

# WINSTANLEY AND YORK ROAD LOCAL LETTINGS PLAN

*This booklet provides details for  
the rehousing of Secure Tenants  
and Resident Homeowners into  
new homes in York Gardens.*

*March 2023.*



# FOR THE PAST, PRESENT & FUTURE OF OUR NEIGHBOURHOOD.



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## LOCAL LETTINGS PLAN FOR THE REGENERATION OF WINSTANLEY & YORK ROAD ESTATES

*The council has a published Housing Allocation Scheme, which determines the priorities and defines the procedures to be followed in assessing applications under part 6 of the Housing Act 1996 (as amended) and allocating council accommodation. It is a key policy objective of the council to regenerate identified housing estates in the borough which will require demolition of whole or part of these estates, and that tenants are rehoused within a set timescale.*

To ensure a timely, fair and consistent approach to rehousing affected secure council tenants (including those occupying on fixed term flexible tenancies), and leaseholders, a local lettings plan will be published as a supplementary document to the council's Housing Allocation Scheme and would apply to all tenants who have resided in their property on either of these estates for twelve continuous months before being asked to or requesting to leave their home. This local lettings plan will not apply to households occupying accommodation provided by the council as temporary accommodation, pursuant to the Council's duties under homelessness legislation. The qualification of this scheme to resident homeowners is captured in the Resident Homeowners guides for each scheme.

This local lettings plan is for the Winstanley and York Road schemes to ensure that there is sufficient flexibility to facilitate the timely decant of residents from their homes, as required to deliver vacant possession. It effectively ring-fences the newly built homes for the purpose of rehousing those residents in first instance, accounting for identified local need thereafter.

## THE SCHEMES

In 2013 the council commenced an ambitious master planning exercise to regenerate the Winstanley and York Road Estates. In July of the same year, the council published its commitments to the secure council tenants and homeowners of those estates, so that they could consider the possible development plans with the knowledge that the scheme was very much for the benefit of the residents of the estates. These commitments outlined a number of key principles for secure council tenants, resident homeowners and property owners. The offer to secure council tenants is set out below;

- You will be offered an alternative home on a social rent within the new development or in the local area, unless other rehousing options are preferred.
- The new home will have no less security of tenure than you have now.
- You will retain your right to buy.
- The size of your new home will be assessed on your housing need contained within the bedroom standard of the Council's allocation scheme.
- If you are under occupying you will offered an incentive to downsize to a property which meets your assessed need, or the choice of a new home, one bedroom over your assessed need, (as long as you are not impacted by the spare room subsidy) as identified in the Housing (Re-let property) Section 2 of the Local Government Act 2000 in accordance with the room to move scheme.

## DEVELOPMENT PHASING PLANS

The phasing plan for the scheme has now been published. This contains indicative time frames, however, these could change as the development and delivery of the new homes is reliant on a number of factors. All moves for residents in blocks impacted by the schemes will now be completed under this Local Lettings Plan and offers will be considered in line with the phasing plan, as well as other stock and housing management considerations.

The **development** phasing plan is published and available on the Winstanley and York Road website. Below is the order in which the blocks in the scheme will be demolished (**or decanted in the instances of Penge and Inkster House**) as identified in the plan, without timelines.

- |                        |                      |
|------------------------|----------------------|
| 1. Pennethorne House   | 8. Shepard House     |
| 2. Lavender Road       | 9. Gagarin House     |
| 3. Scholey House       | 10. Farrant House    |
| 4. Kiloh Court         | 11. Chesterton House |
| 5. Jackson House       | 12. Ganley Court     |
| 6. Arthur Newton House | 13. Penge House      |
| 7. Holcroft House      | 14. Inkster House    |

- The development will be phased to minimise the use of temporary housing, aiming for one move only, into your new home.
- The new properties will meet the Mayor of London's quality and size standards.
- There will be opportunities for tenants to purchase a new low-cost home ownership within the new development or elsewhere in the borough with help from the council.
- If your tenancy in your current home is 12 months or more you will be entitled to homelessness compensation for each household, this is determined by central government and regularly reviewed. In addition to this, tenants will have reasonable moving and decorating costs met in line with the statutory requirements as identified under sections 29 and 37 of the Land Compensation Act 1973; Planning and Compensation Act 1991, Section 68.



