

THE LONDON BOROUGH OF SOUTHWARK

**TOWN AND COUNTRY PLANNING ACT 1990
AND ACQUISITION OF LAND ACT 1981**

Revised Inquiry into

**THE LONDON BOROUGH OF SOUTHWARK
(AYLESBURY ESTATE SITES 1B-1C)**

COMPULSORY PURCHASE ORDER 2014

PINS REFERENCE: NPCU/CPO/A5840/74092

Witness Statement

**Of
Beverley Robinson**

**FDS, Phase 1b and 1c - Chiltern House, Portland Street, London
SE17**

**PUBLIC INQUIRY – 9TH JANUARY 2017 TO 31ST
JANUARY 2017**



Introduction

1 My name is **Beverley Robinson**, I am a leaseholder on the phase 1b and 1c of the Aylesbury Estate, London also known as the First Development Site (FDS). I am not only a leaseholder, I am a sister, an aunty and a cousin. I am a black woman of Caribbean origin. And these family members all live locally. These are all the characteristics that define who I am and many more. But the Aylesbury has been my home for many years.

Right to Buy

2 I bought my 2 bedroom flat under the Right to Buy provisions of the Housing Act 1985 in February 2005. The application was made in 2003. I chose to become a homeowner with the promise that my part of the estate (the south west corner) was going to be refurbished. I had already enjoyed living on the Aylesbury as a Council Tenant for 19 years with a large African and Caribbean community. In total I have lived here for 30 years and would like to continue to live here.

3 When I considered purchasing this property I loved the spacious rooms and views from my flat and from the communal balcony. I also liked the idea that the only defect notified to me under paragraph 16(c), schedule 6, Housing Act 1985, pursuant to my RTB application, was “defective roof”. The cost to remedy the defect was stated as £10,000 and the apportionment to my flat as £63.69. **[see BR1 – Housing Act 1985, Sch 6, para 16(c) notice]** .

4 Another reason for my decision to exercise my Right to Buy was that 90% of the South West corner residents had approved the refurbishment scheme. This gave me confidence that at least my part of the estate was going to undergo the refurbishment. **[see BR2 – Aylesbury NDC leaflet circulated to residents in 2004]**

5 Other reasons for my purchase: my flat is 10 minutes from my sisters’ homes from Aunty and cousins. There is also an array of public transport in the area, 2 train stations, Denmark Hill, Elephant & Castle mainline and Underground Stations (Elephant and Castle and Kennington) also many different buses giving access to North, South, East and West London (there are about 30 bus routes servicing the Elephant and Castle). Now there is also the prospect of a Bakerloo

Line extension station within 7 minutes walk (Junction of Old Kent Road and Albany Road).

6 This excellent public transport makes it very easy for my family to access my home when they come to stay especially visitors from overseas.

7 My neighbours and I enjoyed “chilling” in the communal walkway taking in the sun and enjoying the view over the park. I would cook for the elderly white neighbours who had no family near by and I felt sorry for them because they were so isolated. Families would get together and BBQ Jerk Chicken in the neighbours communal garden or visit other neighbours and enjoy , ““joke” and “laughter”. The Caribbean and African culture was so ingrained within the Aylesbury. We would get together and play loody, Dominoes, card games, Caribbean music etc.

8 I greatly value the wonderful views from my flat. [2 photos - Exhibit BR/A and BR/B]

The Aylesbury Community

9 The Aylesbury was, and to some extent, still is, a vibrant community very diverse and I loved the fact that I could relate to people that had the same skin colour as mine. There are strong support network for each other, we would babysit the children of the community. Black and ethnic minorities groups usually have a strong sense of community. They are very family orientated – they spend a lot of time together in social events, eating out, dining at home, going to parties, going to weddings and funerals. These are all social gatherings which allow use to express our cultural identities. Our gatherings would almost inevitably turn into parties. Being in a community like the Aylesbury helps me to learn more about my culture.

10 I valued (and still do) the variety of shops and market stalls in East Street and the Walworth Road.

11 I often see some of the people from the community on the Walworth Road that have been forced out of the area and they have expressed to me that the move out has caused stress and unhappiness. Some have ended up as far out as Kent and they have expressed to me that they feel so isolated in that area.

There is nothing there that meets their cultural needs so they come back into the area to meet up with friends and shop at East Street. They miss that everything is no longer on their doorsteps. So moving away from the area does not contribute to their wellbeing.

12 I am fortunate because this important part of our culture is still on my doorstep and I do not wish to lose it.

13 With regard to my medical needs, I have been going to the same Group Practice in the area for 30 years and they understand my medical needs and support me. I also attend the local hospitals in the area - Guys and St Thomas's - which I can get to within 20 or 30 minutes which I attend almost weekly. I am very involved in a lot of local hospital community support groups so I need to be near public transport to get from one place to the next.

14 There are ample parking facilities on the estate and for some of my family who come to visit this is very convenient. The lease to the NHHT property that I was offered at Camberwell Fields (Palfrey Court) prohibits leaseholder parking and forbids the residents from obtaining an on street parking permit [See **BR3** - lease analysis, and full texts of leases]. This would have been detrimental to me in the future because it would reduce the marketability of the property for sale to a family that used a car and wished to purchase in the future. At present there is estate parking at the foot of my flat.

