

**FULL EQUALITIES IMPACT ASSESSMENT FORM B****Function being assessed:**

Cambridge Road Estate - Appropriation

**Is this a new function or a review of an existing function?**

In March 2020, residents voted in favour of proposals to regenerate the Cambridge Road Estate (CRE). RBK has appointed Countryside Properties (UK) Ltd as its joint venture partner. This ambitious programme will provide over 2000 new homes, shared spaces and community facilities for the neighbourhood.

In April 2021 at Full Council, Members resolved that, subject to being satisfied in relation to the progress of the planning application for the development, the Executive Director of Place be authorised to make a CPO (“the Order”) under Section 226(1)(a) of the Town and Country Planning Act 1990 to acquire the outstanding interests in the Order Land and the submission of the Order to the Secretary of State for confirmation, and authorise the confirmation of the Order if the Council is given the power to do so by the Secretary of State under Section 14A of the Acquisition of Land Act 1981.

This report is to support the Appropriation of land on CRE which is required in addition to the CPO to enable the proposed regeneration of the Estate to proceed.

**What are the aims/purpose of the function?**

The primary purpose of the Appropriation is to facilitate the comprehensive redevelopment and regeneration of the Estate.

A primary driver for the regeneration is to improve the quality of housing for current residents. The estate suffers from significant condition issues but also fundamental design flaws that would make it impossible to deliver modern day ‘secure by design’ improvements including designing out crime and improving accessibility standards through refurbishment (due to layout and changes of levels across the site). New build accommodation would also allow tenants and leaseholders to benefit from higher standards in terms of better insulated and more energy efficient homes, increased accessibility and connectivity.

The Council is confident that the proposed redevelopment will result in social, economic and environmental improvements to the Estate and the Borough. It will also secure new private and affordable housing in place of that proposed to be removed, thus securing both quantitative and qualitative improvements to the housing available in the Borough.

Following the outcome of a regulated procurement process a 50:50 joint venture has been established between the Council and Countryside Properties (UK) Ltd to undertake the regeneration of the Estate. Both parties are responsible for delivering the development through a Limited Liability Partnership (LLP), which is managed through a Board structure and with profits distributed in proportion to investment stake. A Community Board has also been established to be the representative body for the community, ensuring that their views continue to be taken into account at every opportunity.

With the Member's approval in April 2021 to make a CPO for Phases 1 and 2 of the regeneration, the Council is proceeding to secure clean title and vacant possession of the Order Land in order to ensure the implementation of the initial phases of the redevelopment. The CPO is a last resort to the negotiated acquisition of interests which has been progressing since 2017.

Across the Estate there is considered to be an urgent need for redevelopment to give residents a much higher quality living environment, to increase the provision of mixed-tenure homes, and deliver comprehensive regeneration. The regeneration programme will be delivered in Phases. Along with the ongoing negotiated acquisition of interests in the first two Phases which make up the current CPO land, some secure tenants and temporary accommodation households living in properties in Phase 1 have started to be rehomed.

In September 2020 the Response and Recovery Committee approved the Phase 1 Business Plan. Subsequently the detailed Phase 1 planning application was submitted in November 2020, along with the outline plan for the complete Estate. At time of writing these are still being considered.

The LLP agreements and business plans require the Council to transfer blocks of land to the LLP for redevelopment, and that land must be in vacant possession. Appropriation is required as a condition of that vacant possession. As the result of the appropriation is an ability to override third party rights the Council should not appropriate unless it has good reason to think that the interference with the rights affected is necessary. The benefits of regeneration stated above are considered necessary to appropriate the land.

The appropriation of land will be conducted on a phase by phase basis. In the first instance, appropriation of Phase 1 land will enable the redevelopment of Phase 1 of the Estate regeneration scheme. This will deliver new homes, community facilities, office and retail/commercial floorspace, bicycle storage and landscaping in a manner that will improve the economic, social and environmental wellbeing of the area. Phase 1 has been designed so that it provides the affordable housing stock required for secure tenants currently living in properties to be demolished during Phase 2 to move straight into a new home on the Estate should they choose to.

Title reports have been undertaken to identify third party rights, including rights of light. In line with prudent practice, in June 2021 the Council will write to

people who may have a right or covenant, to advise them that if they believe this right may be affected by the development they could be able to release that right subject to payment of compensation.

Appropriation enables local authorities to breach such rights and restrictions without being subject to injunction proceedings which could significantly delay or even halt the Estate regeneration. The effect of this power would be to override those third-party rights, and to give affected third parties who suffer a relevant loss a right to claim statutory compensation when development is carried out. If a sum for compensation is not agreed between the Council and an affected landowner, either party can issue proceedings to the Upper Tribunal (Lands Chamber).

**Is the function designed to meet specific needs such as the needs of minority ethnic groups, older people, disabled people etc?**

Appropriation is required to enable the regeneration of CRE to proceed, which will result in social, economic and environmental improvements to the Estate and the Borough.

Appropriation affects certain homeowners around the boundary of the Estate. It does not affect any residents on the Estate. This cuts across all of the equalities protected characteristics, but should not have any detrimental impact on any of them.

