



**Report for:
ACTION**

Item Number: 20

Contains Confidential or Exempt Information	YES - Part Appendices 1-6 contain Exempt Information by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972)
Title	High Lane Estate Regeneration – Selection of a preferred partner
Responsible Officer(s)	Pat Hayes, Executive Director for Regeneration and Housing
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Portfolio(s)	Cllr Anand, Housing
For Consideration By	Cabinet
Date to be Considered	25 th April 2017
Implementation Date if Not Called In	9 th May 2017
Affected Wards	Hobbayne
Keywords/Index	High Lane, Regeneration, Preferred Partner

Purpose of Report:

To appoint Rydon Construction Limited as preferred partner for the High Lane Regeneration Project.
To request Cabinet authority to undertake a series of activities to progress the legal agreement for High Lane, authorise re-housing and legal processes to enable delivery of the High Lane Regeneration Programme.

1. Recommendations

That Cabinet agrees to:

- 1.1 Note the contents of this report and the outcome of the assessment of the three final bid submissions.
- 1.2 The appointment of Rydon Construction Limited as the Council's preferred development partner for the re-development of the High Lane Estate, subject to the satisfactory conclusion of legal agreements including a principal development agreement (PDA).
- 1.3 Note the comments of the Developer Selection Group who support the selection of Rydon Construction Limited as set out in 2.3.8.
- 1.4 Authorise the Executive Director of Regeneration and Housing to negotiate and finalise the legal agreements with Rydon Construction Limited for consideration and approval of the key terms by Cabinet

- 1.5 Request the preferred development partner to proceed with detailed development of their design proposals in order to submit planning applications.
- 1.6 Note the commercial risk register and draft Heads of Terms in confidential appendix 3 and authorise the Executive Director to negotiate and finalise the terms of legal agreements with Rydon Construction Limited the preferred development partner on the basis of the Heads of Terms and note that that officers will report back to Cabinet for approval of the final key terms.
- 1.7 Note and agree that decant status is to be awarded to tenants at the affected blocks in the first phase of regeneration, in line with the Council's Allocations Policy regarding the decanting of tenants prior to demolition.
- 1.8 Authorise the Executive Director for Regeneration and Housing to stop lettings on the Estate of secure tenancies and to adopt a local lettings plan to ring fence void properties in Phases 2 and 3 for re-letting to existing High Lane Estate residents affected by decanting in the first instances, and then for overcrowded families or applicants with some other identifiable need for the property who are living on the Estate, before being allocated to general lettings
- 1.9 Authorise the Executive Director for Regeneration and Housing to initiate a consultation process on the redevelopment scheme as required under Ground 10 A and Part V of Schedule 2 of the Housing Act 1985 with tenants in the affected blocks (on a phased basis as appropriate) and, subject to consideration of any representations received, to commence a voluntary decanting programme in advance of the Ground 10A consent being sought.
- 1.10 Authorise the Executive Director for Regeneration and Housing to consider any representations received and, subject to that, to apply for Ground 10A consent pursuant to Ground 10A and Part V of the Act in respect of each phase of the proposed development once Consultation has taken place.
- 1.11 Authorise the Executive Director for Regeneration and Housing to award decant status to blocks and tenants in later phases to enable early decanting where necessary to allow later development phases to move forward in the programme.
- 1.12 Authorise the Executive Director for Regeneration and Housing, both in advance of and after the making and confirmation of any compulsory purchase order, to negotiate with the owners of interests and rights in the CPO land with a view to acquiring those interests and rights by agreement, to conclude such acquisitions by agreement, and to pay such compensation for the acquisition of the interests and rights as may be proper and reasonable.
- 1.13 Authorise the Executive Director for Regeneration and Housing to make available to resident leaseholders a shared equity home on the new estate based on the terms outlined in paras 3.3.4 to 3.3.6.
- 1.14 Undertake the necessary preparatory work for a Compulsory Purchase Order/s in respect of the land in Phase 1 to be transferred to Rydon Construction Limited (shown by the red boundary on the plans in appendix 7) generally under the Acquisition of Land Act 1981 and specifically under Section 226(1) (a) of the Town and Country Planning Act 1990.

