

Bellevue Mansions

Tpas Independent Tenant and Resident Advice for Bellevue Mansions

Tpas Update

What we found on our recent door knock on Bellevue Mansions

In late May as promised we did an initial door knock on the estate to introduce ourselves to residents, get to know people a little and understand what they think about the proposals.

It was nice to meet people at Bellevue Mansions and we'd like to thank everybody who spoke to us.

We found that:

- People did not have much confidence in Hyde as they were not happy with the service they had been receiving.
- People did not really seem clear on what was being proposed and why.
- There was a mixed response from residents on the condition of their homes and many were not sure what the alternative was.
- People were not sure about the role of Tpas and our relationship to Hyde.

This newsletter is an attempt to address some of the issues that people raised and give you our independent take on where things are.



Why should you trust Tpas? Our role explained

In London, any proposal to demolish social homes like yours requires a ballot of residents before going ahead.

The same regulations say that an independent resident advisor must be appointed to advise residents on how the proposals could affect them, on any negotiations with the landlords for proposals they put forward and also on the ballot process. We also are there to check that any information that is sent to residents is accurate, comprehensive and not misleading.

The landlord is required to cover the cost of our services, but we act independently, and the landlord does not tell us what to say. Our messages and communications are our own.

To be clear we have no view on, or preference for, which way residents vote on the proposals. Our only concern is that everyone is clear on what the proposals mean for them so they can make an informed decision on how they vote.



What this means for residents individually

So, for each resident individually we are available to give them independent advice on the proposals, answer any questions they have and speak to the landlord on their behalf (if they wish) about any issues they have.

In addition to being available for every resident we also want to actively contact every resident to discuss what's proposed and make sure everyone is clear on their rights, the process and their options.

So, if you don't want to talk to Hyde and/or are not sure if you trust the information they are giving you. You can talk to us as an independent source of advice as we have no vested interest in the way you vote.

What does this mean for residents collectively?

As part of this process the landlord must draw up proposals for the residents to vote on. Best practice and the housing regulator expect the landlord to make every effort to consult the residents on these proposals to get their views.

The landlord is also expected to draw up their proposals with resident representatives via a **resident steering group** if possible.

This is basically a negotiating group where resident representatives try to ensure what is offered gives residents the best options possible. The steering group also looks at what a no vote will mean, and this is fair in terms of the landlord's management and maintenance responsibilities.

Our role in steering group meetings is to advise steering group members on the content of what is being said, its accuracy and their options. We also meet with resident representatives separately between steering group meetings to go through the issues being discussed.

(We would advise any interested resident to get involved in the steering group if they can as it has a lot of influence on deciding on proposals and the general consultation process.)

As was said above we will also be monitoring the communications to check they are accurate and the consultation process to see it is as inclusive as it can be. The steering group is also consulted on communications as well.

The ballot will be happening!

So, whether you are in favour of proposals or not or just don't know, Hyde will be balloting eligible Bellevue Mansions residents on their proposals for demolition and regeneration. (please see our next section on who is usually eligible to vote).

As a resident you will be able to vote on these **and they can only proceed if a majority of the residents who vote, vote in favour of them.**

So, the most basic thing is to make sure you do vote as the decision will be based on a straight vote of those who do. **So not voting will mean you are leaving the decision to others.**



But apart from voting you do not need to do anything else and do not need to take part in any consultation activities or read any literature. All you need to know is when and how to vote. We think this will be in early 2025, but this is just an estimate.

However, we do not advise taking this approach. As a minimum we would advise that you read the published proposal document when it comes out so you understand what you are being asked to vote on and how it will affect you.

We would also advise that if you can, you try to get involved in consultation on the proposals so you can help shape them. You can also ask questions about what happens if there is a no vote and help shape this as well.

In any event you are not individually in control of the outcome, so we think it is important that you try to have as much say in the proposals as possible.

Of course, it's up to you. We are here to help you however much you want to be involved in the process.



Who is eligible to vote as a resident?

