

Notice of Non-Key Executive Decision

Subject Heading:	Farnham and Hilldene Estate - Resident Ballot Arrangements
Decision Maker:	Councillor Paul McGeary – Cabinet Member for Housing & Property
Cabinet Member:	Councillor Graham Williamson – Cabinet Member for Development & Regeneration
ELT Lead:	Paul Walker – Interim Director of Housing & Property
Report Author and contact details:	Akhil Bakhda Project Manager (Regeneration) e:akhil.bakhda@havering.gov.uk t: 01708 434692
Policy context:	Housing Asset Management Plan The Havering Wates Joint Venture Business Plan The HRA Business Plan Update and Capital Programme
Financial summary:	A positive outcome of the resident ballot vote (conducted in compliance with GLA guidelines) will ensure access to GLA funding to provide crucial financial support for the total redevelopment of the Farnham and Hilldene Estate. The scheme aims to provide essential new affordable housing.
Relevant Overview & Scrutiny Sub Committee:	Places Overview & Scrutiny.
Is this decision exempt from being called-in?	Yes - exempt from call-in, as it is a Non-key Executive Decision

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The subject matter of this report deals with the following Council Objectives

People - Supporting our residents to stay safe and well X

Place - A great place to live, work and enjoy X

Resources - Enabling a resident-focused and resilient Council X

Part A – Report seeking decision

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Background

In 2018, the GLA introduced the requirement for Strategic Estate Regeneration Projects meeting certain criteria to conduct a Resident Estate Ballot before drawing-down grant funding for the project. This requirement aims to involve residents in the development of their area and secure their support for the regeneration project.

Strategic Estate Regeneration Projects are defined as those involving:

- Demolition of any affordable or leasehold homes whose freehold or long leasehold a Registered Provider owns on an existing social housing estate, and/or the demolition of any freehold properties previously acquired under the Right to Buy, Right to Acquire, or Social Home Buy schemes on an existing social housing estate; and
- Construction of at least 150 new homes, regardless of tenure, within the boundaries of an existing social housing estate (the new scheme will provide 479 homes)

The Farnham and Hilldene Estate Regeneration fulfils the above criteria to be defined as a Strategic Estate Regeneration Project and can therefore benefit from GLA funding which vital to the scheme being deemed viable.

The scheme has so far been awarded £5.3m toward 42 affordable homes in the first development phase. We continue to work closely with the GLA to secure further funding for the scheme.

All Resident Estate Ballots must be conducted in line with GLA guidelines set out in Section 8 of the Capital Funding Guide.

The principles of a Resident Estate Ballot:

- Ballots must offer a “yes or no” vote to eligible residents on the Landlord Offer – the IP’s proposals for the future of the estate
- A positive ballot is one where there is a simple majority of those eligible residents voting that choose “yes” – that is, in favour of the Landlord Offer to regenerate the estate. There is no minimum threshold for turnout in a ballot.
- The question posed in a ballot must be as unambiguous and direct as possible
- Compliance with the GLA’s requirements will be confirmed through the completion of the GLA Resident Ballot Compliance Checklist, which must be signed by the Independent Body
- The Council must offer an appropriate range of ways to vote to encourage eligible residents to participate.
- Where residents are invited to cast their votes in a ballot box, such a box should be placed in a neutral venue and not in the vicinity of any publicity encouraging a vote either way.
- Ballot papers should be delivered to eligible residents under separate cover from any consultation material and/or the Landlord Offer

[8. Resident Ballots for Estate Regeneration \(london.gov.uk\)](https://www.london.gov.uk/8.01/resident-ballots-for-estate-regeneration)

The Landlord Offer:

The Landlord Offer is a requirement of the ballot process and constitutes an offer to residents regarding their specific entitlements if a positive ballot outcome is achieved and the scheme goes ahead. The document sets out the broad vision, priorities and objectives for the estate regeneration, and must include:

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- Design principles of the proposed estate regeneration
- Estimated overall number of new homes
- Future tenure mix
- Proposed associated social infrastructure
- Details of the full right to return or remain for social tenants living in homes that are to be demolished
- Details of the offer for leaseholders and freeholders of homes that are to be demolished
- Commitments relating to ongoing open and transparent consultation and engagement
- A map showing the current boundary of the estate and a further map showing the proposed new boundary (if there is a change)
- The vote period must end within 6 months of the landlord offer being published

The proposed Landlord Offer is included as **Appendix A** to this report.