1.15 Authorise the Director of Legal and Democratic Services to seek all necessary statutory consents in order to facilitate the redevelopment scheme and authorise the Executive Director for Regeneration and Housing to undertake consultations necessary prior to seeking such consents.

1.16 The taking of all steps, procedures and measures necessary to discharge all rights, easements, liberties, privileges, advantages and incidents to which the land may be subject

2 Reason for Decision and Options Considered

2.1 Introduction

2.1.1 Ealing Council's housing regeneration strategy was developed following the 2008 review of 34 of the Council's largest estates. The review identified 8 estates where the Decent Homes works alone would not provide the transformational effect that the areas demanded and therefore required a higher level of intervention.

2.1.2 Detailed resident consultation on these estates looked at the potential and capacity for regeneration, and resident aspirations for their neighbourhoods. The Council worked with residents and registered provider partners to develop comprehensive deliverable solutions.

2.1.3 The objectives of the housing regeneration programme are to:

- Put residents at the heart of delivering regeneration
- Transform their deprived and run down neighbourhoods
- Provide mixed tenure developments including socially rented, affordable and private homes
- Provide environmentally sustainable urban development and improve the public realm
- Provide a better mix of bed sizes
- Contribute to the reduction of the HRA investment gap

2.2 Background – High Lane Developer Selection Process

2.2.1 At the Cabinet meeting of 21st February 2012 members authorised officers to review estates previously identified as medium intervention estates. In the light of this report, on 25th July 2012, Cabinet approved the prioritisation of four housing estates, one of which was High Lane Estate, to have their housing stock and public realm assessed for potential improvements and to also assess the benefits that might arise from the development of any land and buildings on each estate.

2.2.2 In July 2013 Cabinet agreed in principle to progress the comprehensive redevelopment option for the High Lane Estate.

2.2.3 In October 2014 Cabinet approved the next steps in the process to commission an architect and cost consultants team to design a mixed use scheme of housing and amenity space on the Estate and also undertake further work to continue to assess and improve the position on viability.

- 2.2.4 In July 2015 Cabinet authorised the Executive Director of Regeneration and Housing following consultation with the Director of Legal and Democratic Services to commission legal and financial/commercial consultants and commence a suitable competitive procurement procedure for the selection of a developer partner for the re-development of High Lane Estate.
- 2.2.5 During this process consultation with estate residents continued and a Developer Selection Group (DSG) was established from the Residents Steering Group. They have since met on a regular basis to understand and inform the process of regenerating the High Lane estate and procuring a development partner for the Council.
- 2.2.6 The brief to potential developers explained the nature of the opportunity whereby the Council would look for a partner to finance and undertake the demolition and design and rebuilding of the Estate. The Council would stipulate the quantity and quality of social rent, affordable rent and leasehold replacement homes to be built. The Council (or Broadway Living, the Council's wholly owned company) would buy these homes from the developer at a fixed price and also buy back existing leasehold properties and organise and pay for tenants to be decanted. The additional properties to be built on the Estate would be sold by the developer to cross subsidise the new Council/Broadway Living homes. The competitive nature of the tendering process would encourage bidders to produce schemes that maximised the level of cross subsidy. The land occupied by the developers for sale homes would ultimately be transferred to the developer.
- 2.2.7 The development partner procurement process was formally started with the publication of the EU Notice of 25th March 2016. The approved procurement route was the Competitive Dialogue procedure. The publication of a Pre-Qualification Questionnaire resulted in 12 expressions of interest which were submitted to the Council for assessment and marking. The resultant marking exercise produced a shortlist of the five highest scoring bidders.
- 2.2.8 The five shortlisted bidders proceeded to the Invitation to Submit Outline Solutions stage where initial designs for the new estate were developed and a financial plan produced along with information about the experience of the team assembled to undertake the project, a construction and logistics plan and programme, proposals for community and stakeholder engagement, community benefit and value, and aftercare management. To help encourage bidders to present proposals that were acceptable at this stage, a series of dialogue meetings were held with each bidder that covered design, planning, financial and commercial issues.
- 2.2.9 At the meeting of 16th October 2016 Cabinet approved the bidder shortlist of the three highest scoring bidders and authorised the progression of the final stage of the Developer Selection process
- 2.2.10 The three bidders were:
- Lovell Partnerships Limited
 - Rydon Construction Limited
 - Hill Residential Limited