**What information has been gathered on this function? (Indicate the type of information gathered e.g. statistics, consultation, other monitoring information)? Attach a summary or refer to where the evidence can be found.**

A comprehensive household verification exercise was carried out with all social tenants, residents in temporary accommodation and homeowners on the Estate. The primary purpose of this was for robust identification of all eligible voters for the regeneration Ballot. The secondary purpose was to ensure we had accurate and up to date household information.

The verification process took place between June and September 2019. A total of 863 households and other freeholders were written to with details of the information the Council currently held on them and they were asked to confirm or amend this. The Council commissioned Persona Associates, a land referencing agency, to verify the land registry records of all home-owners on the estate and to assist with the data gathering exercise.

The following information was checked for all current household members:

- Name, Date Of Birth, gender
- Relationship to main tenant

- First language / translation needs
- Ethnic origin
- Disability categories
- Contact details

The resident steering group was consulted with, prior to distribution of the forms, to ensure the questionnaires and accompanying letters were clear and the recommended amendments were made.

A number of drop-in sessions were held at Tadlow Hub for residents who had any questions or required assistance. Information was also circulated in 14 different languages and interpreting services offered on request.

The overall return rate was 69%. The Council can confidently confirm that to date every effort has been made to ensure that accurate information has been recorded on as many households as possible who will be affected by the regeneration.

The data used to inform this impact assessment has been taken from the following sources:

- Housing landlord service records (Universal housing - Civica)
- CRE household verification data
- Land registry
- Home Connexions (housing register data)
- Leasehold services records
- Kingston data observatory
- GLA (Greater London Authority) projections 2020
- ONS (Office for National Statistics) census 2011
- RBK Annual Public Health Report 2014
- LGBT in Britain, Trans report (Stonewall 2018)

The details and needs of leaseholders and freeholders who live on the boundary of the estate were not included in the 2019 verification exercise. As such data and details for these residents are known from some of the sources listed above.

**Does your analysis of the information show different outcomes for different groups (higher or lower uptake/failure to access/receive a poorer or inferior service)? If yes, indicate which groups and which aspects of the policy or function contribute to inequality?**

There is no evidence to suggest that the appropriation of the land will have a disproportionately adverse impact on those with protected characteristics.

The anticipated impact on affected parties is expected to be minimal as property owners and occupiers will continue to be able to enjoy their property in the same manner as they do at present, with all properties accessible throughout the

works and upon completion of the development. Whilst there may be an interference with rights of light, the development of the Estate does not result in any properties having unacceptable levels of adequate daylight and sunlight. This has been demonstrated in the detailed Daylight & Sunlight reports prepared by GIA Chartered Surveyors, submitted as supporting documents for the scheme planning application.

Statutory compensation will be agreed with owners who have the benefit of the rights that are interfered with, calculated on the basis of the diminution in the value of their land as a result of the interference.

The process to appropriate may be confusing or upsetting to some homeowners. The former is more likely for residents with English as a second language, reading or learning difficulties or sensory impairment. Steps to support these particular individuals are presented below.

### **Covid-19 pandemic**

Since March 2020 we have faced an unprecedented and ongoing world-wide pandemic caused by the SARS-CoV-2 virus. England, along with most other countries, went into lockdown to reduce the spread of the disease. This meant severe restrictions on public life including school and business closures, social distancing measures and shielding for people who were particularly vulnerable to infection. At the time of writing many of these restrictions have been lifted. The risk to public health is ongoing. The Council is currently operating in a very different way with some services closed and others functioning very differently. Face to face communication has generally needed to be replaced by printed or online communications and phone calls.

Steps taken to minimise the impact of the appropriation process due to the pandemic are presented below.

### **Are these differences justified (e.g. are there legislative or other constraints)? If they are, explain in what way.**

As indicated above, there is no evidence to suggest that the appropriation of the land will have a disproportionately adverse impact on those with protected characteristics.

### **What action needs to be taken as a result of this Equality Impact Assessment to address any detrimental impacts or meet previously unidentified need? Include here any reasonable adjustments for access by disabled people. Include dates by which action will be taken. Attach an action plan if necessary.**

The following reasonable adjustments will be made to enable access to key information and support for all.

	<b>Action</b>	<b>Groups of residents for whom this will reduce potential inequalities</b>
1	Offer information (communications) in various accessible formats and translated into other languages. Where permitted, communicate with a homeowner's appointed representative.	Residents with sensory impairments Residents with learning disabilities Residents with low literacy levels BAME residents with English as a second language
2	Offer to resolve queries or questions from residents by video conference and telephone appointments, and face to face appointments when allowed that meet government Covid-19 safety guidelines. These can be arranged outside of weekday working hours if need be.	All residents
3	The Council will abide by the statutory requirements of appropriation and the compensation procedure which ensure that no resident is worse off financially due to a diminution of their land value	All residents

**When will you evaluate the impact of action taken? Give review dates.**

A review will be conducted following the distribution of appropriation notices to homeowners affected by Phase 1 of the regeneration - expected to be in late June 2021. The focus of this review will be on the impact of communications.

Since appropriation is a long-term process for which the extent of impacts on land and property value is not known until building work is underway, ongoing annual reviews will be undertaken to evaluate the impact and our approach. This will inform the future appropriation of the remaining blocks of land as they are required.

Assessment completed by:

**NAME: Jenny Humphreys**

**SERVICE: CRE Regeneration**

**DATE: 25 May 2021**

Please send your completed assessment to your service head. A copy should then be sent to the Equality Adviser.