

Proposed new funding condition to require resident ballots in estate regeneration

Consultation Response Report

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Chapter 1: Introduction and background

Purpose and structure of this report

- 1.1 This report is intended to provide an accurate summary of responses to the consultation on the Mayor's proposals to make resident ballots a condition of GLA funding for estate regeneration projects that involve the demolition of homes. Prior to publication, it was submitted to the Mayor to enable him to consider the issues raised by respondents before determining the proposed new funding condition. To this end, this report summarises views expressed by respondents and, where relevant, sets out recommended changes to or clarifications in the Mayor's proposals in the light of respondents' views.
- 1.2 Views of respondents are summarised because many of the responses to this consultation (especially, but not limited to, written responses submitted by organisations) contained a large amount of detail, including on technical aspects of the Mayor's proposals. It is not practical to fully reflect this detail in this report, nor to summarise each response.
- 1.3 It is important to note that the views of consultation respondents described in this report are not necessarily representative of Londoners as a whole. While anyone could submit their views in response to the consultation, individuals and organisations with a keen interest in a topic and the capacity to respond are more likely to respond to consultations than those without.

The Mayor's powers and responsibilities in relation to estate regeneration

- 1.4 There are three aspects of the Mayor's powers and responsibilities that may relate to estate regeneration projects proposed and carried out within Greater London.
- 1.5 First, the Mayor may influence estate regeneration projects within London through his Housing Strategy. The GLA Act explains that London local authorities' statements of local housing policies must be "in general conformity" with the London Housing Strategy.
- 1.6 One example of this influence lies in *Better Homes for Local People: the Mayor's good practice guide to estate regeneration*, published in February 2018. The Mayor's revised draft London Housing Strategy highlights this guide and the Mayor's expectation that estate regeneration projects in London should be approached in ways that reflect the principles and practices outlined there.

- 1.7 Second, the Mayor may shape London's estate regeneration projects through his powers and responsibilities for planning in London. Planning decisions for some projects will be referred to the Mayor, because of his responsibilities for planning decisions for projects of potential strategic importance. Moreover, the Mayor is responsible for the London Plan, the overall strategic plan for London, within the parameters of which boroughs should set their local planning policies. The Mayor's draft London Plan, published for public consultation in December 2017, includes a policy that stipulates that affordable homes demolished as part of estate regeneration projects should be replaced on a like-for-like basis. This means that homes for social rent must be replaced with homes based on the same rent levels, and that additional affordable housing beyond this must be maximised. To ensure that homes of appropriate sizes are provided, replacement of homes will be on the basis of floorspace, rather than the number of homes.
- 1.8 Third, the Mayor may provide funding to support the delivery of affordable housing as part of estate regeneration projects through his Affordable Homes Programme 2016-22 and other programmes for funding the delivery of affordable housing. The proposals on which the Mayor consulted primarily relate to this function.

Equalities Impact Assessment

- 1.9 A draft Equality Impact Assessment of the proposed funding condition requiring resident ballots was undertaken, as part of the work to develop the consultation on resident ballots.

Chapter 2: Consultation process

Introduction

- 2.1 The consultation on the Mayor's proposals to make resident ballots a condition of GLA funding for estate regeneration projects began on 2 February 2018, when the consultation document was published alongside *Better Homes for Local People: the Mayor's good practice guide to estate regeneration*¹. The consultation was originally scheduled to close on 3 April 2018, but was extended by one week. So the consultation closed on 10 April 2018.
- 2.2 The consultation document asked fourteen questions, which were distributed throughout the consultation document and summarised at the end of it. It invited those who wished to respond to submit their responses to a dedicated email address or by post.

Publicising the consultation

- 2.3 The consultation was publicised in a number of ways. The consultation document was made available, alongside *Better Homes for Local People*, on a page on the GLA website. This page was viewed on 618 different occasions over the period of the consultation. The GLA issued a press release highlighting the consultation. (This is available at <https://www.london.gov.uk/press-releases/mayoral/ground-breaking-plans-for-estate-regen-ballots-0>.) The Mayor posted on his Facebook page. The post was clicked 184 times and was liked, commented on or shared 95 times. The GLA emailed all London boroughs and partner housing associations to inform them of the consultation and encourage them to respond. GLA officers also brought the consultation to the attention of partner organisations in the course of routine meetings and other interactions with them. These included meetings with local authorities and housing associations covering policy issues and funding programmes.

¹ The consultation document and guide are available at: <https://www.london.gov.uk/what-we-do/housing-and-land/improving-quality/estate-regeneration-consultation>

- 2.4 The extension in the consultation (see paragraph 2.1 above) was highlighted on the homepage of the GLA’s website and via a Tweet from the GLA account @LDN_gov on 29 March 2018. This Tweet received 4,169 “impressions” and 15 “engagements”².
- 2.5 The GLA also sent a further email to London boroughs and housing associations to alert them to the extension.

Responses to the consultation

- 2.6 The GLA received 133 responses to the consultation. Of these, 70 came from organisations and 63 from individual members of the public. The following tables show the breakdown of both organisations and individuals who responded to the consultation.
- 2.7 A full list of organisations that responded to the consultation is included at Appendix 1.
- 2.8 For individuals who responded and indicated their tenure, either at the outset of their response or in the course of it, tenure is shown. The GLA captured this information on the grounds that it might have influenced individuals’ assessment of the Mayor’s proposals as they related to tenants, leaseholders or freeholders and others potentially affected by estate regeneration. However, the majority of individuals who responded to the consultation did not identify their tenure. Therefore, it was not possible to meaningfully compare the views expressed by respondents of different tenures. Individuals in the ‘other’ category included respondents who expressed an interest in a particular estate regeneration project or particular landlord’s projects; respondents who indicated that their response had been informed by discussion or work with (other) estate residents, potentially through residents’ groups that they did not specifically identify in their responses; and one respondent who lived on a privately-owned estate.

Figure 2.1: Organisations that responded to the consultation

Organisation type	Number of responses received
Tenants’ or residents’ association	8

² An “impression” is the term used by Twitter for a user receiving a Tweet in their timeline or in search results, as described at <https://help.twitter.com/en/managing-your-account/using-the-tweet-activity-dashboard>. An “engagement” refers to a user responding to a Tweet – for example, by re-Tweeting, replying to, or liking it, or following the Twitter user who Tweeted it., as described at <https://help.twitter.com/en/managing-your-account/using-the-tweet-activity-dashboard>

Local authority	11
Housing association	17
Housing developer	1
Trade association or industry body	3
Councillor, London Assembly Member or MP	6
Consultancy	3
Think tank or academic institution	3
Voluntary / community sector (campaign / research / representation)	14
Voluntary / community sector (front-line services)	1
Other	3
Total	70

Figure 2.2: Individuals who responded to the consultation

Individual type	Number of responses received
Social sector tenant	8
Resident leaseholder or freeholder	5
Non-resident leaseholder or freeholder	6
Not identified	31
Other	14
Total	63

2.9 Of the organisations that responded to the consultation, 59 responded directly to some or all of the consultation questions and 11 did not. Of the individuals who

responded to the consultation, 38 responded directly to some or all of the consultation questions and 25 did not.

- 2.10 Twenty-four of the responses from individuals and three from organisations appeared to be based on templates, to which some respondents made amendments or additions. These were treated in the same way as other responses to the consultation.
- 2.11 In response to the consultation, Demolition Watch London created a petition on Change.org, available at <https://www.change.org/p/sadiq-khan-ensure-votes-for-residents-on-estates-facing-regeneration>. The petition requested a number of amendments to the Mayor's proposals, set out at Appendix 2. As of 10 May 2018, it had been signed by 2,545 people, with at least 2,000 signatures added during the consultation period.
- 2.12 The requests set out in the petition are highlighted throughout the report, as it covers the issues to which they relate. However, signatories' views are not included in reports of how many consultation respondents supported, partly supported or opposed the Mayor's proposals. This is because the petition relates only to some parts of the proposals (whereas consultation responses covered all or most of the consultation questions, whether directly or not). Counting signatories along with those who submitted direct responses to the consultation would have produced a very wide variation between questions in the baseline number of respondents.

Processing consultation responses

- 2.13 Responses to the consultation were analysed as follows, in part to ensure that the considerable detail in some of them was captured.:
- a) Officers identified respondents as individuals or organisations, and also classified the respondent against the categories used in Figures 2.1 and 2.2 above.
 - b) Every comment within each response was grouped by the question to which it related. For responses that did not respond directly to the consultation questions, comments were recorded against the question to which they related. Comments that did not relate directly to any of the consultation questions were recorded under the heading 'other'.
 - c) GLA officers assessed the comment or comments that each respondent made in relation to the closed consultation questions (one to four, six to eight, 10 to 12 and 14). By doing so, they identified each respondent as supporting the element(s) of the Mayor's proposals to which the question related, partly supporting it or supporting it with caveats, or opposing it. Comments on question 14 were classified similarly, but broken down in relation to one of

- the three proposed transitional arrangements or as general comments on the proposed arrangements.
- d) Where comments related to the impact of the proposals on those with characteristics that are identified as protected by the Equality Act 2010, that was also highlighted. These comments will be taken into account in revising the EIA that was prepared to accompany the proposals on which the Mayor consulted.
 - e) GLA officers reviewed all comments related to each consultation question and those placed in the 'other' category to identify themes that recurred in the comments. Themes were identified as recurring where they were reflected in comments made by five or more respondents.
 - f) For each question and the comments placed in the 'other' category, GLA officers classified every comment that reflected any of the recurring themes identified. They also classified comments that did not reflect any recurring theme and comments that simply registered a respondent's support for, or opposition to, a proposal without further comment as such.

Presenting consultation responses

2.14 Chapters three to 16 cover the separate consultation questions and chapter 17 covers comments that respondents made on other issues related to estate regeneration. The chapters contain the following information:

- the number of respondents who made comments in relation to each of the consultation questions, or - for chapter 17 - on other issues related to estate regeneration (Their type is shown in tables at Appendix 3.);
- for the chapters that cover closed consultation questions, the proportion of respondents who supported proposals, partly supported them or supported them with caveats, or opposed them (Their number and type is shown in tables at Appendix 3.);
- recurring themes in respondents' comments, where these suggested that the Mayor's proposals should be changed or clarified, along with the number and type or types of respondents who made comments reflecting each theme (Recurring themes that reflected support for the Mayor's proposals are not reflected in this report. Comments in response to question 13 were few in number and their subject matter was wide-ranging, so these were not classified by recurring themes.);
- a summary of the comments made that relate to each of those recurring themes; and
- a summary of comments made that do not relate to any of the recurring themes.

2.15 In presenting the spread of views among respondents to a consultation question, or among respondents whose views reflected one of the recurring themes identified by officers, the terms "majority" and "most" are used where more than

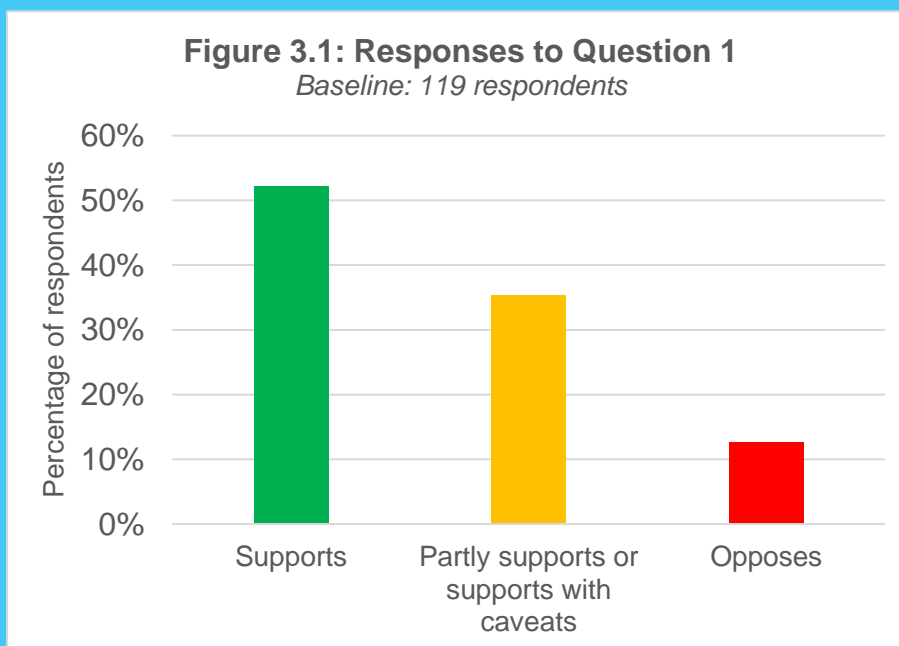
half of respondents expressed a particular view and “some” for a smaller proportion of respondents than this but more than one respondent.

- 2.16 As explained at paragraphs 2.11 and 2.12 above, where comments made reflect those included in the Demolition Watch petition, this is highlighted in the report.
- 2.17 In chapters three to 16, the report contains a GLA recommendation, as to whether or not the Mayor’s proposals for a funding condition should change, not change or be clarified in response to consultation respondents’ comments. These recommendations are reflected in the proposals for the final funding condition considered by the Mayor when he reviewed this report. Chapter 17, which covers comments made by respondents that did not relate directly to the Mayor’s proposed funding condition, includes GLA responses, rather than recommendations.
- 2.18 The paragraphs that recommend a change to or clarification of the Mayor’s proposals are listed below:
- 3.20
 - 4.5
 - 4.17
 - 4.20
 - 5.5 to 5.6
 - 5.24
 - 5.26
 - 6.27
 - 8.8
 - 8.14
 - 8.15
 - 8.25
 - 8.39
 - 10.8
 - 10.11
 - 11.5
 - 12.18
 - 13.12
 - 13.15
 - 13.18
 - 14.15
 - 14.16
 - 16.10
 - 16.28
 - 16.32

Chapter 3: Making resident ballots a funding condition for estate regeneration projects

Overview of responses to Question 1

- 3.1 Question one in the consultation document asked “Do you agree that the GLA should make resident ballots a funding condition for estate regeneration schemes?”
- 3.2 One hundred and nineteen respondents commented on question one. Fifty-two per cent expressed support for the proposed funding condition, 36 per cent partly supported the proposed funding condition or supported it with caveats, and 13 per cent opposed it. Individuals were generally more likely to be in favour of the proposals than organisations. The responses of housing associations and local authorities typically reflected partial support or opposition. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 1

Theme 1: Ballots unhelpfully simplify the consultation process

- 3.3 **Number and profile of respondents:** Eleven respondents' comments reflected this theme. The bulk of comments that reflected this theme came from those involved in the delivery of housing (housing associations, local authorities and developers).
- 3.4 **Views expressed:** Most of the respondents whose comments reflected this theme highlighted the long-term nature of estate regeneration projects. Some noted that residents' views of plans can change over the course of a project and others highlighted the multiple milestones at which residents should be involved. They suggested that, by capturing the views of residents at a single point in time, ballots fail to recognise this complexity. Some expressed concern that a requirement to hold ballots might prove detrimental to other valuable forms of consultation. Some respondents also noted resident ballots exclude the views of wider stakeholders in the local community, including those in housing need.
- 3.5 **GLA recommendation:** No change. *Better Homes for Local People* outlines the Mayor's expectation that residents and other stakeholders should be involved in the development and implementation of plans for estate regeneration throughout what is typically a lengthy process. The proposals that formed the subject of this consultation also make clear that, where estate regeneration proposals involve the demolition of homes, a ballot is a helpful way of ensuring residents' views are central to key decisions in the estate regeneration process, in the context of wider and ongoing consultation.

Theme 2: Ballots may be influenced by campaigners who are not directly affected by proposals

- 3.6 **Number and profile of respondents:** Nine respondents' comments reflected this theme. Most of those who expressed this view were organisations involved in the delivery of housing (housing associations, local authorities and developers).
- 3.7 **Views expressed:** These respondents commented on the scope for campaigning around ballots to give undue voice to campaigners not directly affected by proposals and, some suggested, not from the local area. Some also noted the scope for such campaigning to prove divisive within communities.
- 3.8 **GLA recommendation:** No change. The Mayor's proposals to make resident ballots a condition of funding for estate regeneration projects explain that ballots offer a useful tool within wider consultation. They envisage that landlords proposing regeneration of estates will set out clearly the rationale for regeneration, as well as the overall aims and objectives of their proposals. Doing so should help to counteract opposition from any campaigners not directly affected by proposals.

Moreover, the proposal that ballots should be supervised by a qualified independent body (subject to the clarification recommended at paragraph 10.8 below) will help to ensure that ballots are conducted fairly.

Theme 3: Ballots will prove costly and costs may be abortive

- 3.9 **Number and profile of respondents:** Nine respondents' comments reflected this theme. Comments that reflected this theme were all made by organisations that are directly involved in or support the delivery of homes.
- 3.10 **Views expressed:** These respondents drew attention to the cost of conducting ballots. They expressed concern about this on the grounds that housing providers' resources are limited and, in particular, because of the risk that ballots might prevent plans from going ahead, meaning that landlords' investment of resources in preparing for and conducting a ballot becomes abortive. Some commented that this would make housing providers less likely to pursue regeneration projects.
- 3.11 **GLA recommendation:** No change. Housing providers already invest in consultation with residents and wider stakeholders when developing and implementing estate regeneration projects. Holding ballots as part of this consultation would not result in an unmanageable increase in the costs landlords incur.

Theme 4: Ballots are welcome, provided that the offer is binding

- 3.12 **Number and profile of respondents:** Nine respondents' comments reflected this theme, although a higher number made comments to this effect in response to question three (see Chapter 5). Of those who made comments reflecting this theme in response to question one, most were individuals or voluntary and community sector groups.
- 3.13 **Views expressed:** These respondents felt that resident ballots were a valuable tool, subject to provision for ensuring that landlords deliver against any offer that secures support through a ballot. Most commented that it was incumbent on the Mayor to monitor this.
- 3.14 **GLA recommendation:** Clarification. See paragraphs 5.5 to 5.6 below.

Theme 5: Ballots are welcome, subject to detail of implementation

- 3.15 **Number and profile of respondents:** Thirty-one respondents' comments reflected this theme. These comments were made by a broad range of respondents.
- 3.16 **Views expressed:** Comments that reflected this theme were very wide-ranging. Most of them covered issues also reflected in responses to subsequent questions, including the information that landlords must include in an offer document,

independent supervision or facilitation of ballots, a minimum voter turnout, transitional arrangements, and taking on board the views of local people in housing need. The view most frequently articulated was the suggestion that landlords should be required to consider refurbishment before proposing demolition.

- 3.17 **GLA recommendation:** No change. The majority of the issues raised in relation to the detail of implementation are reflected in answers considered elsewhere in this report. *Better Homes for Local People* already makes clear that landlords should consider alternatives to demolition before pursuing this course of action.

Theme 6: Clarification of terms is needed

- 3.18 **Number and profile of respondents:** Fourteen respondents' comments reflected this theme. These comments were made by a broad range of respondents.
- 3.19 **Views expressed:** The majority of these respondents felt that the wording of the Mayor's proposals was too weak and failed to convey an absolute requirement to hold resident ballots. Other comments requested clarification of three different terms or parts of the proposal: demolition, strategic estate regeneration, and homes that may have been purchased from private ownership to facilitate regeneration. One respondent highlighted the need for clarification of the relationship between the proposed funding requirement and consultation that landlords are mandated to conduct by section 105 of the Housing Act 1985.
- 3.20 **GLA recommendation:** Clarification. The funding condition makes it clear that holding a resident ballot is an absolute condition for estates that meet the criteria set out in that condition. It specifies that a landlord may only claim funding for estate regeneration projects from the GLA with proof of a positive ballot. The funding condition makes clear that the GLA can work with landlords and residents to clarify the definition of an estate where this is not immediately clear. It also includes a fuller definition of demolition, making clear that the Mayor only requires a ballot where an existing home is or existing homes are substantially or completely destroyed in order to use the land for the purpose of delivering an estate regeneration project.

Theme 7: Concern about the potential negative impact on investment in new homes and quality of existing homes

- 3.21 **Number and profile of respondents:** Nineteen respondents' comments reflected this theme. Housing associations and local authorities made up the majority of respondents whose comments reflected this theme.
- 3.22 **Views expressed:** Some of these respondents expressed concern that the Mayor's proposals would delay the delivery of regeneration projects, some that it would stop landlords embarking upon projects, and some that it would create a

perverse incentive for landlords to pursue the least risky projects, rather than those that would deliver the greatest impact. They expressed concern that this would prove detrimental to both the delivery of new homes and the quality of existing homes.

- 3.23 **GLA recommendation:** No change. Both the revised draft London Housing Strategy and *Better Homes for Local People* recognise that estate regeneration projects have a critical role to play in delivering the new affordable homes that Londoners need and in improving the quality of existing homes. *Better Homes for Local People* and the proposals that formed the subject of this consultation reflect the assessment that, by placing existing residents at the heart of their plans for estate regeneration, landlords can secure their support for much-needed estate regeneration projects.

