

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

**Proof of Evidence of
Professor Loretta Lees (FACSS, FRSA)
BA (Hons), PhD
For the Aylesbury Leaseholders Group**

12 December 2017

1. Introduction

1.1 Since September 2013 I have been Professor of Human Geography, School of Geography, Geology and the Environment, University of Leicester. I was previously Professor of Human Geography and Chair of the Cities Research Group at King's College London. I am a social scientist and have a PhD in Human Geography (awarded 1995) from the University of Edinburgh. I am an international expert, with over 20 years of research experience, on urban regeneration, gentrification, urban sustainability, urban policy, urban communities and urban public space. I have published six books on processes of gentrification¹ and two books specifically on London². All of these books are underpinned by academic research on topics of direct relevance to my witness statement. In addition, I have particular expertise on council estate regeneration/renewal/gentrification in London, which informed the production of a booklet - The London Tenants Federation, Lees,L, Just Space and SNAG (2014) *An Anti-Gentrification Toolkit for Council Tenants in London*³ and an academic paper on the Aylesbury Estate - Lees,L. (2014a) The urban injustices of New Labour's 'new urban renewal': the case of the Aylesbury Estate in London⁴. These two pieces of research were submitted as evidence to the London Assembly's Housing Committee Investigation into Social Housing Estate Regeneration⁵.

1.2 I am an expert urbanist and a Londoner. I was invited as an expert guest to the first meeting of the Urban Regeneration Committee at the GLA to talk about urban regeneration in London⁶ and I have delivered numerous key note speeches in both London and around the globe on 'urban renaissance'. My current academic focus is on the future of council housing in London in terms of the future social sustainability of London

¹ Lees,L. with Phillips,M. (2018) *The Gentrification Studies Handbook*, Edward Elgar; Lees,L. et al. (2016) *Planetary Gentrification*, Polity Press: Cambridge; Lees,L. et al. (2015) (eds) *Global Gentrifications: uneven development and displacement*, Policy Press: Bristol; Bridge,G., Butler,T., and Lees,L. (eds) (2012) *Mixed Communities: gentrification by stealth?*, Policy Press: Bristol; Lees,L. et al. (2010) *The Gentrification Reader*, Routledge: London; and Lees,L. et al. (2008) *Gentrification*, Routledge: New York.

² Imrie,R. and Lees,L. (2014) (eds) *Sustainable London? The future of a global city*, Policy Press: Bristol; Imrie,R., Lees,L. and Raco,M. (2009) (eds) *Regenerating London: governance, sustainability and community in a global city*, Routledge: London.

³ <http://www.londontenants.org/publications/other/Staying%20Put.pdf>

⁴ Lees, L. (2014a) The urban injustices of New Labour's 'new urban renewal': the case of the Aylesbury Estate in London, *Antipode*, 46:4:921-947.

⁵ <http://www.london.gov.uk/sites/default/files/Volume%203-%20Social%20Housing%20Estate%20Regeneration%20Consultation%20Responses.pdf> (Volume 2 Sub-006, Sub-006a, Sub006b)

⁶ <http://www.london.gov.uk/moderngov/documents/s26533/Regeneration%20the%20Situation%20in%20London.pdf>

as a whole (Lees, 2014b)⁷. To that end I am currently working on an Economic and Social Research Council (ESRC) funded project 'Gentrification, Displacement, and the Impacts of Council Estate Renewal in C21st London' (2017-2020, *ES/N015053\1*, £615,341), some of this research is embedded in this witness statement.

1.3 I have previously given evidence to two public inquiries (the Heygate Public Inquiry and the first Aylesbury Public Inquiry) and provided expert reports for the GLA's draft good practice guide to estate regeneration (2017), the draft Housing and Planning Bill (2015), the GLA Planning Committee (2015) on estate regeneration, and the GLA Housing Committee (2014) on the demolition and refurbishment of London's council estates.

1.4 My evidence speaks to the following two items of the inspector's pre-inquiry meeting (PIM) list of 'Tests to be applied to the Compulsory Purchase Order':

- Whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area.
- Whether the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.

1.5 My evidence is contained in this main proof and a separate volume of appendices comprising:

- **LL1**; maps showing where leaseholders decanted from the Aylesbury Estate have ended up.
- **LL2**; sample of interviews with displaced leaseholders and leaseholders in the process of being displaced from the Aylesbury Estate (not involved in the public inquiry) from my ESRC research.

⁷ Lees, L. (2014b) The death of sustainable communities in London, in Imrie, R. and Lees, L. (eds) *Sustainable London? The future of a global city*, Policy Press: Bristol, pp.149-172.

