Getting ready for a new South Kilburn

Information for Secure Tenants of Phase 2B

(Updated August 2013)
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The regeneration programme aims to change South Kilburn into a sustainable and mixed community by delivering 2,400 new high quality homes. Brent Council also hopes that the regeneration will provide residents with improved open spaces, new shops, new health facilities and a new consolidated school.

The regeneration of South Kilburn is taking place in phases. The first phase of the regeneration programme is well underway. It was split into two sub-phases; 1a and 1b. Phase 1a comprised 362 high quality homes and is now complete. Of the 362 new homes developed, 264 were made available for existing tenants. Phase 1b started on site in 2012 and will deliver 208 new homes, of which 122 will be made available for existing secure tenants. These homes are expected to be complete and ready for occupation in summer 2014.

The next phase, Phase 2, is again split into two phases; 2a and 2b. Phase 2a is expected to provide 373 high quality new homes in South Kilburn, 131 of which will be made available for existing secure tenants. 229 of the new homes in Phase 2a are being planned as part of the redevelopment of Bronte House and Fielding House on Kilburn Park Road. 103 of the 229 homes will be made available to existing secure tenants and are expected to be complete in November 2016. The remaining 144 new homes in Phase 2a are being planned as part of the redevelopment of the site of the old British Legion and Day Care Centre along Albert Road (Site 11b). 28 of these homes will also be made available to existing secure tenants. These homes are also expected to be complete and ready for occupation in November 2016.

This booklet has been prepared to provide information for secure tenants who will be required to move within Phase 2b of the regeneration programme. This will affect all secure tenants living in the following blocks:

- Durham Court
- Gloucester House
- Masefield House
- Wordsworth House

This booklet aims to explain the process of moving home, the likely changes, the legal process and the options available for tenants.

This booklet has been updated since it was first issued in September 2012 to include information on the revised Allocation Policy for Secure Tenants with homes in Phase 2b which was adopted by the Council’s Executive on 20th May 2013.

The information provided is intended to be as accurate as possible although changes can occur. We will keep tenants informed should changes arise.

If you are a tenant but you do not live in the one of the blocks listed above then you are unlikely to be affected by the current phase of the regeneration programme. However, you may be affected by future phases. An updated booklet will be produced for each phase of the regeneration programme.
The regeneration programme

If you live in any of the properties listed below then you will be affected by Phase 2b of the regeneration that will be happening in South Kilburn:

- Durham Court
- Gloucester House
- Masefield House
- Wordsworth House

The Council intends to re-house secure tenants living in these properties in order to demolish and redevelop them as part of the overall regeneration work. The plan below shows which properties are affected, where the new properties will be located and the current estimated dates for when they will be ready.
The new properties

Types of properties

A key aim of the South Kilburn regeneration programme is to rebalance the existing housing stock across the area to create a place which meets the needs of the existing residents but also creates a sustainable place for generations to come.

At present the South Kilburn estate suffers from an over-concentration of smaller flats. The South Kilburn regeneration programme aims to rebalance and provide a more sustainable mix of housing types, which will meet the needs of residents in the short, medium and long term. This will encourage a wider mix of household types within the area and provide opportunity for residents to remain in South Kilburn if their situation changes.

In order to rebalance the housing mix within South Kilburn, the regeneration programme provides for less affordable 1-bedroom flats to be re-provided in order to enable an additional number of larger affordable homes to be provided.

In most cases the home that you will be offered will be one of the new homes that has been built as part of the regeneration works. However as we are changing the housing mix, we may not always have new homes available to match all tenant’s needs. Some tenants may therefore need to move permanently into an existing Council property either within or outside South Kilburn or move temporarily within South Kilburn to a temporary home within a block that is due for demolition as part of the regeneration programme, followed by a second permanent move at a later date. Tenants that have been moved temporarily because they cannot be rehoused directly to new build homes would have a guaranteed right to return to a new home at a later stage. Please refer to page 7, which sets out your housing options.

Sites and timescales for moving

Work started on the new homes in Cambridge Avenue, Chichester Road and Rupert Road in 2012 and the Council expects that these properties will be ready for occupation by existing South Kilburn tenants in summer 2014. All tenants in Phase 2b will be re-housed by summer 2014.

Car Parking

The level of car parking available across South Kilburn is changing, as a result of the on-going regeneration work. Access to a designated car parking space or on street parking cannot be guaranteed for residents, unless you are registered disabled.

