

**THE LONDON BOROUGH
OF HARINGEY
(TANGMERE AND NORTHOLT)
COMPULSORY PURCHASE ORDER 2021**

**HOUSING ACT 1985
ACQUISITION OF LAND ACT 1981**

**PLANNING INSPECTORATE REFERENCE
APP/PCU/CPOH/Y5420/3269126**

ACQUIRING AUTHORITY'S STATEMENT OF CASE

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1. Introduction

Overview

- 1.1 This Statement of Case ('the Statement') has been prepared by the London Borough of Haringey ('the Council') in its capacity as the acquiring authority pursuant to Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007.
- 1.2 On 28 January 2021, the Council made the London Borough of Haringey (Tangmere and Northolt) Compulsory Purchase Order 2021 ('the Order') pursuant to Section 17 of the Housing Act 1985 ('the Act') and in accordance with the procedures in the Acquisition of Land Act 1981 (as amended) ('ALA 1981').
- 1.3 The Council, as acquiring authority, is required to provide its Statement to the authorising authority (the Secretary of State for Housing, Communities and Local Government ('the Secretary of State')) and each of the remaining objectors not later than six weeks from the notice given by the Secretary of State on 11th May 2021 that a public local inquiry will be held into the Order. In accordance with paragraph 38 of the '*Guidance on Compulsory purchase process and The Crichel Down Rules*' (July 2019) ('the Guidance') this Statement is based on the text of the Statement of Reasons dated 28 January 2021, with any necessary modifications and/or updates.
- 1.4 On 11th February 2021, the Order and supporting documents (including the Council's Statement of Reasons) were submitted to the Secretary of State for confirmation pursuant to the ALA 1981.
- 1.5 If confirmed by the Secretary of State, the Order will enable the Council to compulsorily acquire the land and interests ('the Order Land') as specified in the schedule to the Order ('the Schedule of Interests') and shown edged red and coloured pink on the map annexed to the Order ('the Order Map') which the Council has not acquired by agreement following the making of the order.
- 1.6 The Council recognises that a compulsory purchase order ('CPO') should only be made as a "last resort" and where there is a compelling case in the public interest, as is reflected in paragraphs 2 and 12 of the Guidance. The Council gave careful consideration to all relevant issues and having done so, was satisfied that there was a compelling case in the public interest to make the Order and that compulsory purchase is justified. The Council is committed to reaching agreement, to acquire the outstanding property interests in the Order Land where possible without the need to use its compulsory purchase powers and it will continue to negotiate with affected parties in parallel to this CPO process.
- 1.7 The purpose of the Order is to facilitate the demolition of two structurally unsafe housing blocks known as Tangmere (numbered 1 on the Order Map) and Northolt (numbered 2 on the Order Map) situated on the Broadwater Farm Estate, Tottenham N17 and to subsequently deliver (as a minimum) a **qualitative housing gain**. The blocks, together with their associated electricity substations have been identified as structurally unsafe.

- 1.8 In addition, the Council, in making this CPO, has considered the Ministry of Housing Communities and Local Government '*Coronavirus (COVID-19) compulsory purchase guidance*' and is implementing additional measures accordingly, including in particular in relation to time periods for responses and making documents available for inspection.
- 1.9 Further, this Statement sets out the particulars of the Council's case for the making of the Order and provides the Council's response to the objections received.

Context for the making of the Order

- 1.10 In 2017, the Council commissioned comprehensive structural surveys to fully consider the condition of all blocks on the Broadwater Farm Estate. These surveys identified serious structural defects for two of the blocks (those located within the Order Land) giving rise to significant safety issues. The two blocks failed tests relating to their ability to withstand the force of a vehicular strike to the building or from a bottled gas explosion, with a subsequent risk of progressive collapse.
- 1.11 The Council was advised of two options available to resolve the issues:
- (1) to carry out extensive refurbishment; or
 - (2) to demolish both blocks.
- 1.12 Following an appraisal of these options and a subsequent consultation of existing residents of the blocks, the Council's Cabinet resolved on 13th November 2018 to demolish the two blocks. Cabinet resolved to replace 'any Council homes which were demolished with new Council homes on the estate' as a minimum. Given the quality of the current homes, this would represent a **qualitative housing gain** as a minimum. The Council will also explore all options to deliver a quantitative gain if possible.
- 1.13 The Council has subsequently taken steps to rehouse all secure Council tenants and acquire the interests from the owners and occupiers of those properties falling within the Order Land to facilitate the required demolition and redevelopment. This is demonstrated by the Broadwater Farm Rehousing and Payment Policy approved by Cabinet in November 2018 and the Acquisition Strategy agreed by Cabinet in July 2020 which, among other provisions, expanded the existing equity loan offer. A comprehensive discussion and negotiation process has been undertaken with remaining leaseholders and although a number of properties have been acquired to date, the Council still needs to acquire the remaining interests in order to proceed with the urgent demolition and replacement of housing on the site.
- 1.14 Following submission of the Order for confirmation by the Secretary of State, the Council has continued to engage with the remaining leaseholders with a view to reaching agreement on the remaining interests to be acquired. This has resulted in one additional property being acquired by the Council in March 2021. To date, 21 interests have been acquired by the Council with 18 leasehold interests remaining. To date, agreement has been reached for the sale of eight of the remaining 18 leasehold interests, with completion of sales waiting to be finalised. If these eight properties are acquired in accordance with the agreements in place, there would be 10 leasehold interests remaining across the two blocks.

- 1.15 Mindful of the structural concerns regarding the two blocks, the Council has made the decision that demolition needs to be prioritised and that negotiations to acquire the remaining properties will continue in parallel with the CPO process.
- 1.16 It is intended that, unless acquired by agreement following the making of the Order, all land and rights in the Order Land and specified in the Schedule of Interests would be compulsorily acquired by the Council following confirmation of the Order.
- 1.17 Following confirmation, it is envisaged (subject to the necessary legal agreements being in place) that CPO powers will not need to be exercised to acquire the UK Power Network (UKPN) interest in respect of the substations, which are currently being used for the purposes of carrying out their undertaking. Further detail is outlined in Section 2 of this Statement.
- 1.18 Redevelopment will be based on the Council's established policy objectives of maximising the amount of genuinely affordable housing with detailed proposals to be developed in consultation with the community, in accordance with all relevant planning policies and in accordance with section 17 of the Housing Act 1985.
- 1.19 The Council resolved by way of a resolution of the Cabinet on 13th October 2020 to authorise the making of the Order.

2. The Order Land

- 2.1 The Order Land, as shown on the Order Map, is located on the Broadwater Farm Estate, within the West Green Ward in the London Borough of Haringey.
- 2.2 Broadwater Farm is a social housing estate, built in the late 1960s and early 1970s, consisting of 12 housing blocks and associated amenity and community spaces.
- 2.3 The Order Land comprises:
 - (1) Tangmere - consisting of 116 residential units and associated communal space, undercroft parking spaces and a UKPN electricity substation.
 - (2) Northolt - consisting of 102 residential units and associated communal space, a UKPN electricity substation and an adjoining building housing an Energy Centre.
- 2.4 Tangmere is a 'ziggurat-style' building of up to six storeys and Northolt is an 18-storey residential tower block. Both blocks were constructed using a method called a Large Panel System (LPS), which has subsequently been found to have inherent structural defects in certain circumstances. Following surveys in 2017 (outlined in Section 4 below), both blocks were found to have significant structural issues. Following a rehousing process, only one secure Council tenant remains across both blocks and the Council is yet to acquire the properties of 18 leaseholders (although to date, agreement has been reached with eight of those 18).
- 2.5 The interests to be acquired within the Tangmere and Northolt blocks are included within the Order and listed in the Schedule of Interests.
- 2.6 The one remaining Council secure tenant in occupation at Northolt is included within the Order. Although the Council expects to secure vacant possession of this property through the provision of suitable alternative accommodation, it is included within the

Order to provide certainty on timescales for the Order and ultimately in obtaining vacant possession of the site if necessary.