- **LL3**; sample of interviews with displaced council tenants and council tenants under threat of displacement from the Aylesbury Estate (not involved in the public inquiry) from my ESRC research.
- **LL4**; *Living on the Aylesbury Estate*, benchmarking report (2017)
- **LL5**; Press article, Metro newspaper, (9/10/2017)
- **LL6**; Tenure diagram, Design Addendum, S73 application 17/AP/3885 (extract)
- **LL7**; Southwark News press article (4/05/2017)

2. Whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area

2.1 I gave evidence at the previous inquiry in October 2015 arguing that the existing community was being split up and displaced. My evidence was rejected largely on the grounds that 50% of tenants were supposedly being re-accommodated within the estate.

“Evidence presented to the inquiry confirms that many existing residents, not only those remaining on the Order Land, value the strong sense of community which is evident throughout the estate. They fear that this sense of community will be lost as a result of the regeneration, particularly if they need to move away from the area. Whilst the existing community will be disrupted, particularly during the early phases of regeneration, the AAP envisages that about 50% of the existing tenants will be re - accommodated within the estate. This will assist with maintaining the existing sense of community.” (Paragraph 349 of Inspector Coffey’s 29 January 2016 report)

2.2 Inspector Coffey’s findings were based on the AAP’s requirement that 50% of tenants would be re-housed on the redeveloped estate:

“We will accommodate approximately 50% of existing tenants through the re-provision of homes on site.” (CD2;para 7.2.6;A7.1.9)

2.3 At that time, although I had evidence of displacement numbers and postcodes from Notting Hill Trust, I did not have access to information showing exactly how many

residents were being re-accommodated within the estate. I have since managed to obtain this data, via FOI (837399) (**LL1**), which shows that only about 10% of tenanted residents decanted have been rehoused back within the estate.

2.4 The purpose for which the land is being acquired therefore fails to fit in with the adopted Local Plan for the area which requires 50% of tenants to be rehoused within the estate.

2.5 The Council has to date decanted 1,310 households from the active phases of the Aylesbury Estate regeneration (Phase 1a: 53 households decanted. Site 7: 59 households decanted. Phase 1b/1c: 566 households decanted. Phase 2: 632 households decanted).

2.6 Only 112 **former secure tenanted households** have been rehoused back on the redeveloped footprint of the Aylesbury Estate, that is about 10% of the tenanted households decanted to date. They were moved to the two new L&Q developments on completed phases 1a and Site 7 (**LL1**). This means that about 1,000 tenanted households have been rehoused in existing council homes elsewhere in the borough or elsewhere. This will have had massive knock on effects, for example, 1,000 families on the Southwark Council waiting list will have been pushed down the list or pushed out of the borough altogether and further information obtained via FOI supports this.

2.7 Southwark came top in the list of UK councils who replied to an FOI request (BBC Radio 5 Live's afternoon edition 9th Oct 2017) with 1,143 tenanted households relocated out of the borough of Southwark over the past 5 years (**LL5**)

2.8 In terms of leaseholders, according to FOI (837399) (**LL1**) by 10th October 2017 Southwark Council had acquired 285 **leasehold and freehold** properties on the Aylesbury Estate, of which 148 were recorded as being physically resident on the estate. The displacement of those 148 has been mapped from the council's data (**LL1**). Only 16 of these have managed to remain in SE17 on or near the footprint of the estate. That is about 11%. Only 6 have been rehoused on the redeveloped phases 1a and site 7.

2.9 Further, I argue that the small number of residents who have been rehoused locally (postcode SE17) have still been dispersed. The SE17 postcode area spans nearly 1.5

miles from the Old Kent Rd to Kennington park. With the exception of the 112 households rehoused on phase 1a/site 7, families who were before living together in the same block(s) on the estate for many years, have not been rehoused together in new blocks the estate, in the phased approach that the AAP envisaged. I have not been able to map this dispersal as the Acquiring Authority has failed to provide detailed postcode data.

2.91 I was criticised in Inspector Coffey's report for submitting only "*anecdotal evidence to indicate that people were moving out of the area due to necessity rather than choice.*" (**CD50**; para 348).

2.92 I have addressed this issue by providing evidence in appendices (**LL2**) and (**LL3**), which are samples of interviews with Aylesbury residents from my independent research funded by ESRC⁸.

2.93 The research⁹ findings reported in the 2017 benchmarking report '*Living on the Aylesbury Estate*' (**LL4**) echo the findings of my ESRC research.

