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| Item No. 8. | Classification: Open | Date: 6 March 2024 | Meeting Name: Cabinet |
| Report title: | | Marie Curie – Resident rehousing | |
| Ward(s) or groups affected: | | St Giles | |
| Cabinet Member: | | Councillor Sarah King, Council Homes | |

FOREWORD - COUNCILLOR SARAH KING, CABINET MEMBER FOR COUNCIL HOMES

Keeping our residents safe is of paramount importance to us as a landlord.

In September 2022, and in March 2023, Cabinet received two reports on resident engagement, progress with rehousing and highlighting fire safety issues found at the Marie Curie on the Sceaux Gardens Estate in Camberwell.

At the time of writing, 13 residents remain at Marie Curie, this includes 7 Secure Council tenants and 4 Leaseholders (all of whom are non-resident Leaseholders, with private tenants in occupation).

This report updates Cabinet Members on the latest position in respect of resident engagement and rehousing residents. It was decided by the Interim Strategic Director of Housing to separate out this rehousing report from any major works and/or new home options following the pause of some new home developments. This report therefore solely focuses on the rehousing element.

This report sets out how the council has acted to ensure Marie Curie remains safe, progress with rehousing the remaining residents from Marie Curie, and the overall progress made to date.

The council's Cabinet is recommended to have an update on progress against these recommendations in 4 months (July 24), as the ongoing cost of maintaining the building on account of the Waking Watch is considerable and any ongoing delays will not represent best value.

I want to thank the members of the Resident Project Group, the Sceaux Gardens Tenants and Residents Association and the St Giles ward councillors for their continued support of residents, all of who have advocated for residents at key times.

RECOMMENDATIONS

That cabinet:

1. Notes the ongoing resident engagement to date and thanks the Sceaux Gardens T&RA (comprising resident volunteers that meets at key stages) for their continued work and engagement with the council to date.
2. Notes the progress on the rehousing of the remaining secure council tenants within Southwark and the buy-back of properties owned by non-resident leaseholders.
3. Agree that any remaining Marie Curie secure tenant(s) beyond 1 May 2024, are afforded pre advert, Direct Offer status to allow rehousing to be completed at pace and no later than the end of the first quarter of 24-25.
4. Instructs officers to report back in 4 months, in July 2024 on the progress of rehousing all the remaining residents and ultimately confirming a date when the building will be decommissioned.
5. Note that the ongoing cost of maintaining the Waking Watch do not represent best value for money, as the WW costs are circa £400,000 per annum (for a building with 7 remaining tenants and 4 non-resident leaseholders).

BACKGROUND INFORMATION

6. Cabinet received reports at its meeting on 14 September 2021, 13 September 2022 and on 7 March 23 on the safety works and resident rehousing offers at Marie Curie. This report seeks to update Cabinet Members on the progress with rehousing of the remaining residents.
7. Marie Curie is a 16 storey block of 98 two bedroomed maisonettes built in or around 1958 by the London County Council. It is a sister block to Lakanal. Both blocks are part of the Sceaux Gardens estate that transferred to the Greater London Council in 1965 and then to Southwark Council in 1982. Of the 98 properties, 11 have been sold on a leasehold basis.
8. The block is described as a scissor block, which means that instead of the internal floors of a maisonette property being directly above each other, the floors cross under the communal access corridor that runs through the block and as a result one floor is on one side of the block and the other floor is on the other side of the block.
9. As the building is above six storeys it is subject to an annual fire risk assessment (FRA). On consideration of the FRA, which showed that there was a possibility of the compartmentalisation of the homes being breached, a 24 hour waking watch was introduced in the block on 27 November 2020, this has remained in place since. A more intrusive void survey that included

removing floating floors, penetrating solid walls, removing partition walls & fixtures and fittings such as kitchen units and bathroom components was received, and recommendations agreed by officers in May 2021.

