



Event Summary – July 2013

The future of housing in Kensington and Chelsea

On 10 June 2013 KCSC held a housing seminar attended by 30 people including local residents, the voluntary and community sector (VCS) and the statutory sector. The seminar had two aims, firstly to provide residents and the voluntary sector the opportunity to respond to the borough's consultation on the Draft Housing Allocation Scheme and Draft Tenancy Policy. The second aim was to have a wider debate on housing and housing development in the borough. This is a summary of what was discussed at the event.

Draft Housing Allocation Scheme and Draft Tenancy Policy

Statutory officers Robert Shaw and Wendy Thomas from RBKC's housing department gave a presentation on the Allocation Scheme and Draft Tenancy Policy. Members of the audience were invited to respond.

Draft Housing Allocation Scheme

In summary some of the main changes to the scheme include:

- To join the housing register people will need to be resident in the borough for 3 years as a pre-requisite to joining.
- Members of the armed forces will be awarded 50 points if they fall within one or more of the statutory reasonable preference categories and who have urgent housing needs.
- Applicants and their partners who qualify for registration will be awarded 50 points if they are in paid work averaging 16 hours or more per week.

Currently there are over 8000 people on RBKC's housing register however one of the significant changes is the removal of applicants from the waiting list if they have only 50 points or less. This means that for Kensington and Chelsea 6482 will be removed from the register.

Robert Shaw stated that the new allocation scheme does not make much difference in terms of who will get social housing. Instead what the new scheme does is make it clearer to people who can be on the list and who can't this way people will know where they stand instead of waiting in hope.

A question was asked from the audience whether people with indefinite leave to remain in the country could still apply to be on the housing register. Robert Shaw stated that this was a complex area but they would still be able to apply.

Draft Tenancy Policy

In summary some of the main changes include:

- Fixed term tenancies of 5 years rather than lifetime tenancies (2 year tenancies offered in certain circumstances)
- Tenancies will not be re-issued if income is over a specific threshold i.e. £50,000 for households requiring studio, one or two bedrooms. £65,000 for households requiring three or more bedrooms. Savings exceeding £25,000 (except for pension purposes).
- Tenancies will not be re-issued to households living in properties too large for their needs.

Residents granted a tenancy prior to 1 April 2012 are protected under the Localism Act. Therefore security of tenure will not be removed unless they choose to move to a housing association property.

A question was asked from the audience on the security of tenure for people with affordable rent tenancies. Robert Shaw confirmed that RBKC social housing rents will not be at the 80% market rate but stated that the council has no control over housing association rents which could be up to the 80% market rate.

Robert went on to say that the problem with affordable rent tenancy is that it can lose security of tenure as there is no protection compared to social housing tenure. RBKC will have checks and balances in place to make sure people moving into affordable rent tenancies can afford to do so. It would not be considered a suitable offer otherwise. If assessed not affordable RBKC will not offer the tenancy.

People of pensionable age will also be affected by fixed term tenancies. However there will be exceptions based on a person's health and wellbeing.

Wider debate on housing

The panel discussion was chaired by Councillor Rock Fielding-Mellen who recently became RBKC's Deputy Leader and Cabinet Member for Housing, Property and Regeneration. Local resident Annie Redmile on the panel spoke of her experience of living on the Chesterton and Broadwood estate which has now been earmarked by the council for redevelopment. Annie stressed that people living on the estate had invested money and time into where they live and is a source of pride for the residents. Now likely to be redeveloped she stated that it was of concern that redevelopments do not always take into account the needs of the existing tenants.

Councillor Fielding-Mellen addressed the audience saying that redevelopments in the borough are necessary to create more properties. He went on to say that this is because there is not enough land to build new properties. New developments must be a platform for middle income families who should be able to afford to live in the borough and contribute to a mixed community.

The Councillor also stated that the council will be monitoring the mix of the borough's community and are very committed to maintaining the existing 25% social housing stock. He again expressed the concern that it is the middle income families that will be pushed out of the borough or cannot move in because of the wide disparity in costs of owning a home due to private home ownership being very expensive. If not resolved there will be a growing gap in the middle resulting in a place for only the very rich and the very poor.

Councilor Fielding-Mellen highlighted that one of the solutions within the spectrum of affordable housing is to look at the discount market. This could include exploring local private housing capped in perpetuity to enable someone on an annual income between £24,000 to £30,000 to buy a property. There could also potentially be other fixed solutions to attract middle income earners.

The Councilor concluded that the council would like to build more housing but there is no spare land. However what the council can do is develop current stock. He stated that the council recognise this type of policy can cause concern for existing residents and tensions can run high (as in the Chesterton and Broadwood developments) but it is the way forward to resolve some of the housing issues in the borough.

