



# Cabinet Member Report

Councillor Melvyn Caplan

Cabinet Member for Finance, Property and  
Regeneration

**Date**

29<sup>th</sup> January 2020

**Classification**

General Release

**Title**

Initial Demolition Notices for Ebury Bridge Estate  
and Vacant Possession in line with the Policy for  
Tenants in Housing Renewal Areas

**Wards Affected**

Churchill Ward

**City for All summary**

This project builds upon the City for All commitment  
that everyone should have the opportunity to build  
their lives, careers and families here.

**Key Decision**

No

**Financial Summary**

There are no additional costs associated with the  
rehousing of secure tenants. All costs in relation to  
this report have already been budgeted for.

**Report of**

David Thompson, Ebury Bridge Renewal  
Programme Director, Growth Planning and Housing

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**1. Executive Summary**

- 1.1 On 17<sup>th</sup> July 2018, Westminster City Council's Cabinet approved the comprehensive renewal of Ebury Bridge Estate following extensive consultation with the residents on a preferred scenario (Scenario 7).
- 1.2 This report requests formal decant status to Ebury Bridge Estate secure tenants and seeks authority to serve Demolition Notices (initial and final) on all secure tenants of the estate. This is in order to suspend the requirement for the Council to complete right to buy applications for as long as the Notices remain in force.
- 1.3 The 10<sup>th</sup> July 2018 Cabinet Report sought authority to extend the renewal red line boundary to include: Bucknill, Doneraile, Rye, Victoria, Westbourne Houses. These blocks were previously excluded from the demolition proposals in the 2016

consented scheme which included Bridge, Dalton, Edgson, Hillersden, Pimlico, Mercer, Wainwright, Wellesley Houses.

- 1.4 Between August and November 2018, the WCC relocations team visited all secure tenants across the estate to i) assess housing needs ii) understand rehousing preferences. All households were registered for rehousing at the end of November 2018.
- 1.5 Secure tenants have the option to move permanently away from the estate or move temporarily and return to a new home on the estate in line with the Council policies and procedures for housing renewal including the Council's right to return. This report now formalises this.
- 1.6 A Cabinet decision on 26<sup>th</sup> March 2019 approved the Ebury Phase 1 Delivery Strategy and identified the progress that had been made with rehousing, including the commencement of early enabling works, which will facilitate a coherent approach to the phasing of the delivery of new homes.
- 1.7 It is intended that vacant possession is sought in three phases to allow the construction of new homes on the estate.
- 1.8 It is important to sustain overall the momentum of the regeneration project. To date 117 secure tenants have moved away from Ebury Bridge Estate of which 60 are expected to return to a new home on the estate.
- 1.9 To achieve vacant possession and commence the building of new homes on the estate, the use of Initial and Final Demolition Notices is now required. This report seeks approval for officers to now serve such notices.
- 1.10 Ongoing support and communication will be provided to residents across the estate, including from the estate-based regeneration office.
- 1.11 An Equalities Impact Assessment was carried out to support the delivery of wholesale renewal programme. A further Equalities Impact Assessment will be carried out as the project progresses as set out in this report.
- 1.12 Churchill Ward Members have been informed and have been requested to direct any residents with concerns to the Ebury Bridge engagement team.

## **2. Recommendations**

- 2.1 That the Cabinet Member for Finance, Property and Regeneration:-
  - (i) Approves formal Decant Status – for all secure tenants on the Ebury Bridge Estate.
  - (ii) Approves the implementation of the Policy for Tenants in Housing Renewal Areas across Ebury Bridge Estate.
  - (iii) Authorises the serving of Demolition Notices (initial and final) in accordance with the Housing Act 1985 to secure tenants on the Ebury Bridge Estate.

- (iv) Delegates to the Executive Director of Growth Planning and Housing, the authority to take all necessary steps to implement the policy and serve the Demolition Notices.

2.2 Agree to delegate the serving of the notices subject to the oversight and authority of the Executive Director of Growth, Planning and Housing to:-

- (i) Implement a process of serving Demotion Notices.
- (ii) Ensure effective communications continue with secure tenants to support them through the process and provide detail for the reason the initial demolition notice are required.
- (iii) Continue to work with secure tenants to implement their rehousing choices – both temporary and permanently, off-site and inter-estate as appropriate.
- (iv) Take all other steps as necessary.