The Mayor of London's guidelines say the following on which residents in the affected area are eligible to vote:

- Any affected social housing tenant whose name is on the tenancy agreement of their home.
- Any affected leaseholder whose name is on their lease agreement and who has been resident in their property at least 12 months before the proposal document that people will vote on is published by the landlord.
- Any other affected resident who has been on the council's housing register for 12 months prior to the offer document that people are asked to vote on is published by the landlord. (This means that if you are a tenant of a private landlord, you will only be able to vote if you have been on the council housing register for this 12-month period).



There is no limit to how many people can vote from the same household provided they meet the eligibility criteria above. People can only vote once, and you have to be over 16 to vote.

The Hyde proposal document or related documents will detail voting eligibility and specify who is entitled to vote when it is issued, but this is our understanding of the regulations as they are currently applied in London.



So, what do you need to know?

This depends on if you are a Hyde tenant, a leaseholder or a tenant of a private landlord.

If you are a Hyde tenant

If you are a Hyde tenant and your home is to be demolished at the basic level,

- You are entitled to be rehoused in what is called **suitable alternative accommodation** which takes into account your housing needs and where you need to live.
- You are not entitled to a home exactly the same as the one you live in now but one that the landlord says is suitable for a household of your type and your local needs (e.g. need to be close to schools, employment, relatives etc).
- You can choose to move permanently off the estate or move to temporary accommodation and return to a newly built property on the estate. The standard of the temporary accommodation must be of the same standard as what you would be offered in a permanent move.
- You are also entitled compensation for losing your home, called Home Loss at the moment this is £8100. This only paid once, and the amount is regularly reviewed by government and so can change. It was last reviewed In October 2023. You can also claim disturbance compensation for any reasonable cost associated with moving home once or twice (if you wish to return).
- You are entitled to keep the same tenancy rights as you had before. So, if you currently still have a right to buy, for example, you will still retain this in any new property.

All this will be covered in the proposal from Hyde. However, the above is just your basic legal entitlement and often the landlords go beyond this to make proposals attractive and the processes user friendly.

If residents reject the proposals, you need to know what happens then in terms of what refurbish works will be carried out by Hyde to improve your home and what will these involve.

Currently Hyde say on their website that refurbishment means updating various components of the buildings, including electrics, heating system, insulation, etc. to bring it up to required modern standards. What this means in practice, and the level of the works involved, will need to be looked at in more detail as part of upcoming consultation.

So that's just a flavour of the issues for tenants and hopefully shows why we think it is worth people getting involved in the consultation on proposals and understanding what is in the proposals themselves before they vote.



Leaseholders

If you are a leaseholder and your home is to be demolished (after the ballot), the issues you need to think about are:

- The guiding principle for landlords is to treat leaseholders fairly and to fully compensate them for any losses they may incur because of their home being demolished and them having to move to a new home.
- **What kind of financial offer will I get for my property?**



This is usually market value before demolition was announced. The valuation is done by an independent qualified valuer appointed by the landlord. You can however appoint your own qualified valuer which the landlord will pay for. Both have to follow the same valuation guidelines.

- **What help can I get with selling my property and getting a new one?** Landlords often do offer some advice and support to leaseholders here.
- **Getting other accommodation and eligibility for social housing?** Usually, leaseholders will not be eligible for social housing or emergency accommodation from Hyde or the council, but it depends on circumstances.
- **Will I be able to return to the estate and buy one of the new build homes for sale?**
Landlords should offer leaseholders the opportunity to buy a home on the new estate and offer them a fair deal in respect of these new homes. More generally landlords can consider any other ways they can support resident leaseholders to acquire a new home on the open market, but this is at the landlord's discretion.
- **Will I get compensation for losing my home?** What about moving costs? Leaseholders living in their property are legally entitled to home loss compensation of 10% of the valuation of their property (This is currently a minimum of £8100 up to a maximum of £81,000). In addition, they are entitled to compensation to cover all reasonable costs associated with moving. This includes costs of selling the home and stamp duty etc alongside normal home moving costs.
- (It should be noted that a leaseholder who is not resident in their property but has had an interest in it for over 12 months (usually a landlord) may be entitled to a 'basic loss payment' of 7.5% of the agreed value of their property with a ceiling of £75,000. In addition, they are entitled to claim reasonable disturbance costs).