Theme 8: Consultation should be required as a condition of funding, but not the use of ballots specifically

- 3.24 **Number and profile of respondents:** Thirteen respondents' comments reflected this theme. These respondents were all organisations, mostly those involved in the delivery of housing (local authorities, housing associations and developers).
- 3.25 **Views expressed:** These respondents supported the principle of ensuring that residents are at the heart of plans for estate regeneration and accepted that this should be a condition of funding. However, they suggested that the GLA could ensure that landlords used alternative methods of consultation that they considered more effective than ballots.
- 3.26 **GLA recommendation:** No change. The proposals that formed the subject of this consultation explain that resident ballots provide a clear, systematic means of ensuring and demonstrating that residents have a decisive say in whether or not estate regeneration projects that involve the demolition of homes should go ahead. They offer a more precise measure of residents' views than other means of consultation that can also provide valuable as part of engaging and consulting residents around estate regeneration plans. By doing so, they provide a clear mandate for projects that secure residents' support.

Theme 9: Condition should apply to all estate regeneration projects, irrespective of GLA funding

- 3.27 **Number and profile of respondents:** Twenty-eight respondents' comments reflected this theme. Most of these respondents were individuals or organisations representing tenants and leaseholders or freeholders. The Demolition Watch petition described at paragraph 2.11 and 2.12 above also stated, as one of its five asks of the Mayor, "Whether there is a ballot should affect Planning approval."

- 3.28 **Views expressed:** These respondents felt that resident ballots should be required for estate regeneration whether or not a project is funded by the Mayor. Not all respondents who commented to this effect suggested how this should be achieved, but the majority of respondents who did so commented that planning powers might be used to enforce a requirement to hold ballots more widely. Some of these respondents recommended that the requirement should be incorporated into Mayoral planning policy.
- 3.29 **GLA recommendation:** No change. It is only possible for the GLA to set meaningful conditions for estate regeneration projects where the Mayor's powers and responsibilities support such intervention. Although, as explained at paragraph 1.7 above, planning decisions for some projects will be referred to the Mayor and although he is responsible for the London Plan, a requirement to hold ballots for estate regeneration projects could not be enforced through the planning system. As the consultation document explained, making planning decisions is a quasi-judicial process and there is no legal basis either to require that ballots are held, or to make the results of ballots binding on those taking planning decisions.

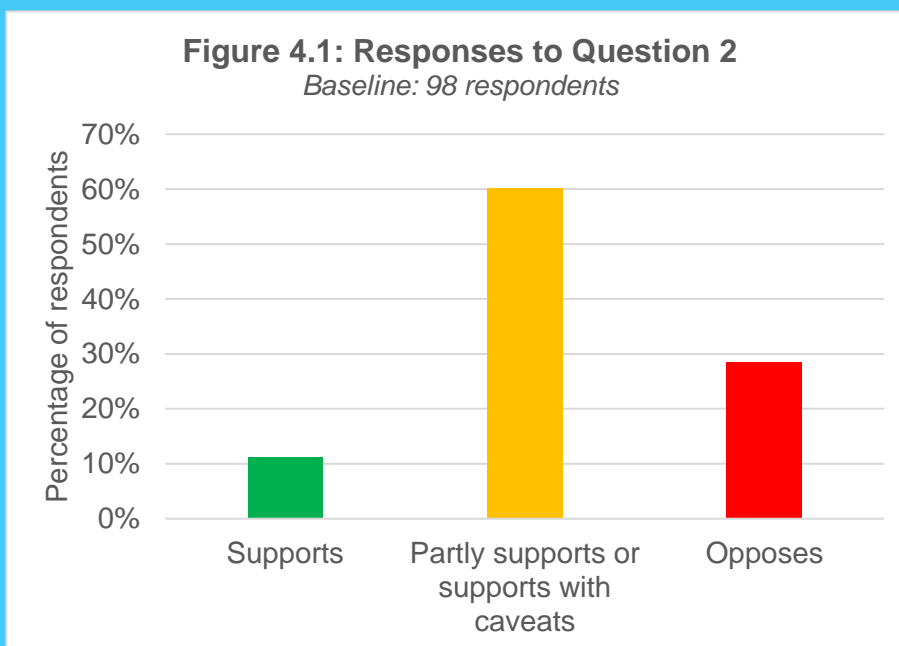
Other views expressed in responses to Question 1

- 3.30 A range of other comments were made in response to this question. These included the following:
- that the Mayor's proposals may result in estate regeneration projects taking place in high value areas where landlords may be less dependent on GLA funding;
 - the need to build landlords' capacity for consultation and engagement;
 - suggestions that ballots should only be required where residents have no right of return; and
 - that it should be up to local authorities to decide whether ballots are required.

Chapter 4: Criteria for requiring a ballot

Overview of responses to Question 2

- 4.1 Question two in the consultation document asked “Do you agree with the proposed criteria that would trigger the requirement for a resident ballot? Why/why not?”
- 4.2 Ninety-eight respondents commented on question two, with the majority (60 per cent) partially supporting the proposed criteria or supporting them with caveats. This left 29 per cent opposed to the proposed trigger criteria for ballots and 11 per cent in support of them. Generally, there were equal levels of opposition from both individuals and organisations, while a wide spread of respondents partially supported the proposed trigger criteria or supported them with caveats. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 2

Theme 1: A ballot should be required irrespective of the number of demolitions

- 4.3 **Number and profile of respondents:** Thirteen respondents' comments reflected this theme. The majority of these respondents were individuals or organisations representing tenants and leaseholders or freeholders.
- 4.4 **Views expressed:** Some of these respondents commented that a ballot should be required where any demolition of homes is proposed, irrespective of their number. This suggests some confusion around the Mayor's proposed criteria, whereby a ballot would be required if any demolition is required, where the proposed project will also involve the delivery of 150 new homes. Some respondents seemed to have understood that the requirement would only apply where the demolition of 150 homes was proposed.
- 4.5 **GLA recommendation:** Clarification. The intention of the proposals that formed the subject of this consultation is that a ballot is required where any demolition of a home or homes owned by a social landlord is proposed, if the proposed project also meets other trigger criteria. This has been clarified in the funding condition.

Theme 2: The trigger criteria for a ballot should be based on/include the scale/number of demolitions

- 4.6 **Number and profile of respondents:** Twenty-three respondents' comments reflected this theme. The majority were from organisations involved in housing delivery. The Demolition Watch petition described at paragraphs 2.11 and 2.12 above also stated, as one of its five asks of the Mayor, "The minimum number of homes demolished to trigger a ballot should be 10 homes."
- 4.7 **Views expressed:** Some of these respondents had understood that the Mayor intended to require a ballot only where the demolition of 150 or more homes is proposed and felt that the trigger should be lower. Others understood the Mayor's intention to require a ballot for proposals involving the demolition of any homes, but considered this criterion too stringent. Many of the second group suggested a numerical trigger – with suggestions ranging from five demolitions to 75, but the largest group of respondents suggesting a threshold of 10. Some respondents suggested a threshold based on the relationship between the number of homes to be demolished and the number on an estate or the number of new homes to be delivered.
- 4.8 **GLA recommendation:** No change. The proposals that formed the subject of this consultation make clear that a ballot should be required where the demolition of any home or homes owned by a social landlord is proposed as part of an estate

regeneration project, in view of the disruption that demolition will cause to (some) residents. It is also clear that the majority of respondents support this approach, notwithstanding the evidence that some of them may have misunderstood the proposals.

Theme 3: Ballots should be required where fewer than 150 homes will be constructed

- 4.9 **Number and profile of respondents:** Thirty respondents' comments reflected this theme. The theme was generally reflected in comments from individuals, tenants' and residents' associations or other groups representing tenants and leaseholders or freeholders.
- 4.10 **Views expressed:** These respondents felt that ballots should be required for projects that will deliver fewer than 150 homes. Some commented that the criterion of 150 homes was too high or arbitrary and many noted that projects delivering fewer homes would be no less disruptive to residents. Some respondents suggested a specific trigger of 10 homes and one that the Mayor should have the flexibility to require a ballot for any project set to deliver between 50 and 149 homes.
- 4.11 **GLA recommendation:** No change. Any trigger criterion related to the number of homes being constructed could be construed as arbitrary, but some criterion of this sort is necessary for the sake of proportionality. Given this, there is a logic in making the trigger criterion the same as the threshold at which planning applications are referred to the Mayor. Schemes above this threshold are deemed to be strategic. Moreover, the GLA believes that lowering the trigger would be unlikely to lead to any marked increase in the number of estate regeneration projects potentially subject to the requirement, because most plans for estate regeneration involve the delivery of at least 150 homes.

Theme 4: The trigger should be more nuanced

- 4.12 **Number and profile of respondents:** Eight respondents' comments reflected this theme. All but one of these respondents were housing providers.
- 4.13 **Views expressed:** These respondents felt that a trigger based on two criteria – the number of homes delivered and whether or not homes would be demolished – was too simplistic. Some suggested a more rigorous criterion than demolition alone, that applied only where residents were not necessarily able to return to the estate or area. Others suggested that the scale and nature of the project should be taken into account.
- 4.14 **GLA recommendation:** No change. The proposals that formed the subject of this consultation make clear that residents deserve the opportunity to vote on estate

regeneration proposals where demolition is proposed, whatever their landlord's offer to them. Moreover, *Better Homes for Local People* sets out the Mayor's expectation that, where landlords undertake estate regeneration projects, they should provide full rights to return or remain for social tenants, and a fair deal for leaseholders and freeholders. It is also helpful, for both landlords and residents, that the requirement is based on trigger criteria that are clear and transparent.

Theme 5: The trigger may incentivise unnecessarily small projects, to the detriment of housing supply

- 4.15 **Number and profile of respondents:** Twelve respondents' comments reflected this theme. These comments were primarily made by individuals, tenants' and residents' associations and voluntary sector groups that represent tenants and residents.
- 4.16 **Views expressed:** These respondents expressed concern that landlords might propose artificially or unnecessarily small projects, that will deliver fewer than 150 homes, to avoid the requirement to hold a ballot. They commented that this would have an adverse effect on the delivery of new homes. Most also suggested that it would prove difficult for the GLA to deliver on the consultation document's commitment to "scrutinise applications for funding to ensure that proposed estate regeneration projects reflect the true extent of plans for demolition and rebuilding and are not partitioned in such a way as to avoid the requirement for ballots." Some commented that the Mayor's commitment to support the delivery of homes on small sites would make it particularly challenging to do so.
- 4.17 **GLA recommendation:** Clarification. There may be cases in which it is difficult to establish a clear definition of an estate, but in these cases the GLA will work with landlords and residents to clarify definitions and thereby ensure that landlords avoid artificial partitioning of estates. Although the draft London Plan and draft revised London Housing Strategy reflect an ambition for more homes to be delivered on small sites, they explain that these homes need to be in addition to, not instead of, other sources of supply. In addition, it seems likely that there are few potential estate regeneration projects in which landlords could contrive to deliver fewer than 150 homes without this affecting the viability of regeneration.

Theme 6: Clarification of terms is needed

- 4.18 **Number and profile of respondents:** Twenty-eight respondents' comments reflected this theme. Respondents to this question were split equally between individuals and organisations.
- 4.19 **Views expressed:** These respondents highlighted the need for the GLA to clarify various elements of the Mayor's proposals, including the terms "affordable housing", "estate" and "demolition". In relation to the trigger criterion for the

number of new homes developed, one respondent asked for clarification that this would include any private homes and another suggested that the trigger criterion for the number of new homes developed should be lower where those homes would have ten or more storeys. Other comments related to the nature of regeneration and the relationship between refurbishment and demolition.

- 4.20 **GLA recommendation:** Clarification. The funding condition provides a fuller definition of “demolition” than the proposals that formed the subject of this consultation, as outlined at paragraph 3.20 above. It explains that, in cases in which it is difficult to establish a clear definition of an estate the GLA will work with landlords and residents to clarify definitions. The funding condition also clarifies the GLA’s expectations in relation to how the trigger criterion treats private homes on estates.

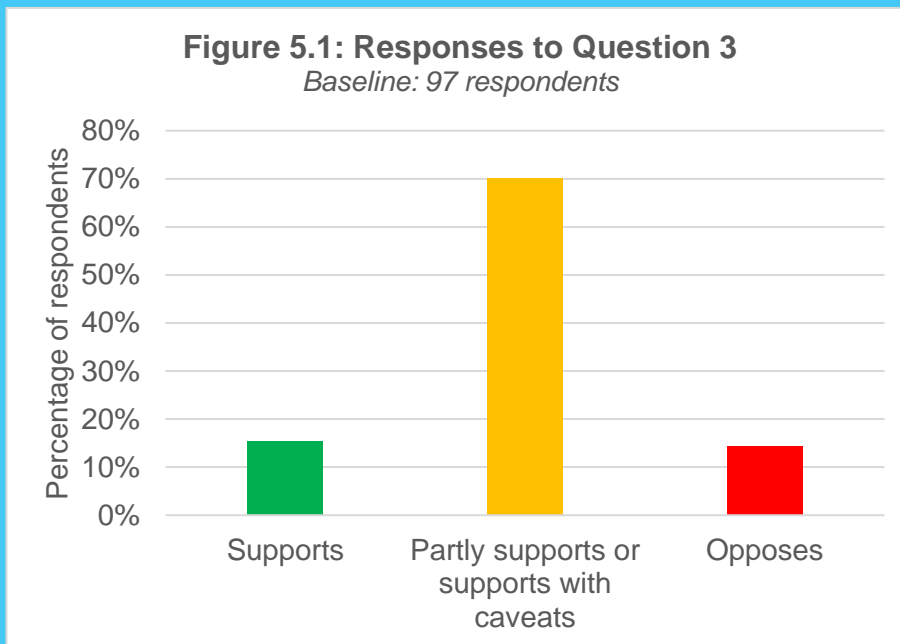
Other views expressed in responses to Question 2

- 4.21 A range of other comments were made in response to this question. These included the following:
- the Mayor should support ballots in projects even where the proposed trigger criteria are not met;
 - questioning the way in which the criteria apply only to homes where a social landlord is the freeholder; and
 - application of trigger criteria in situations where there may be a change in the landlord or a stock transfer occurring as part of a project.

Chapter 5: The scope of ballots

Overview of responses to Question 3

- 5.1 Question three in the consultation document asked “Do you agree with the proposed scope of resident ballots? Why/why not?”
- 5.2 Ninety-seven respondents commented on question three. Seventy per cent expressed partial support for the proposed scope of the ballots, or supported it with caveats. The remaining respondents were almost equally split between those who supported and those who opposed to the proposals. There was no clear pattern to respondents’ support or opposition by respondent type. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 3

Theme 1: Supports provided that the landlord's offer is binding

- 5.3 **Number and profile of respondents:** Thirty-nine respondents’ comments reflected this theme, which also recurred in responses to question one (see paragraphs 3.12 to 3.14 above).

- 5.4 **Views expressed:** These respondents consistently commented that, in order for the proposed funding condition to be meaningful, residents balloted would need to have certainty that their landlord's offer document was binding. Some suggested that the offer document should be legally binding. Others highlighted the need for a clear system of monitoring landlords' adherence to offer documents and one suggested that landlords should be fined where they fail to honour the results of a ballot. Most of those who did so suggested that it was the responsibility of the GLA to put such a system in place, although a handful recommended that responsibility for monitoring landlords' adherence to offers should sit with a Commissioner for Social Housing (a position that does not currently exist).
- 5.5 **GLA recommendation:** Clarification. In order for the funding condition to be meaningful, it needs to be genuinely and consistently enforced. The GLA does not consider that a landlord's offer document would assume a specific legal status that would create an enforceable contract between the landlord and residents. Because the funding condition will only apply to London estate regeneration projects that seek funding from GLA and otherwise meet the requirements set out in the funding condition, there is also no clear rationale for a national body, such as the Regulator of Social Housing or any new Commissioner, to enforce the funding condition. The onus to do so therefore lies with the GLA, who may seek to clawback funding awarded to landlords if landlords do not deliver what they have committed to in their offer document.
- 5.6 The funding condition reflects an approach to the GLA checking that recipients of Mayoral funding for estate regeneration projects are delivering what their landlord offer promised as follows, whereby:
- a) when a planning application is prepared, the GLA will check that the aspects of the landlord offer covered in the planning application are reflected accurately;
 - b) in the interests of transparency, the GLA will expect landlords to report regularly to residents and the GLA on their progress against the landlord offer, as part of the commitments relating to ongoing open and transparent consultation and engagement that the proposals that formed the subject of this consultation specify should form part of their offer; and
 - c) when the project is completed, the GLA will check that landlords have not deviated materially from what was set out in their offer document, using the regular reports provided to residents as part of the evidence for this assessment.

Theme 2: As projects are complex, the GLA should be flexible about clawback where changes occur

- 5.7 **Number and profile of respondents:** Six respondents' comments reflected this theme. These respondents were all organisations involved in the delivery of housing.

- 5.8 **Views expressed:** These respondents suggested that the GLA should demonstrate some flexibility around clawing back funding in the event of landlords departing from proposals set out in an offer document, where it proved necessary to do so because of external factors, including planning decisions and/or market factors. They suggested that the GLA should show flexibility particularly where they had engaged residents around the need to change plans and changes were potentially supported by them. Some noted that the duration and complexity of estate regeneration projects means that changes in plans that cannot be anticipated at the outset are inevitable and necessary.
- 5.9 **GLA recommendation:** No change. The proposals that formed the subject of this consultation do not require that offer documents should set out every detail of a project. Moreover, the proposals specify that the GLA will seek to clawback funding only where what landlords deliver deviates “materially” from the landlord offer. Thus, there is already some flexibility within the proposals that formed the subject of this consultation for landlords to firm up the precise detail of projects over time.

Theme 3: Residents should be provided with independent support

- 5.10 **Number and profile of respondents:** Twenty-one respondents’ comments reflected this theme. Individuals and tenants’ and residents’ associations and voluntary sector organisations representing residents made up the bulk of respondents whose comments reflected this theme.
- 5.11 **Views expressed:** Most of these respondents commented that residents of estates where a landlord is considering regeneration should have the opportunity to develop their own proposals for the estate, with many suggesting that landlords should provide funding for an independent service or advisor to help them do so. Another respondent highlighted the importance of landlords ensuring residents have access to independent legal advice throughout the process whereby plans for estate regeneration projects are developed.
- 5.12 **GLA recommendation:** No change. *Better Homes for Local People* makes clear that residents should be at the heart of shaping proposals for the future of their estates. It specifically states “[c]ouncils, housing associations and their partners should provide independent capacity-building and advocacy support for residents if they request it.” It would not be appropriate or practical for the funding condition to specify exactly how engagement with residents should proceed in every project.

Theme 4: More information should be provided in the offer document

- 5.13 **Number and profile of respondents:** Thirty-nine respondents’ comments reflected this theme. This theme was generally reflected in the comments of individuals, tenants’ and residents’ associations and voluntary sector organisations representing residents.

- 5.14 **Views expressed:** These respondents stressed the importance of providing residents with full information about regeneration proposals to enable them to make a meaningful decision through a ballot. They felt that the information that the Mayor's proposals specified an offer document should include as a minimum was insufficient to do so. Some recommended that residents should receive information on options other than demolition, notably refurbishment, and others that they should be provided with a range of impact assessments (which some respondents suggested should be conducted independently). Some commented that residents should be provided information on financial viability, expected rents and services charges for replacement homes, details of development partners, and more details about the scale and design of the project.
- 5.15 **GLA recommendation:** No change. The proposals that formed the subject of this consultation would not prevent landlords from providing any of this information to residents, where the process of ongoing engagement and negotiation established that some or all of it was important to their decision. However, it is important to note that the proposals for ballots relate specifically to residents having the opportunity to decide whether or not planned estate regeneration projects that involve the demolition of homes go ahead, rather than, for example, to decide on one of a range of different options for regeneration after an options appraisal, or to select a development partner. The proposals make clear that the Mayor expects landlords to involve residents in these decisions, but not through a ballot.

Theme 5: The scope of ballots should be narrower

- 5.16 **Number and profile of respondents:** Five respondents' comments reflected this theme. The majority of these respondents were local authorities or housing associations.
- 5.17 **Views expressed:** Most of these respondents suggested that the scope of the ballot should be limited to the rehousing offer to residents, with one of them suggesting that it should also cover any demolition proposed. Another suggested that it should only cover the design of a project and not the rehousing offer. Some noted that they felt ongoing consultation was the appropriate way to cover the detail of proposals.
- 5.18 **GLA recommendation:** No change. The proposals that formed the subject of this consultation make clear that ballots are a means of enabling residents to have a clear say on the future of their estates – something that extends beyond the narrower scope that these respondents suggested for ballots.

