



Cabinet
9 December 2019

**Report from
Strategic Director, Community
Well-Being**

FUTURE ST RAPHAEL'S MASTERPLANNING

Wards Affected:	Stonebridge
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Six: Appendix A – Project Timeline Appendix B – Red Line Boundary Appendix C – Building Typologies Appendix D – Summary of Community Engagement and Design Events Appendix E – Local Area Constraints Appendix F – Equalities Analysis
Background Papers:	None
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1. Purpose of the Report

- 1.1. St Raphael's sits within the Stonebridge ward. It is bounded by the North Circular Road to the south and east, industrial premises to the north and the River Brent to the west. It is a low density residential area of 1140 homes and a small number of non-residential units.
- 1.2. In November 2018, Brent Council (the council) sought approval from the Cabinet to commence work on establishing community led masterplans for St Raphael's, for both infill development and redevelopment, culminating in a ballot which would take place prior to a decision about which option to take forward. It was agreed that the whole area as defined at 1.1 would be initially considered within the masterplanning work until viability could be assessed.
- 1.3. The primary council objective is to improve the experience of living on St Raphael's estate, whilst also increasing the amount of affordable housing.
- 1.4. This report provides an update on the progress of establishing community led masterplans. As a part of the standard masterplanning process, the area under consideration, known as

the 'red line', has been appraised in order to provide an early indication of deliverability. This report provides a summary of this work and recommendations arising from it.

2. Recommendations

That Cabinet:

- 2.1 Note the project progress as detailed in Section 4;
- 2.2 Acknowledge the work and commitment of the Resident Board, St Raphael's Voice;
- 2.3 Note the masterplanning timeline as detailed at Appendix A;
- 2.4 Note the community design priorities as detailed in Section 4.13;
- 2.5 Approve the adjustment of the red line masterplanning area to focus the masterplan only on the area known as St Raphael's Estate (Area A) as shown in the map at Appendix B.
- 2.6 If redevelopment is progressed, and in line with the Council's Allocations Scheme, to approve the proposal for the council to consult on establishing a Local Lettings Policy for all council tenants living on St Raphael's (Area A, B and C as shown in the map at Appendix B).
- 2.7 Approve the additional project budget of £300k in order to deliver the extended community led masterplanning through to ballot in autumn 2020.

3 Background

St Raphael's

- 3.1 The map at Appendix C shows St Raphael's. It was initially assumed that this area was a single housing estate, but over the course of the last year it has become apparent that this is not the case, neither from a design or resident perspective. The map identifies three distinct areas, which reflect different house types, height, design and ownership mix.
 - 3.1.1 Area A on the map is known locally by residents as St Raphael's Estate. Building heights vary between 1-4 storeys, with a mix of 4 building typologies built in the late 1960's and 70's. c.70% of homes in St Raphael's Estate (Area A) are in council ownership.
 - 3.1.2 Area B and C on the map are known locally by residents as the Old Estate. This area is almost exclusively made up of 2 storey houses built after WW1, between 1918 - 1938. Council ownership of homes in Area B is c.48% and in Area C the council owns only c.14% of homes.
- 3.2 Density levels across the whole area are low, at an average of 36 dwellings per hectare. Excluding the park by the river in St Raphael's Estate (Area A) from calculations, density would still be low at an average of 59 dwellings per hectare. By comparison the London Plan Density Matrix suggests that an urban area such as St Raphael's should range from 45 to 170 dwellings per hectare, with the London Mayor encouraging council's to build schemes at the higher end of the guidance.
- 3.3 The condition of council owned homes is acceptable according to a stock condition survey carried out in 2018, with total investment over 30 years estimated at £28.5m. Partly due to the low density, the estate is relatively green, with the location next to the River Brent being a considerable asset for local residents.

- 3.4 Beyond housing, data shows that the estate has poor access to public transport by virtue of its isolated location, and within the community there is higher than average levels of child poverty and lower than average levels of formal qualifications and employment.