- 2.2.11 The three final short-listed developers proceeded to Invitation to Submit Detailed Solutions and were asked to respond to a brief and provide detailed information on their proposals, in order to provide firm commitments for the regeneration of the area.
- 2.2.12 The brief required bidders to demonstrate how key risks are to be shared between the Council and developer, and to propose key heads of terms outlining the legal agreements between the parties. It also asked for more detailed design and financial proposals, detail on the development programme and phasing, proposals for housing and estate management, and detailed community development and regeneration proposals.
- 2.2.13 The third stage brief was issued on the 1st November 2016 and the deadline for return was 27th January 2017.
- 2.2.14 During the third stage process Council officers and the Council's independent advisors met with all three bidders separately for dialogue and clarification meetings and met to discuss legal and financial issues, and to clarify planning and design issues. The Council also asked bidders to consider key financial aspects of their bids and to respond to draft heads of terms that were issued to bidders.
- 2.2.15 Also during the third stage process bidders made presentations to the High Lane Estate Developer Selection Group (DSG) of residents to explain their proposals for estate design, the programme and phasing, community benefit and after care services. The view of the DSG is set out in section 2.3 of this report.

2.2.16 Stage 3 - Bidder Evaluation Process

2.2.17 The three bids were assessed using the following weighting matrix.

Criteria	Weighting %
Proposed Team	5
Design Approach	15
Planning Strategy	10
Construction Delivery	15
Project Programme	10
Consultation and Stakeholder Engagement	5
Community Benefit and Value	5
Aftercare Management	5
Robustness of Financial Offer	8
Quantum of Financial Offer	20
Total	100

- 2.2.18 A table showing points awarded for each section for each bidder is shown in confidential appendix 4.
- 2.2.19 A summary of all three bidders proposals is set out in confidential appendix 1, a summary of the planning evaluation is in confidential appendix 2 and a summary of the financial evaluation in confidential appendix 6.

2.2.20 As per the scoring sheet, in confidential appendix 4 and comments set out in the other confidential appendixes, the most economically advantageous submission was received from Rydon Construction Limited. The bid has a very strong financial offer coupled with excellent construction delivery and programming. The delivery and aftercare proposals were also strong along with commitments to residents and support for sustainable regeneration within the local community and the wider area. The design proposed for the new estate is acceptable but will need further development.

2.3 Consultation

2.3.1 Background to High Lane Estate

2.3.2 There are 264, 2 and 3 bed homes on High Lane Estate. 51 homes have been sold leasehold under the Right to Buy.

2.3.3 A Residents Steering Group (RSG) was formed in the summer of 2013 to ensure that a residents group could gain a more detailed understanding of what comprehensive estate regeneration would mean and how residents would be affected. Over a period of 15 months they were given training and knowledge to enable them to be in a more informed position and able articulate their aspirations for the new Estate when it is being designed. Local councilors are also invited to the RSG meeting and attend as necessary.

2.3.4 At the beginning of the selection process the Developer Selection Group summarised their priorities as:

- To transform the image of High Lane into a tenure blind sustainable and vibrant neighbourhood;
- Reintegrate the estate back into the local community;
- To provide high quality well designed homes and car parking,
- To provide a range of housing types, sizes and tenures
- To create attractive, and safe communal and public spaces
- To make best use of the good location;
- To provide improved standards of maintenance, management, safety and security;
- To create a sustainable community;
- Retain where possible and improve existing green spaces and trees on the estate;
- Improve links and connections with the surrounding neighbourhood
- Provide a multi-functional community space for the estate.

2.3.5 As part of the requirements of the third stage brief each bidder made a presentation to the DSG to explain their bid. These meetings were a mixture of formal presentation and question and answer sessions and were held in February/March 2017. The DSG received copies of the bids excluding legal and financial information.

2.3.6 On 7th and 14th March 2017 the DSG met with Council officers to give feedback and discuss their preferences in the bids.