Theme 6: Ballots should be more nuanced than a yes/no vote

- 5.19 **Number and profile of respondents:** Twelve respondents' comments reflected this theme. These comments came from a range of individuals and organisations.
- 5.20 **Views expressed:** These respondents considered a yes/no vote unhelpful. Some commented that offering binary options would simplify the complex nature of estate regeneration projects and highlighted the benefit of those affected being able to rank options in order of preference. A majority of these respondents suggested that residents should be able to express their views on different options for regeneration. Some suggested that ballots should include questions on different parts of the offer document and others that multiple ballots are required.
- 5.21 **GLA recommendation:** No change. Although estate regeneration projects are inherently complex, the proposals that formed the subject of this consultation clearly envisage a ballot as the culmination of a period of consultation and negotiation, in which residents should have opportunities to express their views on different options for regeneration or different elements of the landlord offer. After this process, a yes/no ballot will provide a clear, transparent means of establishing whether or not residents support the proposals that they should already have had considerable scope to shape.

Theme 7: Clarification of terms is needed

- 5.22 **Number and profile of respondents:** Eleven respondents' comments reflected this theme. All respondents whose comments reflected this theme were organisations.
- 5.23 **Views expressed:** These respondents highlighted the need for the GLA to clarify various elements of the Mayor's proposals, including what the GLA would consider deviation from a landlord offer and exactly what information should be provided in the offer document. One respondent asked whether the simple majority expected from a yes/no ballot should relate to all those eligible to vote, or to those who actually vote.
- 5.24 **GLA recommendation:** Clarification. The proposals that formed the subject of this consultation highlight the centrality of the landlord's offer document. They explain that, following a positive ballot, landlords are expected to deliver what they set out in that document. The funding condition provides some examples of what the GLA will consider material deviation from this offer, by way of clarification. However, the funding condition also recognises that it is not possible to exhaustively identify all scenarios that it would regard as material deviation from a landlord offer. It will therefore be necessary for the GLA to assess this some situations on a case-by-case basis.

- 5.25 No change. On the content of the offer document, the proposals that formed the subject of this consultation are intended to balance prescriptiveness and flexibility. The provision of additional guidance on the contents of the offer document is not recommended, on the basis that this would tip this intended balance towards prescriptiveness.
- 5.26 Clarification. The funding condition clarifies no minimum turnout requirement is required for ballots. See also paragraph 11.11 below. This means that the simple majority required for a positive result relates to actual voters rather than potential voters.

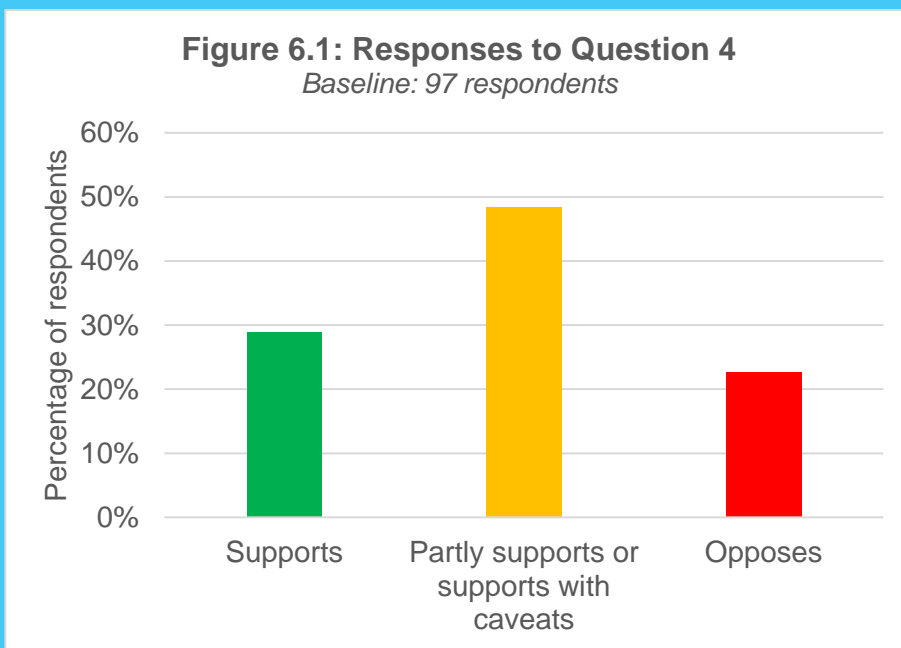
Other views expressed in responses to Question 3

- 5.27 A range of other comments were made in response to this question. These included the following:
- the importance of consultation with all eligible residents happening before the ballot and continuing after the ballot;
 - suggestions for how the GLA could be more involved in shaping offer documents by developing a template;
 - the need for residents to be made aware of the likely consequences of a no vote; and
 - the need for clarity, including on whether the GLA will allow subsequent ballots after a negative result.

Chapter 6: The stage at which ballots take place

Overview of responses to Question 4

- 6.1 Question three in the consultation document asked “Do you agree with the proposed stage in an estate regeneration process at which ballots should happen? Why/why not?”
- 6.2 Ninety-seven respondents commented on question four. Of these, 29 per cent agreed with the proposals, 23 per cent opposed them and 48 per cent were partially supportive or supported them with caveats. Individuals who commented were generally more likely to support the proposals than organisations. However, a large proportion of organisations - particularly tenants’ and residents’ associations, voluntary sector organisations representing residents, housing associations and local authorities - only partly supported the proposal or supported it with caveats. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 4

Theme 1: Landlords should be given flexibility to determine the timing of ballots

- 6.3 **Number and profile of respondents:** Five respondents' comments reflected this theme. All of these respondents were local authorities, housing associations or trade or industry bodies.
- 6.4 **Views expressed:** These respondents commented that it should be up to landlords to determine the appropriate timing for a ballot, with one suggesting that landlords should be given flexibility where they considered that it was not appropriate to ballot residents at the stage proposed by the Mayor. Some of them explained that they considered this would mean the condition better accommodated the duration and complexity of estate regeneration projects, as well as the involvement of multiple partners.
- 6.5 **GLA recommendation:** No change. To enable as much clarity and consistency as possible, the proposals that formed the subject of this consultation make clear that a ballot should generally take place prior to the procurement of a development partner and/or prior to the precise specification of works. The proposals explain that this is intended to ensure that the outcome of the vote sets the terms of the landlord's commitments to residents as well as the broad vision, priorities, and objectives that underpin the detailed planning of an estate regeneration project.

Theme 2: Ballots should take place at an early stage but not necessarily at the point suggested by the GLA

- 6.6 **Number and profile of respondents:** Forty respondents' comments reflected this theme. These comments came from a wide range of types of respondent.
- 6.7 **Views expressed:** Respondents whose comments reflected this theme made a range of comments about the exact point, relatively early in planning a project, at which ballots should take place. These included suggesting that a ballot should take place prior to detailed design, but when sufficient detail to furnish an offer document is available; before submission of a planning application; and before procurement of a development partner.
- 6.8 **GLA recommendation:** No change. Despite variations in the detail of their comments, these respondents were broadly supportive of the approach outlined in the proposals that formed the subject of this consultation – that is, that resident ballots should take place at a relatively early stage in the process of developing estate regeneration plans. The proposals envisage that this approach will enable the contents of the offer document to set the terms of the landlord's commitments

to residents, as well as the broad vision, priorities, and objectives that will underpin detailed planning of projects.

Theme 3: Ballots should take place at a later stage

- 6.9 **Number and profile of respondents:** Twenty-eight respondents' comments reflected this theme. The majority came from individuals, groups representing tenants and leaseholders and voluntary sector campaign groups. The Demolition Watch petition described at paragraphs 2.11 and 2.12 above also stated, as one of its five asks of the Mayor, "The ballot should be after a concrete proposal has been produced."
- 6.10 **Views expressed:** Respondents whose comments reflected this theme suggested that the ballot should take place later in the development of plans for a project, but made a range of comments about the exact point at which it should be held. These included recommending that a ballot should be held after a masterplan is in place; once a development partner or team is in place; or simply at the latest possible stage at which different options are still open to residents. They expressed various reasons for their view that resident ballots should take place relatively late in regeneration projects, including the following:
- a) that this would be helpful in ensuring landlords delivered what they had offered to residents;
 - b) that it would ensure residents had sufficient information to make a decision;
 - c) that residents should be aware of, or involved in, the selection of a development partner; and
 - d) that a development partner can help shape proposals.
- 6.11 **GLA recommendation:** No change. On balance, consultation respondents favoured the proposal to hold ballots at an earlier stage in the process of planning an estate regeneration project. Moreover, the proposals that formed the subject of this consultation make clear that landlords' offers should include "commitments relating to ongoing open and transparent consultation and engagement." It is likely that these commitments will outline landlords' plans for involving residents in key decisions that take place after the point at which the Mayor proposes ballots should be held.

Theme 4: Concern that the stage proposed may mean there is insufficient detail to secure support for plans

- 6.12 **Number and profile of respondents:** Fifteen respondents' comments reflected this theme. The majority were local authorities.
- 6.13 **Views expressed:** Around half of respondents whose comments reflected this theme expressed concern that, at the stage when the Mayor proposes ballots should take place, there may be insufficient information available for residents to

make a meaningful choice. Some specifically mentioned the absence of information on rents to be charged for replacement homes. They suggested that this could result in residents approving plans that would be likely to change over the course of time. Some suggested that this would result in further ballots being required, with the outcome that projects are delayed and/or accrue additional costs. One felt that the effect of such changes in plans could mean that ballots erode, rather than build, residents' trust in the process of planning projects. Another commented that the proposed timing of ballots ignores the reality that residents tend to become more supportive of plans for estate regeneration over the course of their development.

- 6.14 **GLA recommendation:** No change. No clear alternative to the proposals that formed the subject of this consultation emerges from these comments. Moreover, the proposals recognise that, while landlords should seek to provide as much detail as possible in their offer documents, some of these details will not be available ahead of a ballot and will need to be determined through consultation with residents after the ballot. This is part of the reason that the proposals expect landlords' offer documents to include "commitments relating to ongoing open and transparent consultation and engagement."

Theme 5: Concern about the cost to landlords

- 6.15 **Number and profile of respondents:** Eleven respondents' comments reflected this theme. These respondents were mostly local authorities or housing associations.
- 6.16 **Views expressed:** Respondents whose comments reflected this theme emphasised that the development of proposals in readiness for a ballot would require considerable investment of resources. They expressed concern that this investment was at much greater risk than work on the early stages of plans for regeneration projects is currently, because of the possibility of negative results in resident ballots. These concerns echo comments made by some respondents in relation to question one (see paragraphs 3.9 to 3.11 above). Some of these respondents suggested that this increased risk would decrease the likelihood of social landlords being willing to pursue plans for estate regeneration, while others suggested that the GLA should consider assisting landlords with the cost of holding ballots.
- 6.17 **GLA recommendation:** No change. See paragraphs 3.9 to 3.11 above.

Theme 6: Consultation and engagement must continue after the ballot

- 6.18 **Number and profile of respondents:** Six respondents' comments reflected this theme. These comments came from a range of different types of respondent.

- 6.19 **Views expressed:** These respondents commented that resident ballots should not mark the end of consultation, but rather form a specific milestone in a continuing process of consultation and engagement that needs to continue through the whole process of developing and implementing estate regeneration plans.
- 6.20 **GLA recommendation:** No change. The proposals that formed the subject of this consultation are clear that landlords' offers should include "commitments relating to ongoing open and transparent consultation and engagement." This will help ensure that residents are involved in key decisions that take place after the point at which they propose that ballots should be held. Moreover, by requiring landlords to report regularly to residents on progress against their offer (see paragraphs 5.4 to 5.6 above), the funding condition will support continuing consultation and engagement.

Theme 7: Provision for multiple ballots is necessary

- 6.21 **Number and profile of respondents:** Twenty-four respondents' comments reflected this theme. Most of these respondents were from individuals or organisations representing tenants and leaseholders or freeholders.
- 6.22 **Views expressed:** These respondents highlighted the importance of provision for multiple ballots. Around a third commented that these were necessary where there were significant changes in plans outlined in the offer document, with some of those specifying that a further ballot should be triggered in response to, for example, changes in rent levels or service charges for replacement homes. Just under half suggested that residents should be able to call for further ballots where they identify that their landlord has departed from their offer. Over a quarter suggested that additional "intermediate" ballots could provide a useful tool for making decisions required as plans are developed.
- 6.23 **GLA recommendation:** No change. The proposals that formed the subject of this consultation include the clawback of funding where landlords materially depart from plans set out in their offer document. There would be scope for landlords to hold further ballots to seek residents' approval for such changes. Landlords may choose to hold further ballots at key milestones in development and delivery of plans if they wish. The proposals are also clear that landlords' offers should include "commitments relating to ongoing open and transparent consultation and engagement." This will help ensure that, whether or not landlords choose to hold further ballots, residents are involved in key decisions that take place after the point at which he proposes ballots should be held.

Theme 8: Clarification around whether and/or when a second ballot could be used or would be required is needed

- 6.24 **Number and profile of respondents:** Ten respondents' comments reflected this theme. Four of these respondents were local authorities and one a housing developer.
- 6.25 **Views expressed:** Most respondents whose comments reflected this theme requested clarification or made suggestions around whether and, if so, in what circumstances, landlords could hold a further resident ballot after a no vote. One respondent commented that the criteria for holding further ballots should be clear to all involved parties from the outset. Comments related predominantly to any time period that would or should elapse before a further ballot. Some of the residents requested clarification of what the Mayor would consider material deviation from a landlord offer, with a view to the possibility that landlords might opt to hold another ballot where they anticipated such changes.
- 6.26 **GLA recommendation:** No change. The proposals that formed the subject of this consultation allow landlords to hold further ballots after a ballot with a negative outcome if they chose to do so. There are no clear grounds for the funding condition to specify when landlords that chose to hold a further ballot can do so. The proposals make clear a ballot should be preceded by a period of consultation and engagement and publication of an offer document, so it is likely that a significant stretch of time would elapse between one ballot and a subsequent ballot.
- 6.27 Clarification. On the issue of what the GLA will consider material deviation from the landlord offer, see paragraph 5.24 above.

Other views expressed in responses to Question 4

- 6.28 A range of other comments were made in response to this question. These included the following:
- queries as to whether estate regeneration projects that seek funding from the GLA at a late stage, after work is well underway, would be required to hold a ballot; and
 - suggestions that the GLA could helpfully award funding to landlords for engagement work, on the understanding that any full and final allocation of funding would be subject to a positive ballot.

Chapter 7: Other comments on the threshold, scope and timing of ballots

Overview of responses to Question 5

- 7.1 Question five in the consultation document asked “Do you have any other comments on the threshold, scope and timing of resident ballots?”
- 7.2 Twenty-one respondents commented on this question. It is likely that fewer respondents commented in response to this question than previous questions because it is open-ended, seeking further comments on the issues addressed in questions two to four. Housing associations and local authorities made up the bulk of respondents who commented on this question. A full break down of respondents by type is available at Appendix 3.

Recurring themes in responses to Question 5

Theme 1: Clarification of the like-for-like replacement requirement is needed

- 7.3 **Number and profile of respondents:** Seven respondents’ comments reflected this theme. These respondents were from a range of respondent types.
- 7.4 **Views expressed:** Respondents whose comments reflected this theme sought clarification on the specifics of the Mayor’s like-for-like replacement requirement, including how the number of affordable homes should be calculated and whether the quality of homes will be taken into account.
- 7.5 **GLA recommendation:** No change. The like-for-like requirement is defined in the draft London Plan, which has been subject to a separate consultation.

Other views expressed in responses to Question 5

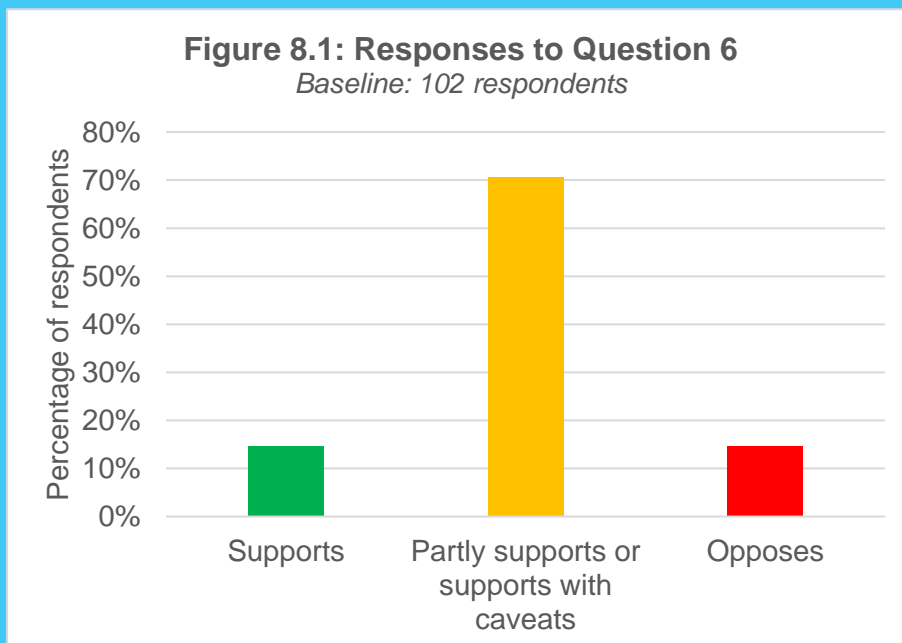
- 7.6 A range of other comments were made in response to this question. These included the following:

- questions around residents' expectations, such as determining reasonable expenditure where a community's expectations exceed the financial capacity of landlords, as well as asking for clarity on what would happen if residents supported an option that diverged from planning policy;
- suggestions that ballots should be held in two parts, one for the whole estate and another for residents whose homes might be demolished;
- highlighting what respondents considered good practice in engaging residents of estates where they have pursued or are pursuing regeneration;
- noting the impact on the viability of regeneration plans that a no vote on one estate could have, where a landlord had grouped a number of estates together in one project; and
- a request that standard guidance be made available to residents at least three months prior to a ballot.

Chapter 8: Eligibility criteria for ballots

Overview of responses to Question 6

- 8.1 Question six in the consultation document asked “Do you agree with the proposed eligibility criteria for resident ballots? Why/why not?”
- 8.2 One hundred and two respondents commented on question six. Fifteen per cent supported the proposed eligibility and fifteen per cent opposed them. Seventy-one per cent partially supported them or supported them with caveats. The Demolition Watch petition described at paragraphs 2.11 and 2.12 above also stated, as one of its five asks of the Mayor, “All residents should have a vote.” This would seem to suggest that all estate residents should be eligible to vote, irrespective of tenure, in which case the petition’s position reflects the first and fifth recurring themes identified below. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 6

Theme 1: All household members should be eligible to vote

- 8.3 **Number and profile of respondents:** Thirty-three respondents' comments reflected this theme. These responses were split evenly between individuals and organisations, but the organisations whose comments most often reflected this theme were those that represent tenants and leaseholders or freeholders.
- 8.4 **Views expressed:** Respondents whose comments reflected this theme felt that all adult members of tenants' and leaseholders' or freeholders' households should be eligible to vote, whether or not they are named on a tenancy agreement or lease. Most gave the examples of partners, adult children or elderly relatives of residents. Some respondents highlighted that, where only one of a couple was named on the tenancy agreement, one partner would be excluded from voting, whereas households where both partners were on the tenancy agreement would have more votes.
- 8.5 **GLA recommendation:** No change. It would be difficult for landlords to verify adult household members who live with a tenant or leaseholder. This would be particularly so for leaseholders, for whom there is no standard provision for listing household members on a lease in the way that household members are often listed on a tenancy. Thus, there is a risk that inconsistency would arise between the members of tenants' households confirmed as eligible to vote and the members of leaseholders' households confirmed as eligible to vote. Moreover, the proposals that formed the subject of this consultation explained that household members who are registered on the local authority's Housing Needs Register (HNR) will be able to vote. This provision will enable at least some household members, perhaps particularly adults living with their parents, to vote without the change to eligibility criteria as suggested by these respondents.

Theme 2: The minimum voting age should be 16

- 8.6 **Number and profile of respondents:** Ten respondents' comments reflected this theme. These comments were made by a broad range of types of respondent.
- 8.7 **Views expressed:** Respondents whose comments reflected this theme suggested that the minimum voting age for eligible residents should be 16.
- 8.8 **GLA recommendation:** Clarification. The Mayor has called for the national minimum voting age to be reduced to 16. The funding condition clarifies that those who meet eligibility criteria should be able to vote from the age of 16.

Theme 3: Non-resident leaseholders or freeholders should be eligible to vote

- 8.9 **Number and profile of respondents:** Nine respondents' comments reflected this theme. Individuals whose responses identified them as non-resident leaseholders or freeholders made up the single biggest type of respondent who made comments that reflected this theme.
- 8.10 **Views expressed:** Respondents whose comments reflected this theme felt that non-resident leaseholders should be eligible to vote. Most commented that non-resident leaseholders have bought a home, perhaps intend to live there in the future, and therefore have an interest in the estate's future.
- 8.11 **GLA recommendation:** No change. The proposals that formed the subject of this consultation make clear that the Mayor's intention in introducing this new funding condition is to ensure that resident tenants, leaseholders and freeholders have a clear say in decisions about the future of their estates. They also outline the rationale for focussing on these groups: that these residents will be very directly affected by proposed estate regeneration in a way that those not living on an estate will not.