10. The overall works required to the building are extensive in terms of disruption to residents. It was intended that these be delivered in two phases to minimise as far as possible disruption to residents. Phase 1 can be reasonably carried out with residents in occupation as is similar in nature to the type of work normally delivered through major works programmes. Phase 2 includes more intrusive works and could not be reasonably delivered with residents in situ.
11. Previously, Tenants have been able to choose to either move permanently to a new home or move temporarily in order to move back to Marie Curie when the works are complete. All the secure tenants to choose to move out permanently. Leaseholders have similarly had the same choice to move either permanently or temporarily. The permanent move option for leaseholders is that we offer to buy back their properties for them to find a property elsewhere to buy. It is now envisaged that the remediation costs will be too prohibitive and other developments options are therefore currently being considered.
12. The summary offer to tenants and leaseholders were reported to Cabinet at their meeting on 14 September 2021. This has not changed since.
13. A team of two resident services officers (RSO) were seconded to the Ledbury Team to support the Marie Curie residents in 2021. Following the successful rehousing of half of the residents, this was reduced down to one RSO with a caseload of 24 residents (18 tenants and 6 leaseholders) from March 2022. By June 2023, there had been a lack of progress in rehousing the remaining residents. To make further progress in 2023, the Director of Major Estates, increased the level of support afforded to residents, and divided the remaining caseload across 3 RSOs, with one RSO dedicated for Leaseholder enquiries and the remaining two RSOs dedicated to the remaining 18 Tenants equally. This has helped in reducing the number of tenants and to complete 2 Leaseholder buybacks in the last 6 months.
14. Good progress has been made over the last year. Currently, at the time of writing there are 9 Council Tenants remaining, a reduction of 50% (down from 18), and 4 Leaseholders remaining, a reduction of 33% (down from 6).
15. Out of the 9 remaining secure tenants, a further 2 tenants have been successful and supported in securing properties. They are due to move in February 24. This will leave 7 secure tenants remaining (see table below).

| Remaining Secure Tenants that require rehousing | Remaining Non Resident Leaseholders buy backs |
|---|--|
| 7 | 4 (3 have agreed to buy backs by the Council) |

16. As the number of remaining residents has reduced, the WW provision was reduced accordingly from 3 WW Wardens to 2 WW Wardens from mid-January 2024.
17. It was expected of the remaining tenants (as at October 23), 45-50% will bid for homes in a new development of 13 new homes (at 18 Crimscott Street, SE1 5TE), especially purchased by the council for Marie Curie residents. Handover of this new scheme took place in October 2023, and the new homes were advertised from 2nd – 5th November 2023, at which point, interested Tenants bid for the new homes. However, only 2 tenants choose to move to Crimscott Street. Understandably, although new homes were made available for nearly all of the remaining Marie Curie tenants, not all of the current Marie Curie Tenants indicated they wished to move to Crimscott St. This is for a variety of reasons, including the lack of parking associated with new developments and the higher Council Tax costs associated with new builds.
18. In October 2023, Officers also ensured that those Marie Curie residents who do not select Crimscott Street, could also bid for properties at a separate new development on Commercial Way (a very short distance from Marie Curie), where 6 homes had been reserved for Marie Cure residents. It was envisaged, the remaining Tenants who do not select Crimscott St, may select Commercial Way. Viewings took place for Commercial Way in November and December 2023. However, only 2 tenants choose to move to Commercial Way.
19. Residents Choosing to Move to New Developments:

| | |
|------------------|---|
| Crimscott Street | 2 |
| Commercial Way | 2 |

20. The low take up of new developments is partly due to lack of parking, higher rents, higher council tax and higher utility costs at the new developments.
21. Originally, the surgeries for Marie Curie residents at the Sceaux Gardens TRA Hall continued to be held weekly on Tuesdays between 11am and 1pm. A new evening surgery from 6pm – 8pm was introduced in June 2023. Due to low take up, and to make best use of RSO resources, the morning surgery was discontinued in Q3 23/24, with the evening surgery seeing more take up. In addition residents of Marie Curie can speak to Officers using the 24/7 facility of the Major Estates Team who are based at the Ledbury TRA Hall.
22. A fortnightly newsletter is produced for Marie Curie residents by the Major Estates Team and is circulated to all Marie Cure residents and the local TRA.
23. Open Communities were appointed to the major works project (QHIP – quality homes improvement project) in early 2020 to provide residents with

independent advice and support. Open Communities have been working with the wider estate since 2014 when the Lakanal refurbishment works began. This service includes organising and chairing the monthly resident project group (RPG) meetings and attending the monthly T&RA meetings. This work continues and they are available for Marie Curie residents.