- 2.7 Following confirmation, it is envisaged (subject to the necessary legal agreements being in place) that CPO powers will not need to be exercised to acquire the UK Power Network (UKPN) interest in respect of the substations, which are currently being used for the purposes of carrying out their undertaking. The relocation of both substations has been agreed between the parties. UKPN have completed plans for the relocation and work is expected to be completed and agreements in place for their remaining interests in Tangmere and Northolt to be acquired by the Council by the summer of 2021. The Council will also consider granting equivalent or alternative rights of way should that be necessary for any part of the Order Land.
- 2.8 All utility operators with known equipment in the Order Land have been given notice of the making of the Order. Where affected by the Order, discussions will be held with the relevant undertakers and alternative arrangements will be made.
- 2.9 The Council currently own all rights and land associated with the Energy Centre that adjoins the Northolt block, with the service provision currently contracted to ENGIE.
- 2.10 Although it is considered possible to keep the Energy Centre in situ throughout the demolition and redevelopment of the new homes, the Council's preference would be to relocate it to another area on the estate. An options appraisal and feasibility study are currently underway, and plans are expected to be prepared before the end of 2021.
- 2.11 A culverted section of the Moselle River runs directly underneath the Order Land, numbered (2) on the Order Map. This watercourse is managed by the Environment Agency (EA) and any development within the Order Land will need to consider its impacts upon this feature.
- 2.12 Initial pre-application advice was obtained from the EA in the summer of 2020, which has provided a starting point for the architects developing proposals for the scheme to consider. These proposals are being developed with those comments in mind and the Council will seek further, more detailed pre-application advice from the EA to ensure any requirements and recommendations are followed in the plans for new homes on the Order Land and surrounding areas.
- 2.13 The Haringey Local Plan Site Allocations DPD (SA61) suggests development on the site should "have regard to the delivery and objectives of the Thames River Basin Plan, in accordance with Regulation 17 of the Water Environment Regulations 2013". This requirement was added in relation to the Moselle River culvert and the Council is committed, through its discussions with the EA, to consider the implications of the Thames River Basin Plan and identify any suitable actions to support its objectives.

3. Enabling Powers for the Compulsory Purchase Order ("CPO")

- 3.1 The Council has made the Order pursuant to its powers under Part 2, section 17 of the Housing Act 1985 (the Act) (and the Acquisition of Land Act 1981 and Planning and Compulsory Purchase Act 2004) (as amended) to acquire land for housing purposes.
- 3.2 Section 17 allows the local authority to acquire houses, or buildings which may be made suitable as houses, together with any land occupied with the houses or buildings.

- 3.3 Section 17(3) of the Act provides that Land may be acquired by a local housing authority for the purposes of this Part by agreement, or they may be authorised by the Secretary of State to acquire it compulsorily.
- 3.4 Section 17(4) of the Act provides that a local housing authority may, with the consent of, and subject to any conditions imposed by, the Secretary of State, acquire land for the purposes of this Part notwithstanding that the land is not immediately required for those purposes; but an authority shall not be so authorised to acquire land compulsorily unless it appears to the Secretary of State that the land is likely to be required for those purposes within ten years from the date of the confirmation of the compulsory purchase order.
- 3.5 The Council's Cabinet has authorised on 13th October 2020 the making of the Order (pursuant to Section 17 of the Housing Act 1985) with budgets in place to meet the costs of promoting the CPO, including costs arising in the event of a public inquiry, costs associated with implementation (as may be necessary), dealing with all compensation payments, associated aspects in conjunction with the proposed demolition and development of replacement homes, and the rehousing of residents as agreed previously by Cabinet.
- 3.6 A resolution made by the Council's Cabinet on 13th November 2018 sought to achieve a **qualitative housing gain** on the site as a minimum.

4. Outline of the Authority's Purpose in Seeking to Acquire the Land

- 4.1 The Council's purpose in making the Order was to acquire all third-party interests in the Order Land to facilitate the demolition of Tangmere and Northolt and associated structures, allowing the council to provide a **qualitative housing gain**, with the *potential* to provide a quantitative housing gain utilising areas on and adjacent to the Order Land, that are already within the Council's ownership.
- 4.2 The reasons why this CPO is required are provided below.

Structural and safety issues

- 4.3 In October 2017, the Council commissioned¹ comprehensive structural surveys to fully consider the condition of all 12 blocks on the Broadwater Farm Estate, including Tangmere and Northolt. The initial surveys were carried out by property and construction consultancy, Ridge and Partners LLP (Ridge) and their findings were peer reviewed by Curtins in June 2018.
- 4.4 The surveys undertaken on Tangmere and Northolt identified serious structural defects giving rise to significant safety issues. The two blocks failed lower tests for LPS construction of 17 kN/m² relating to their ability to withstand the force of a vehicular strike to the building or from a bottled gas explosion. The surveys found that such scenarios could result in a risk of progressive collapse.

¹ Through *Homes for Haringey*, the Council's Arm's Length Management Organisation (AMLO) for housing management

- 4.5 Ridge carried out further visual surveys in June 2020 and confirmed that the original findings remained accurate, with some minor deteriorations identified in Tangmere since the initial surveys were undertaken.
- 4.6 Following the initial surveys, the Council was advised of two options available to resolve the issues:
- (1) To carry out extensive refurbishment; or
 - (2) To demolish both blocks.
- 4.7 As part of Ridge's work, estimated costs for strengthening and refurbishing both blocks were produced. The structural assessments were used for the basis of calculating the costs of refurbishment, which would address:
- The structural defects of the blocks
 - Full internal reinstatement works including mechanical and electrical, new bathrooms, kitchens, full re-decoration and new floor coverings
 - Making good works externally including complete over cladding
 - Bringing the flats up to a Decent Homes standard.
- 4.8 Any refurbishment option would be extensive and highly intrusive. It would be impossible to undertake this work with residents remaining in the blocks. Residents would have to be rehoused for the duration of the works. As well as the disruption there would be a significant cost of refurbishing the blocks, part of which would have been expected to be met by leaseholders. Even with structural repairs, the LPS system would remain an inherent problem.
- 4.9 The cost of addressing the structural elements was estimated at £25.6 million for both blocks. The total refurbishment costs, to bring the flats in the two blocks up to the Decent Homes Standard, would be over £33 million. This equates to £164,000 per flat in Tangmere and £145,000 per flat in Northolt. These figures exclude rehousing costs, asbestos removal and professional fees which would add further costs. Noting these costs as estimated in 2018 it has been assumed that the figures quoted will have increased to reflect current standard costings.
- 4.10 Although these works could make the blocks safe in the medium term, the Council would still be left with two defective blocks requiring high on-going maintenance costs, despite significant investment.
- 4.11 In comparison, an initial analysis was undertaken to understand the potential costs of demolishing and replacing the residential units to provide a qualitative housing gain. Using industry standard costs, illustrative figures suggested the cost to rebuild the homes could be in the range of £17m to £29m. Although this did not include demolition, it was recognised that strengthening works and other urgent works would have been met entirely from the Housing Revenue Account (HRA). However, the cost of new build replacement homes would likely be eligible for external grant of approximately £100k per unit through the Greater London Authority (GLA) 'Building Council Homes for Londoners' programme. This would significantly reduce the cost to the Council and so a straightforward comparison of the costs was not appropriate. This work

demonstrated that the costs of refurbishment were prohibitively high, without delivering the desired qualitative gain in the quality of housing.

- 4.12 As a result of these findings, the Council undertook a Section 105 (Housing Act 1985) consultation with residents on the preferred option to demolish the two blocks. At the time, the majority of respondents from both blocks² supported the demolition of Tangmere and Northolt in addition to the re-provision of **at least the same number of socially rented homes**. Further details of these consultations can be found in Section 5 of this Statement.
- 4.13 Following consultation with the remaining residents and privately held homes in both blocks and consideration of alternatives, the Council's Cabinet resolved on 13th November 2018 to demolish the two buildings. Cabinet resolved to replace 'any Council homes which were demolished with new Council homes on the estate' as a minimum. Given the quality of the current homes, this would represent a **qualitative housing gain**. The Council will also explore all options to deliver a quantitative gain if possible.

