



London Borough of Hammersmith & Fulham

CABINET

13 MAY 2013

HOUSING ESTATE INVESTMENT PLAN UPDATE

Report of the Cabinet Member for Housing, Councillor Andrew Johnson

Open Report

Classification - For Decision

Key Decision: Yes

Wards Affected: Askew, Sands End and Town

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1. EXECUTIVE SUMMARY

- 1.1. This report updates Cabinet on progress against the Housing Estate Investment Plan (HEIP) for Fulham Court and Barclay Close estates and recommends allocation of additional ring-fenced budget from the decent neighbourhoods fund for the delivery of the detailed investment proposal.
- 1.2. The report also recommends that a further three estates, Sullivan Court, Becklow Gardens and Emlyn Gardens, should be taken forward as a second phase of HEIP and that consultation should begin with residents and stakeholders on a detailed investment plan for these estates.

2. RECOMMENDATIONS

- 2.1. That approval be given, subject to section 20 leaseholder consultation, to the full scope of works for Fulham Court and Barclay Close Estates as described in section 5 and Appendix 1 and to the allocation of a further £1.82m from the total budget for this project held in the Decent

Neighbourhoods fund of £3.469m to deliver phase two of the works and that Cabinet notes that the first phase of works came in £0.15m under budget. (Cabinet should note that the £3.469m represents the balance remaining of the original budget of £4.057m approved by Cabinet on 11 January 2010 following the construction of the Tudor Rose Centre).

- 2.2. That Cabinet notes that, with the exception of lighting and CCTV improvements, work in phase two of the Fulham Court and Barclay Close project will be delivered by Mitie under the existing Planned Maintenance contract. Lighting and CCTV elements of the scheme will be taken forward by the appropriate council departments.
- 2.3. That approval be given to the development of draft investment plans for Sullivan Court, Becklow Gardens and Emlyn Gardens as phase 2 estates for HEIP investment and approves a budget of £50k funded from the 2013/14 Housing Services Budgets held in the Housing Revenue Account to develop proposals for the three estates with residents.

3. REASONS FOR DECISION

- 3.1. The decisions recommended by this Cabinet report will enable much needed investment in the physical environment of Fulham Court, Barclay Close, Becklow Gardens, Emlyn Gardens and Sullivan Court. The proposed works will improve the quality, safety and sustainability of these housing estates and at the same time support the council's aims of integrating council housing estates with the neighbouring streets and communities.
- 3.2. The programme will promote low cost home ownership opportunities for existing H&F residents through the sale of void properties as Discount Market Sales, also supporting the council's aim to create mixed communities on estates, moving away from single tenure housing as set out in Councils agreed Housing Strategy, Building a housing ladder of opportunity.

4. INTRODUCTION AND BACKGROUND

- 4.1. The policy framework for the Housing Estates Investment Plan (HEIP) was agreed by Cabinet on 18 April 2011. It was agreed that officers should consult on the basis of this policy framework.
- 4.2. On 7 November 2011, Cabinet approved the policy and resolved that officers would undertake an assessment of all housing estates with 100 or more units, using the selection criteria under the HEIP and report back to Cabinet with a recommended estate to be the first to benefit from the HEIP.

- 4.3. On 23 April 2012 Cabinet considered the results of assessments and agreed that Fulham Court and Barclay Close Estates would be taken forward as a pilot HEIP site, approving the framework of the draft investment plan for the Estate. Cabinet approved a first phase of physical works which form part of the investment plan for Fulham Court and Barclay Close Estates funded from the £3.469m (the balance remaining from the original budget of £4.057m approved at Cabinet on 11 January 2010 following the construction of the Tudor Rose Centre) set aside within the Decent Neighbourhoods fund in 2012/13 and 2013/14 for Fulham Court.
- 4.4. Cabinet also delegated authority to the Cabinet Member for Housing, the Executive Director of Housing and Regeneration and the Executive Director of Finance and Corporate Governance to develop an initial pilot project to oversee the disposal of up to 10 void properties to the Council's Local Housing Company as low cost homeownership units, following which a report will be brought to Cabinet.
- 4.5. This report updates Cabinet on the progress made in taking forward the physical works to both estates, on the establishment of a local housing company and disposal of void properties on the estate. It also seeks approval for further capital spend on the Fulham Court and Barclay Close estates and requests approval to consult with residents on the next phase of HEIP estates.