View of redeveloped Rupert Road from Albert Road
Your new landlord

Catalyst Housing, a Registered Provider, was chosen as the Council’s partner to construct and manage the new homes on Cambridge Avenue, Chichester Road and Rupert Road. This means that if you are made a suitable offer of a permanent home in one of these sites, Catalyst Housing will be your landlord and you will have an assured tenancy of your new home. Please see page 17 for a comparison between an assured tenancy with Catalyst Housing and the secure tenancy that you have currently with the Council.

Catalyst Housing completed Merle Court, Carlton Vale in 2012.

For more information on Catalyst Housing please visit the website: [www.chg.org.uk](http://www.chg.org.uk). If you do not have access to the internet please feel free to contact the Council or First Call (your independent advisors) for assistance. See page 19 of this booklet for contact details.

Moving from

<table>
<thead>
<tr>
<th>Moving from</th>
<th>Moving to</th>
<th>New landlord</th>
<th>Estimated Move</th>
</tr>
</thead>
<tbody>
<tr>
<td>Durham Court</td>
<td>Cambridge Avenue</td>
<td>Catalyst Housing</td>
<td>Summer 2014</td>
</tr>
<tr>
<td>Gloucester House</td>
<td>Chichester Road</td>
<td>Catalyst Housing</td>
<td>Summer 2014</td>
</tr>
<tr>
<td>Masefield House</td>
<td>Rupert Road</td>
<td>Catalyst Housing</td>
<td>Summer 2014</td>
</tr>
<tr>
<td>Wordsworth House</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>
Your re-housing options

Before the Council starts demolition work on the block where you live, all secure tenants will be made one suitable offer of alternative accommodation in line with the approved Allocation Policy for Phase 2b.

In most cases the new home that you will be offered will be one of the new homes that has been built as part of the regeneration works. If you wish to move to a home elsewhere on the estate, in other parts of the borough or outside of Brent, the Council may be able to arrange this. However, properties elsewhere are often not under Council control or can only be offered in competition with others needing Council homes and are therefore more difficult to secure.

If you do move to a home elsewhere then, depending on who will be your landlord at the new home, you may also be granted a different type of tenancy and/or a tenancy on different terms to your current tenancy.

Some tenants may be offered a permanent move to an existing Council property that is not within the new development, or may need to move temporarily followed by a second permanent move at a later date, for example if we don't have a property available that meets their needs within the new development.

Tenants who move temporarily would be guaranteed a 'right to return' to a new home on the estate. However, most tenants can expect a single permanent move. Please see pages 9 and 10 for more information.

For those tenants who have said that they wish to move off the estate, the Council will try to relocate tenants to their area of choice but this will be dependent upon the availability and suitability of homes to match tenants’ needs. The Council will also look at the option of re-housing neighbours near each other if possible.

Appealing a housing offer

If you feel that the housing offer you have received is not a suitable offer of alternative accommodation, you have a right of appeal to Brent Council.

Please see pages 11 to14 for further details on how to lodge an appeal.
How we assess the size of your new home

All secure tenants with homes in Phase 2b were visited by a member of the South Kilburn Re-housing Team to complete a housing needs assessment which will be used to decide the size of the home you are offered, and will take into consideration any medical factors. The housing needs assessment also recorded any preferences that you may have, though the Council cannot guarantee such preferences will be met.

How the Council decides the size of your new home

The size of your new home will be determined in line with the approved Allocation Policy for secure tenants with homes in Phase 2b and will depend on your needs and the needs and size of your household, as set out in the following table:

<table>
<thead>
<tr>
<th>Single person</th>
<th>1 bedroom</th>
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<tbody>
<tr>
<td>Couple</td>
<td>1 bedroom</td>
</tr>
<tr>
<td>2 adults not living together as couple</td>
<td>2 bedroom</td>
</tr>
<tr>
<td>1 or 2 adults + 1 child</td>
<td>2 bedroom</td>
</tr>
<tr>
<td>1 or 2 adults + 2 children</td>
<td>2 or 3 bedroom</td>
</tr>
<tr>
<td>1 or 2 adults + 3 children</td>
<td>3 bedroom</td>
</tr>
<tr>
<td>1 or 2 adults + 4 children</td>
<td>3 or 4 bedroom</td>
</tr>
<tr>
<td>1 or 2 adults + 5 children or more</td>
<td>4 or 5 bedroom</td>
</tr>
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Children

Children under the age of 18 will be expected to share with siblings of the same sex, unless there is a five year age difference between them. If there is such a five year age difference and a secure tenant requests, they will be allocated a separate bedroom.