Barriers to the re-provision of housing on the site

- 4.14 The Council's intention is that the Order Land will be used for replacement housing following confirmation of the Order. Detailed proposals will be developed in consultation with the community for delivery of the new replacement housing and in accordance with section 17 of the Housing Act 1985. Further details of the replacement scheme are outlined in Section 6.
- 4.15 In order to achieve the necessary qualitative housing gain, the Council must first demolish the existing blocks of Tangmere and Northolt and to do this, must be in possession of all land and interests within the Order Land.
- 4.16 Following the findings of the structural surveys undertaken in 2017, the Council entered into negotiations with leaseholders and others who held an interest in the land and have been actively pursuing the acquisition of the outstanding third-party interests in the Order Land. Further details of these negotiations are outlined in Section 5. However, despite enhanced offers exceeding the leaseholders' statutory entitlement to compensation, the Council is yet to reach agreement with all remaining leaseholders.
- 4.17 In parallel with the Order, the Council has continued to seek to acquire any outstanding third-party interests in the Order Land by agreement in accordance with paragraph 2 of the Guidance. Upon implementation of a confirmed Order and acquisition of all third-party interests, the Council will demolish the two blocks. The remaining interests to be acquired pursuant to the Order are included in the Schedule of Interests.
- 4.18 Following confirmation, it is envisaged (subject to the necessary legal agreements being in place) that CPO powers will not need to be exercised to acquire the UK Power Network (UKPN) interest in respect of the substations within the Tangmere and Northolt blocks as outlined in Section 2 of this Statement.

² as noted in the Cabinet report dated 13th November 2018, 91% in Tangmere and 81% in Northolt

Delivery of a qualitative housing gain (as a minimum)

- 4.19 The replacement buildings will be built to current building regulations and will provide for at least the same number of social rented homes. An urban structure which ensures the buildings interface with the adjoining streets and public spaces will be developed. Therefore, the new housing stock will represent a significant qualitative improvement to the existing housing stock and amenity. The Council will also explore options to deliver a quantitative housing gain on the Order Land and surrounding vacant land.
- 4.20 The Council's justification for the Order is set out further in Sections 5 and 9 of this Statement.
- 4.21 To minimise the risk to remaining residents and surrounding areas from progressive collapse of the two blocks and begin the development of the Order Land to achieve a qualitative housing gain, it is necessary to pursue the CPO at this time.
- 4.22 The Cabinet decision of 13th October 2020 approved the Council's making of a Compulsory Purchase Order under Section 17 of the Housing Act 1985 to acquire the third-party interests in the Order Land.

5. Justification for Compulsory Purchase

- 5.1 The Council considers that there is a compelling case in the public interest for the Order as outlined below. The Human Rights Act 1998 and Equality Act 2010 considerations arising are set out in Section 9 below.

Summary

- 5.2 An overview of the Council's justification for Compulsory Purchase is below:
- The blocks within the Order Land have significant structural issues and a decision has been made that the demolition and re-provision of homes on the site and adjacent land will provide the best value for money and result in the most effective qualitative housing gain
 - There is a significant need for new homes in Haringey and as well as ensuring new homes are built, the local authority must minimise any loss of existing housing stock in the borough
 - Haringey has a large need for social housing, with a large housing register and a high number of people considered homeless and living within temporary accommodation. It is important that the Council utilises any opportunity to provide a qualitative (and preferably quantitative) social housing gain
 - Consultation with residents within the two blocks has suggested support for demolition and the re-provision of at least the same number of social rented homes
 - The Council's Cabinet, in considering the options available to deal with the structural concerns and the feedback from residents, have made the decision to proceed with demolition and have committed to provide a qualitative housing gain via a replacement housing scheme on the estate

- With only a limited number of residents remaining in the blocks, there are significant costs being incurred to maintain the buildings and ensure health and safety. These costs are unsustainable in the long-term
- Extensive work has been undertaken to support the rehousing of tenants. To date, no Council secure tenants remain in Tangmere and only one remains in Northolt
- Significant discussion and negotiations have been undertaken with leaseholders, who have been offered compensation exceeding the statutory minimum amounts. The Council has made every effort to agree the acquisition of these properties, but a number of interests remain. It is considered that any further delay to the demolition of the blocks and construction of replacement housing to achieve a qualitative housing gain is unacceptable from a social, safety and financial perspective.

Requirement for demolition

- 5.3 As outlined in Section 4 of this Statement, structural surveys have identified significant structural deficiencies within the Tangmere and Northolt blocks, which could ultimately result in progressive collapse.
- 5.4 Following an assessment of the options available and a consultation with residents, the decision was made by the Council's Cabinet on 13th November 2018 to proceed with the demolition of Tangmere and Northolt and to provide replacement housing that demonstrated (as a minimum) a **qualitative housing gain**.

Strategic housing context in Haringey

- 5.5 The National Planning Policy Framework (NPPF) was updated in March 2019 and sets out Government's planning policies for England and how these are expected to be applied. One of the key objectives of the NPPF is ensuring a sufficient supply of new homes. The NPPF provides that planning policies and decisions should make effective use of brownfield land to deliver new housing, and that local planning authorities should take a proactive role in identifying and helping to bring forward land for housing that may be suitable for meeting development needs, using the full range of powers available to them (para. 119).
- 5.6 The London Plan reflects national policy insofar as it places an increased emphasis on the need to deliver new homes. The Mayor of London has carried out a London-wide Strategic Housing Market Assessment (SHMA) which has identified a need for 66,000 additional homes per year over the plan period (2019-2029). In order to meet this need, many boroughs have seen an increase in the housing targets set by the London Plan. The ten-year target for the London Borough of Haringey is 15,920, which yields an annualised target of 1,592 homes. In order to achieve these targets, it is important that as well as providing new homes, the Council ensures that there is **no loss of the existing housing stock** through change of use or redevelopment for other uses.
- 5.7 Haringey's Borough Plan (2019 - 2023) outlines the Council's overall strategic objectives for housing, setting it as Priority 1 for the borough. It sets out a vision to *"deliver the new homes Haringey needs, especially new affordable homes"* and to *"drive up the quality of housing for everyone"*. The Borough Plan overall supports the

key objectives of the Order to improve housing standards following the implementation of a qualitative housing gain on the Order Land and surrounding areas.

Housing need and the housing market in Haringey

- 5.8 In 2018, there were approximately 107,700 households in the borough of Haringey, and this is projected to rise to 109,412 by 2022 (ONS, 2018). At the last census, 40% of households were owner-occupiers, 33% lived in the private rented sector and 27% lived in the social rented sector. Haringey Council is the landlord of approximately 15,000 Council rented homes in the borough and there are approximately 3,000 additional social rented homes in Haringey.
- 5.9 Homes for Haringey undertook a Housing Health and Safety Rating System ('HHSRS') survey in 2015, which identified the number of sub-standard dwellings within the local area (the quantity of housing with Category 1 hazards as defined in Section 2 of the Housing Act 2004). The survey identified only a few properties that fell into this categorisation in the borough and the hazards that were identified have since been rectified. The structural surveys undertaken on Broadwater Farm may suggest these (and other) properties now fall within this categorisation. However, an updated HHSRS survey is yet to be completed. HFH are scheduled to undertake their next Stock Condition Survey (to include a HHSRS survey) from 2021-2023 (covering 100% of the Haringey stock over a two-year period).
- 5.10 As noted above, there is a clear requirement for additional housing in the borough, with a target of over 15,000 new homes over a ten-year period (2019-2029). There is also a pressing need for more *social rented homes* in the borough. There are over 11,000 households on Haringey's housing register, who need to be housed in social housing, of whom approximately 3,000 are currently categorised as homeless and living in temporary accommodation. The Haringey Council Housing Strategy (2017-2022) highlights that, out of all London boroughs, Haringey has the "second highest number of households living in temporary accommodation because they are homeless". The Council's Housing Strategy also states that "demand for council and housing association homes in the borough far outstrips availability".
- 5.11 The London Borough of Haringey Strategic Housing Market Assessment (SHMA) completed in 2014 identified an affordable housing requirement of 11,757 homes over the 2011-2026 period. The Council's priority is for new affordable housing to be low-cost rented housing as this best meets the needs of the borough's residents.
- 5.12 It is clear from the above that there is a significant need for additional social housing in the borough.
- 5.13 Given the safety issues at Tangmere and Northolt and the prohibitive costs associated with strengthening and refurbishment, it is essential that the two blocks are demolished. **This will make way for a qualitative (and potentially quantitative) housing gain.** A failure to proceed with this work would create an additional burden on an already stretched housing waiting list and would result in a quantitative loss of social housing in the borough.