Brent Council Housing Strategy

- 3.5 The council has an ambitious strategic housing target to deliver 1,000 new affordable homes every year, over the next five years. This target was set to meet growing demand in the borough for affordable housing. Alongside growing demand, the number of council homes has reduced through tenants evoking the Right to Buy.
- 3.6 To ensure current and future housing demand is met, the council has committed to utilising all potential delivery routes, including building 1,000 new council homes for Brent residents.
- 3.7 St Raphael's presents an opportunity for the Council to consider options to provide additional housing, and by doing so, address some of the wider challenges experienced on the estate.

4 Project Progress

- 4.1 In line with the recommendations agreed by Cabinet in November 2018, a professional team has been appointed, with input from or decision making by residents where appropriate. The core professional team consists of a local independent resident advisor (PPCR) and a design team led by Karakusevic Carson Architects (KCA). Financial consultants have also been commissioned to carry out the initial and subsequent financial viability assessments on the masterplans as they are developed.
- 4.2 As part of their commission, KCA have supported the local employment of a number of short term, paid positions. Currently an event photographer, film maker, community engagement intern and four youth event planners have been employed from within St Raphael's to work on the project. Similarly, PPCR have employed a young person from St Raphael's within an apprentice role. This equates to an additional social value contribution of £42k.

Community Engagement

- 4.3 Community engagement is carried out to better engage a particular community to achieve long term and sustainable outcomes. In this case, it should encompass a two-way conversation, where the council and its partners provide information to residents, homeowners and stakeholders on St Raphael's, and these community members provide their views on information provided or any part of the programme. Effective community engagement is critical to getting a positive long term result for the residents and the landowner within development.
- 4.4 In order to support the delivery of community led masterplans, a comprehensive community engagement and communications plan is being delivered. Engagement is led by the council's project team, the design team and the local independent advisors, with increasing support from the members of the Resident Board, St Raphael's Voice.
- 4.5 St Raphael's Voice (SRV) was established in July, supported by PPCR, through a process of self-nomination. It is currently made up of 14 members who are representative of the area, geographically, demographically and by tenure. SRV has an elected chair and vice chair, and currently meets monthly. The group is key to the success of the project, providing both a leadership and critical friend role to ensure the community led objective is achieved.

4.6 Resident attendance at public events is increasing, with 142 residents from 62 households attending the community event in August, and 146 residents from 128 households attending the visioning workshops and events in October/November. However public events alone cannot be relied on; a wide variety of approaches are being adopted in order to communicate and enable engagement with as many of the residents and stakeholders as possible. In the last 6 months we have:

- Established a (paid) youth engagement panel who are holding and organising their own, targeted, engagement events;
- Run 4 public engagement events over 9 days, promoted in multiple languages via e-newsletter, leaflets delivered to all households, posters, banners on the estate, Facebook and Twitter;
- Run 5 public co design workshops on establishing the community vision for infill and redevelopment;
- Carried out 4 estate walkabouts;
- Delivered 1 training session over 2 days for the Resident Board;
- Delivered 3 training sessions for the St Raphael's residents on demystifying development, influencing design and developing a resident charter;
- Hosted 2 study trips to other redevelopment and infill development sites (1x Resident Board and 1x public);
- Carried out 2 series of pop up engagement events located across the estate;
- Carried out monthly door knocking across the estate to share information and encourage engagement in the project;
- Established an e-contact list of 850 subscribers;
- Issued bi-monthly newsletters to all households;
- Established a Facebook Group for residents;
- Jointly delivered a video promotion in partnership with a local influencer resulting in more than 34,000 views and c. 900 visits to our website;
- Invested in improving the user experience on the St Raphael's section of the Brent website, and rigorously driving traffic towards it from other communications activities. Between June and November 2019, entrances to these pages increased by 628% compared to the previous period, with users spending considerably longer viewing content;
- Maintained an online record of all meetings, events, workshops and trips, including a summary of what happened and video/images where appropriate.

See Appendix D for a summary of the community and design events carried out to date.