Theme 4: Tenants who have been relocated by their landlord and wish to return to an estate should be eligible to vote

- 8.12 **Number and profile of respondents:** Eight respondents' comments reflected this theme. Most of the respondents whose comments reflected this theme were individuals, tenants' and residents' associations, or voluntary sector organisations that represent residents.
- 8.13 **Views expressed:** These respondents suggested that any tenants who have already moved from their homes on an estate where regeneration is planned, having been relocated by their landlord, and who have indicated that they wish to return, should be eligible to vote.
- 8.14 **GLA recommendation:** Clarification. The funding condition clarifies the intention of the proposals that formed the subject of this consultation: that ballots should take place before landlords move any residents who would be eligible to vote from an estate where it plans to carry out a regeneration project.
- 8.15 **Change.** The funding condition explains that, unless landlords have already moved residents at the point when the funding condition is introduced, ballots should take place before they start any relocation. It also recognises that there may some projects where landlords have moved tenants to alternative accommodation prior to the introduction of the funding condition. It clarifies that, where this is the case,

residents who meet the eligibility criteria and have left the estate with a right to return should be entitled to vote.

Theme 5: All private rented sector tenants should be eligible to vote

- 8.16 **Number and profile of respondents:** Seventeen respondents' comments reflected this theme. They came from a broad spectrum of respondent types.
- 8.17 **Views expressed:** The majority of respondents whose comments reflected this theme felt that private rented sector (PRS) tenants should be eligible to vote, regardless of whether they had been on the local authority's HNR for at least a year. Some of these respondents suggested that this should especially be the case where PRS tenants had lived on an estate for some time. Some respondents commented that PRS tenants living on an estate where regeneration is proposed would potentially lose their homes, like social tenants and leaseholders or freeholders, and therefore deserve a say on the future of the estate. Some recognised that it might prove challenging to identify PRS tenants eligible to vote, but a number of respondents who did so suggested that the electoral register could be used to verify residence.
- 8.18 **GLA recommendation:** No change. The proposals that formed the subject of this consultation make clear that the funding condition is intended to strengthen the rights of social tenants and resident leaseholders and freeholders, as well as those seeking to access social housing. It is these groups who would be most directly affected by proposed regeneration. Where other residents on an estate may face the potential demolition of their homes, the landlord has particular obligations to tenants and leaseholders or freeholders. Moreover, those on the local authority's HNR may potentially benefit from the delivery of new affordable housing in their area.
- 8.19 The proposals that formed the subject of this consultation also make clear that, in contrast to their responsibilities towards tenants and leaseholders or freeholders, landlords pursuing estate regeneration projects have - at least in their capacity as freeholder - limited statutory obligations towards PRS tenants affected by estate regeneration. Options equivalent to their current homes would not normally be provided within the new housing planned for PRS tenants living in a home that could be demolished. However, the draft revised London Housing Strategy recognises the difficulties faced by large numbers of private sector tenants, whether living on an estate owned by a social landlord or elsewhere. It sets out commitments to improving the quality, affordability and security of PRS homes, as well as increasing the supply of affordable homes for Londoners who are struggling to afford rents in the PRS.

Theme 6: Those on the Housing Needs Register and/or in temporary accommodation and/or in private rented sector accommodation should not be eligible to vote

- 8.20 **Number and profile of respondents:** Twenty-six respondents' comments reflected this theme. These respondents included an even mix of individuals and organisations.
- 8.21 **Views expressed:** Respondents whose comments reflected this theme opposed the inclusion of residents living in Temporary Accommodation (TA) and/or PRS accommodation and/or residents on the local authority's HNR. Of these respondents, most felt that including them was inappropriate, because it would reduce the influence of those most directly affected by regeneration. One respondent highlighted the high incidence of movement onto and off estates among these cohorts. Some respondents noted that these cohorts would be unlikely to have priority on HNRs – something that would give them little incentive to vote in favour of regeneration proposals, meaning their inclusion would increase the chance of negative results in ballots. One expressed concern that landlords might inflate their offer to these voters in order to secure positive votes. Some respondents located the rationale for excluding these cohorts in the fact that they would not return to new homes, with one commenting that including them could unduly raise their expectations of securing affordable new housing.
- 8.22 **GLA recommendation:** No change. The proposals that formed the subject of this consultation are clear about the intention of the funding condition: to strengthen the rights of those seeking social housing, as well as those living there. There was significant support for this aim among consultation respondents. Those seeking social housing include households to whom local authorities have a duty to provide temporary accommodation under legislation on homelessness. Although a social landlord would be unlikely to offer them alternative accommodation through the new homes planned as part of an estate regeneration project, these cohorts have a clear interest in the delivery of additional social housing in the local area.

Theme 7: It would be practically difficult to make those on the Housing Needs Register and/or in temporary accommodation and/or in private rented sector accommodation eligible to vote

- 8.23 **Number and profile of respondents:** Twelve respondents' comments reflected this theme. The majority of these respondents were organisations involved in the delivery of housing, such as local authorities and housing associations.
- 8.24 **Views expressed:** Respondents whose comments reflected this theme commented on the impracticality of making those on the HNR and/or in TA and/or in PRS accommodation eligible to vote. Respondents highlighted a range of practical concerns, including the rate of movement between homes among these

cohorts, the potential difficulty of determining which members of a household in the PRS would be eligible to vote if not all household members are on the local authority's HNR, the difficulty housing associations might have in accessing data on the local authority's HNR, and the cost of balloting these cohorts. Some respondents noted the inconsistency in eligibility that would arise from the differing criteria local authorities set for joining their HNRs, with one noting that this might prevent adult children of social housing tenants who have lived on estates their whole lives from being able to vote. One respondent noted that residents on an estate could join the local authority's HNR in order to secure the vote. One respondent sought clarification of whether the Mayor expected all those on a local authority's HNR to be eligible to vote, or just those living on the estate in question.

- 8.25 **GLA recommendation:** Clarification. In relation to concerns about the rate of movement between homes among these cohorts, the funding condition specifies that those resident on an estate on the date when a landlord's offer document is published who have been on the local authority's HNR for a year or longer, from this date, would be eligible to vote. The proposals that formed the subject of this consultation state that those who have been on the local authority's HNR for a year or longer would also need to be resident on the estate where regeneration is proposed in order to be eligible to vote.
- 8.26 No change. The proposals that formed the subject of this consultation make clear the intention of the funding condition: to strengthen the rights of those seeking social housing. It is not clear that the potential practical difficulties attached to doing so merit excluding this cohort from his proposed eligibility criteria. The GLA understands that, in ballots landlords have previously held on proposed estate regeneration projects, those on the local authority's HNR have been successfully identified for the purposes of voting. It is for landlords, along with the independent body supervising the ballot (subject to the clarification recommended at paragraph 10.8 below), to consider how best to identify this part of the electorate.

Theme 8: Give greater weight to those on Housing Needs Registers

- 8.27 **Number and profile of respondents:** Eleven respondents' comments reflected this theme. Local authorities formed the largest single type of respondents whose comments reflected this theme.
- 8.28 **Views expressed:** The majority of respondents whose comments reflected this theme felt those on the HNR ought to be eligible to vote, because they stand to benefit from new homes that are delivered when estate regeneration projects go ahead. Some respondents specifically suggested that HNR applicants living in a wider area than the estate where regeneration is proposed should be entitled to vote, although one suggested that eligibility should be limited to those with higher priority.

- 8.29 **GLA recommendation:** No change. The proposals that formed the subject of this consultation are clear that the funding condition is intended to strengthen the rights of those seeking social housing – hence the inclusion of those resident on an estate who have been on the local authority’s HNR for a year or longer among the groups eligible to vote in resident ballots. However, making some or all HNR applicants who live beyond an estate where regeneration is proposed would present the practical problem of establishing clear criteria around eligibility. It would also risk adding to the number of people entitled to vote in the ballot to an extent that would mean residents on the estate would not constitute a majority of the electorate.
- 8.30 Whether or not HNR applicants beyond those resident on an estate where regeneration is proposed were made eligible to vote, it would also be impractical to base HNR applicants’ eligibility (or the weight of their vote) on their level of priority on the local authority’s HNR. This is because local authorities use very different systems for prioritising applicants – something that would make it difficult to ensure consistency between boroughs in terms of which HNR applicants were eligible to vote and which were not.

Theme 9: Include wider stakeholders, such as businesses and community groups

- 8.31 **Number and profile of respondents:** Twelve respondents’ comments reflected this theme. All those whose comments reflected this theme were organisations, but of a broad range of types.
- 8.32 **Views expressed:** Most respondents whose comments reflected this theme suggested that local businesses should be eligible to vote in ballots, with some also suggesting that community and voluntary groups and public services should be eligible. Some respondents noted that, where these bodies may face the demolition of their premises, they should be able to vote. Some suggested a criterion for businesses to be eligible, whereby they must have occupied their premises for at least a year. A majority of these respondents recommended that those living on the streets surrounding estates where regeneration is proposed should be eligible to vote, as they too would be affected by any regeneration that takes place. Some comments suggested that not including the wider community was discriminatory and/or failed to reflect the nature of local communities.
- 8.33 **GLA recommendation:** No change. *Better Homes for Local People* makes clear that stakeholders other than residents – for example, local businesses - should be involved in the development and implementation of plans for estate regeneration throughout what is typically a lengthy process. However, the purpose of the proposals that formed the subject of this consultation is to give a decisive say to social tenants, resident leaseholders and freeholders, and residents seeking social

housing, who are living on estates and would be most directly affected by regeneration works.

Theme 10: Some of those who are not eligible should be consulted in other ways

- 8.34 **Number and profile of respondents:** Seven respondents' comments reflected this theme. These comments came from a wide range of types of respondent.
- 8.35 **Views expressed:** Respondents whose views reflected this theme felt the opinions of the wider community should be captured, but not necessarily by making them eligible to vote in a ballot. One respondent suggested the views of those who are not eligible could be considered through other forms of consultation. Some of them explicitly mentioned consulting with those living in areas surrounding the estate. One respondent mentioned PRS tenants and another businesses and community groups. One respondent drew attention to the particular importance of hearing and acknowledging the voice of those under 16 years old.
- 8.36 **GLA recommendation:** No change. *Better Homes for Local People* makes clear that stakeholders other than residents should be involved in the development and implementation of plans for estate regeneration throughout what is typically a lengthy process.

Theme 11: Clarification is needed

- 8.37 **Number and profile of respondents:** Eight respondents' comments reflected this theme. Local authorities were the type of respondent most heavily represented among them.
- 8.38 **Views expressed:** Respondents whose comments reflected this theme raised a range of issues, including whether residents with particular tenures or tenancy statuses would be eligible (for example, those living in intermediate housing, in temporary accommodation, or those with flexible, introductory or demoted tenancies), whether eligibility to vote is linked to the right to return, and whether all residents on an estate where a regeneration project involving demolition of homes was proposed would be eligible to vote.
- 8.39 **GLA recommendation:** Clarification. The proposals that formed the subject of this consultation already specify that introductory tenants and those with flexible tenancies should be eligible to vote. It seems unlikely that the issue of whether to allow demoted tenants to vote in ballots will arise frequently, but the GLA will keep this issue under review and update its guidance if required. As it is the intention of the proposals that those living in affordable housing owned by the landlord proposing estate regeneration should be eligible to vote, the funding condition

specifies that those living in intermediate housing should be eligible. The intention of the proposals that formed the subject of this consultation is that all those resident on an estate who meet eligibility criteria would be entitled to vote, so the funding condition also clarifies this. Other issues raised here are dealt with elsewhere in the report.

Other views expressed in responses to Question 6

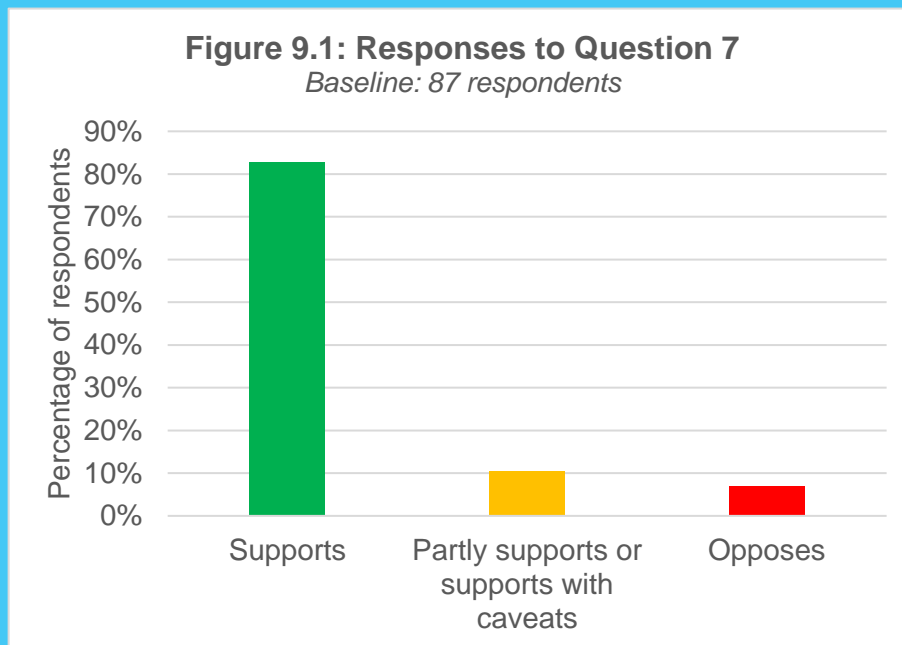
8.40 A range of other comments were made in response to this question. These included the following:

- Resident leaseholders and freeholders who have been living in their homes for less than a year should be eligible to vote.
- There should only be one vote per household.
- Short-term residents, such as students, should not be eligible to vote.
- Including those living in TA and on the HNR may create a perverse disincentive for landlords to make homes on estates available as TA.
- There are practical issues associated with holding a design workshop at which some attendees would be eligible to vote but others would not.
- An EIA should be published addressing the impact of the Mayor's eligibility proposals.
- Few of the residents with non-secure tenancies eligible to vote by virtue of being on the local authority's HNR would have high priority for housing.
- Residents' votes might reflect their satisfaction or otherwise with their current properties, with the upshot that estate regeneration projects might not go ahead where a significant number of the electorate are content with their homes.
- Although PRS tenants should be included, they would not have an incentive to vote in support of the development of new affordable homes.

Chapter 9: Consistency of eligibility criteria for ballots

Overview of responses to Question 7

- 9.1 Question seven in the consultation document asked “Do you agree that eligibility criteria should be the same for all schemes? Why/why not?”
- 9.2 Eighty-seven respondents commented on this question. There was widespread support for consistency of eligibility criteria among these respondents, with 83 per cent supporting this proposal. Of the remaining respondents, 10 per cent partially supported the proposal or supported it with caveats, while seven per cent opposed it. Among those opposed to the proposal, local authorities were the most common respondent type. However, more local authorities supported the proposal than opposed it. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 7

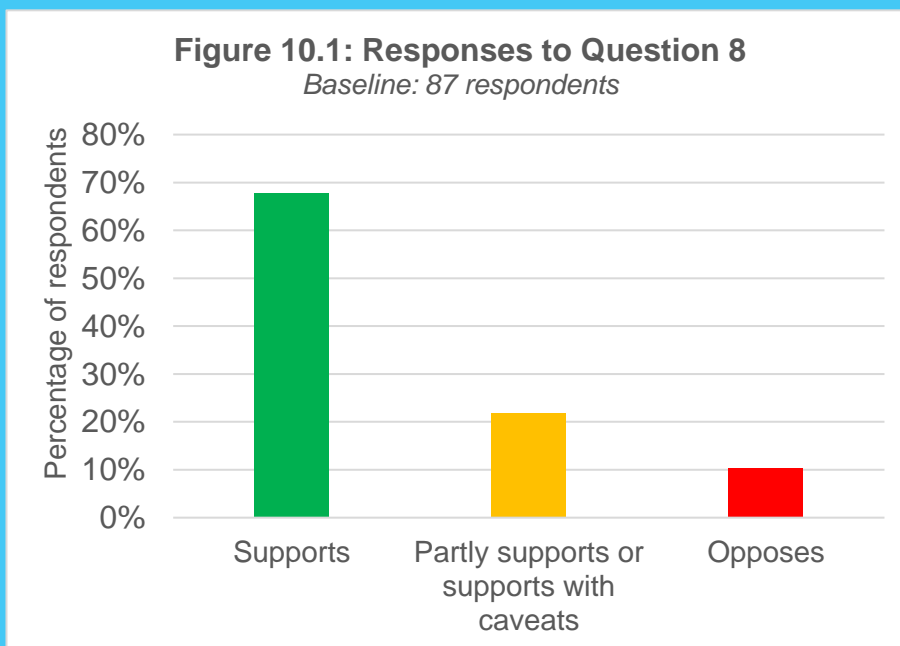
Theme 1: Some variation in criteria, to reflect local circumstances, should be allowed

- 9.3 **Number and profile of respondents:** Nine respondents' comments reflected this theme. Comments from housing associations and local authorities were most likely to reflect this view.
- 9.4 **Views expressed:** These respondents felt that the eligibility criteria should not necessarily be the same for all projects, because some variation could be required to take into account differing circumstances. Some commented on situations in which variation in eligibility criteria might be warranted, notably where estates have a large proportion of non-residential occupants, such as businesses, that would not be eligible to vote in a ballot. Some respondents suggested that variations in the demographics and particularly the tenure balance on estates might justify variation, with one suggesting that landlords should be able to carry out assessments of estates in order to determine eligibility criteria. Some respondents suggested that landlords should be able to apply for a change in eligibility criteria. Finally, one respondent commented that, even if the Mayor set consistent criteria, eligibility would not actually be the same for all projects, because local authorities' criteria for including individuals on their HNRs differ.
- 9.5 **GLA recommendation:** No change. There will undoubtedly be variation in the populations of different estates. However, the proposals that formed the subject of this consultation already allow landlords to tailor their consultation and engagement activities to suit the needs and preferences of different occupants, including businesses and public or voluntary services, while also ensuring clarity and transparency around which estate residents are entitled to have the particular say in the future of their estate that a ballot allows. Consistency in criteria will also reduce the demands that holding a ballot places on landlords.

Chapter 10: Requirements for implementing ballots

Overview of responses to Question 8

- 10.1 Question eight in the consultation document asked “Do you agree with the Mayor’s proposed requirements for implementing ballots? Why/why not?”
- 10.2 Eighty-seven respondents commented on this question. Sixty-eight per cent of respondents, evenly spread between respondent types, were supportive of the Mayor’s proposed requirements for implementing ballots. Twenty-two per cent of respondents were partially supportive or supported the proposals with caveats. They too came from a wide range of respondent types. Of the 10 per cent of respondents who opposed the proposals, over two fifths were local authorities. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 8

Theme 1: There should be a nuanced voting system

- 10.3 **Number and profile of respondents:** Eleven respondents’ comments reflected this theme. These respondents were from a wide range of respondent types.

- 10.4 **Views expressed:** Respondents whose views reflected this theme suggested that using a simple majority vote for ballots would be problematic. Some respondents questioned the legitimacy of a ballot result if the voter turnout was low or the result close. One commented that small numbers of voters could wield disproportionate influence over an important decision. Others felt that a simple majority vote increased the risk that ballots could be divisive, particularly where residents living on different parts of an estate held differing views on regeneration proposals. Some respondents suggested alternative voting systems that could be used instead – for example, weighting the votes of different groups.
- 10.5 **GLA recommendation:** No change. The proposals that formed the subject of this consultation consider use of a simple majority vote with one vote cast by each eligible voter, familiar from Parliamentary and local government elections, to be the clearest and simplest approach to ballots. Approaches that enabled voters to rank options might work in relation to some proposed projects but not others, and elsewhere the consultation has established clear support for a consistent approach to ballots (see chapter 9).

Theme 2: The independent body should have a wider role than proposed

- 10.6 **Number and profile of respondents:** Twenty respondents' comments reflected this theme. They were of a wide range of types of respondent.
- 10.7 **Views expressed:** Almost all respondents whose views reflected this theme agreed that a qualified independent body should be contracted, but to carry out the ballot, rather than supervise it. Some of them framed the view that an independent body should carry out the ballot as an endorsement of the Mayor's proposals, while others saw a clear distinction between this view and the Mayor's proposals. Some respondents suggested that the independent body should also facilitate the wider consultation. One respondent suggested the independent body could ensure the accuracy of materials provided to residents, report incidents of unfair treatment, and provide independent advisers. Another recommended that it should have the power to recommend changes to the landlord's plans, in line with residents' views. One respondent commented that having an independent body conduct the ballot would promote trust and confidence in the process.
- 10.8 **GLA recommendation:** Clarification. The funding condition makes clear that the independent body would be expected to undertake resident ballots, rather than simply supervising them. The independent body could carry out some of the tasks that some respondents suggested.

