

Why are you regenerating Rainham and Beam Park?

The need for new and affordable housing to meet increasing local demand is recognised at national and regional level. In 2015, after a successful bidding process, the area was designated as one of the Mayor of London's Housing Zones – this was part of the long term vision for the area, which the Council has been working towards for a number of years. This will bring tens of millions of pounds in investment funding into the area.

The south of the borough hasn't received the same amount of investment as other more central areas over the years. The Rainham and Beam Park Housing Zone will deliver 3,500 new homes along with the entire mix of essential social amenities that a community would want and need including a school, health facilities, a 2km Linear Park along the A1306 and a new station at Beam Park to create a sustainable and connected new community.

What will the Housing Zone deliver?

The Rainham and Beam Park Housing Zone will deliver:

- 3,500 new homes
- A three-form primary school
- A 1,500m² health facility and other community facilities
- a 2km linear park along the A1306
- a new rail station, bus interchange and local retail centre at Beam Park

Why did the Council choose Notting Hill Genesis as development partner?

The Council does not have the resources or capacity to deliver such a large and complex development scheme alone, so an experienced development partner is vital. Notting Hill Genesis (NHG) is a financially robust housing association with expertise far beyond traditional affordable housing provision, including residential development for sale, market rent, student accommodation and commercial premises. NHG's approach as a long-term owner and manager of property means they are committed to building homes and communities that will last, as they will be maintaining and managing these properties for many years to come.

What is being delivered as a result of your partnership with NHG?

Within the Housing Zone there are major sites that will be brought forward for development by housebuilders, notably Countryside at Beam Park and Clarion at Somerfield. However, there are also sites that will require direct intervention from the Council to enable development that meets with the overall Housing Zone objectives of high-quality design and comprehensive developments. This avoids small-scale piecemeal projects, generally offering poor quality design and build with limited contribution to affordable housing provision, the environment and infrastructure provision.

Working with NHG, we will be assembling a number of sites along the A1306 to then develop into more than 880 high quality homes, 35 per cent of which will be affordable. This is a £250 million

project which will transform the A1306 corridor into a vibrant, sustainable, residential-led neighbourhood.

How will the community benefit?

The project will deliver local homes for local people, and will benefit the community in more ways than one. It will provide employment opportunities through construction and apprenticeships and improve commercial prospects for local businesses.

The new homes developed by the Council and NHG will give hundreds of families from Havering the chance to move into a high quality new home and make the most of the new, modern facilities being created as part of the wider housing zone.

Improved open spaces, better transport, and a new health centre and school will help improve lives for thousands of residents living beyond the housing zone, while NHG will also provide 37 construction apprenticeships and 77 training opportunities to people living within the borough.

The partnership between the Council and NHG will seek to deliver at least 35% affordable housing, a mixture between London Affordable Rent and Shared Ownership. NHG will seek nominations from the Council's waiting list for these properties.

When will the new homes be built?

We are embarking on a seven year programme of delivery with the first homes due to be delivered circa 2022 followed by regular delivery of new homes up to late 2025/2026.

How can I get one of the affordable homes?

1.1. NHG will own and operate homes for affordable rent or shared ownership

1.2. Rent levels

1.2.1. Rents will be charged in accordance with the tariffs set by the Mayor of London

1.2.2. NHG will seek to cap affordable rent levels at LHA (Local Housing Allowance). This cap will be inclusive of service charges so as to be affordable for households reliant on Housing benefit. LB Havering's Housing Services web page has information on Housing benefit and Applying for Council Housing.

