Implementing the Resident Ballot Requirement: guidance for Area Teams on advising on what constitutes a social housing estate

1. The Mayor's Resident Ballot Requirement (RBR) for estate regeneration projects was introduced in July 2018, to ensure that, where strategic estate regeneration projects involve the demolition of affordable housing, the GLA funding only supports them if residents endorse proposals. This is to make sure that GLA funding only supports estate regeneration projects if residents have had a clear say in plans and support them going ahead.

2. It is necessary to identify the boundary of an estate to run a ballot open to all eligible residents.

3. The funding condition, outlined in chapter eight of the Mayor's Affordable Housing Capital Funding Guide (CFG), recognises that it may not always prove straightforward to identify what constitutes a social housing estate in the course of implementation (8.3.2). This is an area on which Investment Partners (IPs) may seek advice from Area Teams, in line with paragraph 8.3.2 of the CFG. Such requests can prove challenging for Area Teams, not least because their knowledge of an estate may come primarily from the relevant IP. This note is intended to assist Area Teams with providing such advice.

4. When providing advice to IPs, Area Teams should bear in mind that the RBR applies to "an existing social housing estate" (8.3.2), rather than to part of an estate or to multiple estates. Accordingly, the boundary an IP uses for the purposes of balloting residents should neither cover just part of an estate, nor encompass multiple estates.

5. However, the CFG recognises that it may not be easy to define what constitutes an estate (8.3.2). There may be multiple potential ways of defining an estate boundary.

6. Where this is the case, Area Teams should frame their advice with reference to the following aspects of the CFG and the factors set out at paragraph 8 of this note.

    • The area of the estate (and thus eligibility to vote) may be broader than the area where regeneration is proposed (8.5.12).

    • An estate is often distinguished by "shared characteristics" (8.3.2). (Paragraph 8 suggests characteristics that may be relevant.)

    • An estate will not typically include "pepper-potted street properties that IPs own that are situated close to an existing social housing estate", but it may include "streets of properties an IP owns that are situated adjacent to an existing social housing estate" (8.3.2). This implies that homes on an estate will typically be adjacent and not separated by other homes.

    • Artificial partitioning of an estate is not allowed (8.3.5 and 8.7.4).

7. Where it is unclear what constitutes the estate boundary, or where the boundary could be defined in more than one way, it is incumbent upon the IP to propose a boundary with a clear rationale.

8. The following (non-exhaustive) list may be pertinent considerations for the IP in determining an estate boundary. It is likely that an IP will be able to point to more than one of the following when setting out its rationale.

- residents' conceptions of what constitutes their estate and ways of referring to where they live

- usage of an estate name, for example, maps and signage and/or in postal addresses

- the typology and/or age of buildings

- geographical boundaries, such as roads, train lines, open spaces, and waterways, which may define the edge(s) of an estate

- the views of the local authority, where it is not the IP

- the ownership and/or management of homes, including factors such as

  o which homes were transferred to the IP in any historic stock transfer

  o the way in which service charges are apportioned

- the geographical scope of representative organisations, such as tenants' and residents' associations, for which residence on an estate is a requirement of membership

9. Any advice provided by the Area Teams to IPs as to how to approach the issue of identifying the estate boundary is for guidance purposes only and does not constitute approval by the GLA of the proposed estate boundary.