Children of different sexes will be expected to share a bedroom up to the age of 10. Where children of different sexes are above the age of 10 years, they will then be allocated separate bedrooms.

Needs Plus

The Needs Plus principle is intended to act as an incentive for the loss of a larger property and adjusts the basic housing needs assessment to offer one bedroom more than a secure tenant would otherwise qualify for. The Needs Plus principle will only apply to secure tenants that satisfy both of the following:

1) Secure tenants living in a home with 3 bedrooms or more where the secure tenant’s household has more bedrooms than are needed based on the housing needs assessment criteria set out above; and
2) Secure tenants that have the ability to pay the rent on a replacement home larger than they need.

For example:

A single person living in a 3 bedroom home will be offered a 2 bedroom replacement home if they have the ability to pay the rent on a replacement home larger than they need. However, the option of moving to a one bedroom replacement home will be open at the request of the secure tenant, subject to availability.

The Needs Plus principle is at the Council’s discretion. The Council will determine which secure tenant is to be allocated a replacement home with one bedroom more than the secure tenant would otherwise qualify for.

The Government has introduced size and criteria for social housing as part of welfare reform that has cut the amount of benefit that people are entitled to if they are considered to have a spare bedroom. Therefore, secure tenants who are selected for a larger home under the Needs Plus principle outlined above must have the ability to pay the rent on a replacement home larger than they need.

Secure tenants currently living in a 2 bedroom home who only qualify for a one bedroom home will not be offered a 2 bed home unless there are medical reasons to allocate a replacement home with more bedrooms than would otherwise be allocated.

Change of Circumstances

If your circumstances change such that your housing need will be different, please confirm these changes in writing to the South Kilburn Re-housing Team, providing all the relevant documentation.

The Council reserves the right to refuse to accept any changes to a secure tenant’s household composition which would mean providing a larger replacement home. However, such consideration would only be considered in exceptional circumstances.
Before the Council starts demolition work on the block where you currently live, all secure tenants will be made one suitable offer of alternative accommodation in line with the approved Allocation Policy for Phase 2b.

Secure Tenants with One Bedroom Housing Needs

Due to a shortage of certain sized replacement homes, mainly new one bedroom homes currently being built along Cambridge Avenue, Chichester Road and Rupert Road, the Council cannot guarantee that secure tenants with one bedroom needs living in Phase 2b will be offered a new home within these sites. However, all secure tenants currently living in homes in Phase 2b will be made one suitable offer of alternative accommodation as follows:

1) Suitable offer (permanent) Within South Kilburn

For some secure tenants with a one bedroom need, this will mean a suitable offer of a permanent new home along Cambridge Avenue, Chichester Road and Rupert Road.

For some secure tenants with a one bedroom housing need, this will mean a suitable offer of a permanent home within South Kilburn that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme.

2) Suitable offer (permanent) Outside South Kilburn

For other secure tenants with a one bedroom need, this will mean a suitable offer of a permanent home outside South Kilburn. Where possible, the replacement home will be in the south of the borough of Brent.

3) Suitable offer (Temporary) Within South Kilburn

Where a suitable offer of permanent accommodation within or outside South Kilburn cannot be identified, for other secure tenants with a one bedroom need, this will mean a suitable offer of a temporary home within a block that is due for demolition as part of the South Kilburn regeneration programme. The secure tenant will remain in the temporary home until it is required for demolition as part of the South Kilburn regeneration programme, at which time the secure tenant will be made a suitable offer of a new replacement home. This guarantees the secure tenant the ‘right to return’ to a new home on the estate.

4) A Move Elsewhere within the Borough or Outside of Brent

Some secure tenants with a one bedroom housing need may wish to move elsewhere within the borough or outside of Brent. If a secure tenant wishes to do this, the Council will assist secure tenants to find suitable alternative accommodation elsewhere within the borough or outside of Brent but the Council cannot guarantee this outcome. The Council will reserve a suitable offer for the secure tenant in the instance that a move elsewhere within the borough or outside of Brent is not able to be secured within the timescale required by the Council for securing possession of the existing home of the secure tenant.
Secure Tenants with Housing Needs of Two Bedrooms or More

All secure tenants currently living in Phase 2b with a housing need of two bedrooms or more will be made one suitable offer of alternative accommodation as follows:

1) Suitable offer (permanent) Within South Kilburn

For some secure tenants with a housing need of two bedrooms or more, this will mean a suitable offer of a permanent new home along Cambridge Avenue, Chichester Road and Rupert Road.