- 2.3.7 The scores of the DSG in regard to the bids are set out in confidential appendix 5 and the steering group confirmed they are in agreement with the Council's recommendation that Rydon Construction Limited be appointed the preferred bidder.
- 2.3.8 The High Lane DSG are content with the proposed appointment of the Rydon Construction Limited, which was confirmed at two steering group meetings at the beginning of March, but would like Cabinet to note the following areas residents feel are should be of a high priority and should be given due consideration during the detailed design phase:
- The quality of any whole house ventilation system
 - The quantum of parking for the estate
 - The quality of courtyard developments already built including visits to view and meet existing residents
 - Continuing and enhanced liaison with the residents steering group and Estate residents generally
- 2.3.9 In addition to the DSG, the Council has been in regular contact with residents via letters and newsletters. Letters outlining the process have been sent at each stage of the process.

2.4 Consultation next steps

- 2.4.1 The next stage of developing a detailed planning application is crucial to the development of a successful scheme and the re-development process will continue to consider the aspirations of residents and local community groups. To this end it is proposed that the DSG is reformed into the Residents Steering Group to ensure residents continue to be closely involved in scheme development. It is also proposed that once the next stage of the consultation is launched, residents are invited again to join the RSG and to get involved in other consultation groups.
- 2.4.2 Once Cabinet's decision can be implemented it is proposed that officers will produce an overall communications plan in partnership with the RSG and the preferred partner to ensure all residents will be informed of the next stages of the process. This will include a series of events/exhibitions and meetings.

2.5 Summary of Position

- 2.5.1 As can be seen the Council officers, the Council's independent financial and legal advisors and residents have come to the conclusion that Rydon Construction Limited submitted the best overall formal submission and officers recommend them to Cabinet for approval as the preferred partner for the High Lane Estate.

3 Key Implications

- 3.1 In moving to the preferred developer stage there are a number of issues, which need to be agreed and clarified with the developer which are set out below

3.1.1 **Masterplanning**

- The masterplan will require further refinement and consultation with Estate and neighbouring residents to be progressed to application stage.
- The terms of Section 106 agreement will need to be clarified as we move forward to the submission of a planning application.

3.1.2 **Legal Procedures**

- Officers will continue work on negotiating legal agreements with the preferred development partner and officers will report back to Cabinet for approval of the final agreements.

3.1.3 **Timescales**

- From the bid submitted by Rydon Construction Limited the current start on site date would be June 2019.

3.2 **Secure Tenants**

3.2.1 It is proposed to award decant status to tenants in the first phase at this stage and also to tenants in subsequent phases to enable later development phases to move forward in the programme

3.2.2 It is proposed to commence formal Ground 10A consultation for Secure Tenants living in the first phase at this stage. Following this consultation period, and subject to consideration of representations received, the Council will apply for Secretary of State's consent for this phase of the scheme.

3.2.3 A housing needs survey of all Secure Tenants will be carried out by the High Lane project team in order to update tenants' housing needs and preferences.

3.2.4 In order to create a site for the first phase of the new development, most residents will need to be decanted off site, relocating to another Council property and then possibly returning to the High Land development once completed, if a property of the right bed size need is available. These residents will be able to request to return, but no guarantee of returning can be offered. The alternative option is moving them permanently to a Council home via the LOCATA choice-based lettings scheme or moving permanently to a Registered Provider home via the LOCATA choice-based lettings scheme.

3.2.5 Voluntary decanting for Secure Tenants in the affected blocks will commence in advance of Secretary of State consent for Ground 10A. Priority banding status will be awarded in line with the Council's Allocations Policy to enable this to happen.