<https://www.havering.gov.uk/info/20001/housing>

1.3. Shared ownership and levels of affordability

1.3.1. A link to the Mayor's Homes for Londoners AHP 2016-21 Funding Guidance below.

1.3.2. <https://www.london.gov.uk/file/11941201> Pages 10-11 has details of the Shared Ownership maximum household income

1.3.3. NHG will seek nominations from LB Havering off their waiting list for the shared ownership properties. LB Havering's shared ownership page can be accessed from this link <https://www.havering.gov.uk/info/20001/housing>

1.3.4. Staircasing options will be available

1.3.5. Eligibility will be based on housing need, income/savings and local residents will be prioritised over other purchasers

1.3.6. Affordability is assessed by the allocation policy agreed with the Council and an independent financial advisor.

What is a Compulsory Purchase Order (CPO)?

A CPO is a legal instrument which allows certain bodies (such as Local Authorities, Housing Associations and Development Corporations also known as Acquiring Authorities) to obtain land or property without the consent of the owners. CPO powers may be granted to an Acquiring Authority which meet statutory criteria to compulsorily purchase land in order to carry out a function which Parliament has decided is in the public interest and are typically used to facilitate urban regeneration as well as the development of new roads, airport extensions and town centre developments.

Who authorises a CPO?

Authorisation for a CPO is from Secretary of State for Housing, Communities and Local Government (“SoS”) or an Inspector (if delegated powers by the SoS), after a Public Inquiry if objections to the Order are made and not withdrawn. The Minister has the power to confirm, modify or reject the Order.

Why is the Council planning to use its CPO Powers?

The development sites are currently in fragmented ownership and cannot comprehensively deliver new housing to the quality expected without being assembled into larger comprehensive sites.

A Land Acquisition Strategy is required to secure comprehensive residential development by organising sites currently in multiple, complex ownership into developable plots in single ownership. The sites will be acquired through negotiation and private treaty in the first instance or CPO, if necessary, and will be brought forward for comprehensive residential development by the joint venture partnership with NHG.

The Council/ NHG has contacted all landowners and occupiers who may be affected to seek to discuss the implications and process of land acquisition including relocation opportunities. A number of properties have already been acquired and negotiations are underway with others.

Will the Council have to justify its use of CPO Powers?

An Acquiring Authority must demonstrate that the taking of land is necessary and that there is a ‘compelling case in the public interest’ for the use of compulsory purchase. A Statement of Reasons prepared by the Council will set out the reasons for making the CPO, which will show how the scheme/redevelopment will contribute to the social, economic and environmental well-being of the area. If there is a Public Inquiry, the Council will also prepare a Statement of Case justifying the CPO, which it will submit to the Inquiry.

How long will it take the Council to get its CPO?

There is no fixed timescale for securing CPO powers, but set out below is a summary guide of the minimum timetable from the making of an Order.

- CPO is made, Published and submitted to the SoS for confirmation
- Objections within 21 days

- Public Inquiry generally held within 22 weeks from Secretary of State confirming that an inquiry will be held.
- SoS required to publish timetable in relation to steps to be taken
- The length of the Inquiry will depend upon the number of objections and complexity of the scheme, normally 1-3 weeks.
- Following the Inquiry, the Planning Inspector may either issue a decision notice (if delegated authority by the SoS) within 8 to 12 weeks or make recommendations to the Secretary of State who will subsequently issue a decision notice within 20 to 24 weeks dependent on the complexity of the scheme.
- Following confirmation of a CPO the Acquiring Authority must serve notice of confirmation and can take possession of the land in a number of ways with a minimum notice period of 3 months
- The Acquiring Authority has 3 years from date of notice of confirmation of the CPO in which to exercise its powers.

Can I object to a CPO and how do I do this?

When making the Order, the Acquiring Authority serves notices on parties with an interest in the affected land and a person is able to object to the CPO. There is a minimum of 21 days for objections to be lodged, and the time period for making an objection will be specified within the notice.

Objections on financial compensation grounds will normally be disregarded as there is a separate procedure for resolving compensation disputes through the Upper Tribunal (Lands Chamber).

Who will pay for my professional fees if I choose to object to the CPO?

You will be responsible for paying any professional fees incurred in objecting to a CPO. However, if you are successful in sustaining your objection, so that the CPO is not confirmed or that your land is excluded from the CPO, you may be awarded your costs unless there are exceptional circumstances for not doing so.