Consultation with residents

- 5.14 A meeting with residents was held on 12th February 2018 to explain the implications of the structural surveys for residents of Tangmere and Northolt. The immediate impact was to ensure the short-term safety of residents, by removing piped gas from

Tangmere, introducing 24-hour concierge at both blocks, and banning bottled gas from being brought into the buildings.

- 5.15 Further engagement and communications took place – including door-knocking, drop-in sessions, letters, telephone calls and 1-2-1 meetings – until almost all affected residents had been directly in contact with Homes for Haringey staff. This was to ensure that all were aware of the structural issues, measures being taken to mitigate risk, and the options being considered.
- 5.16 The Council undertook consultation with all residents at Tangmere and Northolt about the future of the blocks. There is a statutory obligation in Section 105 of the Housing Act 1985 on the Council to consult with all secure tenants on a proposal to demolish the blocks, this obligation has been met. The consultation was also extended to leaseholders in both blocks.
- 5.17 This statutory consultation was made accessible through translators and translations, large print, braille, door knocking, and regular drop-in sessions to ensure that all residents were consulted on the future of the blocks. The consultation explained to residents they would have to be rehoused whether the blocks were refurbished or demolished and explained the Council's preferred option to demolish the blocks because of:
- (1) Significant health and safety concerns which must be addressed
 - (2) The costs of refurbishing the blocks to address the health and safety concerns would have a major impact on the Housing Revenue Account and limit investment in other homes
 - (3) The Council wants to be able to rehouse residents appropriately.
- 5.18 The consultation started on 12th September 2018 and closed on 10th October 2018.
- 5.19 The consultation questionnaire was distributed to all Tangmere and Northolt residents. Each consultation included a free-post return envelope, as well as information on replying via email. The materials were provided in multiple languages, large print, and braille as needed. Drop in events were also used as well as door knocking. Six drop-in sessions were run by Homes for Haringey, with further sessions run by the Independent Tenant and Leaseholder Advisors, who had been commissioned to provide independent support and advice to residents. Additionally, through a needs assessment, Homes for Haringey identified the need for translators at drop-in sessions and this was made available for residents when required.
- 5.20 The consultation demonstrated a high rate of support for the proposals, with 91% and 81% of responses supportive of the proposal to demolish Tangmere and Northolt respectively. A total of 108 responses were received from 105 of the 206 properties (51%). Tangmere had a response rate of 40% (42 of 104 properties) whilst Northolt had a response rate of 62% (63 out of 102 properties). It is considered that the reason for a lower response rate from Tangmere residents was as a result of many Tangmere residents having already agreed moves away from their properties at the time of this consultation.
- 5.21 This response from residents was predicated on the premise that the blocks would be replaced “with at least the same number of new council homes at council rents on the estate”. The Council are keen that this agreement is adhered to in a timely manner.

Cabinet decision to demolish and replace

- 5.22 The Council considered the nature of the structural failings in the blocks, how the LPS structural deficiencies would subsist even after repair, the disruption to residents from a repair option, and the financial cost to leaseholders and the Council. These matters were compared to the alternative issues and costs associated with demolition and redevelopment to deliver a qualitative housing gain. Having considered these alternatives, the consultation response, an Equalities Impact Assessment (EIA) and the Council's Public Sector Equality Duty (PSED), the Council concluded that demolition represented the most proportionate and appropriate solution to address the structural failings within the two blocks. This decision was taken by Cabinet in November 2018 to demolish the blocks and replace them with new housing, which represented a qualitative housing gain.

Short-term costs associated with structural issues

- 5.23 As part of the wider survey work undertaken by Ridge in 2018, intrusive surveys were performed on four void properties in Tangmere and Northolt. The survey identified that it was safe for residents to remain at Tangmere and Northolt in the short-term (providing additional safety measures were put in place) but extensive strengthening work was required to make the blocks habitable in the long-term.
- 5.24 Since the uncovering of these structural defects, mitigation measures have been put in place to minimise risks to residents in the short-term. The mitigation measures include a 24-hour concierge to ensure no bottled gas is brought into the blocks and the removal of piped gas from Tangmere.
- 5.25 In addition to the costs associated with the above, maintenance and repairs are still necessary at Tangmere and Northolt while the blocks remain occupied and there are ongoing costs associated with supporting the residents that remain.
- 5.26 The continuation of these costs, despite the resolution to demolish does not provide value for money for tenants and is not financially sustainable in the long-term.

Proposals for rehousing displaced residents

- 5.27 Following the findings of the structural surveys, the Council began working with tenants and leaseholders in Tangmere to be rehoused as a matter of urgency due to the fact that piped gas needed to be turned off to the building as soon as practically possible to reduce the danger of collapse. The Council did not want to leave residents living in a block with no gas and therefore approved a *Tangmere Rehousing Priority Scheme* in June 2018 to begin this process as soon as possible.
- 5.28 In February 2019, the Council began working with tenants and leaseholders in Northolt to support them to be rehoused. Due to Northolt not having piped gas, in February 2019, the Council opted to develop a *Broadwater Farm Rehousing and Payments Policy* and undertake a full section 105 consultation on this policy and the demolition before beginning the rehousing of Northolt residents. The Broadwater Farm Rehousing and Payments Policy also applied to Tangmere residents retrospectively.
- 5.29 The consultation papers also set out the rehousing and payments policy to residents on how they would be supported in leaving Tangmere and Northolt. It was made clear that this would be required under either option of demolition or refurbishment.

- 5.30 The process of rehousing secure tenants has continued and to date, there are no secure tenants remaining in Tangmere and only one secure tenant remaining in Northolt.
- 5.31 The one remaining Council secure tenant in occupation at Northolt is included within the Order. Although the Council expects to secure vacant possession of this property through the provision of suitable alternative accommodation, it is included within the Order to provide certainty on timescales for the Order and ultimately in obtaining vacant possession of the site if necessary.