Residents Eligible to Vote:

All residents aged 16 or over at the time that the Landlord Offer is published meeting the following criteria:

1. Secure council tenants no longer living on the estate that have the 'right to return' (est. 86 tenants + 16 occupants)
2. Secure council tenants living on the estate (0 secure tenants remain on the estate)
3. Council tenants in short term / temporary accommodation (known to the Council for at least 1 year at the time the Landlord Offer is published) (est. 109 tenants + 19 occupants)
4. Freeholders within the estate boundary where the property is their main residence (0 freeholders on the estate)
5. Leaseholders within the estate boundary where the property is their main residence (est. 1 leaseholder on site using the property as their main residence)

The total estimated number of eligible voters (at the time of writing) is 231

Residents Not Eligible to Vote:

1. Commercial property owners (e.g. shops)
2. Council tenants in short term / temporary accommodation (known to the Council for less than 1 year at the time the Landlord Offer is published) (est. 3 residents)
3. Secure council tenants no longer living on the estate that have lost the 'right to return' (est. 13 residents – e.g. moved out of borough, RTB etc.)
4. Leaseholders on site where the property is not their main residence (0 – the single leaseholder on the site is currently living in the property)

The elections administrator will write to all residents that we believe do not meet the voting criteria to confirm their circumstances and assess whether they are eligible to vote.

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How the Ballot Vote is Conducted:

The ballot vote process is administered by an external adviser, Civica Election Services. Civica specialise in elections and have experience in conducting ballot votes across London.

The programme details and steps are set out in **Appendix B**.

In the Event of a Negative Ballot Result:

If more residents vote 'No' than 'Yes' to regeneration, the ballot has a negative result. The council would have the following options available:

- Review the offer to residents and conduct a new ballot vote (there is no limit to the number of re-ballots that can take place)
- Decide to proceed with the regeneration scheme without grant funding support from the GLA
- Pause or cancel the regeneration scheme

Consultations and Feedback to Date:

Regular consultations have taken place with residents since the scheme's concept stage in 2016, where residents told us they would prefer a full scale regeneration scheme to the other option of adding a storey to the existing site.

Feedback from residents on the regeneration proposals in the Landlord Offer have been very positive with most residents very keen for the scheme to progress quickly as it aims to resolve many of the current ASB and security issues in the area.

Recommendation:

It is recommended that the Cabinet Member for Housing approves the content of the Landlord Offer as set out in Appendix A to this report for publication and the ballot timeline as set out in Appendix B to this report relating to the Resident Estate Ballot for the Farnham & Hilldene Estate.

AUTHORITY UNDER WHICH DECISION IS MADE

The Cabinet report approved on 17 March 2021 which set out the initial plans for the Harold Hill Town Centre regeneration projects contained the following delegation:

Agree to delegate to the Lead Member for Housing, after consultation with the Director of Regeneration, authority to approve the consultation, Farnham and Hilldene district town centre ballot and communication plans for the regeneration of the Farnham and Hilldene district town centre and Chippenham Road

It should be noted that following revisions to the Council's staff structure, the Director of Regeneration post has been replaced with the post of Director of Housing & Property

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STATEMENT OF THE REASONS FOR THE DECISION

The report recommends that the proposals are agreed in order to secure key external funding from the Greater London Authority for the Farnham and Hilldene Estate regeneration schemes.

Without external financial support the regeneration proposals are not viable.

OTHER OPTIONS CONSIDERED AND REJECTED

Option: To not proceed with the Resident Ballot Vote

This would prevent the drawdown of GLA funding toward the Farnham and Hilldene Estate Regeneration scheme. Not receiving external funding has a negative impact on viability, therefore this option was rejected.

PRE-DECISION CONSULTATION

No formal consultation is required to proceed with the recommendations in this report.