KEY ISSUES FOR CONSIDERATION

Resident Rehousing

24. Many residents have sought to bid for advertised properties in the weekly HOMESearch magazine, but often are disappointed as they are not the 1st successful bidder, even when they are in Band 1 and where they have the appropriate Medical priority, Voluntary or Working Stars and Statutory Overcrowding status. This causes a level of frustration for residents, especially as the council has asked the residents to move, inevitably delaying the rehousing and the emptying of the block, at an ongoing significant cost to the Council.
25. To address the issues in point 23 above, it was agreed by Senior Officers (Director of Resident Services and the Director of Major Estates) in November 23, that Marie Curie residents are afforded maximum priority to place bids for pre advert properties, and where they choose to view and choose to select a suitable property, a Direct Offer for the property is made. This approach will remedy the frustration residents have experienced and the lack of successful bidding to date. It is envisaged, this new approach which is supported by residents and the T&RA, will apply to less than 3-5 residents, those who have not been rehoused at either Crimscott St or the Commercial Way new builds or by way of bidding.
26. The Director of the Major Estates continues to Chair a monthly and weekly Officer meeting with representatives from Residents Services and Asset Management colleagues to share information and discuss the rehousing needs of residents and the progress with emptying the block.
27. The Director of Major Estates attends the monthly Sceaux Gardens T&RA meetings to keep residents updated.
28. Of the 4 leasehold properties, all are non-resident leaseholders.
29. A number of leaseholders were originally awaiting the outcome of the work being undertaken and for the council to specify the works that are required to the block. The decision awaited by Leaseholders related to what works will be recharged to leaseholders before they make a decision on whether they want to be rehoused temporarily whilst the works are undertaken, or move permanently and sell their property to the council. On a positive note, of the 4 remaining Leaseholders, 3 have indicated to the council, they wish to sell back their Leasehold interest to the council. 1 leaseholder is currently undecided, but further discussions will take place.

Policy framework implications

Rehousing

30. The existing housing allocations scheme takes into considerations circumstances where residents are required to move to enable essential works to be completed within the property. This entitles tenants to the highest priority band 1 and has been applied to Marie Curie residents. Households would generally be rehoused into new properties based on their bed need, however in order to facilitate moves, we have agreed households who are under occupying can bid for the same size property. Where a household decides to downsize, we will offer the incentive payment in addition to any other payment to residents set out in the previous report.
31. It must be said, that the rehousing of Marie Curie residents has not been a smooth or quick process from the perspective of residents. There are lessons to be learned for both future urgent rehousing projects, and in order to ensure the remaining Marie Curie secure tenants can be rehoused smoothly, this includes:-
- 1) Ensuring a 'one council' approach to all rehousing matters, with all teams working towards one shared objective at pace and with urgency.
 - 2) Where residents have viewed and selected properties, there have been some delays in completing repairs or providing paint packs, which serves to delay residents moving. It is anticipated, that these issues can be avoided in future, with a 'one council' approach.
 - 3) Consideration be given to offering residents an enhanced void repair standard, to speed up the rehousing process. There have been some delays, as residents have queried the quality of the re-let properties and the re-let standard.
 - 4) Allowing residents to put in a maximum number of bids and specifying a reasonable time frame (say 6 months in cases of urgent rehousing). 'Unlimited bidding' over an open ended timeframe, as originally envisaged, serves to cause delays in the building becoming empty, costing the council money.
 - 5) Earlier consideration of a pre advert, direct offer approach, would have assisted residents and avoided frustration in them placing bids, and residents not coming first.
 - 6) Earlier identification and intervention of residents who could benefit from medical priority, voluntary or working stars, and statutory overcrowding status; and their housing applications reflecting these priorities as this can make the difference between successful or unsuccessful bids.