3.3 Leaseholders

- 3.3.1 It is currently proposed that preparatory work for a Compulsory Purchase Order should be commenced for leaseholders in the affected blocks during spring 2017, ahead of making the CPO at the required time following authorisation from Cabinet
- 3.3.2 In advance of, and after the making and confirmation of the compulsory purchase order, it is proposed that the Council will negotiate with the owners of interests and rights in the land with a view to acquiring those interests and rights by agreement.
- 3.3.3 It is recognised that there will be some current leaseholders who, by reason of their personal circumstances, will not be in a position to raise additional finance to be able to buy into the new development, which will have a much higher capital value than they are likely to receive from the buy back of their current home.
- 3.3.4 In order to ensure that these leaseholders are able, if they wish, to choose to remain living in the area, Ealing Council will make available on the new Estate a number of properties for leaseholders currently living on the Estate on a shared equity basis. Leaseholders would buy another property on the Estate by contributing their buy-back value to the purchase with the outstanding value amount held as a first charge on the property by Ealing Council. For new properties on the Estate, no interest or rent is payable on the outstanding amount and the equity is only repayable on the sale of the property.
- 3.3.5 Some leaseholders will not be able to move directly into a shared equity home and will need to move to rented accommodation. Those leaseholders would pay only the equivalent amount that they currently pay to live in their existing home with the Council paying the difference until such time as the move into the new shared equity home.
- 3.3.6 Even with this offer of a shared equity product, there may still be owners who will not be able to secure a new mortgage to ensure they transfer the full value of their home. This is usually because of changed circumstances and reduced income generation since the original purchase with a mortgage. In these cases a decision will be made as to whether the leaseholder can access the Council's Leaseholder Assistance Fund to ensure they are not disadvantaged due to their home being acquired and demolished by the Council.

3.4 Void properties

- 3.4.1 As the blocks in the first phase will now be decanted, it is proposed that the re-letting of any voids to Secure Tenants in the first phase is stopped.
- 3.4.2 The High Lane Project Team will work to decant blocks in a controlled way to ensure that security of properties and communal areas is maintained. If sufficient time is available before the property is demolished the empty home will be used for temporary accommodation. When the final usage of the property has been made all void properties will be thoroughly secured and

they will be decommissioned as soon as they are void to prevent squatting. Regular inspections of the blocks will take place to check on security arrangements and ensure blocks are kept safe.

- 3.4.3 In order to assist the decanting of the first phase, and future phases, it is proposed that lettings of the remaining properties on the estate be ring fenced. This means that only current residents on High Lane who are being decanted will be able to apply to move into void properties on the Estate. If tenants who are being decanted do not take up these properties, they will be offered to existing High Lane residents in later phases who are overcrowded or who have some other identifiable need for the property (for example a disability that requires ground floor access).
- 3.4.4 Where properties are still not let after this point, a financial viability test will be used to determine the amount of income likely to be derived in rental stream until the unit is required for demolition against costs to be expended on void works and management and maintenance. Where income exceeds costs, the unit will be let.
- 3.4.5 If the property to be re-let has been made available as a result of the council re-purchasing a leasehold interest, it is proposed that if sufficient time remains before demolition these too will be used for temporary accommodation.

3.5 Principal Development Agreement (PDA), land disposals and appropriation

- 3.5.1 It is proposed that Cabinet agrees that officers continue work on negotiating legal agreements with the preferred development partner, and that officers report back to Cabinet for approval to the final key terms.
- 3.5.2 This will result in a report to Cabinet approving the key terms and allocation of risk in the Principal Development Agreement, which will be the contract that governs the relationships, responsibilities and process for completing the High Lane Regeneration.
- 3.5.3 As part of this, authority will also be sought for the Council to appropriate land for planning purposes, make a compulsory purchase order in respect of Phase 1, dispose of land and apply to the Secretary of State for consents. A report to cabinet will be presented covering these matters.

4 Financial

- 4.1 The recommendation seeks the appointment of Rydon Construction Limited as the Council's preferred partner for the re-development of the High Lane Estate. This is subject to satisfactory conclusion of legal agreement and therefore, indicative project costs of £12.226m provided at this stage may differ significantly from the final stage costs. The current approved budget in the HRA Business Plan is £4.153m higher at £16.379m, as set out in the table below:

4.2 Budget provision to fund the decanting of High Lane tenants and any additional rental payments for leaseholders not able to move directly into a shared home will be funded within approved HRA revenue budgets.

4.3 It was noted at the October 2016 Cabinet that the High Lane budget has increased and extended from a proposed budget of £9.372m (2015/16 - 2018/19) to £16.526m (2015/16 - 2022/23). The January 2017 Cabinet approved a budget position of £16.379m as set out in the table below. This will be funded through mainstream borrowings, developer contributions and leaseholder contributions.