5. PROPOSAL AND ISSUES

- 5.1. By agreeing to the recommendations in this report, Members will be approving:
- The delivery of the works as described in the detailed investment plan for Barclay Close and Fulham Court Estate.
 - The allocation of a further £1.82m of the capital Decent Neighbourhoods budget for estate improvement works on Fulham Court and Barclay Close estates, bringing total spend to up to £2.42m (including a 10% contingency budget and excluding the Tudor Rose Centre) from a budget of £3.469m currently held in the Decent Neighbourhoods fund as part of the capital programme.
 - The delivery of phase two of works under an existing Council planned maintenance contract with Mitie.
 - The commencement consultation on Sullivan Court, Becklow Gardens and Emlyn Gardens Estates. These will form phase two of the HEIP and a further report to Cabinet in October 2013 will describe the outcome of consultation, the detailed investment plan for both estates and the funding mechanism.

- The development of Investment plans to meet the same aims as the Fulham Court and Barclay Close plan which will be capped at £2.5m capital investment.

6. OPTIONS AND ANALYSIS OF OPTIONS

6.1. Physical Improvements

Fulham Court & Barclay Close Estate Improvement Works

- 6.2. Following the Cabinet decisions of 23 April 2012 the Council commissioned Groundwork London to develop the investment proposal for the estates and consult with residents and stakeholders on the proposal.
- 6.3. The extensive consultation which took place in developing the HEIP for both estates was taken further by Groundwork. Residents of both the estates were contacted again to discuss the investment options through a 'door knocking' exercise and two further estate based consultation events took place in the summer of 2012. Groundwork also engaged key services involved on the estate including Council departments responsible for parking, planning, environment, community safety and highways in developing the investment proposal.
- 6.4. The final investment proposal includes a range of physical and environmental works totalling an estimated £2.42m, including a 10% contingency budget. The proposed works will meet both the draft investment plan for the estate, considered by Cabinet in April 2012, as well as the improvements identified by residents and stakeholders. The aim being to:
- open up and better integrate the estate with the surrounding areas;
 - improve access to, and flow through, the estate;
 - facilitate better use of the Tudor Rose centre;
 - improve parking for bicycles and vehicles;
 - deliver general public realm improvements including paving and landscaping which harmonises with the surrounding area; and
 - Improve safety through lighting improvements, CCTV upgrades and play area improvements which support constructive diversionary activity.
- 6.5. The package of works has been split into two phases. Phase one is currently underway. The first phase delivers the primary elements of the works described in the April Cabinet report, starting from the main entrance to Fulham Court at Shottendane Road.
- 6.6. This phase of works includes improvements to the entrance point from Shottendane Road through to the central area of the estates which currently separates Barclay Court from Fulham Court. The work involves a programme of resurfacing, repaving, de-cluttering, lighting upgrades and

will deliver improved traffic flow and road safety. Phase one removes part of the wall and railings between Barclay Close and Fulham Court in the central area. Tree and hedge works commenced first in February 2013 improving the sight lines through the estate. The entry gate to Fulham Court on the corner of Fulham Road and Shottendane Road is being removed and the entry point improved. The retained play area, north of the Tudor Rose centre, will be redeveloped.

- 6.7. These works as set out in Appendix 1 of this report are being completed by the Council's existing term contractors from the approval given in April 2012. The total cost of phase one is £0.6m compared to an original budget of £0.75m.
- 6.8. Subject to Cabinet approval and s20 Consultation with leaseholders, the other elements of the investment proposal, to deliver wider public realm improvements on the Fulham Court Estate, will be delivered through a second phase of works. This will include final boundary improvements, estate-wide paving and streetscape improvements, soft landscaping works, lighting, road surfacing and layout, concluding works to entry points, cycle and car parking and the ball court. The outline of proposed works is described in more detail on Appendix 1.
- 6.9. Phase two is expected to cost £1.82m. This will bring the total cost of the physical improvements to £2.42m. The balance of works in phase two would be met from the total budget allocated to Fulham Court (which is currently £3.469m after deducting expenditure on the Tudor Rose Centre), leaving £1.05m for ring-fenced further improvements and the pilot voids project.
- 6.10. It is proposed that the second phase of works will be delivered by the Mitie Ltd under the Council's recently tendered Planned Maintenance contract and directly project managed by the Council's Housing and Regeneration Department.
- 6.11. The table below describes the proposed project timetable