15 The wonderful environment drew me into exercising the right to buy. I could see all over London from different aspects of my property, including many of London's landmarks, and the nearby green space of Burgess Park. I also enjoyed going to watch the sporting activities in the park especially the cricket.

16 I was extremely distressed to learn later of the council's intention to demolish the estate.

17 Virtually all the above advantages of my flat and living environment continue today.

Refurbishment

18 My strong belief in refurbishment has never wavered and I still maintain and would prefer that my property and the ones in the Order Land (which have not been demolished or stripped out by the Council) be refurbished so that I can remain in my home within the block.

19 On 30 October 2015 I alerted the Dept of Communities and Local Government to the likelihood of the Council damaging buildings on the Order Land [see **BR4** - e-mail of 30 Oct 2015 to Dave Jones DCLG]. The response from DCLG was that no action would be taken until the conclusion of the Inquiry. If any action was taken, it has been ineffective since the destruction has latterly increased. We have requested the Council to cease damaging and destroying buildings on the Order Land but they refused our requests.

20 It was not until early 2014 [see **BR5 ALAG Representations 2013-2017**] that the full implications of Compulsory Purchase and the loss of my home began to become clear to me. I got together with other leaseholders on the order land and formed an informal group which later became the Aylesbury Leaseholders Action Group (ALAG). Document BR5 shows that I and other leaseholders attended a meeting of the Overview and Scrutiny Committee in March 2014. BR5 also shows that ever since that time ALAG has made representations to leading Councillors and Council officials aimed at mitigating the unfairnesses and stress being cause to leaseholders.

21 Document BR5 shows that through this period the Council neglected opportunities to remove obstacles to acquire by agreement. Notwithstanding the Cabinet decision of 8th December 2015 to change the unfair policy with regards to leaseholders' savings, many difficulties remain for leaseholders who seek to be properly compensated for the lose of their home, and who face displacement. One of these obstacles arises from the shared ownership leases. Document BR3 shows that in comparison with my 100% equity Right to Buy lease, Shared Ownership/Shared Equity leases are distinctly more unattractive.

22 I first expressed concerns about this to the Overview and Scrutiny Committee in March 2014 [see BR5]. *In the minute of that meeting I am recorded as having said "In respect of the Shared Equity option she was not clear what would*

happen if a leaseholder subsequently wanted to sale the property and whether any increase in value could be retained". Another major disadvantage is the restricted marketability caused by the pre-emption provisions (designed for different circumstances) and the 100% staircasing provisions. I do not understand why these provisions should apply to a leaseholders being compulsorily dispossessed and displaced, and for whom 100% ownership is impossible on account of the affordability gap.

23 With regards to the pre-emption provisions I express my concerns to Ms Lennon of Notting Housing Trust (NHHT) in an email of 22 July 2015 at follows:

"Finally, If, I went ahead with the purchase of a property with Notting Hill Housing Trust and in the future I found buyer for my proposed 55% or 50% share , and the buyer is willing to buy Notting Hill's 45% or 50% share, in what circumstances would Notting Hill refuse to nominate that person under clause 3.19.6 (b) of the Lease? "

The Council has made no effort, in spite of numerous representations by the leaseholders [see BR5], to address the disadvantages of shared ownership/shared equity by reintroducing the "comparative value" or "like for like" option introduced in 2006 but rescinded in 2010, or by providing loans (secured on the property) to enable acquisition of 100% equity.

24 From mid 2015 until the non-confirmation of the order in September 2016 I was in discussion with the council about a number of rehousing possibilities but none would have met my needs nor would have properly compensated me for the loss of my home and property.

25 I note the reference in paragraph 5.19 of the Council's Updated Statement of Case [November 2017] to the provisions of the "Compensation Code" . This "code" does not exist in documentary form and cannot therefore be understood by leaseholders facing displacement. I also note the council's reluctance to have regard to statutory and other flexibilities to address the ameliorations which ALAG has put to them on so many occasions [see BR5], for example under the wide-ranging powers and discretions permitted by Section 2, Local Government Act 2000.

26 The last of the occasions on which amelioration points were put to the Council is referred to in section 21 of BR5 which evidences a number of improvements which in ALAG's opinion could and should be implemented by the Council, some of which the Chief Executive indicated would be addressed in her email of 26th September 2017 [see BR5]. There has been no follow up since then on the amelioration points.

Non Confirmation of the Order - September 2016

27 Along with other leaseholders from the order land I was much encouraged by the Secretary of State's decision not to confirm the compulsory purchase order on a wide range of grounds. As I hope will be clear from this witness statement and from other residents, significant obstacles still remain to fair treatment of displacees. Furthermore I understand that evidence will be given in support of the refurbishment of my block in which I have always been confident.

It is highly regrettable that the Acquiring Authority has demolished or rendered unrepairable a number of blocks on the order land, ignoring objectors' requests that such damage should cease. I believe that these actions on the part of the acquiring authority may have been intended to prejudice the freedom of the Secretary of State with regard to his decision on the order. Fortunately the current condition of the site does not preclude the refurbishment of certain blocks still remaining.

The Secretary of State had good reason not to confirm the order following the first Public Inquiry in 2015 and those reasons still subsist and can be strengthened by this witness statement and others to be received for the second Inquiry.

The Order should not be confirmed.