32. Fire Safety

In November 2020, Council Officers and the LFB were called to flat 54 in Marie Curie House. The resident reported smoke present in the bathroom, which caused their domestic smoke detection to activate. Compartmentation surveys were undertaken in November 2020, as a result

of the reported issues. Following the recommendations of the Compartmentation Report a Waking Watch was implemented in December 2020. In addition a communal fire alarm system was installed to support the Waking Watch. The Waking Watch is still in place as building has residents within the block.

Community, equalities (including socio-economic) and health impacts

Community impact statement

33. As well as the 98 homes at Marie Curie there are two community projects and the Sceaux Gardens TRA that are based in the block.
34. Understandably these are much valued community assets and the council is committed to working with the TRA, the Bike Project and Makerspace to keep the organisations going during any future development options. The council will work with both Projects to provide alternative space.

Equalities (including socio-economic) impact statement

35. Section 149 of the Equality Act, lays out the Public Sector Equality Duty (PSED) which requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. The council's Approach to Equality ("the approach") commits the council to ensuring that equality is an integral part of our day to day business.
36. As most of the residents have chosen to move, the main equalities issue centres on their rehousing opportunities. The council's allocations scheme was approved following detailed consideration of its impact on equalities, and all residents moving permanently will be rehoused through this scheme. However, some residents could be disadvantaged through a lack of access to IT, a lack of understanding of English or any residents who have difficulties with literacy. The Marie Curie team has an understanding of each resident's needs and are supporting those residents who could be disadvantaged because of these circumstances. Personal Rehousing Plans were completed with all residents from June 2023. Rehousing of residents should not have any negative impacts in relation to any of the protected characteristics under the Equality Act.

Health impact statement

37. The rehousing of Marie Curie is aimed to address the health and safety issues identified by the annual fire risk assessment(s) of the building. The remaining residents must be rehoused at pace to mitigate any residual health and safety issues.

38. The opportunity to be rehoused on a permanent basis (some in new builds) that the vast majority of Marie Curie residents have chosen, will enable those residents with health issues and those who are overcrowded to be rehoused in much more suitable homes. This will have a positive health impact on all households, especially overcrowded households.

Climate change implications

39. On 18 June 2019, the council's Cabinet agreed the resolution passed by the council assembly on 27 March 2019 to "declare a Climate Emergency and do all it can to make the borough carbon neutral by 2030." The Cabinet noted "that there are considerable financial savings to be made by 'going green', whether it be more energy efficient lighting, smart meters at council properties, or piloting energy generation schemes such as installing solar panels on council properties".
40. The government estimates that residential buildings account for 27% of Southwark's carbon emissions. The Council's direct emissions account for 12% of the borough's emissions and council housing is the second largest contributor to carbon emissions at 14%. The council therefore plans to take targeted actions across energy supply and usage and to retrofit council buildings including council homes to make them greener.
41. In line with the council's climate emergency declaration and its climate action plan, the future plans for Marie Curie will make any new housing provision significantly more energy efficient and reduce carbon emissions.

Resource implications

42. The RSOs dedicated to Marie Curie House, are seconded into the Major Estates Team.
43. There were originally 85 tenants to be rehoused. At an average of £10k per tenant which includes: the lump sum payment of £6,500 agreed by Cabinet; the cost of the removal company; reasonable costs related to soft furnishings such as curtains and carpets; the disconnection and connection of services such as phones, TV; and the redirection of post.

Legal Implications

44. The comments of the Assistant Chief Executive, Governance and Assurance are set out in the supplementary advice section of this report.

Financial implications

45. This report focuses solely on the rehousing of element of Marie Curie, of which there are both revenue and capital implications. The current revenue cost to the HRA is a loss of rent and services charges, as well as council tax on voids, although an exemption for council tax is currently being applied for.

46. The cost of the waking watch on Marie Curie to date is detailed below and has recently reduced from three wardens to two wardens, a saving c. £150k per annum, however, increases in the London Living Wage and inflation in 2024-25 will offset some of this reduction. The expected cost for 2024-25 is £400k for the year.