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
	£m	£m							
Approved Budget Expenditure									
Mar 2016 Cabinet	0.100	1.272	4.000	4.000					9.372
Oct 2016 Cabinet	0.258	-	2.408	3.150	2.260	3.150	2.150	3.150	16.526
Jan 2017 Cabinet	0.258	-	2.261	3.150	2.260	3.150	2.150	3.150	16.379
Funding									
Borrowing	0.147	-	2.261	3.150	2.260	3.150	2.150	3.150	16.268
Revenue Contributions	0.111	-	-	-	-	-	-	-	0.111
Total	0.258	-	2.261	3.150	2.260	3.150	2.150	3.150	16.379

4.4 The calculations which produced the current assessment of the total cost of the Rydon Construction Limited scheme to the HRA is shown in confidential appendix 4 Officer Evaluation and Financial Assessment. The net cost £12.226m which compares favourably with £16.526m which was the position at the midpoint bids as reported to Cabinet in October 2016.

4.5 The details of the financial evaluation by the Council's Independent Financial Advisors, Savills, are attached as confidential appendix 6. This includes details of the land receipt to be received by the Council.

4.6 The £12.226m is a provisional budget which will be subject to change as the detailed scheme is developed over the coming months through consultation with estate and local residents and other interested stakeholders.

4.7 A revised budget position will be brought back to Cabinet once the scheme design has been further developed to provide greater certainty as to how and when the scheme will be progressed along with the finalised PDA for approval.

5 Legal

5.1 Under section 123 of the Local Government Act 1972 the Council is obliged to obtain the best price reasonably obtainable on the disposal of its own property unless the consent of the Secretary of State is otherwise obtained.

- 5.2 Where land is held for planning purposes under section 233 of the Town & Country Planning Act 1990 the Council may dispose of the land to such person, in such manner and subject to such conditions as appear to them to be expedient in order—
- (a) to secure the best use of that or other land and any buildings or works which have been, or are to be, erected, constructed or carried out on it (whether by themselves or by any other person), or
 - (b) to secure the erection, construction or carrying out on it of any buildings or works appearing to them to be needed for the proper planning of the area of the authority.
- 5.3 Consent of the Secretary of State is also required if the disposal under section 233 is be for a consideration less than the best that can reasonably be obtained
- 5.4 Section 32 of the Housing Act 1985 also requires that, before housing land within the Housing Revenue Account can be disposed of, the Secretary of State's consent must first be obtained. Under Section 19 of the Housing Act 1985 the Secretary of State's consent is required before housing land within the Housing Revenue Account can be appropriated for other purposes.
- 5.5 Where the Council intends to apply to the Secretary of Estate for approval of a scheme, which involves disposal of properties, in order to be able to rely on ground 10A in the Housing Act 1985 to obtain vacant possession of those properties, it must first carry out consultation with secure tenants affected by the scheme in accordance with Part V of Schedule 2 to the Act.
- 5.6 Where proposals are dependent on the Council being able to secure vacant possession of the site in question a compulsory purchase order will be necessary to secure the leaseholder interests and, in addition consent under Part V of Schedule 2 of the Housing Act 1885 to enable the Council to obtain possession of the residential units let under secure tenancies and demolition notices to be served to prevent right to buy sales will also be required.
- 5.7 Under section 226 of the Town and Country Planning Act 1990 the Council has the power to acquire compulsorily any land in their area if the authority thinks that the acquisition will facilitate the carrying out of a development, re-development or improvement on, or in relation to, the land and thinks also that this will help to promote or improve the economic, social or environmental wellbeing of the area.
- 5.8 The scheme was tendered and is being awarded in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.
- 5.9 Appropriate authority will be sought from Cabinet in time to start the necessary legal/statutory procedures as the scheme progresses.

6 Value For Money

- 6.1** A competitive developer selection process has taken place in regard to this scheme. This has ensured that the value for money implications of the preferred developer offer was assessed in relation to the other redevelopment proposals made by other bidders. This process encouraged the preferred developer to maximise their offer to the Council and residents so achieving the best possible regeneration outcome for the Council

7 Sustainability Impact Appraisal

- 7.1** The new properties:

- Designs will include renewable energy such as PV panels and recycling of water.
- All new homes to be built by Rydon Construction Limited will be to at least Code for Sustainable Homes Level Four, providing significantly reduced CO2 emissions and ensuring very low cost-in-use. This will also help contribute towards reducing fuel poverty.
- Extensive efforts will take place to ensure that the existing natural environment is enhanced through the regeneration programme. This will include the retention of as many trees as possible.