For some secure tenants with a housing need of two bedrooms or more, this will mean a suitable offer of a permanent home within South Kilburn that is an existing Council property that is not due for demolition as part of the South Kilburn regeneration programme.

2) Suitable offer (permanent) Outside South Kilburn

For other secure tenants with a housing need of two bedrooms or more, this will mean a suitable offer of a permanent home outside South Kilburn, at the request of the secure tenant. In this case, secure tenants will not have a 'right to return' to a new replacement home on South Kilburn in the future. Where possible, the replacement home will be in the south of the borough of Brent.

3) Suitable Offer (temporary) Within South Kilburn

For other secure tenants with a housing need of two bedrooms or more, this will mean a suitable offer of a temporary home within a block that is due for demolition as part of the South Kilburn regeneration programme. The secure tenant will remain in the temporary home until it is required for demolition as part of the South Kilburn regeneration programme, at which time the secure tenant will be made a suitable offer of a new replacement home. This guarantees the secure tenant the 'right to return'.

4) A Move Elsewhere within the Borough or Outside of Brent

Some secure tenants with housing needs of two bedrooms or more may wish to move elsewhere within the borough or outside of Brent. If a secure tenant wishes to do this, the Council will assist secure tenants to find suitable alternative accommodation elsewhere within the borough or outside of Brent but the Council cannot guarantee this outcome. The Council will reserve a suitable offer for the secure tenant in the instance that a move elsewhere within the borough or outside of Brent is not able to be secured within the timescale required by the Council for securing possession of the existing home of the secure tenant.
Legal Process for Relocation of Secure Tenants

The Council needs to re-house secure tenants living in homes within Phase 2b of the South Kilburn regeneration programme so that their current homes can be demolished and brought forward for development.

The Council hopes that the suitable offer of alternative accommodation that the Council will make to secure tenants in accordance with the approved Allocation Policy for Phase 2b 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.

In order to ensure that the Council can undertake the proposed regeneration of Phase 2b of the South Kilburn regeneration programme, it needs to be able to recover possession of homes where secure tenants have refused to move.

The Council proposes to seek possession of those homes using two legal processes: one of the legal processes under which the Council proposes to seek possession of those homes is by court proceedings brought under Ground 10A of Schedule 2 of an Act of Parliament called the Housing Act 1985 and the second is by promoting a Compulsory Purchase Order (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990 to acquire all interests in land which forms Phase 2b of the regeneration programme.

Ground 10A

Further to the formal consultation undertaken with secure tenants with homes in Phase 2b in March/April 2013 and the Council’s Executive giving authority to seek the Secretary of State consent, the Council will now make an application to the Secretary of State for consent to rely on Ground 10A to obtain vacant possession of homes occupied by secure tenants in Phase 2b, South Kilburn.

When the Council needs to secure possession of a home from a secure tenant in Phase 2b, and subject to it having received Secretary of State approval, the Council will serve a notice seeking possession on the affected secure tenant and make them a suitable offer of alternative accommodation. The Council will try to give secure tenants 6 months notice before it requires possession of their current home but this may not be possible in all cases and possession proceedings may commence before the end of the 6 months for some secure tenants who refuse a suitable offer of a replacement home.

However, if a secure tenant believes the Council's offer of a replacement home is not a suitable offer, they will have the right to appeal under the process outlined below.

The Council can apply to the Court for repossession of a secure tenant’s home if the secure tenant, having received a notice seeking possession and a suitable offer of alternative accommodation, does not voluntarily move out of their home.

Appeals Procedure Where No CPO has been Confirmed

If you feel the offer of a replacement home is not a suitable offer of alternative accommodation, you have the right to appeal within 10 working days of the Council making the offer to you.

The Council operates a two-stage appeals procedure where no CPO has been confirmed as follows:

Stage One Appeal: no CPO confirmed

If you wish to make an appeal, you must write to the Council at the address below:

⇒ stating that you do not believe the Council's offer is a suitable offer,
⇒ specifying the reasons why you believe the offer is not a suitable offer
⇒ enclosing any evidence to support your belief that the offer is not a suitable offer (e.g. medical evidence) and
⇒ stating that you wish to appeal against the Council's offer.
Appeals should be sent to:

South Kilburn Re-housing Project Manager
Community Resource Centre,
William Dunbar House,
Albert Road,
Kilburn,
NW6 5DE

If an appeal is received within the allowed time limit, the South Kilburn Re-housing Project Manager will assess the appeal in light of the information provided and taking into account your individual circumstances and your household members.