## 1. EARLY MOVES

*An 'early move' under the scheme applies when a resident in an identified impacted housing block, on an estate which is being regenerated, wishes to be offered accommodation outside of the new homes being built, elsewhere within the rest of the boroughs stock.*

### **1.1 ELIGIBILITY**

All existing secure council tenants who have held their tenancy for 12 months are eligible to apply for an early move; applications are processed and assessed in line with the banding and points scheme. Successful applicants will be placed in (the highest) Band A under Regeneration Decants, as accepted on to the councils interest queue, to explore whether there are options for an early move, that they wish to take up.

### **1.2 TENANTS WHO MAY NOT QUALIFY FOR AN EARLY MOVE**

There may be exceptions whose applications may not be considered for an early move. The Regeneration Team should have due regard to the Housing Allocation Scheme "Who is not a qualifying person", when making referrals to the Housing Options and Assessment manager. This includes making contact with the relevant Area Housing Team Manager with regards to identifying any grounds for adverse behaviour which should be considered.

### **1.3 AREA AND ACCOMMODATION CHOICES**

It is noted that it is the Council's policy not to offer a choice of housing accommodation, but to allow an expression of preference in relation to the location of accommodation that may be allocated to them (Housing Allocation Scheme). This may identify areas in the borough, type i.e. house. Residents are made aware that the council has limited stock and that in expressing restricted preferences, they may be limiting the opportunities of an offer of accommodation under this scheme.

### **1.4 OFFERS**

Cases accepted are then made offers of accommodation in line with their assessed medical and accommodation needs. These are assessed in line with the Housing Allocation Scheme, with regard to the resident's preference and the phase in which they have been identified to move home into new build properties in the scheme.

All offers of accommodation will meet the households most recently assessed housing needs, so long as it can be considered an offer of suitable accommodation. Tenants who have registered for an early move will be made offers of accommodation in order of the hierarchy below, (subject to suitability considerations);

- Block position in the phasing plan.
- Medical or other circumstances which cannot be met in their current property.
- Tenant under-occupying their property and willing to downsize.
- Tenant over crowded in their property.
- Time registered on the early moves queue.

### **1.5 REFUSALS**

Section 3.14.0 - 3.14.5 of the Housing Allocation Scheme (as approved September 2016) identifies that applicants will generally receive one offer of accommodation however applicants registered for an early move will be considered under the exception to the one offer policy as identified in this section.

Rejections of an offer of accommodation will not prevent further offers being made. However, the Regeneration Team will note the offers made to applicants and more than one refusal will require a further early move interview to be carried out. This is to ensure that the tenant understands the implication of not accepting a property for an early move out of the scheme. Decisions regarding the status of the application will be made in line with s3.14.5 the Allocation scheme.

Failure to identify a suitable property as part of the early moves process will result in residents being allocated accommodation in the new build scheme at the time their property is required for demolition. This offer will meet their assessed need and will be considered a suitable offer of accommodation.

## 2. FIRST PHASE MOVES FOR RESIDENTS OF PENNETHORNE HOUSE TO IDENTIFIED "OFF SITES"

*During the master planning consultation for Winstanley and York Road Regeneration Scheme, the council identified that in order to ensure the flexibility of both the decanting of buildings and the build programme that the eligible residents in the first block earmarked for demolition would need to move 'off site'. Committee paper 15-200 identified the "off sites" which would be ring fenced entirely for residents from the Winstanley and York Road estates, and specifically for the block which requires demolition first, namely Pennethorne House.*

### 2.1 ELIGIBILITY

All existing secure council tenants who have held their tenancy for 12 months and over will be required to apply for rehousing; Applications are processed and assessed in line with the banding and points scheme, with applicants being placed in Band A, (the highest band) under Regeneration decants, on to the council's interest queue. This assessment will include, where relevant, a full medical assessment which may also include an Occupational Therapy assessment of need for specially designed accommodation due to a physical disability.

### 2.2 TENANTS WHO MAY NOT QUALIFY

There may be exceptions to those whose applications may not be considered for rehousing into the off-sites and new scheme housing. The Regeneration Team should have due regard to the Housing Allocation Scheme "Who is not a qualifying person", when making referrals to the Housing Options and Assessment manager, including making contact with the relevant Area Housing Team Manager with regards to any issues around behaviour as detailed in section 2.3.3 of the Council's Allocation Scheme.

### 2.3 ACCOMMODATION CHOICES

Residents are made aware that whilst they may express preference for a particular off-site location or floor level and position within the blocks, except for where the medical assessment identifies a specific need, allocation to units within the block are made in line with the allocation scheme with consideration of expressed preferences.

### 2.4 OFFERS TO THE OFFSITES

Cases accepted are then made offers of accommodation in line with their assessed medical and accommodation needs, which are assessed in line with the Housing Allocation Scheme, with regard to the resident's preference, as well as the phase in which they have been identified to move from their home, into one of the new build properties in the scheme.