Again, the above is really the basic position and the landlord has some discretion. So, it's important for leaseholders to understand what is in the proposal document, *even if they do not support demolition plans*, as if there is a vote in favour then they will be subject to those proposals. For the same reason we think it's important for leaseholders to get involved in shaping the proposals to be voted on.

If there is a vote against the proposed demolition, then Hyde have said on their website that they will look to refurbish the properties which they have said will mean carrying out repairs to bring the homes up to current building standards. On their website it says that by refurbishment of the building they mean "updating various components of the building including electrics, heating system, insulation, etc. to bring it up to required modern standards" They also say that "refurbishment works are expensive, and leaseholders would have to contribute to the cost of this work"

So, in our view it's important for leaseholders to understand what refurbishment works would entail and the likely cost of these when considering the proposals and again another reason we would advise them to get involved in the consultation process.



Tenants of private landlords living in properties likely to be demolished

Unfortunately, as tenants of private landlords you have less rights and protections than tenants of Hyde. You do not have the right to be rehoused or a right to return to a newly built property.

You are entitled to go on the Lambeth's housing register as you will be made homeless by the demolition. However, your entitlement to social housing will be assessed based upon your circumstances as will your priority. Most landlords will offer support to tenants of private landlords to apply get on the housing register.

If a tenant of a private landlord in Bellevue Mansions has been on the council housing register for over 12 months from the date the landlord proposals are published, they will be eligible to vote on the proposals. If they have not however, the regulations state they will not be eligible to vote.

But again, what we are describing is the minimum position and landlords do have some discretion in terms of what they can do to help private residents. Equally though, given the demand for affordable housing in the area, this support can be limited in scope.

So again, we would advise all tenants of private landlords on the estate to get involved in consultation on the proposals, ask Hyde what support it will be providing to private tenants and establish if they will be eligible to vote when Hyde give more details on the eligibility rules.

So, what does this all mean for residents?

- There **will** be a ballot by Hyde on their proposals to demolish Bellevue Mansions and build new properties for rent and for sale on the estate.
- It is important for all residents to understand what the proposals mean for them and if they can, get involved in the consultation process Hyde will carry out. This is so their views can influence what people are asked to vote on.
- It's also important for residents to understand what will happen if they reject the proposals.
- So, our view is it's important for you to get involved in any consultation on proposals and give your feedback.
- If you want to maximise your input into the proposals, we also advise joining the resident steering group.
- We think that not getting involved in the consultation process is **not advisable** as even if you don't support the proposals, you may be affected by them if a majority of voting residents support them.
- Our advice is that whatever your view on the proposals, you should vote on them. **The vote will be determined just by a majority of those who vote. So, if you don't vote you will not have any effect on the outcome.**

We would like to talk next about what happens next and what we as your independent advisor will be doing.



So how can I get involved? What happens next?

To draw up its proposals Hyde need to consult residents on:

- Proposed designs for the regeneration of the estate
- How the process will work for residents in terms of rehousing options and compensation
- Their current circumstances and rehousing preferences
- What is proposed if residents vote against the proposals



This usually involves the landlord:

- Running consultation events and meetings on different elements of the proposals to get resident feedback. This may also involve sending out documents and surveys as well
- Working with a resident steering group to look at feedback from resident and develop the proposals for residents
- Doing home visits to find out about people's circumstances and move preferences

Ongoing and future consultation

As we understand it Hyde have already held some consultation events and sent out information to residents on what's proposed generally. This started In October 2023.

Hyde have also had staff calling door-to-door to talk to residents and conducting a housing needs survey to get a picture of residents' current circumstances. As we understand from Hyde, they have only had a 50% response to these surveys.