If the South Kilburn Re-housing Project Manager agrees with your appeal (e.g. on medical grounds) the Council will inform you and at the same time make another offer of an alternative home on the basis that it is a suitable offer meeting your needs.

If the South Kilburn Re-housing Project Manager does not agree with your appeal, you will be informed of the decision within 10 working days of the Council receiving your appeal.

Stage Two Appeal: no CPO confirmed

If you wish to appeal the South Kilburn Re-housing Project Manager's decision and a CPO has not been confirmed in relation to your existing home, you must do so within 10 working days of having received such decision by writing to the South Kilburn Programme Manager at the address below:

⇒ specifying the reasons why you do not agree with the South Kilburn Re-housing Project Manager's decision and
⇒ enclosing any further evidence to support your belief that the Council's offer is not a suitable offer (e.g. medical evidence) and
⇒ stating that you wish to make a further appeal against the Council's offer.

Further appeals should be sent to:

South Kilburn Programme Manager
Community Resource Centre,
William Dunbar House,
Albert Road,
Kilburn,
NW6 5DE

If a further appeal is received within the allowed time, the South Kilburn Programme Manager will assess the appeal in light of the information provided and taking into account your individual circumstances and your household members.

If the South Kilburn Programme Manager agrees with your further appeal (e.g. on medical grounds) the Council will inform you and at the same time make another offer of an alternative home on the basis that it is a suitable offer meeting your needs.

If the South Kilburn Programme Manager does not agree with your the appeal, you will be informed of the decision within 10 working days of the Council receiving your further appeal.

If the secure tenant, having received a notice seeking possession and a suitable offer of alternative accommodation, does not voluntarily move out of their home, the Council will apply to the Court for repossession of a secure tenant’s home.
Compulsory Purchase Order (CPO)

The Council’s policy is to secure the regeneration of South Kilburn in accordance with a phased programme. Use of Ground 10A cannot by itself secure this aim. Therefore, in addition to the use of Ground 10A outlined in pages 11 and 12, the Council will also promote a Compulsory Purchase Order (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990 to acquire all interests in land which forms Phase 2b of the regeneration programme.

The land to be acquired will include properties occupied by secure tenants. The CPO will be relied upon to obtain possession if possession of properties cannot be obtained to ensure timely delivery of the comprehensive regeneration proposals by securing vacant possession of blocks due for demolition under the South Kilburn regeneration programme which gives certainty of timing to enable the phased process of regeneration and the delivery of new homes to continue.

Under section 226(1)(a) of the Town and Country Planning Act 1990 the Council will:

1) Serve a Section 16 requisition notice on the secure tenants advising of the Council’s intention to acquire land which includes their existing home. This notice is a legal document and secure tenants must complete the document detailing their interest in the property and also detail who else has an interest in the property such as other members of the household.

2) Secure tenants will then receive a copy of the draft CPO and a notice explaining its effects. Secure tenants will be advised at that stage that they can voice their objections to the CPO and that these objections will be sent to the appropriate government minister. If there are objections there will be an inquiry and an inspector will make a decision on whether or not the CPO should be confirmed.

3) Make secure tenants a suitable offer of alternative accommodation. If a secure tenant believes the Council’s offer of a replacement home is not a suitable offer, they will have the right to appeal in line with the process outlined below.

4) If the CPO is confirmed, either with or without a public inquiry, serve a Notice to Treat and Notice of Entry on the secure tenants specifying a date for possession. These are legal documents that the Council may to serve on secure tenants which gives the Council the right to enter and take possession of the existing home of the secure tenant, in order to ensure the timely delivery of that property for regeneration.

5) Enforce the CPO to take possession of the home if a secure tenant fails to move to their replacement home. Under CPO the Notice of Entry will be enforced and possession obtained by County Court enforcement officers.

Appeals Procedure Where a CPO has been Confirmed

If you feel the offer of a replacement home is not a suitable offer of alternative accommodation, you have the right to appeal within 10 working days of the Council making the offer to you.