The Landlord Offer document has been shared with relevant colleagues and departments for review including:

AD for Housing Demand
Director of Living Well
Director of Housing & Property
AD for Regeneration & Place-shaping
Strategic Director of Place
Legal Services

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Akhil Bakhda

Designation: Regeneration Manager

Signature:  Date: 02/10/2024

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The GLA's Affordable Housing Capital Funding Guide, which contains the rules and procedures for GLA investment partners that use funding from the GLA to provide affordable housing. The funding condition requires resident ballots to be undertaken in strategic estate regeneration projects involving any demolition where GLA funding is sought. It also states that any GLA funding that is used in significant estate regeneration projects involving any demolition should be conditional on recipients of funding providing evidence that a positive vote through a ballot of eligible residents has been secured.

Details regarding arranging a ballot on proposed estate regeneration projects are set out in section 8 of the GLA's Affordable Housing Capital Funding Guide ("the GLA's Guide) and those details are summarised above in this report.

Section 8 of the GLA's Guide also states what needs to be set out in the Landlord Offer document. The GLA's Guide also states that the ballot period must end within six months of the date the Landlord Offer is published. Section 8 of the GLA's Guide also states that the question posed in a ballot must be as unambiguous and direct as possible and compliance with this requirement will be confirmed through the completion of the GLA Resident Ballot Compliance Checklist, which must be signed by the Independent Body, which is Civica Election Services for this resident estate regeneration ballot.

The main body of this report sets out the alternative options in the event of a no vote in the resident estate regeneration ballot for the Farnham and Hilldene Estate.

FINANCIAL IMPLICATIONS AND RISKS

Proceeding with the ballot offer as outlined in Appendix A will not incur any direct financial liabilities beyond what has already been budgeted. A total of £300,000 has been allocated within the existing HRA Capital Programme (C39070 12 Sites – Resident Estate Ballots), of which £257,000 has been spent to date. The remaining funds will cover residual liabilities for printing and consultant costs.

A successful ballot outcome would unlock capital funding from the GLA, allowing the redevelopment of the Farnham Hilldene estate to proceed, subject to viability.

Risks:

An unsuccessful ballot could jeopardize the redevelopment plans for the Farnham Hilldene estate. If these plans are subsequently withdrawn, the Council would need to allocate sufficient capital to maintain the buildings in a lettable condition.

Any costs directly associated with progressing the ballot would be written off against HRA revenue resources.

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HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no human resources implications arising as a result of the recommended actions from this report.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An EqHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion this isn't required.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are no equalities and social inclusion implications and risks associated with this decision and the decision aligns with the Council's commitment to equality.

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ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

Design out Waste

- Design for Waste Efficient Procurement
- Design for Materials Optimisation
- Design for Off-Site Construction
- Design for Re-use and Recycling
- Design for Deconstruction

Low Carbon Living and Lifestyles

- Safe cycling infrastructure
- Proximity of local services
- Electric car charging points
- Pedestrian and walking routes available through the development
- Design will encourage use of alternatives to individual car ownership
- On plot heat sources such as Air Source Heat Pumps will likely be instituted
- Mechanical Ventilation Heat Recovery systems will likely be instituted
- Homes will be built to Future Homes standards and current Building Regulations
- This project will record and monitor both embodied and operational carbon by the appointed consultant

Biodiversity & Urban Greening

- Early and continued engagement with and between ecologists and landscape architects will give the best chances of maximising outcomes for nature and wellbeing without compromising other aspects of design.

Sustainable Urban Drainage System (SuDS) Legal Requirement

- In England, the revised National Planning Policy Framework states that major developments should incorporate SuDS unless it would be inappropriate to do so.

Other Implications

- Impacts on air quality, noise, flooding, wind/microclimate and daylight/sunlight will be measured, surveyed and mitigated through design and planning obligations.

BACKGROUND PAPERS

[8. Resident Ballots for Estate Regeneration \(london.gov.uk\)](https://www.london.gov.uk/what-we-do/what-we-are-doing/8-resident-ballots-for-estate-regeneration)

APPENDICES

Appendix A	Farnham and Hilldene Estate Regeneration Landlord Offer
Appendix B	Resident Ballot Vote Programme

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Part C – Record of decision

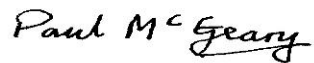
I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed



Name: Councillor Paul McGeary

Cabinet Member for Housing

Date: 2nd October 2024

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____