Negotiations with leaseholders

- 5.32 Following the Council resolution on 13th November 2018 to pursue demolition of the two blocks, the *Broadwater Farm Rehousing and Payments Policy* (February 2019) was developed. This included provisions for leaseholders to be paid full market value for their properties, home loss payments, disturbance payments, basic loss payments, a right to return, equity loans and related aspects.
- 5.33 Discussions and negotiations with leaseholders have continued since this date, and the aforementioned policies updated and expanded to respond to the needs of tenants and leaseholders in both blocks, with a clear desire to acquire all interests by agreement. A discretion panel was also set up and, to date, has considered claims outside of policy for six leaseholders. This demonstrates a clear willingness on behalf of the Council to acquire all interests by agreement.
- 5.34 In July 2020, the offer for leaseholders was extended further in an attempt to accelerate acquisition by agreement and respond to the needs of the remaining leaseholders. This new Acquisition Strategy expanded equity loans to be considered for out-of-borough purchases and introduced an option for a social tenancy to certain vulnerable leaseholders.
- 5.35 To date, 21 interests have been acquired with 18 leasehold interests remaining. However, agreement has been reached for the sale of eight of the remaining 18 leasehold interests, with completion of sales waiting to be finalised. Should these eight properties be acquired in accordance with the agreements in place, there would be 10 leasehold interests remaining across the two blocks (five in Tangmere and five in Northolt).
- 5.36 Additional to the above, the Council has reached an agreement for the relocation of UK Power Network's (UKPN) interests in the two substations. These interests have been included in the Order Schedule as the new leases are yet to be finalised. It is not envisioned that the Council will need to exercise confirmed CPO powers to acquire these interests.
- 5.37 Despite extensive negotiations spanning over two years, there are a number of interests that the Council has been unable to acquire. Due to the safety issues with the two blocks and the high ongoing costs to secure and maintain them, **it is important that any further delay to their demolition is minimised, allowing the Council to proceed with replacing the buildings to ensure a qualitative housing gain is achieved as soon as is practicably possible.**

6. The Scheme

- 6.1 In December 2019, a design contract was awarded to Karakusevic Carson Architects (KCA) after a competitive process to design new homes to be constructed on the Order Land and its adjoining land. In addition to this KCA were commissioned to develop an associated Urban Design Framework (UDF) for the whole of the Broadwater Farm Estate. The programme includes extensive engagement with residents on the new homes and UDF. As of June 2021, KCA had completed RIBA Stage 0 and Stage 1 of their work on the new homes and the UDF and are scheduled to complete the first draft of RIBA Stage 2 by July 2021.
- 6.2 The Scheme consists of:
- The demolition of the structures within the Order Land to respond to significant structural issues
 - The redevelopment of the Order Land and surrounding land to deliver a qualitative housing gain
 - The redevelopment of the ground floor areas of the estate, providing a more cohesive, rationalised and inviting urban environment.
- 6.3 It is important to note that the demolition and construction of new (replacement) homes on the estate is reliant upon the CPO for which this Statement applies. However, the wider redevelopment of the estate (under the UDF) is part of the same scheme but is not reliant upon the CPO.
- 6.4 Although a ballot on the new homes is not necessarily required in this circumstance, the Council have committed to holding a ballot on the designs as part of engagement on the next phase of the work in developing proposals for the new homes on the estate. It is currently anticipated that any ballot would be held towards the end of 2021 and involve residents across the whole of the Broadwater Farm Estate including former tenants of Tangmere and Northolt who have been required to relocate due to the safety concerns outlined in this report. Thereafter, demolition is currently projected to commence in 2022 (subject to vacant possession as a result of negotiations or the confirmation of the CPO), with planning application approval being obtained in 2022 and the commencement of construction for the new homes from 2023.

7. Planning Position

- 7.1 Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise³. The relevant adopted development plan documents (DPDs) for this site are:
- The London Plan (consolidated with alterations since 2016)
 - The Haringey Local Plan Strategic Policies (consolidated with alterations since 2017)
 - The Haringey Local Plan Development Management DPD (2017)
 - The Haringey Local Plan Site Allocations DPD (2017)

³ Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended)

The London Plan 2021

- 7.2 Policy H8 of the London Plan provides that loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. Policy H8 also provides that demolition of affordable housing, including where it is part of an estate redevelopment programme, should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace. Where the housing which is demolished is social rented housing, it must be re-provided as social rented housing where it is facilitating a right of return for existing tenants. The plans in place for the demolition and re-provision of homes on the estate comply with the above policy.
- 7.3 Policy H8 also states that all development proposals that include the demolition and replacement of affordable housing are required to follow the Viability Tested Route and should seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace. Although the Council have not committed to the provision of quantitative housing gain, the demolition will allow for the potential of an uplift in housing on the estate. At this time, it is anticipated that any new development will comply with this policy requirement.

The Haringey Local Plan Strategic Policies

- 7.4 The above-mentioned policy position of the London Plan 2021 is reflected at local level in the Haringey Local Plan. Policy SP2 of the Strategic Policies and Policy DM10 of the Development Management Policies seek to resist the loss of all existing housing, including affordable housing and specialist forms of accommodation, unless the housing is replaced with at least equivalent new residential floorspace. Policy SP2 also states that the Council will bring forward a programme to undertake strategic improvements to, or renewal of, Haringey's housing estates, including Broadwater Farm.

Local Plan Site Allocation (SA61)

- 7.5 The location of the Order Land is subject to site allocation (SA61) within the Haringey Local Plan Site Allocations DPD (2017). The site allocation seeks "improvements of the housing estate to improve stock, design of the site, and routes through the area".
- 7.6 The site allocation highlights that the Council "is required to ensure that all housing stock in the Borough that it owns and manages is of a decent standard and fit for habitation on an ongoing basis. Broadwater Farm is a social housing estate within which a range of alternatives regarding how the best provision of fit for purpose housing could be considered. This policy sets out the broad objectives that any future supplementary planning document/masterplan would be required to address in this area".
- 7.7 The site allocation goes on to state that designs should be prepared in consultation with existing residents and should also assess existing issues within the area and consider options to address these. Where new development is proposed the site allocation states amongst other considerations that the optimum quantum of development is to be provided; the requirement to replace affordable residential floorspace in accordance with Policy SP2 should be adhered to; and the housing mix in accordance with Policy DM11 and the Council's Housing Strategy should be

followed; and a high-quality development that integrates with its surroundings should be achieved.

- 7.8 In parallel with the demolition programme the Council will continue to work with the community to develop high quality design proposals for redevelopment and improvement to provide a qualitative housing gain in line with the Site Allocation SA61 through an Urban Design Framework (UDF). The Site Allocation supports the redevelopment of residential blocks to ensure that homes are a decent standard and fit for habitation.

Overview

- 7.9 The Council will apply for and intends to obtain the necessary permissions, approvals and consents to deliver the qualitative housing gain within a reasonable time following confirmation of the Order.
- 7.10 The Council considers the redevelopment of the site for housing accords with the adopted planning framework as identified above.
- 7.11 The Council considers the Order Land to be capable of delivering a housing scheme which will result in no net loss of housing, whilst also achieving a significant qualitative housing gain. There is also the potential to deliver a quantitative housing gain on the site. The commitment to the re-provision of housing and delivery of qualitative (and potentially quantitative) housing gain following confirmation of the Order thus accords with adopted policy.

8. Funding

- 8.1 The Council has considered the budget necessary for the acquisition of properties and subsequent demolition costs and associated compensation payments. The Council authorised £11.5m of capital provision for rehousing on 26th June 2018, a further £1.2m on 13th November 2018 for Northolt rehousing, and further funding in the Broadwater Farm Capital Budget 2020/21 for the acquisition and demolition of the two blocks.
- 8.2 There is provision in the current Broadwater Farm budget as approved by Cabinet in February 2020 for the CPO process.
- 8.3 The Council is therefore satisfied that the costs of acquisition, rehousing residents and subsequent demolition of the two blocks in the Order Land can be met in full, from internal resources that have already been allocated for these purposes.
- 8.4 The Council has had discussions with the Greater London Authority ('the GLA') regarding applications for capital funding from their 'Building Council Homes for Londoners' programme ('GLA grant funding').
- 8.5 In April 2021, two separate applications were submitted for GLA grant funding. One application is for £20 million of GLA grant funding for Phase 1 of the Broadwater Farm Estate redevelopment comprising 200 housing units, including 178 replacement social housing rental units on the Tangmere block and former Moselle School sites. The second application is for £30m of GLA grant funding for Phase 2 for new housing units on the Northolt block site.

- 8.6 The Council's HRA New Build budget is £383m over the five-year period 2020/21 to 2025/26. The HRA New Build budget will supplement any grant funding received from the GLA or, in the event that GLA funding is unsuccessful, fund the entirety of the replacement homes on the Broadwater Farm Estate.

9. Human Rights & Public Sector Equality Duty

- 9.1 The Human Rights Act 1998 ("the Human Rights Act") incorporated into the UK domestic law the European Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention"). Section 6 of the Human Rights Act makes it unlawful for a public authority to act in a manner which is incompatible with a Convention right.