We anticipate this consultation will continue to keep people informed on progress and we also expect it to become more focused on elements that are likely to be in the proposal document to get people's views and preferences. We anticipate there be specific consultation and information on its contents and any related issues such as how the ballot will be conducted and who is eligible, etc.



When the offer document is finalised, there will also be more information on the ballot process itself and who is eligible. At the moment, it looks like any ballot on the proposals will be in early 2025.

*If residents support the regeneration proposals (i.e. **vote yes**) then work on regeneration will probably start in 3 to 4 years' time and discussions will start with residents on estate designs and moving home. If people don't support the proposals (i.e. **vote no**) work will start on consulting residents on refurbishment of the existing property.*



So, we would urge all residents to get involved in the consultation process as your feedback will play an important part in shaping them as well as helping you understand the detail of what is being proposed or considered. If you don't take part, you won't be able to input into the proposals and potentially affect them. You also will not have the opportunity to get answers to things you want to know or issues that are important to you from the Hyde staff working on the project.

We would also encourage people to take part in the housing needs survey. These are a common element of processes like this and are seen as best practice by the housing regulator. Their purpose is to understand people's most up-to-date circumstances to ensure their needs are properly met in any move and understand any issues people currently face in their homes. If people do not complete a housing needs survey with Hyde it will not stop the ballot on the proposals going forward, but it will mean the landlord will not have all the information they need to match people properly to new housing if residents vote in favour of regeneration.

As we have said throughout, we would also urge residents to get involved with the resident steering group if they can, as this will be an important group the landlord will discuss its proposals with. It is our experience that residents who do become steering group members have a significant ability to shape proposals and consultation about them. We would also urge residents to attend any consultative or briefing meetings or events Hyde are running for residents, as well as complete any surveys sent out to residents. This is because the landlord has to consider all feedback it receives on its proposals.

What will Tpas be doing?

Now we have been appointed, we will be attending future consultation events, providing **INDEPENDENT** individual advice, reviewing documents and supporting the steering group.

More immediately we would like to talk to every resident at Bellevue Mansions individually to:

- Get their views on the proposals in relation to regeneration and refurbishment.
- Get a better idea of their circumstances and concerns.
- Answer any questions they have and give any advice we think may be helpful.

From our point of view, we want to make sure we have as good a picture as possible of resident issues and circumstances so we can represent resident interests and views as effectively as possible.

We also want to make sure that everyone understands their rights, how the process might affect them and what they are entitled to expect in terms of housing, consultation and compensation.

Any information you give to us will be treated in strictest confidence and we will only pass on any information to Hyde with your express permission.

We are experienced in doing independent resident advisor work, but every project is different. So, we can't promise to have answers to every question immediately, but what we can promise is that we will find out the answers for you if we don't know.



What's next from Tpas?

Shortly after you receive this newsletter, we are planning to contact every resident to arrange to talk to them individually by phone or face-to-face if they prefer. So, you will hear from us soon.

(Just for your information it is normal practice for independent advisors to be given resident contact details as we need these to carry out our role effectively. We have signed a data protection agreement with Hyde and we are subject to the same data protection rules as Hyde in terms of confidentiality.)

If there are any dates that are more convenient for you, or any particular time that suits you (even if this is in the evening or weekend) just ring us on our freephone or email to let us know.

After we have spoken to as many people as we can individually, we are happy to hold a meeting with residents locally, with just us present, to discuss people's concerns and answer questions. If you are interested in this, please let us know when we contact you or again by emailing or telephoning us.

Final thoughts

We hope this newsletter has emphasised that we are independent from Hyde and our role is to give all residents our independent advice.

We have no preference for how you vote in the ballot and all we are concerned about is that you feel you have all the information you need to vote on the landlord proposal for Bellevue Mansions with confidence.

So, if you do want to speak to us to get independent advice or just have a chat with us more generally, please get in touch. We will also be posting regular updates on our website, so please make sure you check this regularly.

Please contact us if you have any questions about what's in this newsletter or more generally about any issue you would like to discuss, and we look forward to speaking to you and hopefully as many residents as possible.

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