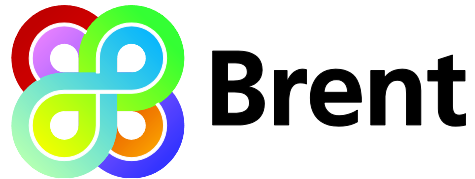


South Kilburn Cabinet Report 15 September 2014

Appendix 2



**Formal Consultation with Secure Tenants with Homes in Peel Precinct, 97 to 112 Carlton House and 8 to 14 Neville Close (together defined as 'Peel')
July/August 2014**

Responses to representations on three Proposals:

- 1) Proposal 1: Statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985**
- 2) Proposal 2: Consultation in connection with Intention to make a Compulsory Purchase Order on properties currently occupied by Secure Tenants, South Kilburn**
- 3) Proposal 3: Consultation in connection with draft Allocation Policy for Secure Tenants with homes Peel, South Kilburn**

1) Proposal 1: Responses to representations on statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985

No	Date of Representation	Representor	Comment	Response	Date of Response
1	NA	NA	None received.	NA	NA

2) Proposal 2: Responses to representations on consultation in connection with Intention to make a Compulsory Purchase Order on properties currently occupied by Secure Tenants, South Kilburn

No	Date of Representation	Representor	Comment	Response	Date of Response
1	NA	NA	None received.	NA	NA

3) Proposal 3: Responses to representations on consultation in connection with draft Allocation Policy for Secure Tenants with homes Peel, South Kilburn

No	Date of Representation	Representor	Comment	Response	Date of Response
1	4 August 2014	- Independent Tenant Advisor - Tenant Representative	Accuracy of paragraph 9.1 [Rent Levels of New affordable Homes on South Kilburn] of the draft Allocation Policy for Secure Tenants with Homes in Peel questioned. It reads as follows:	Paragraph 9.1 of the Allocation Policy for Secure Tenants with Homes in Peel has been amended as follows: <i>'Secure Tenants who are allocated a new replacement home in South Kilburn will pay</i>	21 August 2014

Formal Consultation with Secure Tenants with homes in Peel, South Kilburn
Responses to representations, August 2014

No	Date of Representation	Representor	Comment	Response	Date of Response
			<p><i>'Secure Tenants who are allocated a new replacement home in South Kilburn will pay higher rent than for their existing Council property. This is due to two reasons:</i></p> <ol style="list-style-type: none"> <i>1) Council rents are below the rents charged by Registered Providers, which are known as target rents</i> <i>2) The higher value associated with a quality new build home, compared with an existing Council property, will be reflected in a higher target rent.</i> <p><i>The Council has set rents in accordance with its policy that will lead to Council rents and target rents for properties of a similar size, location and condition becoming more equal by 2016. However, even after 2016, there will be a difference in the rent charged for existing Council properties in South Kilburn, compared with new homes for rent from Registered Providers, built as part of the South Kilburn regeneration programme. Secure Tenants who are allocated a new replacement home in South Kilburn under this policy will pay the relevant target rent from the date of relocation'.</i></p>	<p><i>higher rent than for their existing Council property.</i></p> <p><i>This is due to two reasons:</i></p> <ol style="list-style-type: none"> <i>1) Council rents are below the rents charged by Registered Providers, which are known as target rents;</i> <i>2) The higher value associated with a quality new build home, compared with an existing Council property, will be reflected in a higher target rent.</i> <p><i>Annual rent increases for the new replacement homes will, like Council rents, be in line with the Government's recently issued guidance on social rent, with rent from 2015 increasing in line with the Consumer Price Index plus one per cent.</i></p> <p><i>This will mean that there will always be a difference in the rent charged for existing Council properties in South Kilburn, compared with new homes for rent from Registered Providers, built as part of the South Kilburn regeneration programme. Secure Tenants who are allocated a new replacement home in South Kilburn under this policy will pay the relevant target rent from the tenancy start date'.</i></p>	

Formal Consultation with Secure Tenants with homes in Peel, South Kilburn
Responses to representations, August 2014