Phase one	
February 2013	Tree, hedge works - estate wide preliminary works for resurfacing and landscaping
March – June 2013	Resurfacing, landscaping, lighting - Shottendane entrance to central green area.
March – June 2013	Works to the boundary between Fulham Court and Barclay Close
March – June 2013	Works to wall behind the car park next to 61-106 Barclay Close

May/ June 2013	Play area improvements next to Tudor Rose
Phase two	
13 May 2013	Cabinet decision on phase two
24 May 2013	Implement decision
28 June 2013	Conclude detailed specification of works
12 July 2013	Issue section 20 notices (leaseholders)
12 August 2013	Expiry of section 20 notices (leaseholders)
mid-August 2013	Mobilise contract
end September 2013	Start on site – phase 2
May 2014	Finish phase two works
Local lettings plan	
April 2013	Adopted

6.12. Economic Improvements

Community Trust and Tudor Rose Centre

- 6.13. In order to generate demand for the community space at the Tudor Rose Centre, there is an identified need for an on-site manager to manage the centre, including ensuring that income generation opportunities are appropriately maximised.
- 6.14. For the first six months the costs of an on-site manager will be funded from underspend against the neighbourhood services budget. The worker would be managed by the Director of Housing Services. The future intention is that the on-site manager will be funded from income generated from letting the Tudor Rose Centre and a revenue contribution if required from either the Council or if funds are available from the charitable arm of the Local Housing Company; H&F Housing Ltd. An options appraisal is currently being carried out.
- 6.15. The Locality Team were commissioned to carry out a feasibility study into the creation of a community trust for Fulham Court and Barclay Close. The study concluded that a community trust would be an appropriate vehicle for promoting and funding community development activity and managing the Tudor Rose Centre. Although the report concluded that these roles could be carried out, it expressed concern that the low levels of community engagement on the estates would make a community trust hard to sustain at the current time. The report highlighted that a further option which could meet the same objectives was to carry out these activities under H&F Housing Ltd (the currently dormant charitable arm of the Council Housing Company). Further work is currently being carried out on the capital and revenue implications of this proposal and how we could generate capacity within the community to enable a successful community Trust to be created.

Local Lettings Plan

- 6.16. As set out in the 23 April 2012 Cabinet report, a draft Local Lettings Plan has been developed in order to address issues of overcrowding and allocation of void properties on the two estates. This draft policy will be the subject of consultation in March 2013. Subject to the comments made, the Local Lettings Plan will be adopted in April 2013.

Voids for Disposal

- 6.17. Consideration has been given to a pilot programme of void sales to Hammersmith and Fulham Developments in order to generate discount market sale homes. The financial and legal implications of this proposal are being considered as part of the Council's Housing Development Programme Business Plan. This Business Plan will be considered by Cabinet in June.

Shop leases

- 6.18. At the time of writing the 18th April 2011 Cabinet report it was considered that there would be market interest in acquiring the head lease of the shops units fronting Fulham Court. This transfer of interest would have led to more effective management of the rear of these properties through a rationalisation of responsibilities. Following the marketing of these shops as part of a portfolio an acceptable offer was received, however this offer was subsequently withdrawn in the light of the situation in the Eurozone and the volatility of the investment markets. A revised strategy for the management of the shops was subsequently agreed in a Cabinet Member Decision dated 25th June 2012. . Discussions have therefore continued to take place with the occupiers of the shop units in order to improve the management of the rear of the buildings. On 2 of the properties, it has been agreed that the lease plan will be redrawn to include the yard area. On a further 2 properties, discussions are underway with the tenant and the 1 property that is vacant has had its new lease plan redrawn to include the yard.

