

## **London Borough of Hammersmith & Fulham**

### **Earls Court & West Kensington Local Lettings Plan**

#### **Interim Statement**

#### **1. Summary**

- 1.1 This document sets out how Hammersmith & Fulham Council intends to adopt and deliver a local lettings plan for eligible residents of the Earls Court & West Kensington regeneration scheme area. This document is an interim statement, which forms the framework of what the final Local Lettings Plan will comprise. It will be the subject of further development, detail and consultation with the West Kensington & Gibbs Green Steering Group, before formal adoption in line with legislative requirements.

#### **2. Background**

- 2.1 Gibbs Green and West Kensington estates are council housing estates built in the early 1960s and 1970s respectively to provide social housing. Each of the estates includes a number of properties owned by leaseholders/freeholders (originally bought under the right to buy) who are either residents or who have let out their homes for private rented purposes. There are a number of properties owned by the Council and rented to secure tenants. There are a further three Registered Providers (also known as housing associations) who rent to assured tenants and provide a combined total of 58 homes for social housing purposes. The Earls Court West Kensington Opportunity Area was first identified in 2009 as an area for regeneration and the Council has been consulting on the possible regeneration since this time.

#### **3. Vision**

- 3.1 The Council is seeking to comprehensively regenerate the local area. It is aiming to create a better place to live and work in tandem, address the high levels of deprivation and physical decline that the area currently exhibits. The scheme is expected to provide over 9,000 new jobs as well as the provision of 7,500 new homes. The regeneration scheme is planned to achieve a transformational change to both estates and the surrounding area. Outcomes will include new town centres; improved transport infrastructure; improved economic health of businesses; and providing new community infrastructure to benefit the wider North Fulham area in which this scheme is located. The site will deliver significant economic growth and provide a new gateway to London, as well as re-providing 760 brand new homes for those eligible residents who live in the area presently.

- 3.2 The Council's proposals are underpinned by the Mayor of London's London Plan, which features the Earls Court and West Kensington scheme as one of his 33 Opportunity Areas. Along with White City and Old Oak, the Earls Court West Kensington Opportunity Area is one of three opportunities in Hammersmith & Fulham to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.
- 3.2 The Council's vision for Earls Court West Kensington Opportunity Area to regenerate the local economy and provide new housing is identified in our Local Development Framework Core Strategy. The Earls Court West Kensington Opportunity Area is one of the Council's 5 key regeneration opportunity areas for growth in the borough. The Council have also identified Earls Court West Kensington Opportunity Area as a key theme within the Council's Corporate Plan to regenerate the borough.
- 3.3 The scheme is also identified as a priority in two key housing documents: the Council's Borough Investment Plan (Dec 2011) and Draft Housing Strategy (May 2012) which is expected to adopted in October 2012.
- 3.4 The final Local Lettings Plan is intended to facilitate the relocation of eligible residents from the current West Kensington and Gibbs Green estates as well as those occupying Registered Provider properties (all identified in section 4 below) to enable the comprehensive regeneration of the Earls Court and West Kensington Opportunity Area.

#### **4. Area Affected**

- 4.1 The properties affected by the local lettings plan include Gibbs Green estate, West Kensington estate and the Registered Provider (RP) infill properties. The street or block names of these properties are:

##### **Homes that are Council Owned & Managed (including leaseholders & freeholders)**

Churchward House (1-88)  
Fairburn House (1-88)  
Gibbs Green estate (1-38; 101-160)  
Aisgill Avenue  
Stanier Close  
Ivatt Place  
Marchbank Road  
Sharnbrook House (1-40)  
North End Road (1-8)  
Desborough House (1-80)  
Lickey House (1-80)  
Bellamy Close

Franklin Square

**Family Mosaic Housing Association**

Leery Close (1-6)  
Thaxton Road (1-15 – odd numbers)  
Dieppe Close (1-28)

**London & Quadrant Housing Association**

Marchbank Road (63-71 – odd numbers)  
Aisgill Avenue (14 a,b,c&d)

**Shepherds Bush Housing Association**

Garsdale Terrace (1 -7)

- 4.2 There are 191 private car parking spaces on the estate in garages, car ports and hard-standings. In addition, there are approximately 350 parking spaces dedicated to permit parking within the estate boundary. Across the two estates 189 households enjoy the use of their own private gardens
- 4.3 The replacement housing for secure tenants and assured tenants will be primarily defined by the housing needs of the residents in the first phase of re-housing. More detail on the mix and location of the replacement housing will be feature in the final Local Lettings Plan.

**5. Guiding Principles to the Council’s Approach**

- 5.1 The Local Lettings Plan will be governed by the following guiding principles:
- Residents will be consulted on all the policies and their views, where possible, will be taken into account.
  - The Council will establish a Local Lettings Plan Working Group to oversee the development and implementation of the Plan.
  - This Local Lettings Plan will operate within the legal and regulatory framework and the policies of the Council.
  - This Local Lettings Plan must support the sustainable management of the estate during the regeneration programme period.
  - The Council will be sensitive to equalities issues which may arise during the local lettings plan process and have regard to relevant

legislation. This will include taking account eligible residents' special needs.