The Council operates a two-stage appeals procedure where a CPO has been confirmed as follows:

Stage One Appeal: where CPO is confirmed

If you wish to make an appeal, you must write to the Council at the address below:

⇒ stating that you do not believe the Council's offer is a suitable offer,
⇒ specifying the reasons why you believe the offer is not a suitable offer
⇒ enclosing any evidence to support your belief that the offer is not a suitable offer (e.g. medical evidence) and
⇒ stating that you wish to appeal against the Council's offer.

Appeals should be sent to:

South Kilburn Re-housing Project Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE
Legal Process for Relocation of Secure Tenants (continued)

If an appeal is received within the allowed time limit, the South Kilburn Re-housing Project Manager will assess the appeal in light of the information provided and taking into account your individual circumstances and your household members.

If the South Kilburn Re-housing Project Manager agrees with your appeal (e.g. on medical grounds) the Council will inform you and at the same time make another offer of an alternative home on the basis that it is a suitable offer meeting your needs.

If the South Kilburn Re-housing Project Manager does not agree with your appeal, you will be informed of the decision within 10 working days of the Council receiving your appeal.

Stage Two Appeal: where CPO is confirmed

If you wish to appeal the South Kilburn Re-housing Project Manager's decision and a CPO has not been confirmed in relation to your existing home, you must do so within 10 working days of having received such decision by writing to the South Kilburn Programme Manager at the address below:

⇒ specifying the reasons why you do not agree with the South Kilburn Re-housing Project Manager's decision and
⇒ enclosing any further evidence to support your belief that the Council's offer is not a suitable offer (e.g. medical evidence) and
⇒ stating that you wish to make a further appeal against the Council's offer.

Further appeals should be sent to:

South Kilburn Programme Manager
Community Resource Centre, William Dunbar House, Albert Road, Kilburn, NW6 5DE

If an appeal is received within the allowed time limit, the South Kilburn Programme Manager will refer the appeal to an independent review body to be appointed by the Council who will carefully review the suitable offer made to you and any representation made by the Council and will advise the South Kilburn Programme Manager whether it considers that the suitable offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973.

Within 15 working days of the independent review body receiving from the South Kilburn Programme Manager a copy of your further appeal.

Within 10 working days of receiving the view of the independent review body:

⇒ the South Kilburn Programme Manager will assess the appeal taking into account the view of the independent review body, the information provided by you and your individual circumstances and your household and decide whether they agree with your further appeal; and
⇒ the Council will inform you of the decision of the South Kilburn Programme Manager and, if the South Kilburn Programme Manager agrees with your further appeal, the Council will make another offer of an alternative home on the basis that it is a suitable offer meeting your needs.

If the independent review body does not consider that the suitable offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973, in most cases it is likely that the South Kilburn Programme Manager will agree with the view of the independent review body, agree to your further appeal and make an alternative offer.

There may be circumstances, however, in which the South Kilburn Programme Manager disagrees with the decision of the independent review body and decides not to do so. If this is the case, the Council will write to you to notify you of the outcome of their further appeal, explaining why it disagrees with the view of the independent review body.

If the independent review body considers that the suitable offer is suitable alternative residential accommodation on reasonable terms within the meaning of section 39 of the Land Compensation Act 1973, it is likely that the South Kilburn Programme Manager will agree with the view of the independent review body and not agree with your further appeal. Where the South Kilburn Programme Manager does not agree with your further appeal, the Council will expect you to move to the home set out in the suitable offer.
The cost of your new home

You are currently paying the following amounts in relation to your Council home:

- **Rent** to the Council (shown in table below);
- **Service charge** to the Council (which varies depending on services provided); and
- **Utility Bills** (electricity, heating and water)

You will continue to pay the same charges in your new home.

**Rents**

Secure tenants who are allocated a new replacement home along Cambridge Avenue, Chichester Road and Rupert Road will pay higher rent than for their existing Council property.

This is due to two reasons:

1) Council rents are below the rents charged by Registered Providers, which are known as target rents
2) The higher value associated with a quality new build home, compared with an existing Council property, will be reflected in a higher target rent

The Council has set rents in accordance with its policy that will lead to Council rents and target rents for properties of a similar size, location and condition becoming more equal by 2016. However, even after 2016, there will be a difference in the rent charged for existing Council properties in South Kilburn, compared with new homes for rent from Registered Providers built as part of the South Kilburn regeneration programme. Secure Tenants who are allocated a new replacement home in South Kilburn will pay the relevant target rent from the date of relocation.