Future HEIP estates

- 6.19. The Cabinet report of April 2011 included the complete list of potential HEIP estates in priority order based on the HEIP policy framework and agreed that Emlyn Gardens, Queen Caroline, Flora Gardens, Riverside Gardens, Sullivan Court, Becklow Gardens, Lytton, Springvale and Charecroft Estates were suitable for inclusion in the HEIP. Analysis identified three estates, Emlyn Gardens, Becklow Gardens and Sullivan Court, which could be taken forward under a second phase of the HEIP.
- 6.20. Following approval by Cabinet, the proposal is to develop a more detailed specification for three estates and then to begin consultation with residents around the physical improvements. The physical improvements will form

part of the wider investment proposal including social and economic programmes and would be funded from void sales to the council's housing company for future sale as low cost homes.

- 6.21. Emlyn Gardens is in the north of the borough located in Askew Ward. The estate is made up of 14 three or five storey blocks, with 246 properties 188 tenanted properties and 58 leasehold properties. Works to Emlyn Gardens could focus on improvements to community facilities, development of surplus land for discount market sale housing and public realm improvements. The estate needs to be considered in parallel with the Genesis Factory Quarter development which could potentially assist in providing space for community activities..
- 6.22. Sullivan Court was built between the late 40s and mid 50s there are 432 properties on the low rise estate, of which 266 are tenanted and 166 leasehold properties. The estate is in the south of the borough in the Sands End ward. Works to Sullivan Court could include general public realm improvements and could address issues around vacant garages and pram sheds which have been raised by local residents. There is scope to provide a significant amount of discount market sale housing on surplus land on the estate.
- 6.23. Becklow Gardens is also in the north of the borough located in Askew ward. There are a total of 6 blocks of four or five storey blocks. The size and tenure mix of the estate is similar to Emlyn Gardens with 247 properties of which 193 are currently tenanted and 54 leasehold properties. Works to Becklow Gardens could include public realm improvements and the adoption of void sales for discount market sale housing as applied at Fulham Court and Barclay Close. Becklow Gardens is already included in the Hidden Homes programme with 12 discount market sale homes being provided on surplus sites.
- 6.24. The scope of physical improvement works, funded from the decent neighbourhoods pot, primarily from the Asset based limited HRA voids disposals programme, would be developed along the same lines as for Fulham Court and Barclay close. The aim being to harmonise the estates with the surrounding neighbourhood, improving lighting, safety and the use of existing estate facilities.
- 6.25. The physical improvements will also need to be developed to complement any future opportunities to develop new homes on the estates and with the Council's new estate parking and garage policies.
- 6.26. It is proposed that following consultation the proposed investment plan for estates, as well as the budget and funding mechanism, would be reported to Cabinet for consideration in October 2013.

7. CONSULTATION

7.1. Fulham Court and Barclay Close Estates

7.2. As described in section 5 of this report extensive consultation has taken place with residents of both estates and with council departments and wider service providers throughout the development of the investment proposal. Consultation leading up to development of the Draft Investment Plan is included in the cabinet report of the 23 April 2012.

7.3. In developing the final detailed investment plan the Council and Groundwork consulted residents again with a further door knocking exercise and two estate-based consultation events. The result of this and previous consultation has been taken into consideration when developing the proposed works in phase one and two.

7.4. Feedback from residents focused on the following items:

- General improvements to the Cassidy Road entrance to Barclay Close including improving the amount of green space, improving lighting, and better defining the entrance;
- Improvements to the vehicle entrance on Shottendane Road, with improved signage, a more inviting appearance, and further measures to slow vehicles;
- Improved pedestrian friendliness and general paving across the estates;
- Improvements to block entrances including better security;
- Improved equipment in the play areas and general modernisation of the ball court;
- Secure/fobbed access to the enclosed courtyard areas, with a variety of shared communal facilities including informal play, food growing, seating and nice planting;
- general aesthetic improvements to the space between Fulham Court and Barclay Close;
- Creation of 'defendable space' (to give privacy to ground floor flats) adjacent to some blocks, especially on Barclay Close;
- General improvements to the space in between 1-20 and 21-40 Barclay Close.
- Creation of secure bicycle storage facilities;
- Retention of pram shed storage facilities;
- A gardening project on the estates.