Theme 3: The independent body will need to be subject to clear requirements

- 10.9 **Number and profile of respondents:** Eight respondents' comments reflected this theme. These respondents were split evenly between organisations and individuals.
- 10.10 **Views expressed:** Respondents whose views reflected this theme highlighted the need for the independent body to be subject to clear requirements. One respondent expressed a preference for Electoral Reform Services overseeing ballots, explaining that residents may not trust independent bodies suggested by landlords. Three respondents commented that a list of approved independent bodies would be helpful to transparency and accountability, with two suggesting that the Mayor publish a list. One respondent recommended that using an independent body should be made a legal requirement. Another respondent suggested that independent bodies should provide expertise on placemaking, as well as on the electoral process and wider engagement, so that they can assess the process effectively.
- 10.11 **GLA recommendation:** Clarification. Rather than prescribing the use of certain providers, the funding condition makes provision for landlords to select an independent organisation to supervise the ballot (subject to the clarification recommended at paragraph 10.8 below), provided that it has the knowledge and expertise necessary to supervise ballots effectively. GLA officers will be able to provide further guidance to landlords that need it.

Other views expressed in responses to Question 8

- 10.12 A range of other comments were made in response to this question. These included the following:
- concern about the costs of running ballots in line with the Mayor's proposals;
 - the need for clarity around which independent bodies the Mayor considers qualified;
 - comments that local authorities are suitably experienced to oversee ballots;
 - a suggestion that the Market Research Society, in addition to Electoral Reform Services, would be an appropriate potential supervisory body; and
 - a recommendation that the Mayor should require evidence of continuous engagement, rather than just of a ballot.

Chapter 11: Additional requirements for implementing ballots

Overview of responses to Question 9

- 11.1 Question nine in the consultation document asked “Do you have proposals for other potential Mayoral requirements for implementing ballots?”
- 11.2 Fifty-four respondents commented in response to this question. These respondents included a range of individuals and organisations. Given that this question does not ask “Do you agree...?”, there is no data on respondents’ support or opposition. A full break down of respondents by type is available at Appendix 3.

Recurring themes in responses to Question 9

Theme 1: Suggestions around accessibility and ease of voting

- 11.3 **Number and profile of respondents:** Fourteen respondents’ comments reflected this theme. All but one of the respondents whose comments expressed this theme were either individuals or tenants’ and/or residents’ associations.
- 11.4 **Views expressed:** The majority of these respondents commented that offer documents and other information related to the ballot should be made available to residents in multiple languages, reflecting the needs of people on the estate. They also suggested that people should be able to vote from their homes. One respondent recommended that voters should be able to have a proxy vote and another that landlords should avoid holding ballots in holiday periods, when residents are more likely to be away.
- 11.5 **GLA recommendation:** Clarification. The funding condition makes clear that, in preparing offer documents, landlords should seek to make them accessible to residents with different needs, including considering the requirements of those whose first language is not English, or who have disabilities. The proposals that formed the subject of this consultation also state that ballots should be supervised

by an independent body – a requirement (subject to the clarification recommended at paragraph 10.8 below) intended to ensure that ballots are held in a fair manner.

Theme 2: Suggestions around the count and announcement

- 11.6 **Number and profile of respondents:** Five respondents' comments reflected this theme. These respondents were of a range of different respondent types.
- 11.7 **Views expressed:** These respondents' comments related to the process for counting votes and making public the result of the ballot. One suggested that results should be announced as soon as counting is complete, so that landlords would not be able to "chase" additional eligible voters' votes after counting. Some respondents commented that results should breakdown votes by tenure, with one of these specifying that information should be published and the other commenting that it would help landlords understand the reasons for a negative vote. One respondent recommended that the count should be conducted by an independent body and another that the GLA should provide guidance for circumstances in which a recount should be undertaken – for example, in the event of a close result.
- 11.8 **GLA recommendation:** No change. The proposals that formed the subject of this consultation specify that ballots should be supervised by an independent body (subject to the clarification recommended at paragraph 10.8 below) - something intended to ensure that ballots are held in a fair manner. This body would be able to provide advice on matters such as counting and re-counting. Landlords would be free to create a breakdown of votes by tenure, or to agree with residents that they will do so.

Theme 3: A minimum voter turnout should be required

- 11.9 **Number and profile of respondents:** Twenty-four respondents' comments reflected this theme. These respondents were from a wide range of respondent types, although the number of organisations exceeded the number of individuals. Housing associations and local authorities accounted for a quarter of the comments that reflected this theme.
- 11.10 **Views expressed:** These respondents recommended a minimum voter turnout requirement for resident ballots. Some explicitly commented that this would help provide legitimacy to the result or demonstrate residents' engagement, while one respondent highlighted the risk of "consultation fatigue" among residents – something they felt could result in the over-representation of those opposed to regeneration plans among residents who actually voted. Some respondents recommended that the Mayor should specify a turnout requirement. A majority suggested an appropriate threshold. Respondents' suggestions ranged from 33 to 75 per cent, but most suggested a threshold of or close to 50 per cent of eligible voters.

- 11.11 **GLA recommendation:** No change. The proposals that formed the subject of this consultation consider use of a simple majority vote with no minimum turnout the clearest and simplest approach to ballots. No minimum turnout is required for any government elections in the UK.

Theme 4: Landlords should be required to update information on residents before holding a ballot

- 11.12 **Number and profile of respondents:** Nine respondents' comments reflected this theme. The majority of those whose comments reflected this view were individuals or organisations that represent tenants and leaseholders or freeholders.
- 11.13 **Views expressed:** These respondents commented that landlords should be required to update and ensure the accuracy of the information they hold on residents prior to holding a ballot, in order to ensure that those entitled to vote are actually able to do so.
- 11.14 **GLA recommendation:** No change. The proposals that formed the subject of this consultation specify that ballots should be supervised by an independent body (subject to the clarification recommended at paragraph 10.8 below) - something intended to ensure that ballots are held in a fair manner, including ensuring that landlords make every effort to ensure that all residents entitled to vote are actually able to do so.

Theme 5: Landlords should be required to ensure that residents have access to independent advice

- 11.15 **Number and profile of respondents:** Eighteen respondents' comments reflected this theme. Fifteen of them were either individuals or tenants and/or residents' associations.
- 11.16 **Views expressed:** These respondents' comments related to ensuring that residents are equipped to participate fully and fairly in ballots and the preceding consultation and engagement. A majority of these respondents recommended that landlords should provide residents with access to independent advice and some that they should provide support to residents to develop their own plans for the estate.
- 11.17 **GLA recommendation:** No change. The proposals that formed the subject of this consultation make clear that there should be a "period of consultation, engagement and negotiation between residents and their landlord" prior to the ballot. The requirement that a ballot should be supervised by an independent body (subject to the clarification recommended at paragraph 10.8 below) is intended to ensure that communication and campaigning are conducted fairly.

Theme 6: The GLA should provide guidance on running a ballot

- 11.18 **Number and profile of respondents:** Six respondents' comments reflected this theme. Most of them were organisations involved in the delivery of housing (housing associations and local authorities).
- 11.19 **Views expressed:** These respondents recommended that the GLA provide guidance to landlords on how to conduct a ballot. One respondent commented that such guidance would help to ensure ballots and preceding campaigns were conducted in good faith, while another suggested that detailed guidance was necessary to counter the existing culture of mistrust between landlords and residents. Respondents mentioned a range of matters that they considered should be covered in such guidance.
- 11.20 **GLA recommendation:** No change. The proposals that formed the subject of this consultation provide for independent supervision of ballots by organisations with experience and expertise in this area (subject to the clarification recommended at paragraph 10.8 below). Such organisations are better placed to provide advice on conducting ballots than the GLA and the proposals intend that their involvement in ballots will give residents confidence in the process.

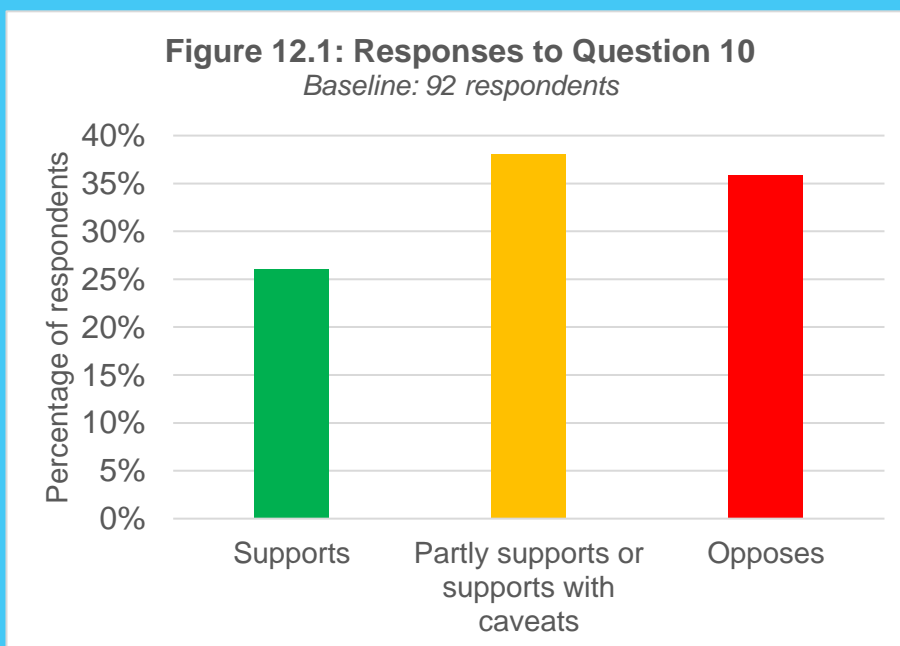
Other views expressed in responses to Question 9

- 11.21 A range of other comments were made in response to this question. These included the following:
- the Mayor should keep the requirement simple to avoid making ballots expensive, and he should negotiate agreed rates with relevant organisations;
 - the ballot should be secret;
 - the supervising body should record all visits that staff of the landlord make to vulnerable residents;
 - residents' eligibility to vote should be dependent on them attending design workshops; and
 - where more than one landlord manages homes on an estate where regeneration is planned, one should lead the consultation.

Chapter 12: Exemption for infrastructure improvements

Overview of responses to Question 10

- 12.1 Question 10 in the consultation document asked “Do you agree with the proposed exemption where the demolitions are required to deliver an infrastructure scheme? Why/why not?”
- 12.2 Ninety-two respondents commented on question 10. Thirty-six per cent of respondents, predominantly individuals and tenants’ and residents’ associations, opposed the proposed exemption. Twenty-six per cent of respondents, largely local authorities and housing associations, supported the proposed exemption. Thirty-eight per cent of respondents were partially supportive of it or supported it with caveats. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 10

Theme 1: All residents of estates where regeneration is proposed deserve to be balloted

- 12.3 **Number and profile of respondents:** Fifteen respondents' comments reflected this theme. Almost all comments expressing this view were made by individuals, organisations who represent tenants and leaseholders or freeholders, or voluntary and community groups.
- 12.4 **Views expressed:** Respondents whose comments reflected this theme commented that residents of proposed estate regeneration projects where demolition is required to deliver major infrastructure improvements deserved a ballot on proposals. Some considered that a ballot should take place for regeneration projects wherever demolition is proposed. Some respondents noted that these residents had the same need for rehousing as others who would be entitled to a ballot and one that they should have the same rights to judge their landlord's rehousing offer to them. One respondent expressed concern that this exemption would enable homes to be demolished wherever this was helpful to Transport for London's development work and another that it was unfair to disregard the views of residents on estates where major infrastructure schemes were taking place on the basis of the wider benefit that could be derived from these schemes. One respondent felt that these respondents should be balloted, because the infrastructure schemes are themselves often contentious.
- 12.5 **GLA recommendation:** No change. The proposals that formed the subject of this consultation recognise the importance of major infrastructure schemes to Londoners, including to the city's economy. It is on this basis that they propose exempting from the requirement to ballot residents planned regeneration projects where demolitions are required to enable such improvements. Such projects should still be carried out in line with the principles outlined in *Better Homes for Local People*, and should therefore involve full and open consultation with residents. Moreover, the tightening of the definition of infrastructure improvements outlined at paragraph 12.18 below could help to ensure that this exemption does not become a mandate to demolish homes.

Theme 2: The exemption is inconsistent with the wider policy and/or will weaken it

- 12.6 **Number and profile of respondents:** Nine respondents' comments reflected this theme. Of these, five were from local authorities.
- 12.7 **Views expressed:** Some respondents whose comments reflected this theme felt that the introduction of exemptions would undermine the proposed requirement for ballots. A majority of these respondents commented that the rationale behind the

proposed exemption was inconsistent with that of the requirement. One respondent characterised the requirement for ballots as ensuring that those directly disrupted by regeneration should have a say despite the potential benefits – in the form of additional housing – that a much wider population could derive from estate regeneration projects. This respondent noted that this prioritisation of the interests of those most directly affected seemed to be reversed by this proposed exemption. Two other respondents considered the need for affordable housing to be just as pressing as the need for new infrastructure schemes. One of them commented that it seemed odd that the Mayor's proposals treated these two needs differently.

12.8 **GLA recommendation:** No change. See paragraph 12.5 above.

Theme 3: The exemption should only apply where there is existing statutory provision for infrastructure improvements

12.9 **Number and profile of respondents:** Nine respondents' comments reflected this theme. The majority of these respondents were individuals and organisations representing tenants and leaseholders or freeholders.

12.10 **Views expressed:** All respondents whose comments reflected this theme thought the proposed exemption should be narrowed to cases in which existing statutory provisions for major infrastructure schemes underpin improvements.

12.11 **GLA recommendation:** No change. As explained at paragraph 12.5 above, the proposals that formed the subject of this consultation recognise the importance of major infrastructure schemes to Londoners, including to the city's economy. They also reflect an awareness that there are instances in which major infrastructure improvements are not underpinned by existing statutory provisions, but may necessitate demolitions. Given this reality, it makes sense to retain provision for such cases within this exemption. However, the tightening of the definition of infrastructure improvements outlined at paragraph 2.18 below could help ensure that this exemption is only applied to estate regeneration projects where infrastructure improvements are genuinely major.

Theme 4: Cost-benefit analysis for major infrastructure projects should already account for disruption to residents

12.12 **Number and profile of respondents:** Thirteen respondents' comments reflected this theme. All of them were individuals or tenants' and residents' associations.

12.13 **Views expressed:** All respondents whose comments reflected this theme supported the proposed exemption, provided that the analysis of costs and benefits that informed decision-making on major infrastructure schemes takes into account any disruption to residents.

- 12.14 **GLA recommendation:** No change. A condition for the Mayor's affordable housing funding cannot be used to stipulate how cost-benefit analyses that inform decision-making on major infrastructure improvements should be carried out.

Theme 5: Clarification is needed, particularly to avoid this exemption becoming a loophole

- 12.15 **Number and profile of respondents:** Twenty-three respondents' comments reflected this theme. They came from a broad range of respondent types. It was disproportionately individuals who responded to the consultation who expressed concern that the exemption could become a loophole in the proposed funding requirement.
- 12.16 **Views expressed:** Most respondents whose comments reflected this theme requested clarification of the definition of an infrastructure scheme requiring the demolition of homes. The majority of these respondents were wary of how landlords and developers might interpret a definition that they considered too vague, with one concerned that they could include infrastructure improvements in plans with a view to avoiding the ballot requirement. Some of this group were particularly concerned by the term "linked to" major infrastructure improvements in the Mayor's provision for exemptions on a case-by-case basis, beyond estates where statutory provisions for infrastructure improvements were in place. One respondent noted that many estate regeneration projects deliver some sort of improvements in infrastructure and another that it can be difficult to classify some projects as predominantly housing or predominantly infrastructure.
- 12.17 One respondent altogether opposed the exemption, on the grounds that it could become a loophole, while around half of respondents whose comments reflected this theme provided suggested definitions.
- 12.18 **GLA recommendation:** Change. The funding condition tightens the definition of infrastructure improvements that would warrant exemption, other than those underpinned by statutory provisions. This has been done by specifying that an estate would only be exempt from conducting a resident ballot where it is necessary to demolish homes on the estate in order to facilitate the physical requirements of major rail or underground service improvements. This would reflect the significant benefits that can be realised through such improvements and the limited options for alternative approaches to these kinds of schemes. At the same time, it would mean estates were not exempt from the ballot requirement where, for example, improvements to bus services were planned, or where a planned increase in the frequency or capacity of trains to a nearby station made the development of additional housing more feasible.

Other views expressed in responses to Question 10

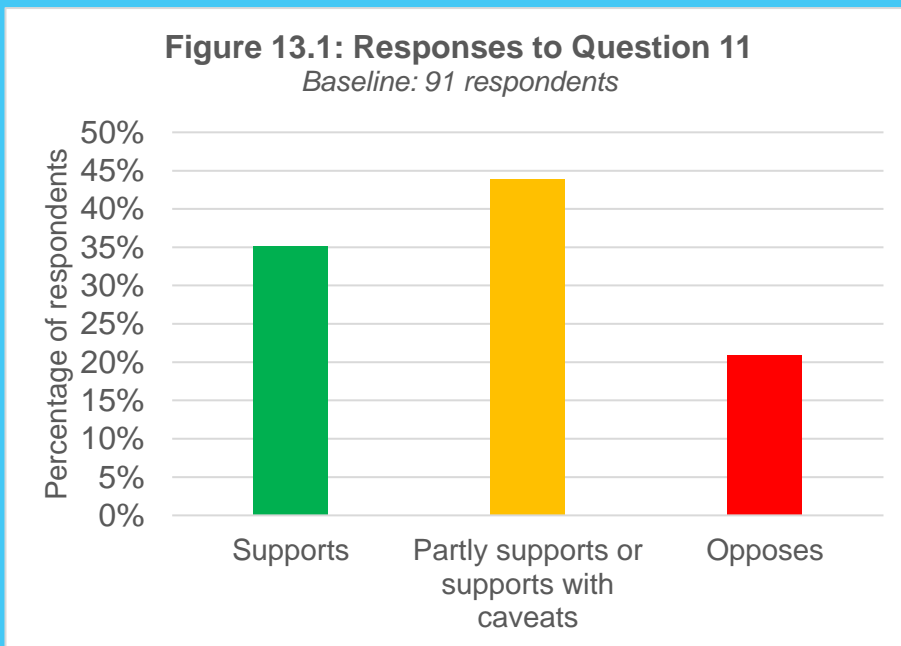
12.19 A range of other comments were made in response to this question. These included the following:

- Appropriate consultation with residents must still take place even where this exemption is granted.
- It would be wrong to assume residents are always opposed to large transport schemes.
- Existing statutory provisions are adequate and should be the only basis for exemption linked to infrastructure provision.
- There should be appeals systems around the exemption criterion, in order to ensure transparency.

Chapter 13: Exemption for safety issues

Overview of responses to Question 11

- 13.1 Question 11 in the consultation document asked “Do you agree with the proposed exemption where the demolitions are required to address safety issues? Why/why not?”
- 13.2 Ninety-one respondents commented on this question. Forty-four per cent expressed partial support or supported the proposed exemption with caveats. Twenty-one per cent of respondents opposed it, with this group predominantly made up of individuals, voluntary or community sector groups that represent residents and tenants’ and residents’ associations. The largest groups in favour were local authorities, followed by housing associations, who formed part of the 35 per cent of respondents in favour of the exemption. A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 11

Theme 1: All residents of estates where regeneration is proposed deserve to be balloted

- 13.3 **Number and profile of respondents:** Six respondents' comments reflected this theme. Five of these respondents were non-resident leaseholders or freeholders.
- 13.4 **Views expressed:** Respondents whose comments reflected this theme felt there should be a ballot irrespective of safety issues on an estate, with almost all suggesting that this should be so wherever the demolition of homes is involved. One respondent described this as a "right" for residents, expressing concern that landlords might exaggerate safety issues in order to avoid the requirement to ballot residents.
- 13.5 **GLA recommendation:** No change. The proposals that formed the subject of this consultation make clear that residents' safety should be the first concern of social landlords. Ensuring that this concern can prevail where it necessitates the demolition of homes on an estate where regeneration is planned warrants this proposed exemption.

Theme 2: There should still be consultation and potentially a ballot with narrower scope

- 13.6 **Number and profile of respondents:** Six respondents' comments reflected this theme. They came from a range of respondent types.
- 13.7 **Views expressed:** Respondents whose comments reflected this theme understood that holding a ballot on the demolition of homes necessitated by safety concerns could make it more difficult for landlords to address safety issues. However, their comments emphasised the need to consult residents nevertheless and most of them suggested that residents should be able to vote in a ballot with a narrower scope than proposed for other estate regeneration projects. Most of those who recommended a ballot with a narrower scope suggested it should cover the landlord's offer of replacement housing. One suggested that it should relate to proposals for development after necessary demolition.
- 13.8 **GLA recommendation:** No change. *Better Homes for Local People* makes clear that there should be consultation with residents for all estate regeneration projects. In relation to suggestions that landlords should hold a ballot with a narrower scope than the proposals that formed the subject of this consultation set out for other estate regeneration projects, doing so risks confusion and weakening the role of ballots.