4.7 Engagement numbers to date

	Households	Engaged Households	Percentage Engaged
St Raphael's Estate (Area A)	759	418	55%
The Old Estate (Area B)	220	128	58%
The Old Estate (Area C)	161	60	37%
Total	1140	606	53%

4.8 In order to further improve communications and engagement, the project team are working with members of St Raphael's Voice to test communications prior to release, utilise their communication channels and establish increasingly tailored engagement approaches.

Co Design

- 4.9 Co design or participatory design is an approach which attempts to actively involve all stakeholders in the design process to ensure the end result meets their needs.
- 4.10 The project timeline at Appendix A shows the high level process for the masterplanning work up to ballot. 4 rounds of 5 co design workshops are currently planned for St Raphael's residents, each focusing on a different aspect of the masterplanning process; community vision, infill development, redevelopment and design code. This is an iterative process which is led by the needs of the residents. To that end the timeline can only ever be illustrative.
- 4.11 The first of the co design workshops ran in October, with 5 two hour sessions focused on establishing community design priorities for both the infill and redevelopment masterplans.
- 4.12 This work built on the design team's understanding of the estate and the community, learnt from previous engagement events. The outputs from these workshops were tested and refined through a further 6 public drop in events running daily over a single week.

Design Priorities

- 4.13 Over the course of the first co design workshops and review events, the project team have had conversations with 146 residents representing 128 households on their priorities for the future infill and redevelopment masterplans. These will be used to shape and assess the design of the emerging masterplans while continuing to evolve over the full co-design process and develop into a set of design principles confirmed in the design code.
- 4.14 The community design priorities are as follows:
- Modern homes with high quality materials internally and externally with a mixture of flats and houses with private amenity space in form of balconies and gardens;
 - Multi-functional community hub with flexible use for people of all ages and spaces for local businesses on the estate;
 - Improvements to parking and streetscape through design and operational management, together with wider traffic control measures;
 - Better safety and security through design of both private and communal spaces, incorporating natural surveillance of public places;
 - Enhanced green play and public spaces, and purposeful planting and amenities;
 - Well-designed spaces for waste and recycling and easy to maintain communal areas.
- 4.15 The second series of co design workshops will run in November, focused on infill development. The outputs from these workshops will be tested and further developed through public exhibitions in the New Year. See Appendix D for a summary of the community and design events carried out to date.

5 Site Appraisal and Confirmation of the Red Line

Introduction

- 5.1 As a part of the standard masterplanning process, the red line masterplanning area has been appraised in order to provide an early indication of deliverability. Both infill development and redevelopment have been considered in this process, each requiring a different approach to enable decision making.

- Site Appraisal for Redevelopment. This has focused on ascertaining whether redevelopment is, in principle, deliverable. St Raphael's Estate (Area A) and the Old Estate (Areas B and C), have each been reviewed primarily from a design and finance perspective, with additional anecdotal information provided from resident conversations.
- Site Appraisal for Infill Development. This has focused on ascertaining whether infill development is, in principle, deliverable from a design perspective only, i.e. are there potential sites where infill development is possible. An assessment of financial viability and resident support for potential infill sites will be carried later in the process, once individual sites have been identified and scheme designs developed with residents.

5.2 The conclusions from the infill and redevelopment appraisals have been considered together in order to make a decision on the recommended red line area to focus the masterplans.

Site Appraisal - Design

5.3 The community engagement carried out over the first 3 months of KCA's appointment in July 2019 focused on gaining an understanding of the red line area, both from a resident perspective and from a design perspective. This qualitative information, together with evidence learnt from site surveys, has been drawn together into a comprehensive early site analysis.

