



City Hall Greens

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**Tom Copley
Deputy Mayor for Housing and Residential Development
City Hall
Kamal Chunchie Way
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(By email)

24 April 2023

Dear Tom,

Re: Compliance with ballot requirements for Brookhill Close estate, Woolwich

I am writing with concerns about the process of engagement and compliance with both the Resident Ballot Requirement guidance, and the overall guidance for estate regeneration within Better Homes for Local People.

The concerns raised by residents are outlined and dismissed within the Stage 2 referral report for [GLA2023/0786/S2 LPA 22/1116/F Brookhill Close, Woolwich, London, SE18 6TX](#).

I have received correspondence from two separate groups of residents about this planning application by Hyde Housing Group, which was passed by Woolwich Planning Committee on 21 February 2023. The Deputy Mayor for Planning, Regeneration and Skills, Jules Pipe, was content to allow the planning authority to determine the case itself, as outlined in the Officer Report of 22 March 2023 and Decision Letter of 27 March 2023.¹

There are paragraphs in the Stage 2 report which attempt to deal with these issues, but several of the contentions put forward in that report are incorrect.

My team has corresponded with the residents about the comments made by GLA planning officers in the Stage 2 report, and I would like to ask you to investigate and provide a response on the following discrepancies:

¹ Brookhill Close, Woolwich, Officer Report of 22 March 2023 and Decision Letter of 27 March 2023, <https://gla.force.com/pr/s/planning-application/a0i4J00000CFw3HQAT/20220786?tabset-c2f3b=2>

1. Consultation should have been extended to nearby residents, but they were excluded up to the point of the application being determined

The residents of Vintners, Drysdale and Lloyd Courts, 38 Brumwell Avenue, are not part of the estate, but have raised significant concerns about not being consulted by Hyde Housing, as well as overshadowing and emergency access issues.

During the Greenwich Council planning meeting in on 21 February 2023, these residents say that: *“Hyde Housing admitted they had never consulted us. Their argument was that they finished all their public consultation obligations in 2019.”* Residents who moved in after that date did not receive any correspondence or engagement until the statutory planning process began and they were given a chance merely to object.

This appears to break the terms of the guidance in Better Homes for Local People which states:

“Consultation should be: extensive – every reasonable effort should be made to engage with as broad a range of groups as possible, including primarily the residents of an estate, and also those living and working on or near it.”²

2. The area of the ballot was allowed to exclude residents within the estate

More seriously, residents of 1-8 Lord Roberts Terrace assert they have been artificially separated from Brookhill Estate for purposes of ballot

The Stage 2 report erroneously claims that the properties were consulted by the applicant:

“36. GLA officers can confirm that the properties in question were consulted by the applicant prior to the ballot being undertaken and were also consulted by the local planning authority on the planning application.

“37. In conclusion, the approach to public consultation and engagement is considered to be acceptable and involved meaningful and proactive engagement and feedback from residents, in line with the principles set out in London Plan Policy H8.”

Residents have said to me in response to this:

*“The properties were not consulted at any point prior to the ballot. They did not receive any letters or emails or any communication whatsoever inviting them to consultation events or steering groups. They did not know about this at all until planning was put in. I really question what evidence they used to satisfy themselves that they were consulted prior to the ballot. **We even ran a subject access request on 8 Lord Robert's Terrace to check if there was any correspondence sent that was missed at any point, and there is absolutely nothing. We have evidence that they were not consulted and no reasonable efforts were made to consult.***

² Better Homes for Local People – The Mayor’s Good Practice Guide to Estate Regeneration, Feb 2018, accessed 24 Apr 2023, <https://www.london.gov.uk/sites/default/files/better-homes-for-local-people-the-mayors-good-practice-guide-to-estate-regeneration.pdf>

The Stage 2 report says:

"33. GLA officers note that a representation to the Mayor has been received which is detailed above and relates to concerns regarding the boundary utilised for the ballot which excluded the row of semi-detached homes at 1 to 8 Lord Roberts Terrace. These properties fall outside the planning application boundary and are not proposed to be demolished as part of the estate regeneration scheme. The properties are separated from the site boundary by a line of mature trees and a road and are of a slightly different construction typology to the existing properties within the application site boundary.