7.5. Future HEIP proposals

7.6. The same consultation plan will be used to develop the investment proposals for Sullivan Court, Becklow Gardens and Emlyn Gardens. This is likely to include a combination of estate based events, written consultation, door knocking exercises and target consultation with recognised tenant residents associations and youth forums on both estates. Consultation is likely to take place between July and August of 2013 and the outcomes of

this consultation exercise will be reported to Cabinet in October along with the investment plan proposals.

7.7. Implications for leaseholders

7.8 It is likely that some limited elements of the planned works would be chargeable to leaseholders. There are currently 50 leaseholder properties on Fulham Court and 46 on Barclay Close.

7.9 Phase one of works to Fulham Court and Barclay close estate is underway and therefore leaseholder recharges will be capped at a maximum of £250. The precise detail of chargeable works under phase 2 of the scheme will not be known until the project has been fully developed through consultation with all residents, including leaseholders. The Council will need to comply with Section 20 of the Landlord and Tenant Act 1985 (as amended by section 151 of the Commonhold and Leasehold Reform Act 2002) in determining the charges for each individual leaseholder. The estimated costs are described in the table below. As noted in the legal comments in the Cabinet report of 23rd April 2012 in general, where improvements are capable of being re-charged to leaseholders, the Council has a fiduciary duty to do so (subject to limited discretion to waive some charges, primarily in cases of hardship, and to leaseholders' statutory right to service).

7.10 Estimated leaseholder recharges for Phase two.

Estate	Estimated average cost	Estimated maximum cost	Estimated minimum cost
Fulham Court	£3,094	£4,541	£2,126
Barclay Close	£7,323	£8,478	£5,102

7.11 Recent Leaseholder S20 statutory notices of estimates and final accounts issued.

7.12 Fulham Court: range of works including windows, doors, roofing, loft insulation, drainage, CCTV, draining, staircase and walkways works.

7.13 S20 notices were issued on 25/07/2008 and final invoice issued on 06/07/11 to 50 leaseholders.

7.14 Final account totalling £734,850.27; leaseholders contributions of £702,552.17 Average leaseholder contribution of £13,510.62

7.15 Barclay Close Water tank South 2011/12; S20 notices issued on 23/11/11

	Estimated Contract Sum	Leaseholder contributions	Average Leaseholder Contributions
01-20 Barclay Close	£10,901.12	£6,446.92	£537.24
21-40 Barclay Close	£10,901.12	£7,333.18	£564.09
41-60 Barclay Close	£13,384.78	£7,361.63	£669.24
61-106 Barclay Close	£14,372.75	£3,173.50	£317.35

7.16 Barclay Close Control Access S20 notice of estimates issued on 07/12/12

	Estimated Contract Sum	Leaseholder contributions	Average Leaseholder Contributions
01-20 Barclay Close No of leaseholders- 12	£10,328.96	£6,054.67	£504.56
21-40 Barclay Close No of leaseholders 13	£10,328.96	£6,948.29	£534.48

7.17 Barclay Close Lift Modernisation S20 notices of estimates issued on 05/12/12

	Estimated Contract Sum	Leaseholder contributions	Average Leaseholder Contributions
01-20 Barclay Close No of leaseholders- 12	£115,343.00	£68,213.85	£5,684.49
61-106 Barclay Close No of leaseholders 10	£293,303.00	£64,731.30	£6,476.13

8. EQUALITY IMPLICATIONS

- 8.1. A full EIA has previously been completed for the HEIP. A full EIA has been completed for the Fulham Court and Barclay Close Investment Plan. The main findings of this EIA are that the proposals in the investment plan would have a positive impact on all residents with a particular effect on young people and BME groups due to the extensive consultation proposed.
- 8.2. An EIA on phase two of the HEIP will be produced alongside as the investment proposals, without first understanding the range of improvements work it would not be possible to fully understand the impact of on protected groups.

