

Appendix 4

Affordable Self-Build Consultation Report

Introduction

From 1 April 2016 the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) places a number of obligations on all relevant authorities. These include:

To keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to build their own homes in the authority's area and to have regard to those registers in carrying out their planning, housing, land disposal and regeneration functions. Local authorities are also required to publicise its register and give suitable development permissions in respect of enough serviced plots to meet the demand.

Since the legislation was enacted the council has been maintaining a self-build register in line with the requirements and has been developing a policy approach to support a self/custom build programme.

On the 16th October, the council launched its Draft Affordable Self-Build Policy and Guidance documents, and at the same time embarked on a 6 week long consultation process that concluded on the 30th November 2019. A dedicated web page was also set up in conjunction with the launch of the policy to capture the views of residents and other stakeholders with an interest in self-build.

The purpose of this report is to provide Members with information on the consultation process adopted to inform prospective self-builders of:-

- a) The Policy and Guidance
- b) The indicative programme
- c) The nature of the first sites to be released

The report also summarises the feedback received to date with recommendations on the way forward.

The consultation process

In terms of engagement, a wide spectrum of stakeholders were consulted on the proposals. They included:-

- Applicants on the self-build register
- Neighbouring residents, businesses and organisations to the sites earmarked for disposal
- Tower Hamlets Residents.
- Tower Hamlets Housing Forum
- Social media

Self- Build Register

In accordance with the legal requirements, the council has maintained a self-build register from April 2016. At the 30th October 2019, there were 235 entries on the list, of which 228 are individuals and 7 are groups.

Self-Build Forum

Since May 2017, the Council has been facilitating a Self-Build forum at the Town Hall to which all applicants on register are invited with Cabinet members attending. Correspondence via applicants on the register and meetings with the forum has been the principal method the council has been communicating with aspiring self-builders in the Borough.

All applicants on the register are invited to attend the Self-Build forum that meets approximately 6 monthly, with an average of 25 people attending each meeting. Through the forum, the council continues to offer support and advice to those on the register, including facilitating workshops and meetings with other stakeholders interested in self-build.

On the 16th October 2019, council officers presented the draft policy and guidance to the forum. 35 people attended the meeting and the following provides a synopsis of the key themes arising from the meeting:-

Affordable Self Build Publication

As part of the consultation process, a brochure was produced in October 2019 and delivered to residents, businesses, Housing Associations and other organisations within the vicinity of the identified sites that outlined the main elements of the policy and guidance, an indicative process and time timetable for delivery, and the first sites to be advertised. Audiences were provided with information on where to view policy details and invited to comment on line via the council website by 30th November 2019.

Consultation Open day

The Brochure outlined above invited interested stakeholders to attend an event at the Whitechapel Ideas Store on the 9th November 2019 that was facilitated by council officers and a representative from Community Led Housing London.

Approximately 100 visitors attended, with the good mix of residents across the borough. Through the various conversations officers were engaged in with attendees and the information captured on the day, the following summarises the general views conveyed:

- Visitors were most interest in the site on Lark Row.
- People were prompted to attend the event because of concern about development in their area although most people were supportive of the programme.
- A number of industry professionals attended the event who wanted to offer their services.

On line consultation survey

Running in tandem throughout the consultation period was an online survey that sought to capture wider views on the proposals, the responses to which are provided as an Appendix to this report.

Tower Hamlets Housing Forum (THHF) Executive

On the 27th November 2019, Officers attended the THHF Executive meeting to brief the main Registered Providers operating in the borough on the proposals. Representatives from 11 of the social housing providers were in attendance.

Social Media

The Communications Team circulated details of the consultation process via the twitter platform. Although comments arising from this medium are not captured by the Communications Team prospective respondents were advised to complete the on-line survey to relay specific comments. We are also aware from officer feedback at the consultation events that some visitors attended as a direct result of being have informed through twitter feeds.

Summary of responses

The following information summarises the headline responses from each of the consultation activities. Detailed information on the results are appended found in the Appendix to this report.

Consultation survey:

Number of responses:

- Consultation survey: 27 individual responses
- Self-Build Forum: 35 attendees
- Consultation open event: Approx. 75 attendees

Consultation survey questions (27 responses)

- 74% of respondents were individuals, while 26% were responding on behalf of an organisation, group or business.
- 70% of respondents have been interested in self-build for some time, while 19% had no prior interest.

- 74% of respondents either live or work in Tower Hamlets.
- Respondents came from a broad mix of current tenures – 30% private renting, 22% social renting and 15% owner with mortgage.
- 93% of respondents were either supportive or very supportive of the draft Self-Build Policy.
- 89% of respondents were either supportive or very supportive of the draft Self-Build Policy Guidance.
- 89% of respondents were either supportive or very supportive of the proposed sites.