5.4 The conclusions drawn from the site analysis are as follows:

Redevelopment

- Pitfield Way forms a natural border between St Raphael's Estate (Area A) and the Old Estate (Area B/C);
- The site constraints are most severe in Area B of the Old Estate, with a mid-level sewer, EHV cable and Mitchell Brook running under the area and presenting a significant flood risk (see Appendix E). These constraints are restrictive from a design perspective, and would be costly to address during construction;
- The impact of the North Circular Road is considerable but primarily restricted to those homes directly adjacent to the road;
- There are limited known site constraints in St Raphael's Estate (Area A) and none in Area C of the Old Estate;
- St Raphael's Estate (Area A) has the potential for re-development without significantly affecting daylight and sunlight for existing properties in the Old Estate (Area B/C) due to its location to the north of those areas.

Infill Development

- There is potential for infill development in St Raphael's Estate (Area A) without impacting on the existing homes in the Old Estate (Area B/C);
- There is no potential for infill development in the Old Estate (Area B/C).

5.5 In conclusion, from a design perspective:

- St Raphael's Estate (Area A) is suitable for both infill development and redevelopment;
- Area B of the Old Estate is suitable for redevelopment only, although the considerable site constraints will be restrictive and costly;

- Area C of the Old Estate is suitable for redevelopment only.

Site Appraisal - Finance

- 5.6 An initial Financial Viability Appraisal (FVA) carried out at this stage is hypothetical because there is no masterplan upon which to assess costs. Instead, a set of realistic assumptions have been developed based on planning assumptions, the current market, estimated current costs of development etc., which allow experienced financial modellers and cost consultants to generate a cost for site assembly (acquiring private and leasehold homes and costs associated with delivering the landlord offer), and build a picture of the profit that would need to be generated from selling homes in order to have a deliverable (ideally cost neutral) masterplan.
- 5.7 An initial FVA carried in this way provides the council with an indication of whether redevelopment could be delivered at a cost that was affordable. Significantly more detailed and accurate financial viability appraisals will be carried out as the masterplans are developed, and for all subsequent iterations of the plans up to the point of ballot and beyond.
- 5.8 The following set of assumptions have been used in the FVA's for all areas:

Acquisition costs – leaseholders and freeholders	
Property values	Based on known sales within the estate 1 bed flat £210,000 2 bed flat £265,000 3 bed flat £320,000 3 bed house £400,000 4+ bed house £430,000
Home Loss Compensation	10% of property value for the assumed 75% resident leaseholders or freeholders, 7.5% of property value for the assumed 25% investor landlords
Compulsory Purchase Order	Allocation for possible CPO from £2,500,000 to £4,500,000 depending on the number of private properties
Acquisition costs – tenants (including HA tenants)	
Value of stock	No allocation – currently assumed the council would 'write off' the value of it's homes
Disturbance costs and removals	£10,000 for each tenant required to move Note: this is £6,400 home loss payment plus an allocation for removals, the details for which will be refined
Other site Assembly costs	
Provision of temporary accommodation	No allocation – single move with no decant
Contingency for other unforeseeable costs	Allocation of up to £1,773,500 depending on site

Development	
Density	A density of 150 dwellings per hectare for all sites in line with the London Plan Density Matrix
Tenure split	50% social/affordable 50% private
Grant	Full GLA grant on all affordable and social units
Build costs	A blended rate build cost of £3,172psqm (Gross Internal Area)
Building efficiency	Assumed to be 80% Note: this is relevant to flat blocks as refers to the amount of space used for homes vs the total amount of space in the building. The higher the % the more space in the building is used for homes and the less space is used for stairs, lifts, corridors etc. The industry recommended efficiency is 75 – 85%.
Developers profit	Allocation of 20% of total development value for private and 6% of total development value for affordable. Note: this is an industry standard allocation for developer's profit which may be able to be reduced. The developer builds the scheme. It is assumed this is not the council.
Proposed new build sales values	A blended sales value of £7,000psqm has been applied across B & C sites, based on evidence from new build sales in NW London. Uplift values of £7500 to £7750 have been applied to Area A to reflect large scale regeneration impact.