The table below sets out the estimated rents for secure tenants moving to a new replacement home along Cambridge Avenue, Chichester Road and Rupert Road in 2014. As you will see, the estimated rents will be higher than the equivalent Council rents for the same period.

### Service Charges

In addition to your rent, you will be charged a service charge for your new home that will cover the costs of common services provided to your new building. For example, lifts, lighting, cleaning of the halls and staircases and maintenance of the garden.

If you move to a new home along Cambridge Avenue, Chichester Road and Rupert Road, Catalyst estimate that the service charge may be £30.00* per week. The final cost will be confirmed closer to the move-in date, once actual costs have been calculated.

### Utility Bills

In your new home (just like in your existing Council home) you can expect to receive the following utility bills separately from your rent and service charge.

- Electricity
- Heating & Hot Water
- Cold Water

In your new home these utilities will be metered so that you only pay for what you use.

As your new home will be insulated to modern standards it is likely that it will cost less to heat than your old home. However, as stated above, your utilities will be metered, and so this will depend on your individual usage. You should also consider how you could reduce the amount of electricity and water you use as this could save you money too.

### Table

<table>
<thead>
<tr>
<th>Unit Size</th>
<th>1-bedroom</th>
<th>2-bedroom</th>
<th>3-bedroom</th>
<th>4-bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Rent 2013/14*</td>
<td>£94.46</td>
<td>£103.01</td>
<td>£113.52</td>
<td>£133.76</td>
</tr>
<tr>
<td>Housing Association Rent 2013/14*</td>
<td>£107.95</td>
<td>£135.72</td>
<td>£143.27</td>
<td>£150.81</td>
</tr>
</tbody>
</table>

We would expect that whilst the estimated rents above may be higher, your energy bills may be less, depending on your usage, as new homes are almost always more energy efficient than existing properties.

*Please note that figures are estimated on the basis of current information. They do not bind the Council or any Registered Provider.
Home Loss and Disturbance

Secure tenants moving from South Kilburn will be entitled to Home Loss and Disturbance payments. Secure tenants who move out of their homes, provided that they have lived there for at least 12 months and it’s their only or principal home will be eligible for a Home Loss payment of around £4,700*.

In certain circumstances, those tenants who are moved temporarily, before a permanent move, may receive a second Home Loss payment. Entitlement to a second Home Loss payment will be assessed at the time.

Reasonable disturbance payments for costs incurred in moving are also payable. Secure tenants who wish to claim a disturbance payment will be required to produce evidence of their costs prior to payment. Examples of disturbance payments that secure tenants can claim include:

- Removal expenses (the Council arranges and pays for removals directly)
- Redirection of mail
- Dismantling and re-assembly of secure tenant’s own furniture such as wardrobes
- Telephone disconnection and reconnection
- Compensation for the second hand value of carpet and curtains where no carpet and curtains are provided in replacement home
- Disconnection/reconnection of services
- The second hand value of large items of furniture that cannot be dismantled or moved to the secure tenant’s replacement property

Rent Arrears

Tenants must continue to pay their rent and any arrears, if applicable, on a weekly basis until their current tenancy comes to an end. If repayment arrangements are in place for rent arrears these must continue up until the day you move. The Income Management Team at BHP will take action against anyone who does not pay their rent and continue with eviction proceedings against those that are in breach of their court orders.

If, when it is time for you to move, there are rent arrears, or other monies (e.g. court costs, rechargeable repairs, housing benefit overpayments, former tenant arrears), that you owe the Council, then the amount you owe will be deducted from your Home Loss payment.

Where the amount of rent arrears, when added together with any other monies owed to the Council, exceeds the Home Loss payment (currently £4,700*), the Council reserves the right not to include the tenant in the new development.

*This is the current limit – but may be subject to the Government’s annual review
Comparison of your tenants rights

Comparing secure and assured tenancies

If you are a Council tenant and you become a tenant of Catalyst Housing, a Registered Provider, then your tenancy will change from a Secure Tenancy to an Assured Tenancy. Both types of tenancies offer similar benefits, although there are some differences which are detailed in the table below.

The Assured Tenancy agreement that has been negotiated with Catalyst Housing who will manage the new homes in Cambridge Avenue, Chichester Road and Rupert Road ensures that many of the rights and security you currently enjoy as a Brent Council tenant are in your new tenancy agreement.

Security of tenure - rent arrears

Council tenants with rent arrears can only be evicted if, at the time of the court hearing, they are still in arrears of rent and the judge is satisfied that it is reasonable to make a possession order.

