in a neighbourhood or borough;
- The replacement of social rent by affordable rent provision may be necessary to maximise overall affordable housing provision.

13 In terms of design, the SPG encourages the redevelopment of estates to maximise active frontages and minimise inactive frontages in order to increase activity and overlooking.

14 In terms of public consultation, the SPG underlines the fact that 'effective engagement' should be an integral part of the estate renewal process.