2.3 The Cabinet Member for Finance, Property and Regeneration notes that no new spending commitments arise from this report.

### **3. Reasons for Decisions**

3.1 The drivers for decision making are:

- (i) To enable the Council to proceed with the redevelopment of the estate without incurring further costs or unanticipated programme delays.
- (ii) To support an accelerated vacant possession resulting in more new homes earlier.
- (iii) Provide a high-quality neighbourhood offering a ladder of opportunities for existing and new residents to live and work in the area.
- (iv) Acknowledge and take into consideration the views of existing residents and those waiting to return to provide a range of new homes as quickly as practicable.
- (v) To make best use of the Council's assets in delivery of its objectives and relieving the pressure on the housing waiting list, especially family sized, lifetime homes.

## **4 Project Background**

4.1. Ebury Bridge Estate is a council estate in Pimlico, close to Victoria and Sloane Square stations. The estate comprises of 13 residential blocks containing 336 homes. There is also a small number of retail units at the base of two of the blocks.

4.2. Between July 2017 and May 2018 options for the estate were thoroughly consulted on and led to a preferred scenario being put forward to Cabinet in July 2018.

- 4.3. Each of the options and the resulting preferred scenario, have been subject to a thorough Equalities Impact Assessment.
- 4.4. The preferred scenario was submitted with an Outline Business Case, which has subsequently been updated in March 2019, following a range of market testing activities.
- 4.5. Implementation of a vacant position strategy on the first phase of the estate has been achieved and demolition expected to start in February 2020.

## **5 Financial Implications**

- 5.1 There are no additional costs associated with this report and the issuance of the IDN.
- 5.2 A further report will be brought as part of the Procurement Gate Process or a Cabinet Member report to appoint and commence actual demolition works.

## **6 Legal Implications**

- 6.1 Section 138A and Schedule 5A of the Housing Act 1985
- 6.2 The Council may suspend the right to buy by serving the secure tenants with an Initial Demolition Notice under section 138A and Schedule 5A of the Housing Act 1985 stating that the Council intends to demolish the dwelling-house or the building containing it and setting out the reasons why the Council intends to demolish the premises. The Initial Demolition Notice must specify a reasonable period being no more than 7 years after the date of service of the notice within which the Council intends to demolish the premises.
- 6.3 If the Council subsequently serves a Final Demolition Notice under section 138B of the Housing Act 1985 the right to buy will not arise while that notice is in force and any existing claim will cease to be effective. Tenants may claim compensation in respect of expenditure reasonably incurred before completing right to buy claims exercised before the landlord has either served an initial demolition notice or a Final Demolition Notice.
- 6.4 The Councils rehousing options, headline financial compensation and general processes to be followed when homes occupied by council tenants need to be acquired is set out in the Councils Policy for Tenants in Housing Renewal Areas.

## **7 Equalities Impact Assessment**

- 7.1 The Equality Act 2010 requires the Council when taking decisions to have due regard to the need to:
  - (a) eliminate discrimination, harassment, victimisation or other prohibited conduct
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those that do not share it
  - (c) foster good relations between those who share a relevant characteristic and those that do not share it.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex sexual orientation

- 7.2 The Report advises that an Equalities Impact Assessment was carried out to support the delivery of the Ebury renewal programme. A further Equalities Impact Assessment will be carried out as the project progresses (see 1.11).

For completion by the **Cabinet Member for Finance, Property and Regeneration**  
**Declaration of Interest**

I have <no interest to declare / to declare an interest> in respect of this report

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
NAME: Councillor Melvyn Caplan, Cabinet Member for Finance, Property and Regeneration

State nature of interest if any .....

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*(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)*

For the reasons set out above, I agree the recommendations in the report entitled **Demolition Notices for Ebury Bridge Estate and Vacant Possession in line with the Policy for Tenants in Housing Renewal Areas** and reject any alternative options which are referred to but not recommended.

Signed .....

Councillor Melvyn Caplan, Cabinet Member for Cabinet Member for Finance, Property and Regeneration

Date .....

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment: .....

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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, the Executive Director of Finance and Resources, and, if there are human resources implications, the Director of People Services (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.