8 Risk Management

- 8.1** Previous reports that have considered the risks relating to the overall regeneration of High Lane estate have been submitted to Cabinet. Set out below is an update on the risk profile and consideration of the effect on specific risks of these proposals.
- 8.2** By its nature this capital project is high risk, although by appointing a developer partner has moved risk significantly away from the Council.
- 8.3** A comprehensive risk register and analysis matrix has been developed for the scheme and is attached as confidential appendix 3. A major risk factor identified through this process is the inability to provide vacant possession when sites are needed for handover, and the making of a CPO and the commencement of Ground 10A consultation will significantly reduce the likelihood of this occurring.
- 8.4** Once approved by Cabinet the Council's promotion of the CPO is subject to statutory time constraints and limits and there are at least two periods of time over which it has no control and to which any projected timetable is subject.
- 8.5** These are:
- On the Secretary of State determining that a public local inquiry be held, the time it takes for an appropriate Inspector to become available and an inquiry date fixed.

- The time it takes for the Inspector to complete his/her report to submit it to the Secretary of State with his/her recommendations and for the Secretary of State to come to a final decision as to whether or not the CPO be confirmed.

8.6 By appropriating land as outlined above the Council is reducing the risk of challenge to the scheme progressing and this is considered to be an appropriate course of action (subject to Cabinet approval at the appropriate stage) to reduce risk to future planning applications by the developer.

9 Community Safety

9.1 The High Lane Project Team will co-ordinate the decanting of the affected blocks in close liaison with Housing Management and the Council's Community Safety team to ensure the safety and security of residents. Void properties will be adequately secured, alarmed where necessary and decommissioned to avoid squatting.

10 Links to the 6 priorities for the Borough

The redevelopment will contribute to achieving Ealing's objectives:

- **Prosperous**
A comprehensive jobs and skills training programme for local residents is included with each regeneration project to ensure local people have an opportunity to gain from the development through work opportunities.
- **Safer**
A newly designed estate will consist of high quality homes designed to improve safety. The Council is committed to working with the Police to ensure developments are "secure by design".
- **Healthier**
The comprehensive regeneration of estate will improve public health through better design of housing and the alleviation of overcrowding. Provision is made for residents with disabilities and the provision of wheelchair accessible housing.
- **Cleaner**
The incorporation of good design will ensure that hidden and isolated areas will be less likely to suffer from fly tipping.
- **Fairer**
The allocation of new housing on each Estate is managed through a community lettings plan agreed by and with the residents.
- **Accessible**
Comprehensive regeneration of estates will deliver better transport connectivity in the area and provide an updated parking management plan.

11 Equalities, Human Rights and Community Cohesion

11.1 An outline Equality Impact Assessment (EIA) for the entire regeneration scheme was undertaken during March 2009 by the Housing Regeneration Team. A further EIA for this specific part of the project has also been undertaken, and no disproportionate affects were identified.

- 11.2 Under the Human Rights Act 1998 which came into force on 2nd October 2000 all public authorities must act in accordance with the European Convention on Human Rights.
- 11.3 Allocation of some of the proposed new homes being built in each regeneration estate to existing residents, several of which have lived 30 years in the area will help to build and retain community cohesion by ensuring that the current resident community who choose to remain living on the estate can continue to do live in the area.
- 11.4 A property owner has the right to respect for his/her private and family life and home and there shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary for the economic wellbeing of the country (Article 8). The exercise of powers of compulsory purchase by the Council in accordance with statute is considered a proportionate course of action to secure the economic wellbeing which will follow from the implementation of this major housing scheme.
- 11.5 A person is entitled to the peaceful enjoyment of his/her possessions and no one shall be deprived of his/her possessions except in the public interest and subject to the conditions provided for by law (Article 1 of the First Protocol). The Council is permitted to control the use of property in accordance with the general interest and the exercise of powers of compulsory purchase in accordance with statute is considered a proportionate course of action to secure in the general interest the implementation of this major housing scheme.

