

Introduction and Background to the Winstanley and York Road Regeneration Scheme

1. The Winstanley and York Road Regeneration Scheme is being delivered in a Joint Venture partnership between Wandsworth Borough Council and Taylor Wimpey PLC (WYR JV). The regeneration scheme aims to improve the lives and homes of the existing residents of the Winstanley and York Road Estates by delivering;
 - **530** replacement new high-quality social rent council homes and;
 - up to **86** new homes for existing resident leaseholders and freeholders on an equity share basis on the existing site.

The scheme also delivers additional new homes to the area.

- 105 additional social rent;
- 100 additional affordable rent;
- 107 shared ownership properties;
- to up to 1750 private homes for sale and for rent.

The regeneration will also provide residents with improved open spaces, new shops, new improved health facilities, a new leisure centre, Library and child/nursery centre.

2. The regeneration of the Winstanley and York Road estates is taking place in phases. The first phase of delivery of the scheme is almost complete. Known as “Phase Zero”, providing 139 new homes. Of these new homes 46 were made available for existing secure tenants of the Winstanley and York Road Estate, specifically residents of Scholey house, Kiloh Court and Jackson House, alongside 93 new homes for open market sale. “Phase Zero” also delivered a new building to relocate the Battersea Baptist Chapel and the Thames Christian College, who needed to be moved from Pennethorne Square, in Wye Street, along with a new Multi-use games area (MUGA).
3. The next phase is the building of 89 new homes for the residents of Winstanley and York Road estates on local sites in Battersea; Sphere Walk (formally known as Shuttleworth Road) and Gideon Road. The new homes have been built to meet the specific housing need of the existing secure tenants and resident leaseholders of Pennethorne House. There are 89 units being delivered across these two sites which will be complete in early 2022. To date 6 additional properties have been delivered at Rowditch Lane, which, brings the total reprovision for Pennethorne House to 95 units across three sites.
4. This information pack and enclosed letter are a notice of formal consultation to Secure Tenants currently living within Pennethorne House who will be required to move to enable its redevelopment. This will affect all Secure Tenants living in Pennethorne House

Pennethorne House will be demolished and replaced with new high-quality homes as part of the overall Winstanley and York Road Regeneration Scheme.

5. This document aims to explain the important proposal that the Council is formally consulting Secure Tenants about. If, after you have read this document with the enclosed letter, you are unsure about anything or you want advice or further information, you can contact the Estate Regeneration Team, using the contact details which are at the end of this document.

Statutory consultation in connection with seeking approval of the Secretary of State for use of Ground 10A of the Housing Act, 1985

1. The Council needs to re-house Secure Tenants living in homes in Pennethorne House within the Winstanley and York Road Regeneration Scheme so that their current homes can be demolished and brought forward for development.
2. The Council will make an offer of suitable alternative accommodation to all Secure Tenants in accordance with its Local Lettings Plan and Allocation Policy for Pennethorne House in the Winstanley and York Road regeneration Scheme (a copy of these documents can be found online). To access please type the below into your web browser:

Local Lettings Plan:

https://wandsworth.gov.uk/media/7040/york_gardens_105_consultation_booklet.pdf

Allocations Policy:

https://wandsworth.gov.uk/media/3042/wandsworth_allocation_scheme.pdf

If you do not have access to IT then contact the regeneration office and arrangements can be made to view a hard copy.

The Council hopes that this offer will be acceptable to every Secure Tenant. However, there is a chance that this will not be possible in every case and that some Secure Tenants will not be prepared to move to the replacement home that the Council has offered to them. To ensure that the Council can undertake the proposed redevelopment of the Pennethorne House, it needs to be able to recover possession of homes where Secure Tenants have refused to move. As set out in the Local lettings plan for the Winstanley and York Road Estates (approved September 2020), in line with the Councils Allocation Policy (as approved in September 2016) one of the legal processes under which the Council proposes to seek possession of those homes, to ensure vacant possession to facilitate progression of the regeneration scheme, is by court proceedings brought under Ground 10A of Schedule 2 of an Act of Parliament called the Housing Act 1985.

3. To be able to rely on Ground 10A, the Council must first apply to the Secretary of State (a government minister in the Department for Communities and Local Government) for formal approval of the proposed redevelopment of the Pennethorne House within the Winstanley and York Road regeneration Scheme for the purposes of Ground 10A. It is the Council's proposal to make such an application to the Secretary of State. Before an application can be made, however, the Council must consult with all Secure Tenants living in homes affected by the proposal. This is the purpose of this current consultation and we have set out below:
 - a) the main features of the proposed redevelopment of Pennethorne House within the Winstanley and York Road regeneration Scheme and
 - b) the effect that receiving such approval would have on you in relation to court proceedings to recover possession brought under the Housing Act 1985.