9. LEGAL IMPLICATIONS

- 9.1 The Council has a statutory obligation to consult with secure tenants who are likely to be substantially affected by a matter of housing management and this may include improvement works. The report highlights in sections 6 and 7 that there have been extensive consultation with the residents of Fulham Court and Barclay Close. It is intended to carry out consultation with the residents of Emlyn Gardens, Becklow Gardens and Sullivan Court after a more detailed specification for the physical improvement works has been developed.
- 9.2 Implications verified/completed by: Janette Mullins, Head of Litigation telephone 020 8753 2744 and Catherine Irvine, Principal Contracts Lawyer telephone 020 8753 2774)

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. Following Cabinet approval on 11th April 2010 to earmark resources of £4.057m from the Decent Neighbourhoods fund for phase 1 of the Fulham Court Estate Improvement Strategy, the subsequent construction of the Tudor Rose Centre has reduced the balance available to £3.469m.
- 10.2. As stated in section 6.9, the total cost of works at Fulham Court and Barclay Close Estate is £2.42m (0.6m having been incurred on phase 1; plus a further £1.82m for phase two as outlined in section 5 and Appendix 1). These costs will be met from the total remaining balance of resources allocated to Fulham Court (£3.469m).
- 10.3. A review of the nature of the planned works for phase two will be undertaken to ensure that they are in accordance with the Council's capital accounting and funding guidance. Any costs subsequently identified as revenue would have to be identified from savings.
- 10.4. The remaining balance of £1.05m will be ring-fenced for further improvements and to provide potential seed funding for the pilot voids project, which as stated in section 4.4 will be the subject of a further report to Cabinet.
- 10.5. The revenue cost of the development of draft investment plans of £50k will be financed from Housing Services budgets held in the Housing Revenue Account (the code on which this budget is held is 38030 HSC500).
- 10.6. Additional revenue costs associated with the soft landscaping will be applicable. Initial estimates provided by the contractor indicate an annual maintenance cost of c.£8k. These costs will be financed from existing budgets (13110 ESS500). Further consideration will need to be given to

arrangements on renewal of the Council's existing grounds maintenance contract in 2015.

- 10.7. Officers have confirmed that there will no additional revenue cost to the HRA arising from the maintenance and monitoring of the CCTV improvements.
- 10.8. The result of further expansion of the HEIP to cover the Sullivan Court, Becklow Gardens and Emlyn Gardens Estates will be the subject of a further report to Cabinet in October 2013 and will provide full detail of the investment plan for both estates and the funding mechanism.
- 10.9. An additional £5 million provision phased over 2013/14, 2014/15 and 2015/16 has been accommodated, on top of allowances already made via the Councils Housing and Regeneration Asset Management Plan, within the latest draft 30 year business plan for the type of works encompassed by this programme. However, it should be noted that the timing of the works may ultimately differ from the phasing in the model as a result of the approach being taken. This cannot be quantified currently for the prospective estates as the exact nature of the works may not be known until after the consultation period has concluded.
- 10.10. The net contribution from the resources of £3.469m made available in the Decent Neighbourhoods pot will reduce by the amount due to be recovered from leaseholders, the process for which is set out in paragraph 7.7.
- 10.11. Implications verified/completed by: Kathleen Corbett, Director of Finance and Resources, Housing and Regeneration Department, telephone 020 8753 3031 and Daniel Rochford, Head of Finance, Housing and Regeneration Department , telephone 020 8753 4023)

11. RISK MANAGEMENT

- 11.1. The Regeneration and Housing Services Teams will monitor the strategic risks associated with the Investment plan in accordance with the Council procedures. The proposal contributes to the management of the corporate opportunity risk 7 associated with maintaining and improving service for local residents.
- 11.2. An individual risk register will be completed for both projects.

12. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 12.1 There are no procurement implications as the work under Phase 2 (described in Appendix 1) is to be carried out under the Council's current existing Planned Maintenance contract with Mitie Property Services Limited.

LOCAL GOVERNMENT ACT 2000 LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Cabinet 23/04/2012 Housing Estate Investment Plan	Neil Kirby x1772	Housing and Regeneration
1.	Cabinet 18/04/2011. Housing Estates Investment Plan	Neil Kirby X 1722	Housing and Regeneration
2.	Cabinet 07/11/2011. Outcome of consultation on the Housing Estates Investment Plan.	Neil Kirby X 1722	Housing and Regeneration
3.	Cabinet 11/01/2010. Fulham Court Estate Improvement Strategy: Phase 1: Physical improvements	Neil Kirby X 1722	Housing and Regeneration

LIST OF APPENDICES:

Appendix 1 Fulham Court and Barclay Close investment proposal