- 9.2 The Convention rights engaged in the context of a compulsory purchase order are Article 1 of the First Protocol of the Convention and Article 8 of the Convention.

- 9.3 Article 1 of the First Protocol of the Convention states:

"Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law..."

- 9.4 Article 8 of the Convention provides:

"(1) Everyone has the right to respect for his private and family life, his home and his correspondence.

(2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interest of the economic well-being of the country..."

- 9.5 The Courts have recognised, in the context of Article 1 of the First Protocol of the Convention, that regard must be had to the fair balance which has to be struck between the competing interests of those whose rights are affected and the community as a whole.

- 9.6 Similarly, any interference with the Article 8 Convention rights must be in accordance with the law and must be necessary and proportionate.

- 9.7 The Council has taken into account the impact of the Order on the Convention rights of those whose interests will be affected by the Order generally and through an Equalities Impact Assessment, appended to the Tangmere and Northolt CPO Cabinet report of 13th October 2020. In view of the factual background to the Order as set out in this Statement, and the compelling justification for making the Order, the Council considers that the exercise of compulsory purchase powers in this case is justified because it is in the public interest, authorised by law and necessary and proportionate in order to achieve the Council's objectives of securing the safety of the buildings residents, neighbours and securing a future qualitative housing gain.

- 9.8 The Council has consulted with residents on the future of the two blocks and will consult with all residents of the wider estate on redevelopment proposals, including those displaced from Tangmere and Northolt.

- 9.9 If the Secretary of State or Inspector confirms the Order, the compulsory acquisition of the interests in the Order Schedule will be necessary only if they have not already been acquired by agreement at a reasonable cost and within the timescales required to deliver timely demolition. As explained above, efforts to acquire the relevant interests are ongoing. Further, all those whose interests are compulsorily acquired will be entitled to fair compensation, such compensation to be determined independently by the Upper Tribunal (Lands Chamber) if it cannot be agreed.
- 9.10 The Council is therefore of the view that there is a compelling case in the public interest for the compulsory acquisition of each and every parcel of land comprised in the Order Schedule. It is also convinced that the public interest that is to be served by demolition of the unsafe blocks and the achievement of a future qualitative housing gain as a minimum outweighs the necessary interference with the private rights and interests that exist in the Order Land.
- 9.11 The Council also considers that the wider public benefits and also the general benefits derived by owner occupiers and occupying tenants from being relocated from unsafe to safe homes mitigates and justifies the interference with the same parties' private rights.
- 9.12 The Council therefore, believes that in making the Order it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the wider public interest.
- 9.13 Overall, the Council is satisfied for the reasons set out above that the CPO has been lawfully made and that the Order is a proportionate measure to achieve the Council's objectives in the public interest.

Equality Act 2010

- 9.14 All public authorities are bound by the Public Sector Equality Duty ('PSED') as set out in section 149 of the Equality Act 2010. In exercising their compulsory purchase and related powers the Council as acquiring authority must have regard to the effect of any differential impacts on groups with protected characteristics, namely:
- Marital or Civil Partnership Status
 - Pregnancy / Maternity
 - Sexual Orientation
 - Sex
 - Gender Reassignment
 - Religion or Belief
 - Race
 - Age
 - Disability
- 9.15 The Council, in the exercise of its public functions, has due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - (c) foster good relations between people who share a protected characteristic and those who do not.

9.16 The Council has prepared an Equalities Impact Assessment for the project which identified that the Order may potentially have a detrimental effect or disproportionate impact on persons who share a relevant protected characteristic in terms of families with young children, individuals with disabilities/medical conditions, and the elderly. These parties will likely face greater challenges in relocating and relocation may have a greater impact on their family life. However, the Council has balanced these potential equality impacts against the benefits of the scheme and benefits realised by these parties in being relocated from unsafe to safe housing. The Council has concluded that the decision to make the CPO is proportionate and justified in the circumstances. The Council has also adopted a number of measures to mitigate the impact of the Scheme including:

- *Provision of a shared equity scheme for qualifying residents which is in excess of the statutory compensation entitlement and enables residents to stay within the local area.*
- *A discretion panel to consider offers outside of adopted policies, including the offer of a social tenancy with compensation and consideration of shared equity on out of borough purchases.*
- *Assistance and support in locating and securing alternative suitable alternative accommodation*
- *Provision of compensation for special adaptations required for elderly or disabled leaseholders.*
- *When undertaking negotiations to acquire leasehold interests, an early part of the process involves identifying any protected characteristics. The appointed surveyor then ensures that negotiations are undertaken with regard to the Council's PSED obligations.*
- *The Tangmere Rehousing Priority Scheme adopted in June 2018, the Broadwater Farm Rehousing and Payments Policy adopted in January 2019, and the Acquisition Strategy adopted in July 2020 for affected residents has been prepared having regard to the Council's PSED obligations. Equalities Impact Assessments for June 2018 and November 2018 Cabinet respectively considered the Tangmere Rehousing Priority Scheme and Broadwater Farm Rehousing and Payments Policy.*
- *Secure tenants' housing assessment is in accordance with this PSED and they are offered a new home suitable for their needs. This includes taking account of any protected characteristics, for example elderly or disabled secure tenants requiring special adaptations will be eligible to claim for these costs or the adaptations will be made to the new dwelling.*
- *The Council's Equal Opportunities Policy provides a clear statement on the Council's commitment and approach to equality, diversity, and inclusion, in the areas of employment, service delivery and procurement. This policy underlies the Council's approach to delivering the scheme.*
- *When developing design proposals and granting planning permission for the future redevelopment of the Order Land the Council will take account of its PSED duty.*

9.17 It is notable that the equality impact assessment finds that older people, BAME people, and disabled people are overrepresented among those residents remaining in Tangmere and Northolt blocks. Numerous measures are in place to mitigate any

potential negative short-term impacts, informed by extensive engagement with residents, including the Broadwater Farm Rehousing and Payments Policy, the Local Lettings Policy, and measures within the Acquisition Strategy. It concludes that while there may be short-term disruption, the impact of the decision will be positive in the long-term as it will help to ensure the safety of the people who remain in the blocks.

- 9.18 The Council recognises that the rehousing of single mothers can be a particularly negative experience for those individuals and their families due to support networks that often exist in the local area, along with access to local facilities and proximity to places of work. As noted in the EQIA for demolition in November 2018, 92% of lone-parent households in West Green were headed by women. To offset these potential negative impacts a number of important mitigations have been made:
- Financial assistance set out in the Broadwater Farm Rehousing and Payments Policy (explored in the November 2018 EQIA)
 - Equity loans – enabling leaseholders to purchase similar properties in the local area
 - Social tenancies as set out in the Acquisition Strategy from July 2020
 - Practical support in finding a new property
 - Flexibility and a discretion panel to consider requests outside of the current policies, to find suitable solutions for those particularly ill effected by rehousing
- 9.19 The Council considered Equalities and Diversity issues when preparing the Cabinet Report making the decision to demolish the blocks and seeking authority to make the Order. The relevant Equalities Impact Assessments for this decision were appended to the ‘Tangmere and Northolt blocks on Broadwater Farm’ report from Cabinet on 26th June 2018, the ‘Broadwater Farm’ report from Cabinet on 13th November 2018, and the ‘Tangmere and Northolt CPO’ report from Cabinet on 13th October 2020.
- 9.20 The future development will deliver an inclusive place for people of all ages, with a housing mix that reflects different life stages. The promotion of social cohesion, health and well-being along with the reduction of dependency will be fundamental principles guiding the redevelopment.
- 9.21 Overall, the Council has taken account of its duties under section 149 of the Equality Act 2010 and is satisfied that due regard has been had to any potential disproportionate impact on any parties with protected characteristics. The Council has instigated a number of measures to mitigate any potential negative impacts.
- 9.22 In addition, equality and human rights considerations will be considered throughout the CPO process including an updated equalities assessment to ensure impacts and mitigations are considered throughout the CPO process.