No	Date of Representation	Representor	Comment	Response	Date of Response
2	11 August 2014	- Independent Tenant Advisor - Tenant Representative	<p>[Paragraph] 5.1 [of the draft Allocation Policy for Secure Tenants with homes in Peel] – Same gender children under 21 will be required to share a room – previous policy was under 18s shared unless there was a five year age gap. Clearly with the age increase and the removal of the age gap, there could be quite inappropriate sharing arrangements in some circumstances. We think it will also make the Council's task in rehousing families even more difficult.</p> <p>Other boroughs certainly still maintain a different approach for decants whilst adopting the National Bedroom Standard for their Allocation Policy. Kensington and Chelsea still offer separate rooms at 18 years of age for decants whilst maintaining age 21 for new allocations. Whilst Wandsworth and Hammersmith and Fulham continue to offer loose fit allocations on downsizing.</p>	<p>The draft Allocation Policy for Secure Tenants with Homes in Peel has been drafted to align with the Brent Housing Allocation Policy 2013 which adopts the Government's bedroom standard which allocates one bedroom to each pair of children or young people aged between 10 to 20 years old of the same gender.</p> <p>Paragraph 5.2.2 notes that the Council will offer a Secure Tenant a larger replacement home than they would otherwise be entitled to under the Brent Housing Allocation Policy 2013 where a Secure Tenant, at the time that the housing needs assessment was undertaken, has two children of different sexes under 10 years old but where one or both of those children will be 10 years old or above by the time that the Secure Tenant will move into the replacement home.</p> <p>The Council proposes to include a new paragraph 5.2.3 to note that the Council will offer a Secure Tenant a larger replacement home than they would otherwise be entitled to under the Brent Housing Allocation Policy 2013 where household members will be aged 21 years or above by the time the Secure Tenant will move into the replacement home as follows:</p> <p><i>'5.2.3 Where a Secure Tenant, at the time that the housing needs assessment was</i></p>	21 August 2014

Formal Consultation with Secure Tenants with homes in Peel, South Kilburn
Responses to representations, August 2014

No	Date of Representation	Representor	Comment	Response	Date of Response
				<p><i>undertaken, has a young person under 21 years old, who would be required to share a bedroom based on the Brent Housing Allocation Policy 2013, but the young person will be aged 21 years or above by the time that the Secure Tenant will move into the replacement home'.</i></p>	
3	11 August 2014	- Independent Tenant Advisor - Tenant Representative	<p>[Paragraph] 7.6 [of the draft Allocation Policy for Secure Tenants with homes in Peel] – A permanent move outside South Kilburn can be enforced within this policy whilst previously it was voluntary for non one bedroom tenants. We note your comment that this would only apply in the Bespoke Peel Policy and not for future phases. Loss of this protection would mean that tenants no longer had a "Right to Return" to South Kilburn.</p>	<p>The Council proposes to include a new paragraph 7.7 in response to this comment which reads as follows:</p> <p><i>'7.7 Suitable Offer (temporary) Within South Kilburn</i> <i>Where a Suitable Offer of permanent alternative accommodation within South Kilburn cannot be identified, for some Secure Tenants, this will mean a Suitable Offer of a temporary home within a block that is due for demolition as part of the South Kilburn regeneration programme. The Secure Tenant will remain in the temporary home until it is required for demolition as part of the South Kilburn regeneration programme, at which time the Secure Tenant will be made a Suitable Offer of a new replacement home. This guarantees the Secure Tenant the 'right to return' to a new home on the estate.</i></p> <p><i>Where a Secure Tenant occupies a temporary home for over twelve months</i></p>	21 August 2014

Formal Consultation with Secure Tenants with homes in Peel, South Kilburn
 Responses to representations, August 2014

No	Date of Representation	Representor	Comment	Response	Date of Response
				<p><i>then they may be entitled to a second statutory Home Loss Payment and Disturbance Payment once they move to their permanent new home within the South Kilburn regeneration programme. A second payment of Home Loss Payment and Disturbance Payment will only be made if the Secure Tenant has a legal entitlement to a second payment at the time of the Secure Tenant's move to their permanent new home within the South Kilburn regeneration programme. Where a Secure Tenant has to move to a temporary home, the Council may carry out improvements works to that home to assist the Secure Tenant to settle in. In some cases the Council may also offer fixtures and fittings as a gift. Where this happens, the Council will not be liable to maintain or repair these items'.</i></p>	