This is the same for assured tenants, although their position is slightly different as they can also be evicted for persistent late payment of rent (provided the landlord can prove this) even if there are no arrears at the time of the court hearing.

Succession

If you have a new Assured Tenancy with Catalyst Housing, you would receive a fresh right of succession as any previous succession with Brent Council would not be counted.

<table>
<thead>
<tr>
<th>Type of tenancy</th>
<th>Secure Council tenancy</th>
<th>Assured Tenancy with Catalyst Housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>The right to security of tenure</td>
<td>Yes</td>
<td>Yes (see above)</td>
</tr>
<tr>
<td>The right to buy</td>
<td>Yes</td>
<td>Yes (see right to buy section)</td>
</tr>
<tr>
<td>The right to succession (passing on your home)</td>
<td>Yes</td>
<td>Yes (see above)</td>
</tr>
<tr>
<td>The right to transfer or exchange your home</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>The right to manage</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>The right to acquire</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

However, Catalyst Housing could require a spouse or partner succeeding to a home that is too large for them to move to somewhere smaller. With a secure Council tenancy, only another family member succeeding to a home could be required to move to a smaller property.
Council tenants and your Right to Buy

Most Council tenants have the right to buy their home providing they meet certain conditions. For example:

- you must have been a tenant for five years or two years if the tenancy started before 18 January 2005
- you must not have an outstanding possession order against you.

Some types of homes are excluded, such as sheltered schemes, bungalows for older tenants and homes with major adaptations.

Once a regeneration scheme has approval, a demolition notice is served upon residents. This withdraws your Right to Buy on your existing property that is due for demolition but your Right to Buy your next home is still available.

The Discount

The price you pay for your home is based on the market value minus a discount. The amount of discount is based on how long you have had your tenancy. The maximum discount is currently £100,000 if you are moving into a Council property, although this may be subject to Government changes.

What happens if I become a tenant of Catalyst Housing?

Any tenant who moves into a home in South Kilburn with Catalyst Housing as their landlord will benefit from a contractual Preserved Right to Buy. The level of discount was fixed in line with Government policy at the time the redevelopments along Cambridge Road, Chichester Road and Rupert Road were agreed. At the time the redevelopments were agreed, the level of discount that Council tenants could receive was set at a maximum of £75,000.

The level of discount available to tenants may vary in line with Government policy at the time, but the discount to buy your new home along Cambridge Road, Chichester Road and Rupert Road from Catalyst Housing will always be capped at a maximum of £75,000.

Remember, the market value of the new homes will be considerably higher than your existing council home.

New courtyard garden, Rupert Road
Contacts

Independent Resident Liaison

**First Call** offer independent and impartial advice to tenants and leaseholders across the South Kilburn regeneration area. The team have provided advice to residents on over 90 projects covering over 500,000 households.

First Call provide high quality, accessible support and advice covering a whole range of legal, practical and financial advice on the implications of all housing investment options. They support greater resident involvement in choices over the future of your homes and neighbourhood. Their aim is to make sure people can make an informed choice about what happens in their communities.

They also work closely with and support the Tenants Steering Group, which meets regularly and is open to all tenants. First Call are happy to visit tenants and leaseholders in their own homes and provide interpreters if needed.

**Louis Blair** is your Independent resident advisor. Contact him on Freephone 0300 365 7150 or email southkilburn@first-call-housing.com

Please contact him if you need any clarification on the contents of this document and how the re-housing programme may affect you.

Brent Council

The Council’s Housing Regeneration team are there to advise and support you through the decant and allocation process.

Their contact details are:

Housing Regeneration Team,
Community Resources Centre,
William Dunbar House,
Albert Road,
London
NW6 5DE
Tel. 020 8937 6140

Email: SouthKilburnHousingProjectTeam@brent.gov.uk

Talk to the Team

If you wish to meet with a member of the Housing Regeneration team, then you will need to book an appointment using the telephone number or email address provided above.

Appointments will only be available between the hours of 10am to 1pm and 2pm to 4pm, on Tuesdays, Wednesdays and Thursdays.

Citizen’s Advice Bureau

The Citizen's Advice Bureau provide free, independent, confidential and impartial advice to everyone on their rights and responsibilities.

Their contact details are:

Kilburn Citizen's Advice Bureau,
200 Kilburn High Road
Kilburn
London,
NW6 4JD

Freephone: 0300 330 0646