10. The Council's Response to Objections

- 10.1 The Order was subject to consultation for a 28-day period spanning 4 February to 3 March 2021 inclusive. During this period, a copy of the Order and Order Map was made available during normal working hours at the Council's office at Alexandra House, 10 Station Road, Wood Green, N22 7TR; and the Concierge offices located within the Tangmere and Northolt blocks on the Broadwater Farm Estate. They were also available on the Council's website at www.haringey.gov.uk/housing/broadwater-farm.
- 10.2 There are seven statutory objectors from 4 households, being the following leaseholders in the Tangmere block:
- 26 Tangmere - [REDACTED]
 - 29 Tangmere - [REDACTED]
 - 72 Tangmere - [REDACTED]
 - 122 Tangmere [REDACTED]
- 10.3 The seven objectors are represented by a single Solicitor who provided details of the objector's grounds for objection in a letter to the Secretary of State dated 1 March 2021, a copy of which was provided to the Council. The Council's responses to the grounds of objection are set out below which were communicated to the Solicitor acting for the objectors on 19 March 2021.

There is no statutory support for the construction of replacement housing involving the demolition of an already densely populated area of housing. The reliance of the Council on s17 of the Housing Act 1985 and the Acquisition of Land Act 1981 is inappropriate.

As outlined in Section 4 of the Council's Statement of Reasons, significant structural issues have been identified with the Tangmere and Northolt blocks on the Broadwater Farm Estate, which puts both buildings at risk of progressive collapse. Following a Section 105 (Housing Act, 1985) consultation, the Council's Cabinet made the decision to authorise demolition of both blocks and to replace them with at least the same number of socially rented homes. In replacing the residential units from Northolt and Tangmere, the Council will be able to achieve a qualitative housing gain. Current plans in development also seek to achieve additional social rented homes, which would result in a qualitative and quantitative housing gain.

The Guidance states that "*Section 17 of the Housing Act empowers local housing authorities to acquire land, houses or other properties by compulsion for the provision of housing accommodation. Acquisition must achieve a quantitative or qualitative housing gain*". As the Council will achieve a qualitative housing gain as a minimum following the acquisition of interests in Tangmere and Northolt, the Council is content that the use of Section 17 of the Housing Act (1985) and the Acquisition of Land Act (1981) powers, are appropriate in this circumstance.

The proposed construction of replacement housing accommodation in that location without delivering a quantitative housing gain suggests there is no compelling case in the public interest for the making of the Compulsory Purchase Order. The Council claim they will simply “*explore all options to deliver a quantitative gain if possible*” [para 1.9 statement of reasons]. The construction of new housing on the Broadwater Farm Estate should be part of a masterplan for the modernisation of the entire estate to include more affordable homes.

The Guidance makes clear that compulsory purchase powers are appropriate in this instance noting that the acquisition results in “*a quantitative or [our emphasis] qualitative housing gain*”. The Tangmere and Northolt blocks at Broadwater Farm have significant structural issues that could result in progressive collapse. The replacement of the residential units within these blocks with new housing will result in a qualitative gain to the Council’s housing stock. The Council’s Statement of Reasons for the CPO makes clear throughout that the Council will replace the residential units at Tangmere and Northolt with new council homes to ensure a qualitative gain is achieved. As you rightly identify, the Statement of Reasons also states that the Council will “*explore all options to deliver a quantitative gain if possible*” and I am informed by client officers that all options currently being developed by the architects for the scheme consider both a qualitative **and** quantitative housing gain on the estate.

Although the Council is not developing a ‘masterplan’ for the estate, a comprehensive Urban Design Framework (UDF) for the estate is in development in collaboration with local residents. The UDF considers the new and replacement housing and seeks to make further improvements to the wider estate such as the streets, facilities and outdoor spaces. It has been agreed with the local planning authority that the UDF can fulfil the policy requirements for a masterplan, so long as the UDF is prepared in consultation with residents. The UDF will be submitted as a supporting document to any planning application.

The Council has failed to adequately or at all, consider the alternative to demolition. There is a perfectly sensible and alternative option of strengthening and refurbishing the existing accommodation which has not been properly investigated and costed by the Council. We ask the Secretary of State to give the plan the proper scrutiny of a public enquiry.

On 26th June 2018, the Council’s Cabinet considered options regarding the future of the Tangmere and Northolt blocks on the Broadwater Farm Estate. In relation to long-term options, the Council’s Cabinet considered the option of strengthening and refurbishing the blocks as well as the option of demolition and rebuilding. The cost of addressing the structural elements alone was estimated at £25.6 million for both blocks, rising to over £33 million if they were refurbished to bring the flats up to the Decent Homes Standard. It is worth noting that the structural issues identified at Northolt and Tangmere were more significant than those identified on the other blocks on the estate, with both Tangmere and Northolt the only blocks to fail the lower of the two tests (both failed the 17kN/m² test). Further visual surveys were carried out in June 2020, which confirmed that the original findings remained accurate. It is anticipated that associated strengthening and refurbishment costs to resolve these issues would have subsequently increased in line with inflation.

The report presented to the Council's Cabinet outlined the estimated costs of both strengthening / refurbishment and demolition / rebuild and this was considered by the Council's Cabinet when determining its preferred option. Following this decision, a Section 105 (Housing Act, 1985) consultation was undertaken with residents of the two blocks to obtain their views as to whether the blocks should be demolished and replaced, or whether they should be strengthened and refurbished. A significant majority of residents (91% of respondents in Tangmere and 81% of respondents in Northolt) supported demolition and rebuild.

The Council has provided insufficient detail about the funding position of its proposed works and whether the CPO has sufficient certainty. This matter deserves the proper scrutiny of a public enquiry. The long history of under investment by the Council into the estates at Broadwater Farm are material to the question of relative costings for the competing options.

Section 8 of the Council's Statement of Reasons outlines the funding available for the proposed works, with the Council's Housing Revenue Account (HRA) New Build Budget of £383m (over the five-year period 2020/21 to 2025/26) able to fund the entirety of the replacement homes on the Broadwater Farm Estate if necessary. In addition to this, an application has been made to the Greater London Authority (GLA) for £20m of grant funding to supplement the Council's contribution. Early discussions with the GLA have been positive and no issues are expected with the bid. In addition to this application, the Council would be eligible to apply for further grant funding from the GLA should the anticipated quantitative housing gain be realised on the estate.

The Council's scheme amounts to forced displacement as there was no ballot on whether homes should be demolished or strengthened, modernised and refurbished. The consultation exercise was inadequate leading to little engagement. Para 5.21 of the Statement of Reasons suggest no more than 38 out of 104 properties at Tangmere responded positively. The Council has acted undemocratically by failing to properly engage.

Following the findings of the structural surveys, the Council's main priority was to ensure the safety of residents living within the two blocks and a decision was made to rehouse residents as soon as practically possible. It is important to recognise that there is no statutory requirement to ballot residents in such circumstances. However, after considering the options available, the Council undertook a Section 105 (Housing Act, 1985) consultation in September and October 2018 to understand resident views on the options to strengthen or replace. As you will be aware, the relocation of Tangmere residents was the Council's highest priority due to the presence of piped gas and so work commenced on identifying suitable alternative accommodation for the Council's tenants as soon as possible. As further outlined in paragraph 5.21 of the Council's Statement of Reasons, it is considered that the lower response rate at Tangmere was due to tenants having either already moved out of the block or having made plans to leave the estate by the time the Section 105 consultation was undertaken.

Considerable effort was made to ensure residents were given the opportunity to respond to the consultation: questionnaires were distributed to all Tangmere and Northolt residents with the ability to reply by post or email; the materials were provided in multiple languages, large print and braille as required; and drop-in events and door

knocking exercises were undertaken to maximise engagement (six drop-in sessions were run by Homes for Haringey and further sessions were arranged by the Independent Tenant and Leasehold Advisor). Although the response rate appears low, it is worthy of note that 91% of Tangmere residents (and 81% of Northolt residents) that responded to the consultation, stated that their preference was for the blocks to be demolished and rebuilt, rather than strengthened and refurbished.