- Residents must sign the relevant contract to be eligible for the full terms of the re-housing offer.
- The Council can only proceed with the local lettings policy once the Conditional Land Sales Agreement (CLSA) is signed.
- Eligibility for the scheme will be determined by the tenancy /ownership status of the resident concerned.
- Resident homeowners will only be eligible for the move to the new site if they have lived at their property a year from the 'Effective Date'<sup>1</sup>.
- For the purposes of this document, a social housing tenant or tenants (i.e., joint tenants) are deemed to include those who are registered members of the household who are eligible for re-housing under the terms of the final Local Lettings Plan.
- The Council will freeze its re-housing obligations for registered members of the household from the 31<sup>st</sup> October 2012. However, registered members of the household will have to have been in occupation a year prior to this date.
- Any compensation payments made will be offset against accrued debt with the Council, e.g., rent arrears.
- Eligible residents will include secure tenants of the council; homeowners (i.e. former secure tenants who have exercised their right to buy and are now freeholders and leaseholders of the council); assured tenants of housing associations (also known as Registered Providers), who will be entitled to the local lettings plan offers set out in this document.
- Tenants of private sector landlords (whether assured shorthold tenants or on other forms of private tenure terms) will **not** be eligible for rehousing under the terms described in this Interim Statement and the final Local Lettings Plan. The Council will assist with their relocation where necessary under the policies set out in the Housing Allocation Scheme.

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<sup>1</sup> The Effective Date is the date on which the Council will make these Leaseholder/Freeholder Contracts available to homeowners. The date is dependent upon key approvals being in place, giving more certainty that the scheme can go ahead. The approvals that need to be in place are as follows: the grant of satisfactory planning permission on the main development site along with the signature of any related planning agreements, the consent of the Secretary of State for the Council to sell its housing land and the Council signing the CLSA with EC Properties Ltd. The date that all of these key approvals have been secured is the Effective Date.

- The primary objective of the Local Lettings Plan will be to facilitate the successful relocation of all eligible residents from existing homes to new accommodation. An additional objective is to help ensure that the relocation process and associated management issues does not detrimentally impact on the successful management of the estate and the remaining residents' well being.
- Acknowledging the long timeframe for the regeneration scheme, proposals for 'meanwhile uses' for the housing that is vacated by relocated households will be developed which will reflect the priorities and policies set out in the Council's Housing Allocation Scheme. Where households are allocated homes on a 'meanwhile use' basis, they will **not** be entitled to rehousing under the terms set out in this Local Lettings Plan Interim Statement and the final Local Lettings Plan.

## **6. Key Commitments**

6.1 The following commitments are made to eligible residents affected by the regeneration scheme as described in Section 3 of this document:

- Eligible residents will receive the offer of a brand new home
- Existing secure tenants' rights will be unaffected by the move, except where there are specific circumstances that will be made clear during the process.
- All residents will be expected to move only once
- If residents wish to move to an area outside the regeneration scheme area (including outside Seagrave Rd) they will be supported with their re-housing aspirations
- Resident homeowners will not be expected increase borrowing to purchase an affordable home in the site.
- Service charges will be capped for 5 years for resident homeowners who move to the redeveloped site. Service charges will be capped for secure tenants who move to the redeveloped site.
- Where possible, the Council will seek to facilitate 'group moves' (where 2 or more households wish to be re-housed in close proximity to each other) that have been requested by residents.
- An under-occupying secure tenant or assured tenant will be offered a new home that meets their bedroom need in line with the Housing Allocation Scheme policy in place at the time, plus one bedroom

- Statutory Home loss and discretionary disturbance payments will be paid
- Compensation will be paid for loss of garage/car parking spaces (secure tenants), loss of private garden space (secure tenants), and major works service charges (resident homeowners).

## **7. Quantum and Cohorts of Housing Need**

- 7.1 There are up to 760 households to be re-housed from the site, who are primarily families with 2, 3 & 4 bedroom housing need. It is likely that some households will want to use the regeneration scheme as an opportunity to move out of the area, whether they are secure or assured tenants or are resident or non resident homeowners.
- 7.2 Households which are secure tenants will be eligible to be re-housed and there will also be the opportunity for tenants of Registered Providers to be included in the regeneration scheme. Those existing residents who are private tenants will have no eligibility for a move to the redeveloped site, however, the Council will provide support for private tenants and their housing needs through the Council wide service we already offer.
- 7.3 In seeking to meet identified cohorts of need within the households that need to be re-housed, the Council will establish links with the local community services to assess local housing needs of residents with physical disabilities, learning difficulties and any other needs that need to be taken into consideration. The Council will set up an Advocate System where the resident can opt to have their matters dealt with by a nominated Advocate, usually a close family member or other appropriate person.
- 7.4 Residents who currently occupy private sector housing (including homeless households registered with the Council) will be assessed on a case by case basis in line with the Council's Housing Allocation Scheme, but will **not** be eligible for the housing offers set out in this document. Where homes are allocated on a 'meanwhile use' basis (as described in section 5.1, final bullet point), these residents will similarly **not** be eligible for the housing offers set out in this document.