Theme 3: This exemption requires proper evidence and/or scrutiny and consideration of other options for remediation

- 13.9 **Number and profile of respondents:** Thirty-eight respondents' comments reflected this theme. Most respondents were individuals or voluntary and community sector campaign groups.
- 13.10 **Views expressed:** Some respondents whose comments reflected this theme supported the exemption. However, the large majority were clear that it should only be granted after careful consideration. Some respondents whose comments reflected this theme commented that the basis for exemption ought to be scrutinised and some that landlords should be required to provide full evidence of this and make the evidence available to residents. Some also suggested that all options for remedying safety problems, including refurbishment, should be considered, with some of them expressing concern that demolition could occur needlessly. Some respondents whose comments reflected this theme located these views in concerns that landlords might abuse the exemption criterion, with some suggesting this was a particular risk because residents would inevitably be anxious about apparent safety risks.
- 13.11 Some respondents suggested specific measures that could be taken to mitigate the risk of this exemption becoming a loophole. These included a transparent process for identifying safety concerns and a system through which decisions could be appealed. One respondent thought an independent expert should verify safety issues.
- 13.12 **GLA recommendation:** Clarification. To balance the priority of ensuring of residents' safety with the risk that this proposed exemption forms a loophole in the funding condition, the funding condition specifies that, as part of its assessment of requests for exemption on a case-by-case basis, the GLA will expect landlords to provide evidence to justify why the current condition of homes on an estate represents an unacceptable risk to the safety of residents. Applications for this exemption will only be considered where independent specialists have verified the safety concern and the landlord can demonstrate that they have explored options other than demolition for remediation of safety issues.

Theme 4: A clearer definition of safety issues is needed

- 13.13 **Number and profile of respondents:** Sixteen respondents' comments reflected this theme. This theme was reflected in the comments of a wide range of types of respondent.
- 13.14 **Views expressed:** Respondents whose comments reflected this theme highlighted the need for clarity around the "safety issues" on which this proposed exemption would be based. The majority of these respondents requested a clearer

definition of what would be identified as a valid safety issue. Their comments included questions on whether the exemption would apply if not all homes being demolished have safety issues and around what timeframe that would be taken into account in determining whether properties were safe. Some respondents raised the question of the process that would be used to determine whether homes displayed safety issues that necessitated demolition, requesting clarification of the assessment process. Some respondents raised concerns that this exemption might be used as a loophole by landlords in order to avoid the ballot requirement.

13.15 **GLA recommendation:** Clarification. See paragraph 13.12 above.

Theme 5: A wider definition of safety issues is needed

13.16 **Number and profile of respondents:** Five respondents' comments reflected this theme, all of them organisations involved in the delivery of housing.

13.17 **Views expressed:** Respondents whose comments reflected this theme thought the definition of safety issues used for this exemption should be broad. Some suggested that the definition should include homes where conditions, such as damp, contribute to health problems. Some suggested a range of potential criteria, including homes not meeting Decent Homes standards, current accessibility standards, or current Building Regulations, or having been constructed using a methodology now shown to be failing. One respondent recommended considering whether the exemption would apply where homes that may not require immediate demolition but could need to be demolished within the next five years.

13.18 **GLA recommendation:** Clarification. See paragraph 3.12 above.

Other views expressed in responses to Question 11

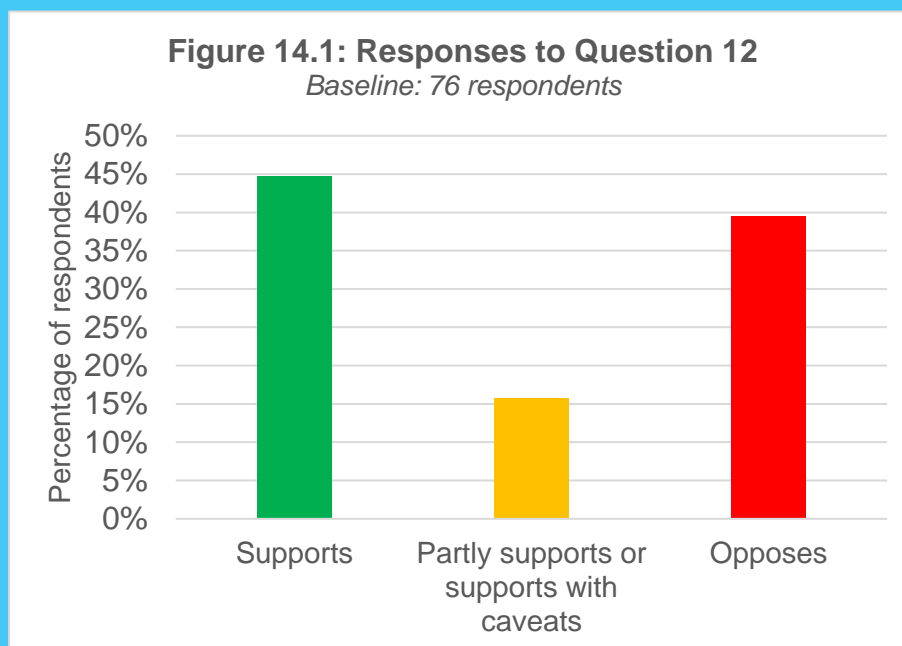
13.19 A range of other comments were made in response to this question. These included the following:

- Demolition is not necessary to remedy most safety issues.
- Residents in unsafe buildings need to be moved to alternative or temporary accommodation as soon as possible.

Chapter 14: Exemption where specialist or supported housing is decommissioned

Overview of responses to Question 12

- 14.1 Question 12 in the consultation document asked “Do you agree with the proposed exemption where a specialist or supported housing scheme is being decommissioned by a local authority? Why/why not?”
- 14.2 Seventy-six respondents commented on question 12. Of those, 45 per cent supported the proposed exemption. This group was made up largely of local authorities and housing associations. Thirty-nine per cent of respondents opposed the proposed exemption. The majority of these were tenants’ or residents’ associations, voluntary and community sector campaign groups or individuals. Sixteen per cent of respondents, representing a range of respondent types, partly supported the proposed exemption or supported it with caveats. The Demolition Watch petition described at paragraphs 2.11 and 2.12 above also stated, as one of its five asks of the Mayor, “The decommissioning of supported housing must also be balloted.” A full break down of responses by respondent type is available at Appendix 3.



Recurring themes in responses to Question 12

Theme 1: Residents should be entitled to a ballot whenever demolition is proposed

- 14.3 **Number and profile of respondents:** Twenty-four respondents' comments reflected this theme. This theme was reflected predominantly in the comments of individuals, tenants' and residents' associations and voluntary and community sector campaign groups.
- 14.4 **Views expressed:** The majority of respondents whose comments reflected this theme felt that residents in supported or specialist accommodation should be able to shape a decision about the future of their accommodation, with one specifically commenting that they should have the same rights as other estate residents. Most of the respondents who commented to this effect suggested that supported accommodation residents should have the opportunity to consider all options, including altering and refurbishing homes. Some respondents whose comments reflected this theme thought a ballot should be held wherever demolition of homes is proposed.
- 14.5 **GLA response:** No change. *Better Homes for Local People* outlines the importance of involving residents in decisions about the future of their homes and this applies to residents of supported or specialist accommodation no less than to others. However, the type and basis of provision of supported or specialist accommodation and, in some cases, the rights of those living there, differ from those of social housing tenants and leaseholders, and so such accommodation

needs to be approached differently. See paragraphs 14.15 and 14.16 for details of clarifications intended to reflect that a range of organisations are responsible for commissioning supported and specialist housing; to limit the exemption to cases where supported or specialist accommodation to be demolished accounts for all housing on an estate; and to clarify the way in which the term “decommissioning” is used in the proposals that formed the subject of this consultation.

- 14.6 On the possibility of holding ballots for residents of supported or specialist accommodation with scope narrower than the proposals that formed the subject of this consultation require, see paragraph 13.8 above.

Theme 2: There should still be consultation or potentially a ballot with narrower scope

- 14.7 **Number and profile of respondents:** Six respondents’ comments reflected this theme. These respondents were from a range of respondent types.

- 14.8 **Views expressed:** Respondents whose comments reflected this theme all highlighted the need for consultation in cases where supported or specialist accommodation is being decommissioned. Some respondents commented on consulting potentially vulnerable residents, suggesting that other forms of consultation may be more appropriate than ballots. By contrast, other respondents felt that a ballot should still be held. One felt that a ballot should follow consultation with residents and their families and should include the latter. Some respondents felt that a ballot should have a narrower scope than for other estate regeneration projects. One suggested that it should cover interim accommodation and rights of return arrangements and another that it should cover proposals for new development after demolition.

- 14.9 **GLA recommendation:** No change. See paragraphs 13.8 and paragraph 14.6 above. If the specialist or supported accommodation on an estate was transitional in nature and residents occupied it as licensees or held Assured Shorthold Tenancies, it would make little sense to ballot them in relation to rights of return.

Theme 3: There needs to be appropriate replacement provision of specialist or supported housing

- 14.10 **Number and profile of respondents:** Five respondents’ comments reflected this theme. These respondents were of a range of respondent types.
- 14.11 **Views expressed:** Respondents whose comments reflected this theme were supportive of the proposed exemption, provided that the specialist or supported accommodation was replaced with alternative accommodation of this sort. One respondent commented that supported or specialist accommodation should always be replaced on a like-for-like basis, although another suggested that it

need only be replaced where assessment demonstrated a clear need for continuing provision.

- 14.12 **GLA recommendation:** No change. The proposals that formed the subject of this consultation make clear that this exemption is intended to give landlords the flexibility that they need to “replace [supported or specialist housing that they are decommissioning] with a more appropriate form of specialist or supported provision.” Because landlords, particularly local authorities, will need to do this in line with current and projected local needs, statutory obligations to different groups of residents, and available revenue funding, it would be overly complex and impractical for the funding condition to incorporate precise requirements about replacement provision into his funding condition.

Theme 4: The exemption needs to be defined more clearly, particularly where supported housing is part of a wider estate

- 14.13 **Number and profile of respondents:** Eleven respondents’ comments reflected this theme. It was reflected in the comments of housing associations and local authorities in particular.
- 14.14 **Views expressed:** Respondents whose comments reflected this theme suggested that the exemption needs to be clarified. One commented that it is vague; one that, as proposed, it could be used as a loophole by landlords; and another that guidance on implementation would be useful. More specific comments related predominantly to two areas: first, how landlords would evidence that supported or specialist accommodation no longer meets need and second, how this exemption would be applied in cases where projects form part of wider proposals that include general needs housing.
- 14.15 **GLA recommendation:** Clarification. Given that some supported or specialist accommodation is commissioned by housing associations, local health services or groups of partner agencies, for completeness, the funding condition reflects this. In addition, the funding condition limits the exemption to cases where supported or specialist accommodation accounts for all housing on the estate where regeneration is proposed, not just part of it. Where supported or specialist accommodation accounts for only part of the estate where regeneration is proposed, its residents’ eligibility to vote will be assessed against the standard eligibility criteria. For the avoidance of doubt, this means that an estate where all of the housing consists of supported or specialist accommodation may be exempt from the requirement to ballot residents, but an estate that contains supported or specialist housing alongside general needs housing would be expected to hold a ballot, in which the eligibility of residents of both the specialist or supported accommodation and the general needs housing would be assessed using the criteria outlined in the funding condition.

- 14.16 Clarification. The funding condition makes clear that this exemption relates not just to commissioning in the sense of the process through which a provider is selected to deliver support to residents of supported or specialist accommodation, but to decisions about whether or not accommodation is used as supported or specialist accommodation. Thus, this exemption could apply where a landlord proposed to regenerate an estate and use it as supported accommodation after regeneration, or to regenerate an estate and use it for a different purpose, potentially with re-provision of supported or specialist accommodation elsewhere. Neither of these scenarios would necessarily be considered decommissioning in the sense of terminating an arrangement whereby a previously-appointed provider delivers support for residents of specialist or supported accommodation.
- 14.17 No change. Where a landlord requests an exemption from the requirement to hold a ballot, the landlord will need to outline clear grounds for this request. However, it does not make sense for the funding condition to set out precise requirements around what landlords' evidence should look like. Landlords and other organisations that commission supported or specialist accommodation already have established processes for needs assessment and other aspects of decision-making around commissioning, and - currently - these will differ according to local needs and organisational policy. The funding condition explains that the GLA will determine whether a project qualifies for this exemption on a case-by-case basis.

Other views expressed in responses to Question 12

- 14.18 A range of other comments were made in response to this question. These included the following:
- The proposed exemption might be discriminatory to supported and specialist accommodation residents.
 - An appeals system should be available to ensure transparency and safeguards.
 - The outcome of a ballot would be positive if there was an honest discussion with the community.

Chapter 15: Other potential exemptions

Overview of responses to Question 13

- 15.1 Question 13 in the consultation document asked “Do you have proposals for other potential exemptions to the proposed funding condition?”
- 15.2 Nineteen respondents made comments that addressed this question. Nine of these respondents were housing associations, local authorities or trade associations or industry bodies. Only one individual commented on this question. A full break down of respondents by type is available at Appendix 3.
- 15.3 Because of the relatively small number of responses to this question and the diversity of comments made, responses have not been grouped under recurring themes in the way that they have in other chapters.

Views expressed in responses to Question 13

- 15.4 Comments made by respondents suggested further exemptions in the following areas:
- a) estates where, if residents rejected proposed regeneration through a ballot, homes would instead require refurbishment work at a cost that would be seriously detrimental to the landlord;
 - b) where homes on an estate fall short of various standards, including those that do not meet the Decent Homes standard or current space standards, and those that demonstrate poor energy efficiency;
 - c) where homes fall short of the expectations of current and prospective tenants – for example, because they are studios;
 - d) proposed projects where there is clear and compelling evidence of wider public benefit, or projects that would deliver a significant number of new homes for local people;
 - e) where projects face significant external constraints, including financial ones;
 - f) where estates have a low rate of occupation, to avoid the few remaining residents having disproportionate influence over the future of the estate; and

- g) where there has already been considerable progress with estate regeneration proposals and/or where landlords have demonstrated exemplary practice in pursuing proposals.

15.5 **GLA recommendation:** Recommendations are set out in relation to the comments identified in the previous paragraph:

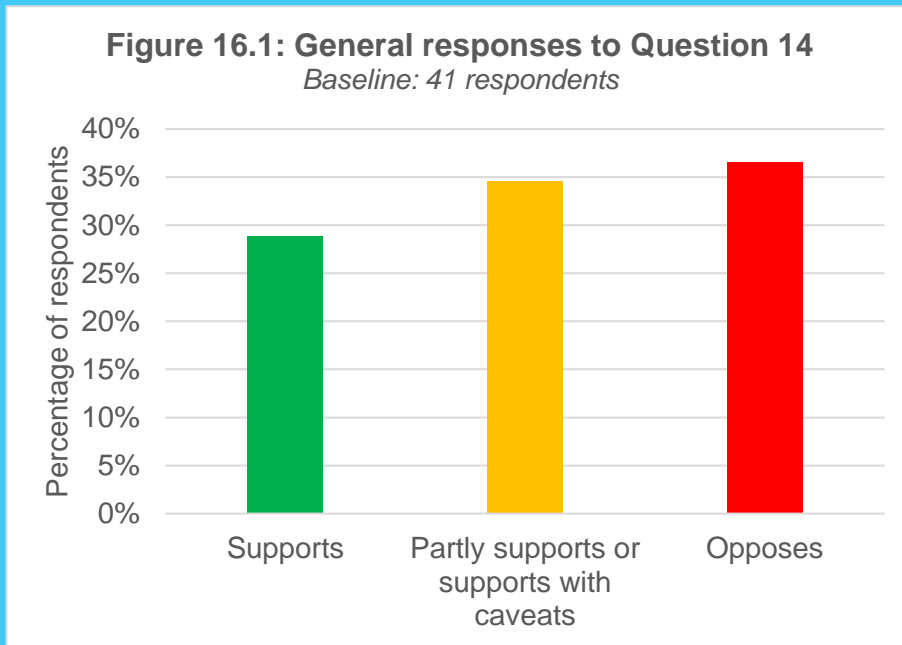
- a) No change. The “open and transparent options appraisal” and “period of consultation, engagement and negotiation between residents and their landlord” described in the proposals that formed the subject of this consultation are intended to provide residents with clarity on the alternative options that have been considered, including the costs and benefits associated with each. Where homes would become unsafe if proposed regeneration did not proceed, a project could potentially be granted an exemption from the funding condition on the basis that homes must be demolished in order to address safety issues.
- b) No change. The proposals that formed the subject of this consultation already make provision for exemptions where homes on an estate can only be made safe if estate regeneration involving demolition goes ahead. However, it is less clear that there are grounds for exemptions where there is no risk to residents’ safety from homes not meeting standards.
- c) No change. If homes fall short of current (or prospective) tenants’ expectations, then it seems likely that those eligible to vote would support estate regeneration in a resident ballot, provided that the landlord puts forward proposals that take account of local need, including need for homes of different sizes and tenures.
- d) No change. The proposals that formed the subject of this consultation make provision (subject to the change to the funding condition outlined at paragraph 12.18 above) for exemptions where, without estate regeneration involving the demolition of homes, major infrastructure improvements beneficial to Londoners, including to the city’s economy, would not go ahead. In relation to the delivery of significant new affordable housing, the proposals make clear that the proposed new funding condition is intended to ensure that estate residents, who will be very directly affected by proposed estate regeneration, have a clear say in decisions about the future of their estates.
- e) No change. This wider suggested exemption seems too broad to ensure that landlords and estate residents have the clarity about the funding condition that they need.
- f) No change. Once the funding condition is introduced, landlords will be expected to hold resident ballots before they begin to relocate estate tenants and leaseholders. Given this, it is unlikely that there will be a significant number of estates on which occupancy rates are sufficiently low to merit the suggested exemption. Meanwhile, the change outlined at paragraph 8.15 above would ensure that, where landlords have already provided alternative accommodation for social tenants and/or leaseholders from an estate that becomes subject to the funding condition, those who have been relocated with the right of return would be eligible to vote.

- g) No change. Situations such as these are addressed in the transitional arrangements outlined in the proposals that formed the subject of this consultation (see chapter 16 below).

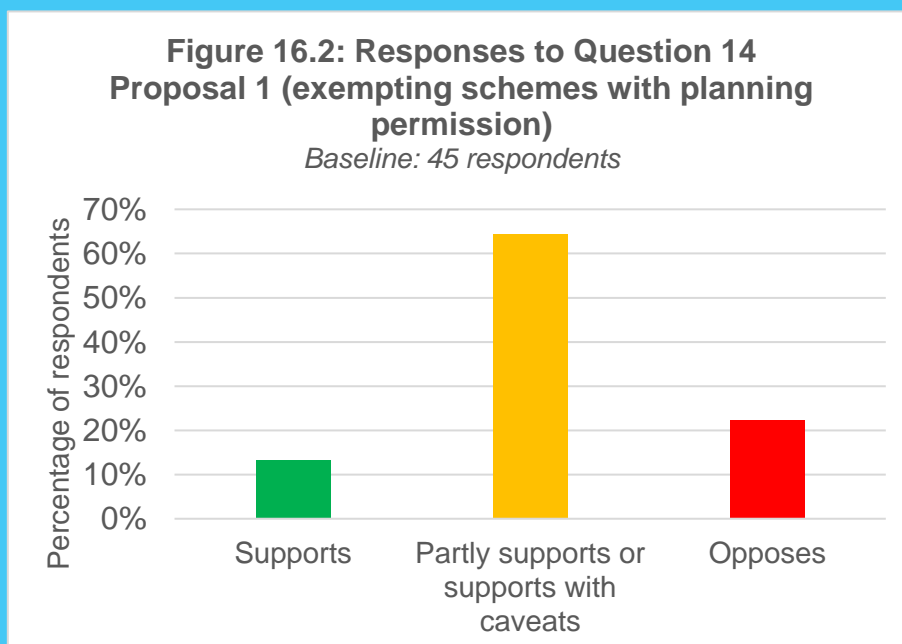
Chapter 16: Transitional arrangements

Overview of responses to Question 14

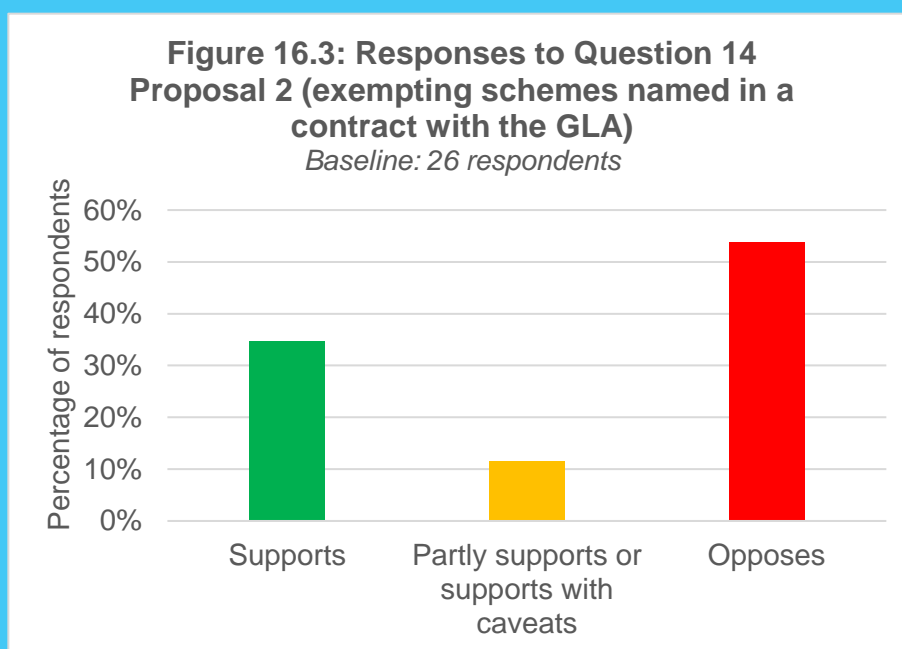
- 16.1 Question 14 in the consultation document asked “Do you agree with the proposed transitional arrangements? Why/why not?” The proposed transitional arrangements included the following three specific proposals, as follows:
1. The proposed funding condition would not apply where the proposed demolitions already have full or outline planning permission, unless that permission is changed to include demolitions that were not part of it.
 2. Where the GLA is already in contract to fund a particular estate regeneration project named in a funding contract with a Registered Provider, ballots would not be mandated, unless the Registered Provider proposes to make a significant change to the scope of the project.
 3. The GLA will consider, on a case-by-case basis, not applying the proposed funding condition where a ballot of residents has already taken place and secured resident support prior to the publication of the Mayor’s proposals for consultation - even if a ballot has not met the precise requirements set out there.
- 16.2 Ninety-two respondents commented on question 14. These respondents represented a broad range of respondent types.
- 16.3 Forty-one respondents made general comments on the transitional arrangements that did not relate specifically to any of the three proposed arrangements. These comments were made by a wide range of types of respondent. Of these respondents, 29 per cent supported the proposed transitional arrangements, 35 per cent partial supported the proposed arrangements or supported them with caveats, and 37 per cent opposed them. Housing associations, local authorities and housing developers - that is, organisations involved in the delivery of housing - were more supportive of the proposals, while it was generally tenants’ and residents’ associations, voluntary and community sector campaign groups and individuals who opposed them.