5.9 Using the above assumptions, the initial FVA for redevelopment in St Raphael's Estate (Area A), the Old Estate (Area B), and the Old Estate (Area C) is as follows:

Area	Summary	Conclusion
St Raphael's Estate (Area A)	<p>St Raphael's Estate (Area A) is a relatively large site at 21.4 hectares. It has 225 homes in private ownership, representing 30% of the total number of homes in the area.</p> <p>There are significant site assembly costs for acquiring the 225 privately owned homes at circa £78.5m, which is 8% of the anticipated Gross Development Value (GDV).</p> <p>However, the positive impact of a redevelopment scheme of this scale, with a waterfront</p>	<p>Given the current understanding of redevelopment potential, <u>St Raphael's Estate (Area A) is considered capable of being viable.</u></p> <p>The potential for achieving higher sales values justifies further investigation into the viability of redeveloping St Raphael's Estate (Area A).</p> <p>The density, design, build costs and sales values of any potential scheme need to be considered in much greater</p>

	<p>location, should attract uplift sales values of up to £7500 psqm, as evidenced elsewhere in the borough.</p> <p>The current FVA shows a viability <u>gap</u> of £22m.</p>	<p>detail in order to arrive at a viable scheme.</p>
The Old Estate (Area B)	<p>Area B of the Old Estate is a relatively small site at 6.7 hectares. It has 115 homes in private ownership, representing 52% of the total number of homes in the area.</p> <p>There are significant site assembly costs for acquiring the 115 privately owned homes at circa £53.6m, which is 11% of the anticipated GDV. This cost, together with the current anticipated sales values of £7000 psqm renders the scheme financially unviable.</p> <p>The current FVA shows a viability <u>gap</u> of £53m.</p>	<p>Given the current understanding of redevelopment potential, <u>the Old Estate (Area B) is considered unviable.</u></p> <p>Uplift in sales values are not considered achievable across the whole area given the impact of the North Circular Road.</p> <p>Significant site constraints have been identified and, while these have not been costed, addressing them as part of the cost of redevelopment will adversely impact the viability of the scheme.</p> <p>The cost of including the Old Estate (Area B) in the redevelopment of the estate will attribute significant additional costs to the detriment of the wider scheme.</p>
The Old Estate (Area C)	<p>Area C of the Old Estate is a relatively small site at 4.2 hectares. It has 139 predominantly larger family homes in private ownership, representing 86% of the total number of homes in the area</p> <p>There are significant site assembly costs for acquiring the 139 privately owned homes at circa £65.4m, which is 21% of the anticipated GDV. This cost, together with the current anticipated sales values of £7000 psqm renders the scheme financially unviable</p>	<p>Given the current understanding of redevelopment potential, <u>the Old Estate (Area C) is considered unviable.</u></p> <p>Even with improvements in the schemes efficiencies, (density, design, build costs and sales values) development proposals will struggle to be viable, without exceeding GLA density guidelines (as referred to in para 3.2) and significantly reducing the level of affordable housing.</p> <p>The cost of including the Old Estate (Area C) in the redevelopment of the estate</p>

	The current FVA shows a viability <u>gap</u> of £67.4m	will attribute significant additional costs to the detriment of the wider scheme.
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Summary and Recommendations

5.10 In summary:

5.10.1 The site analysis of St Raphael's Estate (Area A) suggests that there is potential for both redevelopment and infill development without significant impact on the Old Estate (Areas B/C). In addition, the FVA suggests that redevelopment of this area is considered capable of being viable, with consideration to the metrics of density, build costs and sales values.

5.10.2 The site analysis of the Old Estate (Area B) suggests that whilst redevelopment is possible from a design perspective, the considerable site constraints would be restrictive and costly, and there is no potential for infill development. In addition, the FVA suggests that redevelopment of this area is unviable.

5.10.3 The site analysis of the Old Estate (Area C) suggests that whilst redevelopment is possible, there is no potential for infill development. In addition, the FVA suggests that redevelopment of this area is unviable.

5.11 On the basis of finance and design, the following is therefore recommended:

5.11.1 The red line masterplanning area be adjusted to focus the masterplan only on the area known as St Raphael's Estate (Area A) as shown in the map at Appendix B.