Secure council tenants and resident leaseholders will be made an offer of accommodation, which will have considered the following factors as are applicable, whether singularly or in combination;

- Block position in the phasing plan.
- Medical/mobility or other circumstances which cannot be met in their current property.
- Tenants under-occupying their property and willing to downsize.
- Tenants over crowded in their property and within this those who are more overcrowded.
- A leaseholder meeting the qualification of this scheme as it applies to a resident homeowner as captured in the Resident homeowners guides for each scheme.

### 2.5 REFUSALS

Section 3.14.0 to 3.45.5 of the Housing Allocation Scheme (as published in September 2016) identifies that applicants will generally receive one offer of accommodation. Should a tenant refuse the offer of accommodation into the identified new build property, a refusal interview will take place with the Regeneration Team Manager or her/his nominee. The tenant will be advised of the legal position in relation to refusal of accommodation and will be offered reasonable financial support from the council to seek independent legal advice on their rehousing. Legal fees to be agreed with the councils appointed legal representative, in advance of instruction by the tenant.

Applicants will be expected to indicate acceptance or refusal of the offer in writing by return of the offer acceptance form within two weeks of receiving it. The offer of the property to the new build block will remain open for a maximum of 3 months and an alternative offer of accommodation into social housing may be made whilst necessary procedures are followed to ensure vacant possession to facilitate progression of the Regeneration of the estates.

Refusals of offers of accommodation from applicants as unsuitable, will be considered jointly by the Head of Housing Services (Allocations and Provision) or Allocations Manager (or deputy) and the Regeneration Team Manager (or nominated officer). Should the officers require a determining position it will be considered by an Assistant Director (either for Housing Services or for Housing Management).

### 2.6 RIGHT TO RETURN FOR RESIDENTS OF PENNETHORNE HOUSE

Residents in the identified block will be required to move to a new build property on one of the off-sites. This property would meet their current assessed need; including any adaptations which are assessed as being required by an Occupational Therapist.

At the time of making the move the resident would be asked to identify whether it was likely that they would want to return to the main Winstanley and York Road regeneration scheme. It has been agreed that all residents who move in the first phase may choose to return to main site, this will be subject to the caveats below;

- when sufficient properties have been built to create sufficient supply to allow future phases to decant within the main site;
- the tenant has been residing in the property as their only and principal home at the time of the move to the off-site property and at the time of returning to the main site;
- the property has not been extensively adapted to meet specific disability requirements of the tenant, outside of lifetime home standards; and
- the tenant remains eligible and qualifying for allocation.

### 2.7 RIGHT TO RETURN NOTICE

At the time of their move from the Pennethorne House to their new homes on off sites, all residents who indicate that they would potentially wish to return to the main Regeneration site on Winstanley and York Road, would be given a right to return notice. This would be given with an indicative year that the property on the main site would reasonably be expected to be available, an application would be needed to reallocate to a new home.

In this circumstance, reasonable removal costs will be met twice; however, home loss compensation will be paid once only, on the first move. Consideration will be given to reinstatement costs; however, due to both properties being new build these may be limited to relocation of services such as electrical connections, internet, redirection of post, and will be considered on a case-by-case basis only.

### **3. MOVES TO NEW BUILD HOMES IN THE REGENERATED SCHEMES**

*New homes will be available to residents in line with the phased development plans. Should there need to be a change to the phased development plan, all residents will be advised in writing and offered an interview with their case officer to discuss the implications for their application for re-housing. The phasing plans have been developed with a development time table which is indicative, as it can be influenced by factors, which are beyond the control of the council.*

#### **3.1 ELIGIBILITY**

All existing secure council tenants who have held their tenancy for 12 months or more in their substantive tenancy will be required to apply for rehousing; applications are assessed in line with the banding and points scheme, with applicants being placed in Band A, (the highest band) under Regeneration decants, on to the councils' interest queue. This assessment will include a full medical assessment which may also include Occupational Therapy assessment of need for specially designed housing.

#### **3.2 TENANTS WHO MAY NOT QUALIFY**

There may be exceptions to those whose applications may not be considered for re-housing into the off-sites and new scheme housing. The Regeneration Team should have due regard to the Housing Allocation Scheme "Who is not a qualifying person", when making referrals to the Housing Options and Assessment manager, including making contact with the relevant Area Housing Team Manager with regards to any issues around adverse behaviour which should be considered.