Will I lose my property immediately if the Council makes a CPO?

No, not immediately. A CPO is made up of a number of stages which must be gone through before it is enforceable. Having been served notice of a CPO, a property owner may object to the Order and if objections are raised and not withdrawn, a Public Inquiry will be held. Only when the CPO is confirmed does an Acquiring Authority have the power to compulsorily acquire land or property. However, working with the Council, NHG will seek to acquire property by agreement throughout the CPO process. If the CPO is confirmed, the Council will then serve notices on all interests not acquired and widely publicise the decision. A three month notice period can then be progressed. The Acquiring Authority have a period of three years to exercise its CPO powers.

As a resident, will I be able to return to the area once the development is completed?

The redevelopment proposals will provide a range of property types and affordability ranges from one bedroom to three bedroom homes. The private sale homes will be sold as the development comes forward and marketed on the open market.

NHG will seek nominations for shared ownership and affordable rent properties from the Council's waiting lists.

Will there be an option to relocate my business/move into a council home?

The Council, and more recently NHG, have been seeking to negotiate with eligible landowners and occupiers since 2015 with a view to agreeing terms for the acquisition of their properties and assist them relocate. This work will continue throughout the CPO process, from when the CPO is made until after the CPO is confirmed.

We will work with qualifying businesses affected by private treaty and CPO acquisitions in trying to find suitable alternative relocation premises. In addition disturbance payments will be agreed which will be assessed based on the costs of having to relocate.

When requested we will work with residential occupiers to understand their requirements in respect of size, location and budget. We will also provide assistance in finding eligible residents alternative private rented accommodation.

How long do I have to relocate?

So far as it is achievable, relocations will be staggered to ensure the managed relocation of businesses and residents from New Road over as long a period as possible. The New Road regeneration programme will be undertaken over a period of 7 years and where businesses and residents occupy land that is not required for immediate development, NHG and the Council will work with them to agree the terms of their continued occupation until such time as their land is needed.

What are my rights to compensation?

The principles of compensation are governed by the 'compensation code', which is derived from statute and case law. One of the main principles is that of 'equivalence', i.e. a claimant should be placed in no better or worse position (in financial terms) after the acquisition that they were prior to the acquisition.

The compensation code can often be complex and we would recommend that you obtain professional advice in order to obtain a proper assessment of your entitlement. The Council will meet the reasonable cost of this advice.

What can I claim for?

This will vary dependent on your personal circumstances. Your professional advisor will be able to compile a claim for compensation on your behalf. As a general guide, please see para 2.54 and 2.55 of the attached booklets 'Compulsory Purchase and Compensation: Compensation to Residential Owners and Occupiers' and 'Compulsory Purchase and Compensation: Compensation to Business Owners and Occupiers'. Although the booklets were written a number of years ago and are slightly out of date, they nonetheless contain useful information which you may find helpful.

Is there a limit to what can be claimed?

In principle, any loss reasonably incurred by an eligible dispossessed owner as a result of compulsory acquisition can be claimed, provided that it is a natural and reasonable consequence of the owner's dispossession and the loss is not too remote. However, the assessment of disturbance compensation in particular can be complex and is subject to the application of a number of legal principles that are not always easily defined or applied. We therefore recommend you seek professional advice from a surveyor with experience of compulsory purchase and compensation in relation to the quantification of your claim.

What are Loss Payments?

Under the compensation code there are a number of loss payments which can be paid, subject to claimants meeting the requisite qualifications.

If you are a qualifying occupant of a residential property you may be entitled to a Home Loss Payment which equates to 10% of the Market Value of your interest, subject to a minimum payment of £6,400 and a maximum payment of £64,000. Residential tenants may qualify for the minimum payment of £6,400.

Under the Land Compensation Act 1973, property investors and business owner occupiers who meet the qualifications can claim a Basic Loss Payment. This payment is calculated at 7.5% of the value of an interest up to a maximum of £75,000.