34. This matter has been discussed with GLA Housing and Land officers. It should be noted that the GLA does not propose the boundary of an estate regeneration scheme. It is the housing provider who proposes the boundary and this is then reviewed by the GLA taking into account the specific circumstances and the general criteria and principles set out in the GLA's Capital Funding Guide."

The Resident Ballot Requirements say:³

6. Where this is the case, Area Teams should frame their advice with reference to the following aspects of the CFG and the factors set out at paragraph 8 of this note.

- The area of the estate (and thus eligibility to vote) may be broader than the area where regeneration is proposed (8.5.12).*

8. The following (non-exhaustive) list may be pertinent considerations for the IP in determining an estate boundary. It is likely that an IP will be able to point to more than one of the following when setting out its rationale.

- residents' conceptions of what constitutes their estate and ways of referring to where they live*
- usage of an estate name, for example, maps and signage and/or in postal addresses*
- the ownership and/or management of homes, including factors such as
 - o which homes were transferred to the IP in any historic stock transfer*
 - o the way in which service charges are apportioned**

However, in response residents have told me that:

"The residents of Lord Roberts Terrace are part of Brookhill Estate and this has been confirmed by Kate Williams the project director on multiple occasions and is supported by correspondences from Hyde Housing Association. Historically, as per the title deeds I attached in previous emails, the land transfer of 1-8 Lord Roberts Terrace land was together with Brookhill Estate. Moreover, they have consistently paid service charge as part of Brookhill Estate and in fact to add insult to injury in all this, they have even been sent service charge bills in the last couple of months as

³ Implementing the Resident Ballot Requirement: guidance for Area Teams on advising on what constitutes a social housing estate,
https://www.london.gov.uk/sites/default/files/2021.06.17._guidance_on_advising_on_defining_estate_boundaries.pdf

part of Brookhill Estate as well. One of the residents attests to this, and pushed back on it stating why are they being asked to pay service charge as Brookhill Estate after all this has happened. Some other residents have been so exhausted with the ordeal and just paid because they are run down and fed up of fighting back."

3. The report erroneously claims that the duty to review the proposed boundary lies with the Independent Body appointed to run the ballot

The Stage 2 report says:

"35. In this case, GLA officers consider that the ballot has been undertaken in line with GLA funding guidance and the boundary has been established in an appropriate manner. The ballot process and boundary has been reviewed by the Electoral Reform Society (ERS) who certified that the boundary was properly drawn and that the correct cohort of households within the site boundary were balloted. It is this independent body – the ERS – that then conducts the ballot."

However, the resident ballot requirement rules within the Capital Funding Guide do not leave the review of the boundary up to the Independent Body, and no item regarding the appropriateness of the boundary proposed appears in the checklist for the Independent Body. I have previously written to you about how Independent Bodies will often respond to concerns by stating clearly that they believe their involvement is limited to items set out in the checklist itself.

In addition, the report incorrectly names the Electoral Reform Society as the Independent Body. The balloting on this estate was in fact conducted by Civica, previously known as Electoral Reform Services, which is a private company that carries out ballots and other processes on behalf of a range of organisations.

Actions to remedy these issues

I appreciate that planning decisions are not your concern, but the appropriate use of grant funding is your responsibility, as is the oversight of the overall guidance for estate regeneration projects.

I would like to ask you to review the Stage 2 report's claims above, and raise your findings with the Deputy Mayor for Planning, Regeneration and Skills.

I would also like you to review the serious breaches set out above of the terms of your Capital Funding Guidance and consider whether the grants awarded need to be paused while a compliant ballot is carried out, which includes the residents of 1-8 Lord Roberts Terrace.

You should also contact the residents directly as they have further evidence to back up the issues above, and would very much appreciate an opportunity to brief your office.

Finally, residents stress the urgency of a prompt response from you, as they have been advised from flyers through their doors that demolition will start in less than two weeks.

I look forward to hearing from you very soon.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sian Berry', with a stylized, flowing script.

Sian Berry
Green Party Member of the London Assembly