Consultation open event

- The consultation was primarily attended by interested individuals living in Tower Hamlets who are new to self-build and wanting to know more
- A considerable number of attendees did have some prior knowledge of self-build housing and wanted to know more about the proposed programme.
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In addition to the specific questions within the survey, open questions and conversations held at the Forum and open event, the following issues, questions and clarifications were often raised :-

Individual self-builders

The majority of respondents to the consultation were individuals with either some or no prior knowledge of self-build housing, as opposed to pre-existing housing groups. Respondents consistently questioned whether and how individuals would be able to bid for sites released through this programme and what support was available to individual bidders. Concerns on this topic centred around having to compete with larger groups and the lack of opportunity for individuals to develop on their own

Affordability (income cap, viability, tenure, example bids/routes)

A number of questions were raised in relation to the way the policy and guidance refer to affordability. While there were responses both for and against the 90k household income cap (and recommendations for both a higher and lower cap), respondents consistently requested clarity on how bids were going to be assessed in relation to this cap and also to the Council's aspiration for affordable rent.

Concerns were also raised as to the viability of providing 100% affordable units on the proposed sites. Respondents asked whether a mix of tenures, including private sale to cross subsidise affordable tenures, would be accepted.

Borough residents

Some respondents criticised the proposal's requirement that self-builders must have lived or worked within the borough for at least three years. A common response was

that housing groups are often defined demographically (by age, sexuality or socioeconomic status) rather than geographically, with their community members coming from across London. Younger private renters who may have lived more transiently in different boroughs within a short time frame also felt disadvantaged by this aspect of the policy.

Available support

Respondents questioned how realistic it is for an individual or group to deliver a self-build scheme. Questions covered a range of issues including how to form a group, funding a bid (architects and other fees) and financing the development.

Rented properties

Some respondents questioned how rental properties would be owned and managed in a self-build scheme. Respondents asked whether the Council would take a role in the management and maintenance of rental properties.

Community benefit

Greater explanation of how community benefit would be assessed was requested. In addition it was suggested that 'local connection' make up a part of the assessment criteria for bids

Sites (capacity and info)

The Lark Row site attracted the most interest during the course of the consultation, though all attracted some interest. Respondents requested that further information from the due diligence be provided at the time the sites are released

Recommendations

As a general recommendation, any requirement the Council wishes to make of bids/bidders (such as the provision of affordability and specific tenure, or the residence/workplace of bidders) should be treated as a weighted criteria within the bid scoring methodology. Strict yes/no criteria should be avoided so as not to overly restrict proposals coming forward that meet the majority of the Council's aspirations but miss out/score less highly on one or two.

Individual self-builders

The policy and guidance should clarify under what circumstances individual self-builders would be able to bid for a site. As already stated, individuals would be eligible to bid for sites that could only accommodate a single unit. Clarity could therefore be given as to how the optimum capacity of each site will be determined, possibly through planning advice at the time of submission.

Affordability

Clarity is required to justify the 90k household income cap for prospective bidders (through reference to set criteria for London shared ownership) and how this will be assessed.

With regard to affordable rented, it would be worth making the distinction between the Councils *aspirations* (100% affordable rented) while clarifying that tenure and amount of affordable units proposed will be assessed as weighted criteria against these and other criteria within the bid scoring methodology.

Confirmation is also required as to what safeguards the Council will take to ensure that what is proposed in the bid and subsequent planning application is then delivered. This could be done through contractual arrangements within the lease to the preferred bidder not to transfer full ownership until certain conditions are met and the development is complete.

Borough residents

As with affordability, it is recommended that the requirement for bidders to have lived/worked in the borough for a minimum of 3 years is communicated as an *aspiration* of the Council and assessed as weighted criteria within the bid scoring methodology. This would ensure flexibility if, for example, a bidding group met all other criteria but consisted of a proportion of borough residents and a proportion of wider London residents.

Available support

The guidance document should make explicit reference to the Community Housing Fund which is secured to 2023 to grant both capital and revenue funding for groups to develop their ideas and deliver proposals. Links should also be made to Community Led Housing London (also supported until 2023) with an explanation of the kinds of support available.

Rented properties

Clarity should be given that the Affordable Self-Build Programme is a site disposal programme and that the Council will not take any role in the future management or maintenance of self-build properties. Where rented tenures are proposed, it would be the leading community led organisation (or partnering organisations such as a Registered Provider) that would rent units to individual members. There are various options for this, such as through a secure/shorthold tenancy arrangement or the establishment of a housing cooperative.

Sites

Clarity to be provided that full due diligence information will be made available for each site as and when they are released for bidding.