Councilor Hitesh from the London Borough of Ealing was also invited to sit on the panel. The Councilor spoke about the Housing Commission in Ealing which was set up by the council and has committed to build 200 new social housing units and a further 500 over the next 5 years. The new housing is funded through the Housing Revenue Account (HRA) in Ealing. Councilor Hitesh expressed that he recognised Kensington and Chelsea and Ealing were different but stressed that councils must show a will and commitment to social housing and the building of social housing like what is being done in Ealing.

Questions from the audience

- Is there political will within the council to build more social housing in RBKC?

Councilor Fielding-Mellen stated that there is already the right mix but need more private housing for middle families.

- Have lessons been learnt from the Wornington Green Development?

Councilor Fielding-Mellen responded it was important the council did not make promises it could not keep as people had a right to be concerned that promises were made and not kept.

- Why can't empty properties in the borough be brought back into use to help ease the housing crisis?

Robert Shaw responded that the number of empty homes in Kensington and Chelsea is low compared to other London boroughs and is also difficult to trace owners.

- Why have changes had been made to the original decant policy where it had stated residents would be guaranteed to return following the regeneration on an estate?

Councilor Fielding-Mellen agreed to look into this and report back.

(See below for the response from RBKC since the meeting)

The journey from draft to final version was double-checked with the officer who wrote the policy. They have confirmed that there was no guarantee in either version of the policy that there was a guaranteed right to return. Below is the amended text showing the changes from the consultation draft to the final draft.

Right to return

8.4.7.9. The Council will seek to negotiate a Right to Return for as many affected eligible residents as possible, ~~although~~ Right to Return means the right to return to the same area where the regeneration has taken place once the new properties have been built ~~for redevelopment has taken place. this~~ This cannot be guaranteed and will depend on the particular circumstances of each individual regeneration scheme using this policy.

The changes clarified the meaning of the above paragraph as the feedback we received during the consultation period identified this section as a source of confusion.

The reason a blanket promise of a right to return to a specific site was not included is because the policy is a borough-wide policy which acts as a framework, with specific site decisions being made in a bespoke decant plan when a site is identified for regeneration.

A full example of a site specific decant plan, which was done for the current Silchester Garage redevelopment, can be found on our housing page of the website:

<http://www.rbkc.gov.uk/housing/regenerationandcommunity/silchesterregeneration.aspx>

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As you can see, in this case, we managed to provide up to seven new properties in the new development for the seven tenants that were affected by the redevelopment.

Indeed, I can confirm that wherever it is feasible the Council would look to return previous residents to a newly redeveloped site (should they wish to return), but this may not always be possible, so it would not be wise to constrain ourselves with a blanket guarantee of a return to the original site for all affected households.

Comments from the audience

- The issue with affordable rent if set at the 80% market rate is that it excludes low income earners particularly in areas of high market rate such as Kensington and Chelsea. It would most certainly impact on the provision of housing for low income earners.
- There is concern over black and minority ethnic (BME) families in the borough as many of these families need larger homes. Councilor Fielding-Mellen responded that the council will look into the building of some larger 3 and 4 bedroom homes through housing developments. However in general there will be less 4 or 5 bedroom properties and more 2 or 3 bedroom properties through new developments.
- There are concerns that Lancaster West Estate has had no investment and is termed a slum land and can only be turned around by regeneration but concerns that regeneration will not be as beneficial to existing residents as it should be.

- The housing market should be linked to the labor market as it makes no wellbeing or economic sense that they are not considered together to improve the lives of individuals and families. Housing should not be dealt with in isolation and policies should reflect this. Affordable housing should also be affordable as it used to be and not as it is defined because it is no longer affordable.
- There has been no home building in the country for over 30 years, the housing solution is simply to build more homes.
- Because some advice agencies no longer give housing advice because of loss of funding they are feeling out of the loop. This does not make practical sense as it is advice agencies that are having to deal with many of the clients affected.

The following are points of recommendation following the discussions at the housing seminar.

- Work definition needs to be clearer and requires further consultation to ensure that the standard 16 hour rule is not out of step with what is currently happening in the market. Many households now contain people working erratic work patterns and working to zero hour contracts. KCSC would like to work with RBKC to hold further consultations on this issue.
- Estate agents must be engaged in this debate and the development of housing as they are also responsible for the way in which property is sold in the borough and house prices.
- RBKC should seek to keep the advice sector informed of developments and possible impact to help support agencies to respond appropriately.
- London & Quadrant suggest a model of setting a minimum and maximum threshold for rents giving landlords more flexibility to set the rent within these limits depending on property location and circumstances of tenants. e.g. rent could be set at 30% of the market rate in certain areas making it more affordable to lower income earners. Rents based on the property location may or may not benefit people living or wanting to live in Kensington and Chelsea but RBKC should consider this as a viable argument for the future of housing and mixed communities.
- Keep up to date with KCSC's Poverty Watch activities where evidence on the impact of poverty and welfare changes is collated and future meetings published on www.kcsc.org.uk/povertywatch

At the end of the meeting KCSC stated that it would be issuing a response to the consultation. [Read here KCSC's response to the Housing Scheme and Draft Tenancy Policy.](#)

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