12 Staffing/Workforce and Accommodation implications

- 12.1 The current Housing Regeneration Team has the resources to deliver this project. Specialist support has already been procured for the majority of the advisors required to deliver the project. The remaining employment of an Employers Agent will be procured through an OJEU approved framework

13 Property and Assets

- 13.1 The housing regeneration scheme outlined in this paper include all housing and non-dwelling HRA assets on the estates

14 Any other implications

- 14.1 None

15 Consultation

- 15.1 Consultation under s105 of the Housing Act 1985 has included:
- June 2013 - letter sent to all residents informing them of the Council's decision to work with its consultants to assess possibilities for improving the

estate along with a newsletter and survey to gather residents views on their estate

- September 2013 – letter sent to all residents explaining the results of the survey and the Cabinet decision to proceed in principle with comprehensive redevelopment.
- November 2013 – start of an 8 month training programme through workshops and site visits to enable the Residents Steering Group (RSG) to better understand what regeneration means, how it is undertaken and how residents are affected and can be involved.
- July 2014 – residents’ aspirations for the estate established
- November 2014 – newsletter sent to all residents updating them on the work of the RSG, the aspirations established and the next steps to progress the regeneration
- February 2015 – update letter to all residents
- June 2015 – presentation to RSG explaining procurement process to select a development partner for the Council
- August 2015 - update letter to all residents
- November 2015 - update letter to all residents
- March 2016 – newsletter to all residents keeping them informed about the procurement of a developer partner and likely timetable for redevelopment and how residents will be affected
- April 2016 – housing needs and preferences survey sent to all residents
- July 2016 - letter sent to all private properties that adjoin the estate to update them on the Council’s intentions and possible timetable
- September 2016 – newsletter to all residents updating on procurement of a developer partner and likely timetable for redevelopment and how residents will be affected
- March 2017 - update letter to all residents

16 Timetable for Implementation

16.1 These dates are indicative and may change during the planning process.

Key stages and dates	
Start Decanting Process	Jun 2017
Negotiate Legal Agreement	May 2017 – Nov 2017
Return to cabinet for Approval	Dec 2017
Submit Planning Application	Feb 2018
Phase 1 Start on Site	Jun 2019
Phase 1 Completes	Sep 2021

17 Appendices

- Confidential Appendix 1 - Summary of Bids
- Confidential Appendix 2 – Planning Summary
- Confidential Appendix 3 – Commercial Risk Register and draft Heads of Terms
- Confidential Appendix 4 – Officer Evaluation and Financial Assessment
- Confidential Appendix 5 - DSG Evaluation Scores
- Confidential Appendix 6 – Independent Financial Evaluation
- Appendix 7 – CPO Plan

18 Background Information

- Cabinet Report 14th February 2017 - Procuring an Employers Agent for the High Lane Estate Regeneration Scheme
- Cabinet Report 18th October 2016 - High Lane Estate Regeneration Shortlisting of Development Partners
- Cabinet Report 14th June 2016 – High Lane Estate Regeneration - Procurement of an Employers Agent
- Cabinet Report 22nd March 2016 - Housing Regeneration Update including High Lane estate
- Cabinet Report 21st July 2015 - High Lane Estate Regeneration
- Cabinet Report 21st October 2014 - High Lane Estate Regeneration
- Cabinet Report 23rd July 2013 - Housing Regeneration Update including High Lane estate
- Cabinet Report 25th July 2012 - Medium Intervention Estates and HRA land use

Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Pat Hayes	Executive Director of Regeneration and Housing	16 Mar 2017		
Jackie Adams	Head of Property and Regulatory Legal Services	16 Mar 2017		
Donna Creffield	Legal Contracts	16 Mar 2017		
Rahima Jahan Ali Hannah Katakwe	Housing Finance	16 Mar 2017		
Councillor Anand	Cabinet Member for Housing	16 Mar 2017		
Paul Miller	Procurement Manager	16 Mar 2017		

Report History

Decision type:	Urgency item?
Key decision	Key
Report no.:	Report author and contact for queries: David Baptiste Head of Housing Supply, x6858