

PART 2 – CONFIDENTIAL FACTS AND ADVICE

DD2438

Title: **Housing Zone Completion dates**

Information may have to be disclosed in the event of a request under the Freedom of Information Act 2000. In the event of a request for confidential facts and advice, please consult the Information Governance team for advice.

This information is not suitable for publication until the stated date because:

Peabody are still in negotiation with Berkeley Homes and the planning application has just been submitted. It is anticipated that there may be significant negotiation on the planning application, potentially resulting in changes to the scheme and its viability. Until the planning permission is granted and the contract with Berkeley Homes completed, publishing the impact of the scheme on the Housing Zone could prejudice the negotiation and affect the working relationship with the borough. Once the contract is finalised, formal communication with affected boroughs will take place and the Housing Zone schedules will be amended jointly. Until that time, the detail below should not be published.

Date at which Part 2 will cease to be sensitive or when this information should be reviewed with a view to publication: **1 April 2020**

Legal adviser recommendation on the grounds for not publishing information at this time:

Under section 43 of the Freedom of Information Act 2000, information is exempt from publication if its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the GLA). This is a qualified exemption, meaning that information captured under this section alone can only be withheld if the public interest in withholding it outweighs the public interest in releasing it.

The information contained in this report includes details of Peabody's proposed contracting arrangements with Berkeley Homes to fulfil its Housing Zone commitments and analysis of potential consequences for the Plumstead (Greenwich) Housing Zone. This is commercially sensitive information, the disclosure of which would, or would be likely to, prejudice the commercial interests of Peabody in respect of its negotiating position with Berkeley Homes. Whilst there is a public interest in understanding the circumstances in which public money is provided to other bodies, it is considered that in these circumstances the public interest lies in maintaining the exemption and withholding the information.

If this information is considered for release pursuant to the provisions of the Environmental Information Regulations 2004, this information should be considered exempt information under regulation 12(5)(e) – where disclosure would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

Legal Adviser - I make the above recommendations that this information is not suitable for publication at this time.

Name: TfL Legal

Date: 30 January 2020

Once this form is fully authorised, it should be circulated with Part 1.

Decision and/or advice:

- 1.1 There has been substantial change to the sites contained within the Plumstead (Greenwich) Housing Zone red line. Peabody were not able to acquire one of the sites and rehousing of existing residents took longer than expected. As a result, Peabody took the decision to concentrate all Housing Zone outputs onto two sites: The Reach, which is nearing completion, and the Plumstead site with Berkeley Homes.
- 1.2 Peabody are now looking to enter into contract with Berkeley on the Plumstead site and the site submitted for planning permission in December 2019. The site is phased, with completions running from August 2025 to November 2028. Peabody need to contract with Berkeley for the whole scheme, not just the phases that complete within the current Housing Zone longstop date.
- 1.3 Under the Housing Zone structure, there is a Memorandum of Understanding between GLA, Royal Borough of Greenwich, London Borough of Bexley and Peabody, setting out the roles of the parties within the Housing Zone boundary. Under this MOU, Peabody agreed to provide a number of non-housing projects to the boroughs. These include highway improvements to Harrow Manor Way; a new school and library on the Bexley side and public realm improvements in Plumstead.
- 1.4 Public consultation has just concluded on the Plumstead public realm and local expectations have been raised. The borough is therefore concerned to ensure that the GLA funding continues to help ensure that the Housing Zone objectives are fulfilled. It is also impractical to split the scheme between two funding programmes, particularly as there is currently no new programme agreed with MHCLG that the later units could be moved to. Moving the backstop to 2028 will allow Peabody to progress the scheme in full.