#### **3.3 ACCOMMODATION CHOICES**

Residents are made aware that whilst they may express preference for a location, floor level and position within the blocks, except for where the medical assessment or other health and safety issues identifies a specific need, allocation to units within the block are made in line with the allocation scheme with consideration of expressed preferences.

#### **3.4 OFFERS TO THE REPLACEMENT NEW BUILD HOME AS IDENTIFIED IN THE PUBLISHED PHASING PLAN**

All cases accepted for re-housing are made an offer of accommodation in line with their assessed medical and accommodation needs, which are assessed in line with the Housing Allocation Scheme, with regard to the resident's preference. This offer will be made a minimum of six months prior to the property being available.

Secure council tenants and leaseholders will be made a suitable offer of accommodation, which will have considered the following factors, whether singularly or in combination.

- Block position in the phasing plan.
- Medical/ mobility or other circumstances which cannot be met in their current property.
- Tenant under-occupying their property and willing to downsize.
- Tenant over crowded in their property.
- Current location in their existing block.
- A leaseholder meeting the qualification of this scheme as it applies to a resident homeowner as captured in the Resident homeowners guides for each scheme.

#### **3.5 REFUSALS**

Section 3.14.0 to 3.45.5 of the Housing Allocation Scheme (as approved September 2016) identifies that applicants will generally receive one offer of accommodation. Should a tenant refuse the offer of accommodation into the new identified new build property, a refusal interview will take place with the Regeneration Team Manager, or his/her nominee. The tenant will be advised of the legal position in relation to refusal of accommodation and will be offered reasonable financial support from the council to seek independent legal advice on their rehousing. Legal fees to be agreed with the councils appointed legal representative, in advance of instruction by the tenant.

Applicants will be expected to indicate acceptance or refusal of the offer in writing by return of the offer acceptance form within two weeks of receiving it. The offer of the property in the new build block will remain open for a maximum of three months and alternative offer of accommodation into social housing may be made whilst necessary procedures are followed to ensure vacant possession to facilitate progression of the Regeneration of the estates.

Refusals of offers of accommodation from applicants as unsuitable, will be considered jointly by the Head of Housing Services (Allocations and Provision) or Allocations Manager (or deputy allocations manager) and the Regeneration Team Manager (or nominated officer). Should the officers require a determining position it will be considered by an Assistant Director (either for Housing Services or for Housing Management).

## 4. MEETING ASSESSED NEED – EARLY MOVES, AND NEW BUILD HOMES

*All new homes built as part of the regeneration scheme will be built to meet the Mayor's Design Guide Standards. Homes will be built to meet the housing needs for a mixture of family sizes, including innovative solutions for larger family accommodation of four bedrooms or more.*

The commitment to all secure council tenants in the scheme is that they will be offered a home which meets their assessed current need based on all household members who can reasonably be expected to be considered part of the application. The Housing Allocation Scheme, part three, sections 3.00 to 3.0.1 and 1, identifies people who can be considered on an application. Exceptions to this policy will be considered at 4.4 below.

### 4.1 SIZE OF ACCOMMODATION AND BEDROOMS REQUIRED

A full housing needs assessment will be carried out prior to a detailed planning application for the phase in which the new property is to be built, with a further assessment 6-12 months before the building starts on site. The number of bedrooms in the new property will be determined by the size and composition of the household, as detailed in the Housing Allocation Scheme, at the time of the first housing needs assessment.

Single person households, lone pregnant women and couples will be allocated a self contained one bedroom property. There will be no studio accommodation built in the new scheme.

Thereafter one room is required for:

- a couple;
- each un-partnered adult aged 21 years or older;
- each pair of adolescents aged 10-20 of the same sex;
- each pair of children under the age of 10 regardless of sex.
- Where none of the above applies a person ages 10-20 years will be paired with a child under the age of 10 years of the same sex.
- Any remaining unpaired person will be allocated a separate bedroom.

### 4.2 MEDICAL CIRCUMSTANCES

Due regard to medical / mobility requirements will be given in the allocation of properties, such as a need for ground or lower level floors in a building, or additional bedrooms/ storage space to meet a medical need. Advice on the implications of a medical condition on an applicant or family members need will be sought from the applicant/household members' doctor/specialist and considered with advice from the councils' medical advisor.

### 4.3 UNDER OCCUPATION

Where a tenant is under occupying their current home by more than one bedroom, they will be able to keep one bedroom over their assessed need, should they want to, when offered a home in the new development. It will only be possible to keep one bedroom over their assessed need if they do not have rent arrears. When an additional room, over the assessed need, is retained by a tenant, where the spare room subsidy would apply, the tenant remains responsible for meeting this cost.