5.11.2 Given the above, if redevelopment is progressed, and in line with the Council's Allocations Scheme, to approve the proposal for the council to consult on establishing a Local Lettings Policy for all council tenants living on St Raphael's Estate (Area A) and the Old Estate (Area B and C).

This would be in line with the Council's stated objective that this project improves the experience of living on St Raphael's estate. The Local Lettings Policy would be to support the allocation of new homes to existing council tenants as a priority, in order to support the sustainability of the local community. It is envisaged that such consultation will take place after the outcome of the ballot regarding the St Raphael's redevelopment.

Site Appraisal – Resident Support

5.12 Over the past 6 months the project team have had conversations with residents from 53% of households across St Raphael's. Whilst the project team are unable to evidence resident preference in redevelopment or infill due to the early stage of the masterplanning process, Cabinet may wish to be cognisant of the following themes extrapolated from these conversations:

St Raphael's Estate (Area A)

- Views are mixed, with some strongly supporting redevelopment and some actively against;
- The majority of residents spoken to are open to the idea of redevelopment and keen to follow through with the masterplanning process, with those involved in the visioning workshops excited about the potential for redevelopment to improve current issues;

- Council tenants (c.70% of homes) are, on the whole, more supportive, although there are concerns about moving from houses to flats;
- Homeowners and leaseholders (c.30% of homes) are naturally concerned about the offer for them if redevelopment should go ahead.

The Old Estate (Area B)

- Homeowners and leaseholders (c.52% of homes) are not supportive of redevelopment;
- Council tenants spoken with who live adjacent to the North Circular are supportive of redevelopment.

The Old Estate (Area C)

- Homeowners (c.86% of homes) are not supportive of redevelopment.

6.0 Financial Implications

- 6.1 As noted in section 5, in accordance with the standard master planning process, the red line area has been appraised in order to provide an early indication of deliverability and financial viability.
- 6.2 An external consultant (in conjunction with council officers) has undertaken initial financial viability assessments for St Raphael's. The analysis looks at the value of the development and deducts relevant costs (i.e. acquisition costs, builds costs, developers profit) to establish the residual land value.
- 6.3 This information has then been used as a guide to determine whether development of each area is financially viable. The initial modelling has concluded that only St Raphael's Estate (Area A) is viable for development (infill and redevelopment).
- 6.4 As explained earlier more detailed iterations of the financial model will continue to be developed as further information about the masterplan becomes available.
- 6.5 In order to support the delivery of the community led masterplanning over the extended period to a proposed ballot in Autumn 2020, an additional budget of £300k is requested. This additional budget would cover professional fees and the cost of communications and engagement in the period leading up to the ballot.

7.0 Legal Implications

- 7.1 Section 9 of the Council's Allocations Scheme allows for the establishment of local lettings policies. Consultation on a local lettings policy for the St Raphael's redevelopment scheme would need to be carried out before the Cabinet can make a decision on whether to approve such a new local lettings policy after considering the responses in the consultation exercise. The Appendix to the Council's Allocations Scheme sets out the Council's Housing Offer policy for displaced tenants and leaseholders in redevelopment schemes.
- 7.2 When authorising the progress of a redevelopment scheme following a successful ballot outcome, the Council will also require Cabinet approval to apply to the Secretary of State to enable the Council to obtain vacant possession of properties subject to secure tenancies by relying on Ground 10A of Schedule 2 to the Housing Act 1985 when applying to the Court for possession of such properties. Consideration will need to be given as to whether the Council

will allow an option to obtain possession of such properties by making a compulsory purchase order.