4. As set out in the section headed "Introduction & Background to the Winstanley and York Road Regeneration Scheme" (see first page to this document), the regeneration of these two estates is taking place in phases and the Council is now focused on progressing with the redevelopment of Pennethorne House. As part of this, Secure Tenants who are living in the blocks affected by the Winstanley and York Road Regeneration Scheme, (Pennethorne House in this phase) will be required to move out of their current homes and into alternative accommodation offered by the Council in accordance with the Winstanley and York Road Local lettings plan and the Council's Allocation Policy for Pennethorne House. Once all the properties in Pennethorne House have been vacated, the Council intends to demolish Pennethorne House so that these sites can be brought forward for redevelopment and replaced with new high quality homes as part of the overall Regeneration scheme for the Winstanley and York Road Estates.
5. Your tenancy with the Council is called a Secure Tenancy. A Secure Tenancy gives you certain rights and responsibilities. One of your key rights is to a fair and transparent process should the Council wish to terminate (end) your tenancy and recover possession of your home. The Council can only evict a Secure Tenant in certain circumstances specified by law. As set out in the Winstanley and York Road Local lettings plan the Council will follow necessary procedures to ensure vacant possession to facilitate the progression of the Regeneration of the estates. One of the methods by which the Council proposes to secure possession from Secure Tenants living in Pennethorne house is to use court proceedings under the Housing Act 1985.
6. If the Council uses court proceedings to recover possession under the Housing Act 1985, the Council can only evict a Secure Tenant in certain circumstances. These are referred to as 'grounds for possession' and are set out in Schedule 2 of the Housing Act 1985. The grounds for possession fall into two categories. The first category is where the Council can obtain possession if the Court considers that it is reasonable. The second category is where the Council can obtain possession if the Court considers that it is reasonable, and the Council can demonstrate that suitable alternative accommodation will be available to the Secure Tenant when the order for possession takes effect.
7. To seek possession against a Secure Tenant, the Council must first serve a formal notice (called a notice of seeking possession) on the Secure Tenant specifying the ground or grounds for possession on which it wants to rely. The Council must then issue Court proceedings (which must also specify the ground or grounds for possession on which it wants to rely). There will then be a hearing in the county court at which the Council will have to set out its reasons for wanting to obtain possession and show how these fall within the ground or grounds for possession specified in the notice.
8. One of the grounds on which the Council can rely is Ground 10A. Ground 10A gives the Council the power to terminate a Secure Tenancy where the home is required for redevelopment. It is the only ground available to the Council under the Housing Acts, where it needs to obtain possession in order to redevelop the premises. Ground 10A can only be used where a redevelopment scheme has been approved by the Secretary of State for this purpose. The Council's proposed application to the Secretary of State will seek this approval in relation to those homes that are in Pennethorne House.
9. If the Secretary of State approves the proposed redevelopment of Pennethorne House for the purposes of Ground 10A, then Ground 10A becomes a ground on which the Council can seek possession. Ground 10A falls into the second category of grounds for possession described in paragraph 6 above. This means that, provided that the Court is satisfied that Ground 10A applies,

the Council can only obtain possession if the Court considers that it is reasonable and the Council can demonstrate that suitable alternative accommodation will be available to the Secure Tenant when the order for possession takes effect.

10. If the Secretary of State approves the proposed redevelopment of Pennethorne House for the purposes of Ground 10A, it is likely that, within the coming months, Secure Tenants in Pennethorne House will be served with a notice of seeking possession specifying Ground 10A and will be made one suitable offer of alternative accommodation in line with the Winstanley and York Road Local lettings plan and the Council's Allocation Policy for Pennethorne House. Please refer to the Winstanley and York Road Local lettings plan for Pennethorne House which is included with this document, specifically pages 6-9.
11. For some Secure Tenants, the suitable offer of alternative accommodation will mean the offer of a new home within one of the following redevelopment sites. Secure tenants offered alternative accommodation to one these two sites, will retain security of tenure and will remain a Wandsworth council tenant. All secure tenants relocating to the sites below, will have the option of a right to return notice to the main Winstanley and York Road Regeneration Scheme:

Location	New Landlord	Total Number of New Homes	Expected Completion Date
Sphere Walk Road, (formally known as Shuttleworth Road)	Wandsworth Council	71	January 2022
Gideon Road	Wandsworth Council	18	May 2022

At the time of accepting their offer of suitable accommodation 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, to the "offsites" 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 adaptations of the tenant, outside of lifetime home standards; and
- the tenant remains eligible and qualifying for allocation

12. For other Secure Tenants, who have chosen to move into existing Council Stock on an "Early Move", the suitable offer of alternative accommodation will mean:
 - a) a suitable offer of a permanent alternative home within Wandsworth, to a replacement home that is in existing stock, which is not due for demolition as part of the Winstanley and York Road Regeneration Scheme.
13. If, following the service of a notice of seeking possession and making of a suitable offer of alternative accommodation as set out in the Winstanley and York Road Local lettings plan and the

Council's Allocation Policy, a Secure Tenant in Pennethorne House is not willing to vacate their current home, the Council will likely commence court proceedings relying on Ground 10A as set out in this document. The Council's proposal is to secure possession using court proceedings under the Housing Act 1985 until the Council has confirmation of a Compulsory Purchase Order (CPO) in respect of the homes concerned. After that point, and even if the Council are part way through court proceedings under the Housing Act 1985, the Council propose to proceed to secure possession by agreement or using the compulsory purchase powers derived from the confirmed CPO in place of the possession proceedings. The only circumstances in which the Council propose continuing to pursue court proceedings under the Housing Act 1985 following confirmation of a CPO, is if the Council consider that continuing to pursue those proceedings is likely to result in it recovering possession of the property more swiftly than using its compulsory purchase powers.

What do I need to do?

14. You do not need to do anything; we are consulting on our proposal to make an application to the Secretary of State for the proposed redevelopment of the Pennethorne House of the Winstanley and York Road regeneration Scheme.
15. If you are not happy with what is being proposed or you wish to make comments, please provide these, with your name and address, and return it to the Council using the prepay envelope provided at the following address:

**Regeneration team
Room 201 The Town Hall
Wandsworth High Street
SW18 2PU**

Alternatively, you can contact the Regeneration Team at Winstanleyyorkroad@richmondandwandsworth.gov.uk or you can make an appointment to meet with a Regeneration team officer at the Regeneration office (by appointment only) on **020-8871-6802**, where an officer will record your comments and queries if you require assistance to do so.

The final date for comments to be received is 5pm on Friday 5th November 2021.

16. The Council must then consider any comments in advance of making the application and report the results of the consultation as part of the application to the Secretary of State.