Waking Watch Costs by Year (From Finance Outturn report on 09/02/24):

| | £ |
|---------------------|------------------|
| 2020/21 | 124,122 |
| 2021/22 | 327,752 |
| 2022/23 | 573,033 |
| 2023/24 (up to Feb) | 421,679 |
| | 1,446,586 |

47. There are a further 7 secure tenants to rehouse and at an estimated average of £10k per tenant including: the lump sum payment of £6,500 agreed by Cabinet and the cost of the move, expected to cost £70k overall over the coming months.
48. Marie Curie has a further four properties owned by non-resident leaseholders that the council will need to purchase. The cost of acquiring these leasehold properties is estimated to be in the region of £1.24m (based on each buy back on average costing circa £310k) and are included within the capital programme.

Consultation

49. A Resident Project Group has been established for Marie Curie, separate from that of Sceaux Gardens, to ensure the Marie Curie issues are dealt with directly with Marie Curie residents. The Resident Project Group meets on a monthly basis.
50. All residents have had a one to one with a Resident Services Officer to discuss their particular needs, and to help residents to move. The one to one conversations will continue with residents until they move. Updated Personal Rehousing Plans were completed with residents during the Summer of 2023. There is ongoing one to one support for all remaining residents.
51. A fortnightly newsletter is distributed to both the remaining residents of Marie Curie, to keep residents informed and to address issues of concern raised by the Resident Project Group that can be shared with all residents.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive, Governance and Assurance (14/02/2024 DG)

52. Cabinet endorsed the approach to the rehousing of council secure tenants and the acquisition of leasehold interests in properties at Marie Curie on 14 September 2021. The legal implications of this approach were provided in the report presented to cabinet at the time.
53. This report does not identify any significant changes to that approach, though recommends the council make use of its ability to make direct offers to the small number of remaining council secure tenants in occupation at Marie Curie. The council's housing allocation scheme makes provision for direct offers of accommodation.
54. As the recommendation will apply to only a small number of council tenants who remain in occupation of accommodation at Marie Curie, the impact on the overall system of priorities in the council's allocation scheme is likely to be insignificant.
55. Cabinet members are reminded that the public sector equality requirement to give active consideration to the impact of the proposals on residents and where any disproportionate effects on groups sharing protected characteristics are identified, to mitigate, if possible, is a continuing one and due regard must be given to it throughout the programme. Members are referred to the community impact and consultation sections of this report that references the consideration given and action taken.

Strategic Director of Finance

56. The strategic director of finance notes the contents of the report and the costs arising as outlined in the financial implications section above.
57. The additional revenue cost and rental loss has been and will continue to be met from contingency sums within the Housing Revenue Account and/or reserves as required. With capital costs largely accounted for in previous years. However, given the ongoing financial difficulties the Housing Revenue Account (HRA) is facing, the rehousing of the remaining tenants remains an urgent priority to reduce the reliance on Waking Watch and decrease costs.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|--|---------------------------------|
| Cabinet reports: Marie Curie – Safety works and resident rehousing offers. 14 September 2021 | Constitutional Team, 160 Tooley Street, London SE1 2QH | Paula Thornton 020 7525 4395 |
| Web link: http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=7420 (Item 10) | | |

APPENDICES

| No | Title |
|------|-------|
| None | |

AUDIT TRAIL

| | | |
|---|---|--------------------------|
| Cabinet Member | Councillor Sarah King, Council Homes | |
| Lead Officer | David Quirke-Thornton, Strategic Director of Children and Adult Services covering the role of Strategic Director of Housing | |
| Report Author | Sarfraz Hussain, Director of Major Estates | |
| Version | Final | |
| Dated | 22 February 2024 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments Included |
| Assistant Chief Executive, Governance and Assurance | Yes | Yes |
| Strategic Director of Finance | Yes | Yes |
| List other officers here | | |
| Cabinet Member | Yes | Yes |
| Date final report sent to Constitutional Team | 22 February 2024 | |