- 7.3 The Mayor of London gave his approval on 18 July 2018 to introduce the funding condition in relation to the Resident Ballot Requirement by updating the GLA's Affordable Housing Capital Funding Guide, which contains the rules and procedures for GLA investment partners that use funding from the GLA to provide affordable housing. The funding condition requires resident ballots to be undertaken in strategic estate redevelopment projects involving any demolition where GLA funding is sought. It also states that any GLA funding that is used in significant estate redevelopment projects involving any demolition should be conditional on recipients of funding providing evidence that a positive vote through a ballot of eligible residents has been secured.
- 7.4 A title report will need to be written which will reveal third party legal rights that might ultimately affect the development. The report will also reveal if part of the Site is unregistered or does not come within the Council's title. The Council will also need to be mindful of any third party rights that might exist party rights that may need to be overridden by virtue of section 203 of the Housing and Planning Act 2016. Third parties may however be entitled to compensation and the total level of compensation.
- 7.5 Schedule 5A of the Housing Act 1985 provides for the suspension of the tenant's Right to Buy pursuant to section 138 (1) of the Housing Act 1985. Schedule 5A gives the Council no more than seven years from the date upon which the notice has been served to issue the final Demolition notice. A final demolition notice is to be served once the Council knows the date upon which the building will be demolished
- 7.6 Section 122 of the Local Government Act 1972 provides that a Council may appropriate land from one purpose to another if immediately before the appropriation the land is no longer required for the purpose for which it is held.
- 7.7 Once appropriation has taken place section 255 of the Town and Country Planning Act 1990 (the 1990 Act) enables the Council to dispose of the land appropriated for planning purposes to such person in such manner and subject to such condition as appear to the Council to be expedient in order to secure the best use of the land or to secure the erection construction or carrying out on the site any buildings or works appearing to be needed.
- 7.8 Section 19 of the Housing Act 1985 provides that the Council is required to obtain the Secretary of States permission prior to appropriating the site for planning purposes. Provided that the land is validly appropriated then under section 203 of the Housing and Planning Act 2016 the interest of third parties will be overridden, provided that planning permission has been obtained and used for the building or maintenance work to be undertaken on the site and the maintenance or building work must be for a purpose related to the purpose for which the land was acquired, vested or appropriated.
- 7.9 Using Section 203 to override easements such as rights to light, allows the construction or maintenance work to be carried out even if it interferes with such a right, compensation will need to be paid. Prior to appropriating the land for planning purposes there should be a period of consultation with anyone who has the benefit of the third party rights.
- 7.11 Any future commissioners within the Project Team or within its Consultancies, as referred to at paragraphs 4.1 and 4.2, should consider incorporating wider social value criteria such as improved skills and employability, inclusion, mental health, well-being and the gender pay balance in accordance with Public Services (Social Value) Act 2012

8.0 Equality Implications

8.1 The Council must, in the making of decisions in exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, pursuant to s149 (1) Equality Act 2010. This is known as the Public Sector Equality Duty.

8.2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

8.3 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.4 The November 2018 Cabinet Paper on the St Raphael's masterplanning included an Equalities Analysis (EA) which provided an assessment of the impact of the proposed masterplan on residents. This EA has been reviewed and updated (see Appendix F).

8.5 The judgement to date on the potential impact of the proposal on groups with each protected characteristic, both within and outside the red line masterplanning area, is based on the intention that housing, transport, environmental and community improvements, and development opportunities will on the whole have a positive impact, however until the options are developed this cannot be analysed. Equality monitoring information will be examined for those living in St Raphael's Estate (Area A) and the Old Estate (Area B and C) and the needs of groups will be considered throughout the development of the options.

8.6 Further reviews and updates will be carried out in tandem with the development of the masterplan options and the landlord offer. Detailed equality monitoring information will be collected through the Housing Needs Assessment to be carried out in the new year and via equalities monitoring at all public events to which all residents will be invited.

9.0 Consultation with Ward Members and Stakeholders

9.1 Ward Members and members of St Raphael's Voice (Chair and Vice Chair) have been consulted on the recommendations in this report.

Related Documents:

Cabinet report – St Raphael’s Estate Housing Options Appraisal Nov 2018

Better homes for local people (The Mayor’s Good Practice Guide to Estate Regeneration February 2018)

Report sign off:

PHIL PORTER

Strategic Director for Community
Wellbeing