All tenants will be offered incentives for each bedroom given up, in line with the 'room to move scheme' as detailed in the Housing Allocations Scheme. Split households for existing under-occupiers will also be considered.

### 4.4 LARGER/MULTI-GENERATIONAL FAMILIES AND ADULT CHILDREN

The council has committed to re-housing families to meet their assessed housing need and the scheme will take into consideration large families and will seek to build large units where necessary. A larger property is one which is considered to have four bedrooms or more.

In order to ensure that there is best long-term use of council properties, where there are older generations - such as grandparents in a family home - which creates a need for a larger property, in discussion with the household against the realities of what is possible it may be appropriate to offer more than one unit of accommodation. This would consider any caring responsibilities the household members may have.

Where a need for large family homes (i.e. 4 bedrooms and larger) is created by adult children (over 21 years of age) living in the home, for whom the bedroom size criteria permit an additional bedroom, in discussion with the household, consideration will be given to offering a separate tenancy for the adult child(ren). This is subject to stock availability and would be one offer of accommodation only, anywhere in the borough **for the new additional tenancies**. An assessment would be undertaken to determine if the adult child is a

qualifying and eligible person and can manage a tenancy. We would only consider children who were part of the original household and have no other home. **The original tenant (applicant) and any household members remaining as part of the application will be offered a property of accommodation in the borough to meet their assessed need, this will not be into the new build properties as part of the scheme. The original tenant will be able to express preferences of area and accommodation choices as 1.3.**

Such additional tenancies, created over and above the replacement secure tenancy, will be issued in line with the Council's tenancy policy, and would not attract a home loss payment or reinstatement costs, although removal costs would be met.

The Housing Allocation Scheme permits that tenants can request one or two bedrooms below their assessed need, except where statutory overcrowding is likely to be caused.

### 4.5 SHELTERED HOUSING

Tenants who wish to move to sheltered accommodation in the borough, whether through an early move or in-phase, will be awarded the highest priority, Band A in the Older Persons Housing Queue.

Whilst all eligible and qualifying applicants will be encouraged to make their application to sheltered accommodation as early as possible, because offers from this queue are dependent on voids becoming available in limited stock, it may be that a tenant needs to be moved into the new build property in the first instance, and then moved again when a sheltered unit becomes available. In this circumstance, reasonable removal and reinstatement costs will be met twice; however, home loss compensation will be paid once only, with other associated costs being made as necessary on the second and final move.

#### **4.6 HOMES FULLY ADAPTED FOR WHEELCHAIR USERS /THOSE WHO NEED SPECIALLY DESIGNED HOMES DUE TO PHYSICAL DISABILITIES**

New homes which have been designed for wheelchair users (normally 10% of homes) built as part of the regeneration schemes will be offered to affected residents of the scheme who are wheelchair users in the first instance. In order to ensure best use of a limited housing stock type offers to these properties will be made as below;

- Wheelchair user in the applicable phase;
- Wheelchair user in subsequent phases of the phasing plan;
- The boroughs physical disabilities queue.

#### **4.7 SURPLUS HOMES IN A PHASE**

Each development phase will be designed to meet the assessed needs of qualifying tenants, and those resident leaseholders and freeholders who will be rehoused in the phase. In the event of there being surplus homes in the phase, the units will be offered to residents in later phases based on the hierarchy of criteria below.

- Leaseholders in later phases of the scheme who are downsizing from the unit size as applicable to them as the Resident Homeowners offer.
- Leaseholders in later phases of the scheme who are applicable to the unit size as identified for them as the Resident Homeowners offer and have a medical need to move sooner.
- Tenants in later phases of the scheme, for whom the unit is the correct size with a medical need.
- Leaseholders in later phases of the scheme who are applicable to the unit size as identified for them as the Resident Homeowners offer.
- Tenants in later phases of the scheme, for whom the unit is the correct size who are downsizing.
- All other tenants in later phases of the scheme, to be allocated as 3.4.

This applies only to general needs housing. Homes designed for wheelchair users will be allocated as 4.6.



*Image:  
View towards Block 5  
from the park*



# CONTACT

*If you have any questions about this booklet or the York Gardens Regeneration, please contact us on either:*

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*Information can also be found on the wandsworth website:*

*[www.wandsworth.gov.uk/housing/housing-regeneration-projects/winstanley-and-york-road-regeneration](http://www.wandsworth.gov.uk/housing/housing-regeneration-projects/winstanley-and-york-road-regeneration)*