A qualifying occupier of a property who is not entitled to a Home Loss payment, will be able to claim an Occupiers Loss payment. Occupiers Loss Payments can be calculated on a number of difference bases with the maximum payment being £25,000.

Who will pay for any professional fees I incur in agreeing compensation?

An Acquiring Authority will usually pay the reasonable surveyor's (and legal) fees which are incurred in negotiating a compensation claim. However, to be claimable, professional fees should be reasonably incurred and proportionate.

Do you have any specific firms of surveyors that you can recommend?

We would recommend that you approach surveyors or surveying firms that are competent in matters relating to compulsory purchase and compensation. Before you engage any surveyor, they should seek to get an undertaking from the Council to cover their reasonable fees.

You can find competent surveyors or advisors on the Compulsory Purchase Association members list by searching on <https://www.compulsorypurchaseassociation.org/find-a-member.html>

How long do I need to wait before I get compensation?

When compensation is agreed with the Acquiring Authority, this will be paid at the earliest opportunity, normally within 2 months of agreeing compensation. This may be subject to the Acquiring Authority seeking appropriate internal approvals and authorisations.

If compensation cannot be agreed without further discussion, you may be eligible to request an advance payment, equating to 90% of the Council's assessment of compensation, at any time after

the CPO has been confirmed. The timing of the advance payment will vary dependent on your circumstances and whether the Council requires further information in order to make its assessment. Your professional advisor will be able to advise you on the advance payment process.

Who do I contact if I want to sell my property or discuss relocation options?

We have appointed Ardent Management to assist us with negotiations on property acquisitions. If you are considering to sell or want to discuss relocation options, please make initial contact with Fahad Nakendo at Ardent on phone number: +447763567342 or email:fahadnakendo@ardent-management.com or Charles Gregory on: +44778 696 2443 or email:charlesgregory@ardent-management.com

Where can I find out more information about the Compulsory Purchase Order process as well as compensation?

You can find out more about the process by downloading the government's booklet on compulsory purchase procedure from <https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-1-procedure>.

You can also find out more about compensation for business/residential owners and occupiers by downloading government booklets from:

<https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-2-compensation-to-business-owners-and-occupiers>

<https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-4-compensation-to-residential-owners-and-occupiers>

Further information can be obtained from:

http://england.shelter.org.uk/legal/home_ownership/compulsory_purchase_orders_cpos

<https://hoa.org.uk/advice/guides-for-homeowners/i-am-selling/compulsory-purchase-orders-what-you-need-to-know/>

What is an Equality Impact Assessment (EqIA)?

EqIAs are undertaken in order to fulfil Council's obligations under current UK equality legislation, and in particular, the Equality Act 2010. The Act intends to support good decision-making by requiring public authorities to demonstrate that they have shown due regard to a number of equality considerations when exercising their functions, which includes considering potential impacts on people with protected characteristics. The aim of this is to ensure that policies and services are appropriate, accessible and meet the needs of different people.

The characteristics which are protected under the Act include Age, Sex, Sexual Orientation, Disability, Race, Religion and Belief, Gender Reassignment, Marriage and Civil Partnership, and Pregnancy and Maternity.

While the Act does not specify a particular process for considering the likely effects of policies, programmes and projects on different sections of society for public authorities to follow, this process is usually undertaken through some form of equality analysis, which can include EqIAs.

Undertaking an EqIA helps to demonstrate how a public body is complying with legislation by:

- providing a written record of the equality considerations which have been taken into account;
- ensuring that decision-making includes a consideration of the actions that would help to avoid or mitigate any negative impacts on particular protected groups;
- and supporting evidence-based and more transparent decision-making.

By understanding the effect of their activities on different people, and how inclusive delivery can support and open opportunities, public bodies can be more efficient and effective. The EqIA process therefore helps public bodies to deliver the Government's overall objectives for public services.