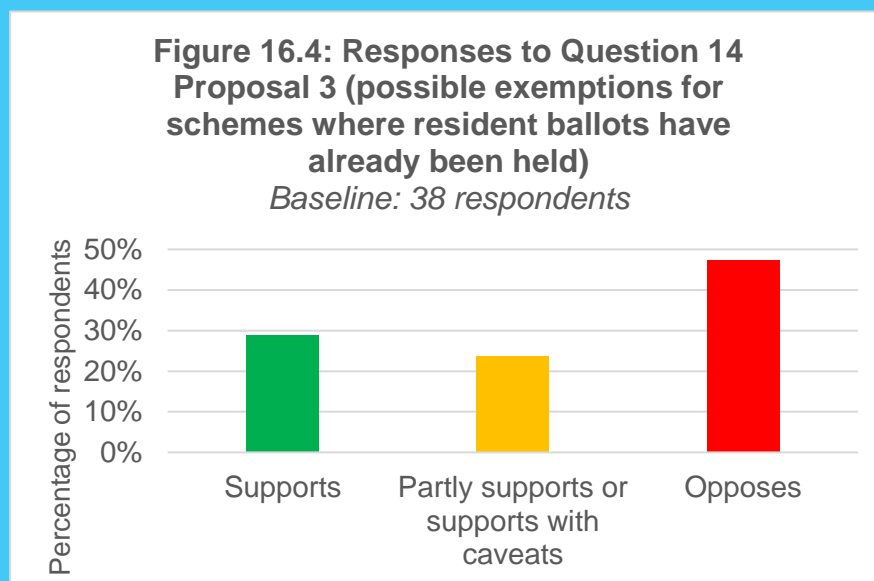
16.4 Forty-five respondents commented specifically on proposal one. A large proportion of these were local authorities or housing associations. Of these respondents, 13 per cent of respondents, predominantly local authorities and housing associations, supported proposal one. Twenty-two per cent, half of them non-resident leaseholders or freeholders, opposed proposal one. Sixty-four per cent of respondents who commented on proposal one partly supported or supported it with caveats. This group included a range of types of respondent, although local authorities were disproportionately represented among them.



- 16.5 Twenty-six respondents commented on proposal two. These comments were made by respondents of a wide range of types. Thirty-five per cent of these respondents, almost half of them local authorities, supported proposal two. Fifty-four per cent of these respondents, predominantly non-resident leaseholders or freeholders, tenants' and residents' associations and voluntary and community sector organisations that represent residents, opposed proposal two. Twelve per cent of these respondents, two thirds of them housing associations, partly supported proposal two or supported it with caveats.



- 16.6 Thirty-eight respondents commented on proposal three. These comments were made by respondents of a wide range of types, although the number of individuals who commented was greater than the number of organisations. Of these respondents, 29 per cent supported proposal three. Local authorities and non-resident leaseholders or freeholders were most heavily represented in this group. Forty-seven per cent of respondents, particularly non-resident leaseholders or freeholders and tenants' and residents' associations, opposed proposal three. Twenty-four per cent of these respondents, primarily individuals, tenants' and residents' associations and voluntary and community sector groups representing residents, were partly supportive of proposal three or supported it with caveats.



Recurring themes in responses to Question 14

Theme 1: A ballot should be required for any project

- 16.7 **Number and profile of respondents:** This theme was reflected in the comments of seven respondents who made general comments on the proposed transitional arrangements. Most respondents whose comments expressed this view were individuals.
- 16.8 **Views expressed:** These respondents were broadly doubtful about transitional arrangements that mean some estates where regeneration is planned or has been started will not be subject to the proposed funding condition. Some highlighted what they saw as the right of residents to have a clear say on any proposed estate regeneration, with some specifically commenting that a ballot should always take place where demolition is proposed. One commented that a ballot should be required for any project unless proposals have already been agreed by residents. Some suggested that the Mayor's funding condition needs to be applied retrospectively in order to tackle what they regarded as corrupt or abusive estate regeneration projects that are already underway.
- 16.9 **GLA recommendation:** No change. For reasons of practicality and fairness and in order to meet existing contractual obligations, the proposals that formed the subject of this consultation made clear that the funding condition would not be applied retrospectively. Although respondents expressed legitimate concerns that some proposed estate regeneration projects for which plans are at a very early stage of development might be exempt from the funding condition, it is not practical to identify a stage other than the award of outline or full planning permission at which projects could clearly and consistently be considered too far advanced for the new funding condition to be applied.

- 16.10 Change. The funding condition does not make provision for the GLA to consider exempting schemes from the requirement to hold a ballot where a previous ballot of residents has already taken place and secured resident support. See paragraph 16.32 below.

Theme 2: Ballots should be required for projects that are already underway

- 16.11 **Number and profile of respondents:** This theme was reflected in the comments of seven respondents who made general comments on the proposed transitional arrangements. This view was mostly reflected in comments from individuals and tenants' and residents' associations and voluntary and community sector campaign groups.
- 16.12 **Views expressed:** Like respondents whose views reflected theme one, these respondents questioned the Mayor's proposed transitional arrangements, supporting the broader application of the funding condition. Where respondents whose comments reflected theme one commented more generally, these respondents suggested the application of the new funding condition to projects that are already underway. Some of these respondents based this suggestion on their assessment that some regeneration projects already taking place in London should not be. One respondent specified that the condition should apply unless the relocation of residents and demolition have started.
- 16.13 **GLA recommendation:** No change. For reasons of practicality and fairness, the proposals that formed the subject of this consultation do not envisage the application of the funding condition to estate regeneration projects that are already underway. As explained at paragraph 16.9 above, although respondents expressed legitimate concerns that some proposed estate regeneration projects for which plans are at a very early stage of development might be exempt from the funding condition, the complexity and diversity of estate regeneration projects mean that it is not practical to identify a single point in implementation that would defer the point at which an exemption akin to this one could be implemented.

Theme 3: Ballots should not be required where there has been substantial investment in a project, or to future phases of multi-phased projects that have started

- 16.14 **Number and profile of respondents:** This theme was reflected in the comments of 10 respondents who made general comments on the proposed transitional arrangements. All respondents to this question were either housing associations, local authorities or trade associations or industry bodies.

- 16.15 **Views expressed:** These respondents suggested that, within the transitional arrangements for his new funding condition, the Mayor should exempt projects on which there has already been significant work, including multi-phased projects.
- 16.16 **GLA recommendation:** No change. Such projects may be exempt under one or more of the three specific elements of the proposed transitional arrangements and there seems no clear justification to exempt them otherwise, particularly given that many estate regeneration projects are multi-phased.

Theme 4: A ballot should be required even if planning permission has been granted

- 16.17 **Number and profile of respondents:** This theme was reflected in the comments of seven respondents' who made comments on the first of the transitional arrangements outlined at paragraph 16.1 above. Five of these respondents were non-resident leaseholders or freeholders.
- 16.18 **Views expressed:** These respondents commented that a ballot should take place even if outline or full planning permission has been granted, with one suggesting that the details available from a planning application would not be sufficient to provide residents with clear information about the future of their estate.
- 16.19 **GLA recommendation:** No change. See paragraph 16.9 above.

Theme 5: Where only outline planning permission has been granted, a ballot should be required before full planning permission is sought

- 16.20 **Number and profile of respondents:** This theme was reflected in the comments of 16 respondents who made comments on the first of the transitional arrangements outlined at paragraph 16.1 above. Most respondents were either voluntary and community groups or tenants' and residents' associations.
- 16.21 **Views expressed:** These respondents' comments were in the similar vein to those whose comments reflected theme four (see paragraphs 16.17 to 16.19 above), but they considered it reasonable to exempt estate regeneration projects where landlords had secured full planning permission for proposals. Most of these respondents accepted that it was reasonable to require a landlord to hold a ballot where outline planning permission had been secured more than six months ago. Some of the respondents noted that the level of information needed to secure outline planning permission would not provide residents with a clear picture of the future of their estate.
- 16.22 **GLA recommendation:** No change. See paragraph 16.9. Where outline planning permission has been secured, detail is often addressed through multiple further applications over an extended period. In addition, the granting of outline planning

permission can often mark the start of significant investment in a project, with full planning permission being granted only after a significant amount of work has taken place, including through resident engagement.

Theme 6: Concern about cases where there is significant change in the scope of the project

- 16.23 **Number and profile of respondents:** This theme was reflected in the comments of nine respondents who made comments on the first of the transitional arrangements outlined at paragraph 16.1 above. All but one of the respondents whose comments reflected this theme were housing associations, local authorities and trade associations or industry bodies.
- 16.24 **Views expressed:** These respondents were concerned that, although initially excluded from the funding condition, projects with planning permission might become subject to it if the landlord sought to vary, amend, or renew that permission. Some expressed concern at the potential impact on existing regeneration projects, particularly on multi-phased projects, where details change over time. Some stressed the need for a clear definition of which changes would trigger the funding condition and others recommended that the GLA take a case-by-case approach to decisions.
- 16.25 **GLA recommendation:** No change. The proposals that formed the subject of this consultation stipulate that a project covered by this transitional exemption would only become subject to the funding condition if an existing planning permission is varied, amended, or renewed to include demolitions that were not part of the existing planning permission and the project also meets the criterion relating to the number of homes delivered.

Theme 7: Ballots should be required for projects to which the GLA has already committed funding

- 16.26 **Number and profile of respondents:** This theme was reflected in the comments of 14 respondents who made comments on the second of the transitional arrangements outlined at paragraph 16.1 above. These respondents were predominantly individuals, tenants' and residents' associations and voluntary and community sector campaign groups.
- 16.27 **Views expressed:** These respondents did not regard having signed a contract with the GLA as legitimate grounds for a landlord to be granted exemption from the new funding contract. One respondent noted that residents of estates where funding has already been allocated to regeneration projects face the same risks and should have the same rights as their counterparts on other estates, while other respondents highlighted that projects that the GLA has agreed to fund include projects they consider controversial. Some respondents suggested specific

points from which the new funding condition should be retrospectively applied, or highlighted specific projects that should not be exempt. One suggested that no estate regeneration project funded within the Mayor's 2016-21 Affordable Homes Programme should be exempt from holding a ballot under transitional arrangements. Another recommended that it should be applied to projects where landlords have entered contracts with the GLA in recent months, recommending that ballots should be held on estates where the projects the GLA has agreed to fund are not supported by residents.

- 16.28 **GLA recommendation:** Clarification. The proposals that formed the subject of this consultation are clear that a project exempt due to being named in a signed funding contract may require a ballot in cases where the landlord proposes to make a significant change to the scope of the project. This will be determined on a case-by-case basis. The funding condition makes clear that a significant change would involve demolitions not foreseen as part of the original bid for funding.

Theme 8: Past ballots should only be valid if they met new requirements

- 16.29 **Number and profile of respondents:** This theme was reflected in the comments of 23 respondents who made comments on the third of the transitional arrangements outlined at paragraph 16.1 above. A majority of these respondents were individuals.
- 16.30 **Views expressed:** These respondents considered that, as part of the transitional arrangements for the new funding condition, landlords that had already secured a positive outcome in a resident ballot should be required to conduct another ballot unless the ballot previously conducted met the requirements for ballots outlined in the Mayor's proposals.
- 16.31 It is possible that there was a degree of confusion among a few respondents about the Mayor's proposal to consider whether landlords that have already secured a positive vote in a resident ballot should be exempted from the new funding condition: for example, some respondents commented that landlords should have looked at the Mayor's draft proposals first. This is something that would clearly not have been possible for ballots held prior to the publication of the Mayor's proposals.
- 16.32 **GLA recommendation:** Change. In view of both these comments and comments that reflected theme one above – "A ballot should be required for any project" - the funding condition does not provide for GLA to consider exempting landlords that have already secured a positive result in a resident ballot. The proposals that formed the subject of this consultation made clear, as the funding condition makes clear, that resident ballots relate to an offer document published by the landlord and covering particular elements of proposals for estate regeneration. It is with reference to this offer document that the funding condition will be enforced, as

outlined at paragraph 5.6 above. Unless ballots take place in this way, it will be very difficult for the GLA to ensure that they have the results intended, including creating a basis upon which the GLA could clawback funding from a landlord in the event that a completed project materially differs from the landlord's offer to residents. Therefore, the funding condition makes clear that all landlords who have previously conducted a ballot are expected to conduct a new ballot using the approach set out in the funding condition, unless their scheme meets one or more of the exemption criteria or the other transitional arrangements.

Other views expressed in general comments in response to Question 14

16.33 A range of other comments were made in response to this question. These included the following:

- The funding condition should not be applied to any existing projects, and should only apply to entirely new estate regeneration proposals or to funding from entirely new Mayoral funding programmes.
- Clarification is needed around whether, on a multi-phased estate regeneration project, tenants and leaseholders who have already moved into new homes will be able to vote in ballots on future phases of the project.
- Clarification is needed around whether only those whose homes a landlord proposes to demolish would be eligible to vote when a landlord seeks to amend planning permission in a way that triggers the funding requirement.
- Estate residents might expect ballots to be conducted even for proposed estate regeneration projects to which the funding condition does not apply – a cause for concern.
- Funding decisions taken shortly before or since the publication of the Mayor's proposals are of concern.
- Transparency is needed around the GLA's decisions to fund estate regeneration projects, including through publication of these decisions.
- Clarification of when the funding condition would take effect would be helpful.
- Provision for exemptions within the Mayor's proposals demonstrates their weakness.
- Transitional exemptions for projects that have planning permission should include projects for which a planning application has been approved locally but is subject to referral to the GLA.
- Projects with planning permission should only be exempt in particular circumstances, for example, if the permission details the exact number of affordable homes that the project will deliver and/or a funding contract with the GLA has also been signed, at least 50 per cent of the homes delivered will be affordable and there has been robust consultation with residents.
- Projects for which the GLA has agreed to provide funding should be subject to the new funding condition if the GLA has not yet agreed how the funding will be spent on a specific estate regeneration project.

- The GLA should not apply the new funding condition where a landlord is using Recycled Capital Grant Funding (RCGF) from the Mayor.
- A transitional exemption should also be applied where a project has secured Government funding not allocated as part of the Mayor's Affordable Homes Programme before the implementation of the proposed new funding condition.
- It would be reasonable not to require landlords that have already secured a positive result in a resident ballot to conduct a further ballot, provided that the previous ballot was conducted fairly - for example, the ballot should have been carried out using an approach broadly in line with the one proposed by the Mayor and conducted by an independent organisation approved by the Mayor.

Chapter 17: Other comments

Overview of other comments

17.1 In their responses to the consultation, 47 respondents made comments related to estate regeneration projects but not directly related to the Mayor's proposals to make resident ballots a condition of his funding for such projects. Among these respondents, there was a fairly even split between individuals and organisations. The largest single respondent type was individuals whose responses did not identify their tenure. They accounted for 23 per cent of respondents who made comments not directly related to the Mayor's proposals. A full breakdown of respondents by type is available at Appendix 3.

Recurring themes in other comments

Theme 1: Concern about the process for and content of this consultation

- 17.2 **Number and profile of respondents:** Five respondents' comments reflected this theme. Most of these respondents were individuals.
- 17.3 **Views expressed:** These respondents questioned the integrity of this consultation. Some of them commented that the consultation document seemed unbalanced, describing regeneration as beneficial and paying insufficient attention to its detrimental impacts. One respondent suggested that the wording of the consultation document was not accessible to those without legal expertise and urged that it should be reissued in more accessible language and the consultation conducted again. One respondent did not consider the consultation genuine, citing the initial eight-week consultation period as evidence of this. One commented that the proposals published were addressed to landlords and that the GLA should publish an equivalent for residents, advising them of the rights that the new funding condition will confer. Finally, one respondent remarked that they were disappointed that the funding condition had not been introduced sooner.
- 17.4 **GLA response:** The GLA sought to hold a fair and accessible consultation. The document was drafted in order to be accessible, while still accurately reflecting the technical nature of its content.

Theme 2: Expressing concern or seeking clarification around specific projects

- 17.5 **Number and profile of respondents:** Eight respondents' comments reflected this theme. Most were individuals or voluntary and community groups.
- 17.6 **Views expressed:** These respondents questioned the potential implications of the proposals to make resident ballots a condition of funding for estate regeneration projects for some specific projects. Some estate residents expressed concern about the consultation conducted by their landlords to date, while some landlords commented that the application of the new funding condition to projects that they had been working on for some years might delay progress, or jeopardise the viability of projects.
- 17.7 **GLA response:** The GLA has not commented on the implications of proposals for specific projects prior to the introduction of the funding condition. Both residents and landlords of estates where regeneration is proposed have experienced uncertainty during the consultation period and since then, in the time it has taken GLA officers to analyse responses and revise the proposals. That is why the funding condition will come into effect as soon as it is published. From that point on, GLA officers will work with councils and housing associations to ensure that they and their residents understand the implications of the final funding condition for potential estate regeneration projects.

Theme 3: Questions about regeneration as an approach, including stating a preference for refurbishment over demolition

- 17.8 **Number and profile of respondents:** Five respondents' comments reflected this theme. These respondents were either individuals or voluntary and community groups.
- 17.9 **Views expressed:** Some respondents expressed concern that existing estate regeneration projects involve the demolition of good quality homes and one commented that homes should only be demolished if they have become unfit for habitation. Some respondents highlighted alternative options for delivering new homes. One noted the availability of brownfield land in London and another suggested that the way in which private developers are able to secure sites on which they build homes reflects the feasibility of options other than estate regeneration for building homes.
- 17.10 **GLA response:** The proposals that formed the subject of this consultation provide for an "open and transparent options appraisal" and a "period of consultation, engagement and negotiation between residents and their landlord". These will enable landlords to provide residents with clarity on alternative options for estates and the costs and benefits associated with each. They will be followed by a ballot

on any final proposals that involve the demolition of social homes, intended to ensure that residents who will be most affected by regeneration are able to have a clear say on the future of their estates.

Theme 4: Highlighting good practice in relation to estate regeneration proposals

- 17.11 **Number and profile of respondents:** Six respondents' comments reflected this theme. Respondents were split equally between individuals and housing associations and local government organisations.
- 17.12 **Views expressed:** These respondents highlighted their own good practice in relation to estate regeneration, as both landlords and residents campaigning on proposals.
- 17.13 **GLA response:** The GLA welcomes accounts of good practice in consultation and engagement.