Some leaseholders are currently engaged in negotiations. The use of draconian compulsory purchase powers is premature and should only be used as a measure of last resort where negotiations fail. Therefore, there is not an adequate or compelling justification to confirm the proposed CPO in respect of our clients' land interests.

Negotiations have been ongoing since the rehousing and payments policy was agreed in 2018, but a small number of leasehold interests are yet to be acquired. Negotiations will continue with all remaining leaseholders throughout this process and the Council remains committed to reaching an agreement for the acquisition of remaining properties without the need to use its compulsory purchase powers. However, despite the negotiations that have taken place to date, there remain significant differences between the Council's valuations and the sums proposed by a small number of remaining leaseholders. The Guidance recognises that, although compulsory purchase is intended as a last resort, if acquiring authorities wait "*for negotiations to break down before starting the compulsory purchase process, valuable time will be lost*". Haringey's housing waiting list is already under pressure, a challenge that has been compounded by the additional strain caused by the Coronavirus pandemic and the essential rehousing of Tangmere and Northolt tenants due to the safety issues that were identified. The Council cannot afford for negotiations to continue indefinitely and are keen to commence the process of building new and replacement homes on the estate to cater for current and future generations.

The Council believes it is offering a fair market value for the properties in Northolt and Tangmere and all Tangmere resident leaseholders are eligible to utilise an interest-free equity loan to allow them to purchase a more expensive property elsewhere should they wish. To support and progress negotiations, changes have been made to these policies to improve the offer, which now allows leaseholders to purchase a property outside of the Borough of Haringey and above the standard 40% equity loan amount.

11. Conclusion

- 11.1 The Council has set out in detail above its reasons for making the Order. In summary:
- a) The Order is being promoted by the Council under section 17 of the Housing Act 1985, to acquire the ownership of third-party interests in the Order Land, to enable the acquisition and demolition of what currently consists of two large panel construction blocks, under croft parking and two associated substations.
 - b) The Order will enable the acquisition of third-party interests, facilitating the demolition and redevelopment of the land for the purposes of delivering a qualitative housing gain.

- c) The Council has considered alternatives and demolition represents the only realistic option to deliver a qualitative housing gain. Demolition was also supported by the majority of residents in a consultation undertaken in 2018.
 - d) In view of the need to demolish the blocks as soon as reasonably practicable, the Council is undertaking negotiations to acquire interests by agreement in parallel with seeking statutory powers. The Council has demonstrated – through the Tangmere Rehousing Priority Scheme, the Broadwater Farm Rehousing and Payments Policy and the updated Acquisition Strategy – that acquisition by agreement cannot be relied upon to achieve site assembly within the timeframe required for the redevelopment of the Order land. It remains the Council's preference to acquire by agreement, however compulsory purchase powers are likely to be required to ensure timely demolition.
 - e) The Council considers there is no impediment to the confirmation or implementation of the Order and achievement of the primary aim of the Scheme.
 - f) The Council is satisfied that there are no current planning or financial impediments to the implementation of the Order and that the demolition and redevelopment will be able to proceed if the Order is confirmed. The Council has applied the advice in the Guidance and has set out above its view that the Order meets the requirements of the Guidance, in particular Paragraph 14.
 - g) The purposes for which the Order Land is to be acquired could not reasonably be achieved by any other means.
 - h) The Council considers the Order to be within the necessary statutory powers and that a compelling case exists for the making and confirmation of the Order.
- 11.2 Overall, there is a compelling case for the compulsory acquisition of the Order Land and will respectfully invite the Secretary of State to confirm the Order.

12. Additional Information of Interest to Persons Affected by The Order

- 12.1 The point of contact at the Council for all enquiries relating to this Order is Neil Taylor, CPO Project Manager by telephone on 07967442456 or by email at Neil.Taylor@haringey.gov.uk.
- 12.2 Those parties affected by the Order who wish to discuss the purchase of their interest by agreement should initially contact:
David Clark, Estate Regeneration Manager, on 020 8489 2880 or at david.clark2@haringey.gov.uk.
- 12.3 The Royal Institution of Chartered Surveyors (RICS) operates a compulsory purchase helpline which provides initial free advice. Those parties wishing to make use of that service should contact RICS on 024 7686 8555 or via its website: www.rics.org.

13. List of Documents for Inquiry

- 13.1 The Council has prepared a list of core documents and extracts which it may refer to or put in evidence for the purposes of the public inquiry into the Order. The documents and extracts are listed in Appendix 1.
- 13.2 The Council reserves the right to refer to any further documents as deemed appropriate and will seek to notify the inquiry and any remaining objectors of any such documents as soon as possible in advance of the commencement of any inquiry.
- 13.3 This Statement, documents and extracts can be viewed:
 - a) On the Council's website at www.haringey.gov.uk/housing/broadwater-farm.
 - b) At the Council's offices at Alexandra House, 10 Station Road, Wood Green, N22 7TR during normal working hours, by prior appointment by contacting Joanna Kromidas on 020 8489 5950 or by email at Joanna.kromidas@haringey.gov.uk.
- 13.4 Requests for hard copies of this Statement, documents and extracts or copies in another language or in large print should be made to Neil Taylor, CPO Project Manager on 07967442456 or by email at Neil.Taylor@haringey.gov.uk.

Dated this day of 2021

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For and on behalf of Head of Legal and Governance (Monitoring Officer)
London Borough of Haringey
Alexandra House
10 Station Road
London N22 7TR

APPENDIX 1
CORE DOCUMENTS AND EXTRACTS

| Document | Description |
|-----------------|---|
| 1 | Compulsory Purchase (Inquiries Procedure) Rules 2007 |
| 2 | The London Borough of Haringey (Tangmere and Northolt) Compulsory Purchase Order 2021 (“the Order”) [Comprising the Order and Order Schedule] dated 28 th January 2021 |
| 3 | Housing Act 1985 |
| 4 | Acquisition of Land Act 1981 |
| 5 | Statement of Reasons dated 28 th January 2021 |
| 6 | Order Map dated 28 th January 2021 |
| 7 | Guidance on Compulsory Purchase process and The Crichel Down Rules (July 2019) |
| 8 | Broadwater Farm Estate Structural Robustness Assessment Kenley and Northolt Report dated April 2018 |
| 9 | Broadwater Farm Estate Structural Robustness Assessment Tangmere (6 Storey Ziggurat) Report dated April 2018 |
| 10 | Broadwater Farm Estate Strengthening Works to Tangmere Project Feasibility Estimate dated 4 th June 2018 |
| 11 | Broadwater Farm Estate Strengthening Works to Northolt Project Feasibility Estimate dated 4 th June 2018 |
| 12 | Council’s Cabinet Report and minutes dated 13 th November 2018 |
| 13 | Broadwater Farm Rehousing and Payment Policy adopted January 2019 |
| 14 | Council’s Cabinet Report and minutes dated 20 th July 2020 |
| 15 | Council’s Cabinet Report and minutes dated 13 th October 2020 |
| 16 | Tangmere Rehousing Priority Scheme adopted in June 2018 |
| 17 | Equalities Impact Assessment |
| 18 | Objectors letter to Secretary of State dated 1 st March 2021 |
| 19 | Council letter to objectors Solicitor dated 19 th March 2021 |

| Extract | Description |
|----------------|---|
| 1 | National Planning Policy Framework (2019), para 119 |
| 2 | Strategic Housing Market Assessment (SHMA), page 6 |
| 3 | Haringey Borough Plan (2019 – 2023), pages 12 - 17 |
| 4 | Haringey Council Housing Strategy (2017-2022), page 6 |
| 5 | The London Plan 2021, Policy H8 |
| 6 | Haringey Local Plan Strategic Priorities, Policy SP2, DM10 & DM11 |
| 7 | Haringey Local Plan Site Allocations DPD (2017), pages 148-149 |