## **8. Timeframe**

- 8.1 The developer has planning permission to build housing on the Seagrave Rd site within the regeneration area. This will provide the first 200 homes for residents to move from the West Kensington and Gibbs Green regeneration. The first 150 of these homes on Seagrave Road are expected to be ready for occupation by 2015 which will enable the start of the first (advanced) phase of the final Local Lettings Plan.

- 8.2 The further phases may be developed from 2015 based on the re-provision of the housing within the regeneration area. The Council can serve notice to terminate the CLSA if the developer has not served its trigger notice (confirming its commitment to make advance payments and to preserve its rights to proceed with the development in accordance with the phasing plans) within 9 months of the first 150 properties being built on Seagrave Road or 31 December 2017.

## **9. Housing Allocation Scheme**

- 9.1 The policy framework for the rehousing approach will be governed by the Council's Housing Allocation Scheme, likely to be substantially the May 2012 Draft document currently out to consultation. Detail is set out in sections 4.19 – 4.24 of the Draft scheme. The Housing Allocation Scheme is expected to be adopted in October 2012.

## **10. Advanced Local Lettings Plan – Seagrave Rd**

- 10.1 To help deliver the early phase of the Local Lettings Plan, the Council will deliver an Advanced Local Lettings Plan (that will be set out in the final version of this Plan) which will cover:

- Those secure tenants who do not wish to move to the regeneration scheme site. Secure tenants who opt for this, will be offered a transfer to another Council secure 'lifetime' tenancy and will still be eligible for home loss and disturbance compensation, provided they have been resident since the 'freeze' date and have been resident 1 year prior to the need to be re-housed. Where secure tenants express a preference for a housing association tenancy, this will be let on an assured 'lifetime' tenancy. Such an option will not constitute an offer under the terms of the final Local Lettings Plan. Secure tenants who opt for this option will not be eligible for a transfer back to the regenerated site or eligible for the enhanced compensation package. If tenants wish to move to an alternative area outside the Hammersmith & Fulham area, the Council will use the appropriate channels to support this request.
- Those secure tenants wishing to move to Seagrave Road if there are surplus properties available after the first phase of residents have been re-housed. These will be prioritised on the following basis :
  - Tenants who are vulnerable and/or whose housing needs are affected by medical conditions
  - The floor level of available properties
  - Those residents who wish to move from a house to a flat or maisonette
  - Residents most affected by demolition and construction works

- Date of registration for the ‘Advanced Local Lettings Plan’
- Where all other factors are equal, preference will be given to the resident with the earlier date the relevant contract was signed

## **11. Buy Back of leasehold & freehold properties and Local Lettings Plan Options**

- 11.1 The Council will develop a Buy Back Policy which will encompass the leaseholder and freeholder contracts which will be made with resident and non resident homeowners after the Effective Date. .
- 11.2 The Council will engage a ‘Buy Back’ officer who will lead on the negotiations of the purchase of the interest and the offer of a discounted sale for a new home in the redeveloped site. Resident homeowners will not have to increase their mortgage in their move to the new site.
- 11.3 The Council will engage in separate discussions with each of the 3 Registered Providers and make a fair and reasonable offer...

## **12. Equalities**

- 12.1 In developing and delivering the final version of this Local Lettings Plan, the Council will have regard to the needs of equality groups and potential positive and negative impacts when preparing the equalities impact assessment initial screening document.

## **13. For Further Information Contact:**

- 13.1 Dan Hollas, Project Officer, Housing & Regeneration Department; tel 020 8753 3334; [dan.hollas@lbhf.gov.uk](mailto:dan.hollas@lbhf.gov.uk); [www.lbhf.gov.uk](http://www.lbhf.gov.uk)



**Appendix 1**

**Table of Policies**

<b>Policy</b>	<b>Secure (Council) Tenant</b>	<b>Assured (RP) Tenant</b>	<b>Resident Homeowner</b>	<b>Non resident homeowner</b>	<b>Private tenant</b>
<b>Local Letting Policy</b>	✓	✓	x	x	x
<b>Advanced Local Letting Policy</b>	✓	x	x	x	x
<b>Buy Back Policy</b>	x	x	✓	✓	x
<b>Home loss &amp; Disturbance Policy</b>	✓	✓	✓	✓	x
<b>Decent Homes Policy</b>	x	x	✓	✓	x
<b>Loss of Private Garden Policy</b>	✓	✓	x	x	x
<b>Loss of Car Parking space</b>	✓	✓	x	x	x
<b>Long Term Secure Tenant Policy</b>	✓	x	x	x	x