Theme 5: The general need for affordable accommodation

- 17.14 **Number and profile of respondents:** Seven respondents' comments reflected this theme. Most of these respondents were individuals.
- 17.15 **Views expressed:** These respondents commented on the overwhelming need for more affordable homes in London, with some describing a profit-driven housing market that fails to meet need and one the adverse impact that London's housing crisis is having on the city's economy, particularly its creative industries. One respondent suggested that a more robust planning system would help to address need and another that councils should build more homes, but one respondent commented that there is a lack of any clear definition of affordable housing. In relation to estate regeneration projects specifically, one respondent commented that projects should preserve or increase the number of affordable homes on an estate. By contrast, another characterised the Mayor's proposals as detrimental to the delivery of additional affordable housing, by virtue of giving estate residents the opportunity to veto projects that could ensure this.
- 17.16 **GLA response:** As his revised draft London Housing Strategy outlines, the Mayor has made increasing the delivery of genuinely affordable homes for Londoners his number one priority. Planning policy is a key tool for this. His draft London Plan seeks to increase the proportion of new homes that are affordable and to ensure that estate regeneration projects replace affordable homes lost on a like-for-like basis and seek to maximise the proportion of affordable homes. Through his Affordable Homes Programme, the Mayor will only fund homes that he considers genuinely affordable for Londoners. To ensure the genuine affordability of the homes he funds, the Mayor negotiated with Government the flexibility to fund the

development of homes for rent at levels based on social rents, rather than up to 80 per cent of local market rent (the level at which Government expects rents for homes for low-cost rent to be set).

- 17.17 In relation to concerns that the proposals that formed the subject of this consultation create an opportunity for residents to veto estate regeneration projects that would deliver additional housing, the proposals make clear that residents who will be most directly affected by proposed estate regeneration deserve the strongest say in plans for the future of their estate (see paragraph 8.11 above). *Better Homes for Local People* also explains the Mayor's view that, by placing existing residents at the heart of their plans for estate regeneration, landlords can secure their support for projects that will deliver much-needed homes (see paragraph 3.23 above).

Theme 6: The importance of ensuring estate residents can shape what happens to their homes and areas, including developing their own proposals

- 17.18 **Number and profile of respondents:** Six respondents' comments reflected this theme. Most of these respondents were individuals.
- 17.19 **Views expressed:** These respondents emphasised the importance of residents' involvement in shaping the future of their homes and areas. One respondent highlighted the importance of early consultation and engagement to estate regeneration projects. One commented that the proposals on which residents are balloted should be proposals that they have helped to create. One respondent recommended that residents should be involved in selecting development partners, and another noted the value of resident-led scrutiny of services, potentially through panels. One respondent also noted the value of community involvement in the planning process and suggested that the Mayor should developed a "statement of community involvement" to encourage such involvement.
- 17.20 **GLA response:** Both *Better Homes for Local People* and the Mayor's proposals for a new funding condition reflect his conviction that landlords should ensure that estate residents can shape plans for regeneration.

Theme 7: The importance of London Plan policies in ensuring estate regeneration meets need

- 17.21 **Number and profile of respondents:** Ten respondents' comments reflected this theme. These comments came from respondents of a wide range of types.
- 17.22 **Views expressed:** These respondents commented that estate regeneration projects should not result in the net loss of affordable housing, with one noting that

ensuring this would help to secure residents' support for proposed estate regeneration projects. Almost all commented that the London Plan should make this clear and outline how affordable homes lost should be replaced on a like-for-like basis. One respondent welcomed that the draft London Plan does so.

- 17.23 **GLA response:** The requirement for no net loss of affordable housing and the like-for-like replacement requirement is defined in the Mayor's draft London Plan, which has been subject to a separate consultation

Other views expressed in other comments

- 17.24 **Number and profile of respondents:** Nineteen respondents made comments that did not reflect any of the recurring themes covered above.

- 17.25 **Views expressed:** A range of other comments were made in relation to a wide range of issues associated with estate regeneration, including:

- Estate regeneration projects can have adverse impacts, including the potential negative impact on established communities and the increase in housing costs that can occur as the result of estate regeneration projects.
- Leaseholders and freeholders are not always treated equitably in estate regeneration projects.
- Landlords should be encouraged to provide more than a minimum offer for PRS tenants who would lose their homes as a result of estate regeneration projects.
- Estate regeneration projects should include a greater proportion of community-led housing. and landlords could support residents on estates where regeneration is planned to develop community-led options.
- Landlords need to invest in homes, as homes would be less likely to be demolished if they were adequately maintained.
- The future of social landlords is a cause for concern, particularly in view of the mergers of housing associations that have taken place.
- Like-for-like replacement of affordable homes is expensive. Therefore, all estate regeneration proposals must be subject to assessments of their financial viability.

Chapter 18: Next steps

- 18.1 As outlined at chapter one above, this report summarises consultation feedback received on the Mayor's proposal to make resident ballots a condition of GLA funding for estate regeneration projects that involve the demolition of homes. It presents the GLA's recommendations for the funding condition, taking into account the consultation feedback.
- 18.2 The report was designed to provide the Mayor with the information he needed in order to understand the range of issues raised by respondents before making a decision on the introduction of a new funding condition requiring resident ballots. It was submitted to the Mayor with a recommendation that he approve the proposed changes to and clarifications of the proposals that were the subject of the consultation, as set out in Chapters 3 to 16 of this report. At the same time, he received a revised version of the EIA prepared to accompany the original proposals.
- 18.3 Once the funding condition approved by the Mayor is published, it will take effect right away. This means that estate regeneration projects that meet the trigger criteria and do not qualify for any of the exemptions or transitional arrangements will become subject to it.

Appendices

Appendix 1: Organisations that responded to the consultation, by type

Organisation type	List of respondents
Tenants' and Residents' Association	Camden Town District Management Committee and Ampthill Square Tenants' and Residents' Association
	Charteris Neighbourhood Tenant Co-operative
	Churchill Gardens Residents' Association
	Fred Wigg and John Walsh Tenants' and Residents' Association
	Gilbey Yard Tenants' and Residents' Association
	Kentish Town District Management Committee
	The Juniper Crescent Tenants' and Residents' Association
	Walworth East Housing Forum
Housing association	Catalyst
	Clarion Housing Group
	g15
	Home Group
	Islington and Shoreditch Housing Association
	Orbit Homes
	Places for People
	Poplar Harca
	Riverside

Organisation type	List of respondents
	Swan Housing Association
	The Guinness Partnership
Local authority	London Borough of Bexley
	London Borough of Brent
	London Borough of Camden
	London Borough of Hackney
	London Borough of Harrow
	London Borough of Havering
	London Borough of Hounslow
	London Borough of Lambeth
	London Borough of Newham
	London Borough of Southwark
	London Borough of Sutton
	London Borough of Tower Hamlets
	London Borough of Waltham Forest
	London Borough of Wandsworth
	London Councils
Royal Borough of Kingston Upon Thames	
Westminster City Council	
Housing developer	Countryside Properties (UK) Ltd

Organisation type	List of respondents
Trade association or industry body	London First
	National Housing Federation
	The Housing Forum
Councillor, London Assembly Member or MP	Councillor Fred Cowell, London Borough of Lambeth
	Gipsy Hill Green Party
	London Assembly Housing Committee
	Sian Berry AM, London Assembly Member
	Tom Copley AM, London Assembly Member
	Wandsworth Labour Party Group
Consultancy	Imagine Places
	Grant Thornton
	GVA
Think tank or academic institution	University of Leicester
	University College London - Bartlett School of Planning
	Trust for London
Voluntary and community sector, campaign, research, representation	Achilles Street Stop and Listen
	Demolition Watch London
	Friary Park Preservation Group
	Haringey Defend Council Housing
	Just Space

Organisation type	List of respondents
	London Community Neighbourhood Co-operative
	London Tenants' Federation
	Save Cressingham Gardens
	Sky Action Group
	South Kilburn New Deal for Communities
	Southwark Defend Council Housing
	The Glass House
	Thirty-Five Per Cent Campaign
	West Gibbs Green Community Homes
Voluntary and community sector, front line services	Granville Community Kitchen
Other	Karakusevic Carson Architects
	Pollard Thomas Edwards
	The Brixton Society

Appendix 2: Demolition Watch London petition

Ensure votes for residents on estates facing regeneration

Last year, council estate residents and housing activists campaigned to get the Mayor of London, Sadiq Khan, to give those under threat of 'regeneration' a ballot on whether they agreed to having their homes demolished.

Sadiq Khan has now agreed in principle, but has released a Consultation Paper on the process. As many residents know, this will make or break whether ballots actually give a democratic voice to council estate residents. We have outlined amendments that will ensure this happens.

We call on Sadiq Khan to tighten up his proposals in several ways including:

- The minimum number of homes demolished to trigger a ballot should be 10 homes.
- The decommissioning of supported housing must also be balloted.
- The ballot should be after a concrete proposal has been produced.
- Whether there is a ballot should affect Planning approval.
- All residents should have a vote.

As the mayor committed in his manifesto, regeneration should only go ahead with majority resident support.

Do not demolish good homes - All residents must have final say via ballot on any regeneration/demolition plan - Rents need to stay at council 'social' rent levels - Right of return must be contractually enforceable - All financial and technical information about estates to be made public - Leaseholders must have a right to return or receive full market value of their property.

Appendix 3: Detailed breakdown of consultation responses by question

Question 1: Do you agree that the GLA should make resident ballots a funding condition for estate regeneration schemes?

Figure 3.1: Responses to question 1 by respondent type

Response	Respondents																			
	Individuals						Organisations												Total	
	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants' and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	6	4	4	2	17	33	2	4	4	0	3	4	2	2	8	0	0	22	62	52
Partly supports or supports with caveats	0	1	0	1	14	16	6	3	7	1	0	1	0	1	4	0	3	27	42	35
Opposes	1	0	1	3	1	6	0	2	5	0	0	0	1	0	1	0	0	14	15	13
Total	7	5	5	6	32	55	8	9	16	1	3	5	3	3	13	0	3	63	119	

Question 2. Do you agree with the proposed criteria that would trigger the requirement for a resident ballot?

Figure 4.1: Responses to question 2 by respondent type

Response	Respondents																		Total	
	Individuals						Organisations												Number	Percentage
	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total		
Supports	0	0	0	0	1	1	0	1	3	0	0	1	1	0	2	0	2	10	11	11
Partly supports or supports with caveats	3	1	1	2	14	21	5	7	9	1	2	3	1	3	6	0	1	38	59	60
Opposes	0	1	4	2	5	12	3	2	4	0	1	0	1	0	5	0	0	16	28	29
Total	3	2	5	4	20	34	8	10	16	1	3	4	3	3	13	0	3	64	98	

Question 3. Do you agree with the proposed scope of resident ballots?

Figure 5.1: Responses to question 3 by respondent type

Response	Respondents																			
	Individuals						Organisations												Total	
	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	1	0	0	0	3	4	1	1	1	0	1	0	1	0	4	0	2	11	15	15
Partly supports or supports with caveats	0	2	4	5	14	25	6	7	11	0	2	3	2	3	7	1	1	43	68	70
Opposes	1	0	1	0	4	6	1	2	2	0	0	1	0	0	2	0	0	8	14	14
Total	2	2	5	5	21	35	8	10	14	0	3	4	3	3	13	1	3	62	97	

Question 4. Do you agree with the proposed stage in an estate regeneration process at which ballots should happen?

Figure 6.1: Responses to question 4 by respondent type

Response	Respondents																		Total	
	Individuals						Organisations												Number	Percentage
	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total		
Supports	1	0	0	1	16	18	2	1	3	0	1	0	0	0	2	0	1	10	28	29
Partly supports or supports with caveats	2	1	0	1	3	7	5	6	7	1	2	4	1	3	9	0	2	40	47	48
Opposes	0	0	5	2	2	9	1	2	5	0	0	1	2	0	2	0	0	13	22	23
Total	3	1	5	4	21	34	8	9	15	1	3	5	3	3	13	0	3	63	97	

Question 5. Do you have any other comments on the threshold, scope and timing of resident ballots?

Figure 7.1: Number of respondents to question 5 by respondent type

Respondent type	Respondents											
	Individuals				Organisations							Total
	Social tenant	Other	Not identified	Total	Housing association	Local government	Councillor, Assembly Member or MP	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Total	
Number of respondents who commented on question 5	1	2	2	5	5	4	2	1	3	1	16	21

Question 6. Do you agree with the proposed eligibility criteria for resident ballots?

Figure 8.1: Responses by respondent type

Respondents	Respondents																			
	Individuals						Organisations												Total	
	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	0	0	0	0	4	4	0	3	2	0	3	1	0	0	1	0	1	11	15	15
Partly supports or supports with caveats	2	2	4	4	15	27	7	6	12	1	0	5	1	3	9	0	1	45	72	71
Opposes	0	0	1	1	3	5	0	1	4	0	0	0	2	0	2	0	1	10	15	15
Total	2	2	5	5	22	36	7	10	18	1	3	6	3	3	12	0	3	66	102	

Question 7. Do you agree that eligibility criteria should be the same for all schemes?

Figure 9.1: Responses by respondent type

Response	Respondents																		Total	
	Individual						Organisations												Number	Percentage
	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total		
Supports	3	1	5	4	19	32	6	5	5	1	2	3	3	2	11	0	2	40	72	83
Partly supports or supports with caveats	0	0	0	0	0	0	0	3	5	0	0	1	0	0	0	0	0	9	9	10
Opposes	0	0	0	0	0	0	0	1	4	0	0	0	0	1	0	0	0	6	6	7
Total	3	1	5	4	19	32	6	9	14	1	2	4	3	3	11	0	2	55	87	

Question 8. Do you agree with the Mayor’s proposed requirements for implementing ballots?

Figure 10.1: Responses to question 8 by respondent type

Respondents	Respondents																			
	Individuals						Organisations												Total	
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	0	0	5	4	16	25	5	6	7	1	3	1	1	2	7	0	1	34	59	68
Partly supports or supports with caveats	0	1	0	1	2	4	1	3	2	0	0	3	1	1	3	0	1	15	19	22
Opposes	1	0	0	0	2	3	0	0	4	0	0	0	1	0	1	0	0	6	9	10
Total	1	1	5	5	20	32	6	9	13	1	3	4	3	3	11	0	2	55	87	

Question 9. Do you have proposals for other potential Mayoral requirements for implementing ballots?

Figure 11.1: Number of respondents to question 9 by respondent type

Respondents	Respondents															
	Individuals						Organisations									
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants' and/or residents' association/	Housing association	Local government	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Other	Total	Total
Number of respondents who commented	1	1	2	3	15	22	4	5	6	4	2	3	6	2	32	54

Question 10. Do you agree with the proposed exemption where the demolitions are required to deliver an infrastructure scheme?

Figure 12.1: Responses to question 10 by respondent type

Respondents	Respondents																			
	Individuals						Organisations												Total	
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	0	0	0	1	4	5	0	5	8	1	3	0	1	0	0	0	1	19	24	26
Partly supports or supports with caveats	2	0	0	1	11	14	2	3	5	0	0	3	1	2	3	0	2	21	35	38
Opposes	0	1	5	2	5	13	5	0	3	0	0	2	1	0	9	0	0	20	33	36
Total	2	1	5	4	20	32	7	8	16	1	3	5	3	2	12	0	3	60	92	

Question 11. Do you agree with the proposed exemption where the demolitions are required to address safety issues?

Figure 13.1: Responses to question 11 by respondent type

	Respondents																			
	Individuals						Organisations												Total	
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	0	0	0	1	4	5	1	6	13	0	3	0	2	0	1	0	1	27	32	35
Partly supports or supports with caveats	1	0	0	3	11	15	5	4	3	1	0	4	1	3	3	0	1	25	40	44
Opposes	1	1	5	0	4	11	0	0	0	0	0	1	0	0	7	0	0	8	19	21
Total	2	1	5	4	19	31	6	10	16	1	3	5	3	3	11	0	2	60	91	

Question 12. Do you agree with the proposed exemption where a specialist or supported housing scheme is being decommissioned by a local authority?

Figure 14.1: Responses to question 12 by respondent type

Respondents	Respondents																			
	Individuals						Organisations												Total	
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	0	0	0	1	3	4	0	6	14	1	3	1	2	0	2	0	1	30	34	45
Partly supports or supports with caveats	0	0	0	0	3	3	0	2	2	0	0	1	1	0	2	0	1	9	12	16
Opposes	1	1	5	3	3	13	5	0	0	0	0	2	0	2	8	0	0	17	30	39
Total	1	1	5	4	9	20	5	8	16	1	3	4	3	2	12	0	2	56	76	

Question 13. Do you have proposals for other potential exemptions to the proposed funding condition?

Figure 15.1: Responses to question 13 by respondent type

Respondents	Respondents												
	Individuals		Organisations										Total
Respondents	Not identified	Total	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Other	Total	
Number of respondents who commented	1	1	4	5	1	2	1	1	1	2	1	18	19

Question 14. Do you agree with the proposed transitional arrangements?

Figure 16.1: Responses to question 12 by respondent type

Respondents	Respondents																		
	Individuals						Organisations												
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants' and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector, campaign, research, representation	Voluntary and community sector, front line services	Other	Total	Total
General	1	0	0	2	4	7	4	6	8	1	2	5	3	1	2	0	2	34	41
Proposal 1	0	1	5	3	3	12	3	6	11	0	1	2	0	1	8	0	1	33	45
Proposal 2	0	0	5	1	2	8	1	2	4	0	1	2	0	1	6	0	1	18	26
Proposal 3	0	1	5	3	11	20	4	1	4	0	1	2	0	2	4	0	0	18	38
Total respondents	1	1	5	3	20	30	8	9	15	1	3	5	3	3	12	0	3	62	92

N.B. Figures in the rows 'General', 'Proposal 1', 'Proposal 2', and 'Proposal 3' do not sum in the row 'Total respondents', as the latter captures the overall number of respondents who answered question 14.

Figure 16.2: General responses to question 14 by respondent type

Respondents	Respondents																		Total	
	Individuals						Organisations												Number	Percentage
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	1	0	0	0	0	1	2	0	3	0	1	2	1	1	1	0	0	11	12	29
Partly supports or supports with caveats	0	0	0	1	3	4	1	2	0	1	0	1	1	0	0	0	0	6	10	35
Opposes	0	0	0	1	1	2	1	4	5	0	1	2	1	0	1	0	2	17	19	37
Total	1	0	0	2	4	7	4	6	8	1	2	5	3	1	2	0	2	34	41	

Figure 16.3: Responses to proposal one by respondent type

Respondents	Respondents																		Total	
	Individuals						Organisations												Number	Percentage
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	0	0	0	0	0	0	0	3	2	0	0	0	0	0	1	0	0	6	6	13
Partly supports or supports with caveats	0	1	0	3	3	7	3	3	8	0	1	1	0	1	5	0	0	22	29	64
Opposes	0	0	5	0	0	5	0	0	1	0	0	1	0	0	2	0	1	5	10	22
Total	0	1	5	3	3	12	3	6	11	0	1	2	0	1	8	0	1	33	45	

Figure 16.4: Responses to proposal two by respondent type

Respondents	Respondents																		Total	
	Individuals						Organisations												Number	Percentage
Respondents	Social tenant	Resident leaseholder or freeholder	Non-resident leaseholder or freeholder	Other	Not identified	Total	Tenants and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Other	Total	Number	Percentage
Supports	0	0	0	1	1	2	0	0	4	0	1	0	0	0	2	0	0	7	9	35
Partly supports or supports with caveats	0	0	0	0	0	0	0	2	0	0	0	1	0	0	0	0	0	3	3	12
Opposes	0	0	5	0	1	6	1	0	0	0	0	1	0	1	4	0	1	8	14	54
Total	0	0	5	1	2	8	1	2	4	0	1	2	0	1	6	0	1	18	26	

Figure 16.5: Responses to proposal three by respondent type

Respondents	Respondents																			
	Individuals						Organisations												Total	
Respondents	Social tenant	Resident leaseholder	Non-resident leaseholder	Other	Not identified	Total	Tenants' and/or residents' association	Housing association	Local government	Housing developer	Trade association or industry body	Councillor, Assembly Member or MP	Consultancy	Think tank or academic institution	Voluntary and community sector, campaign, research, representation	Voluntary and community sector, front line services	Other	Total	Number	Percentage
Supports	0	0	4	0	1	5	0	1	3	0	1	0	0	1	0	0	0	6	11	29
Partly supports or supports with caveats	0	0	0	1	3	4	1	0	1	0	0	1	0	0	2	0	0	5	9	24
Opposes	0	1	1	2	7	11	3	0	0	0	0	1	0	1	2	0	0	7	18	47
Total	0	1	5	3	11	20	4	1	4	0	1	2	0	2	4	0	0	18	38	

Other comments

Figure 17.1: Number of respondents who made other comments by respondent type

	Respondents													
	Individuals					Organisations								Total
Respondents	Social tenant	Resident leaseholder or freeholder	Other	Not identified	Total	Tenants' and/or residents' association	Housing association	Local government	Councillor, Assembly Member or MP	Think tank or academic institution	Voluntary and community sector: campaign, research, representation	Voluntary and community sector: front line services	Total	Total
Number of respondents who commented	4	4	7	11	26	2	3	6	2	1	6	1	21	47

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