'The new feature of demographic change is in the social class and incomes of people living on and around the estate. The areas adjacent to the estate are becoming more affluent, and this trend will increasingly affect the estate itself as the regeneration programme rolls out and more residents pay market prices for their homes. Residents are aware of this and many voice concerns that the neighbourhood, in the future, will not be "for them"' (**LL4**, p.38).

2.94 There are psychological impacts to being decanted from one's long term home and community. Fullilove (1996)¹⁰ talks about the psychiatric implications of displacement: how the psychological processes of attachment, familiarity and place are threatened by displacement, and the problems of disorientation and alienation that ensue. My interviews in LL2 and LL3 demonstrate this well. Indeed, I have spoken to local GPs who

⁸ Independent research funded by ESRC on 'Gentrification, Displacement, and the Impacts of Council Estate Renewal in C21st London' (2017-2020, *ES/N015053\1*, £615,341) PI: Loretta Lees.

⁹ The fact that members of the pro-regeneration Creation Trust's Community Team carried out some of these interviews, alongside Social Life staff (paid for by the regenerator NHT) introduces bias into the research process, however, despite this the findings echo my own.

¹⁰ Fullilove, M. (1996) Psychiatric implications of displacement: contributions from the psychology of place, *The American Journal of Psychiatry*, 153:12:1516-1523.

have been disturbed by the public health impacts (eg. stress, anxiety, depression, suicide attempts, etc) with respect to the decanting of the Aylesbury (but they felt that they could not input to this inquiry due to patient confidentiality). Keene and Geronimus (2011)¹¹ discuss the same uprooting of low income, urban, BME communities as a result of the HOPE VI program of creating new mixed communities on the site of public housing projects in the US (the model on which British estate renewal into mixed income communities is based¹²), they too raise concern about the health impacts on low income communities that already shoulder significant health burdens. In my interviews, these burdens of caring for ill or disabled relatives are evident, as are the escalation of health issues during decantment (see interview in LL3).

3. Whether the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.

3.1 The scheme's failure to meet the requirement for 50% of tenants to be rehoused within the estate is having the knock-on effect of putting unforeseen pressure on the Acquiring Authority's housing waiting list. This is reducing its capacity to provide sufficient accommodation for other households in the borough in housing need.

3.2 The press report in (LL5) stemming from an FOI request, shows that 1143 homeless families have been moved out of the borough in the last five years. This is around the same number of tenanted households decanted from the Aylesbury estate to date.

3.3 There has also been a rapid increase in the number of homelessness applications and families housed in B&B accommodation over the past 5 years. Data from Southwark Council's most up-to-date homelessness data available on its website¹³ shows that between 2012-2014 the number of homeless households in temporary accommodation in Southwark increased from 668 to 898 households (chart 27). The number of statutorily homeless households in temporary accommodation in Southwark

¹¹ Keene,D. and Geronimus,A. (2011) Weathering HOPE VI: the importance of evaluating the population health impact of public housing demolition and displacement, *Journal of Urban Health*, 88:3:417-435.

¹² Bridge,G., Butler,T., and Lees,L. (eds) (2012) *Mixed Communities: gentrification by stealth?*, Policy Press: Bristol.

¹³ http://www.2.southwark.gov.uk/downloads/download/4297/review_of_homelessness_in_southwark_2014

increased from 606 in 2012 to 782 in 2014 (chart 13); the African and Caribbean populations disproportionately affected (see chart 7).

3.4 The extra cost to the Acquiring Authority associated with B&B accommodation has led to a five-fold increase in its spend on temporary housing over the last five years.
(LL7)

3.5 I submit that there is a causal link between the scheme's failure to meet the AAP requirement of rehousing 50% of tenants within the estate and the increase in the number of households in temporary accommodation and being rehoused outside the borough.

3.6 By failing to conform with the AAP's requirement of rehousing 50% of tenants in new homes on the estate, the scheme is adding to the pressure on the Council's housing waiting list and shortage of available council housing. The knock-on effect of this is that the scheme is displacing the existing low income community, with particular impacts on the BME population, which is disproportionately over-represented on the Council's housing waiting list.

3.7 The scheme as implemented is therefore having a negative economic and social impact on the well-being of the borough and its residents, and the order should not be confirmed.

4. The scheme fails to comply with the Area Action Plan's tenure distribution requirements

4.1 Policy BH3 (Tenure Mix) of the Aylesbury Area Action Plan says:

'To help ensure that the new neighbourhood contributes to community cohesion, all new homes should be tenure blind i.e. it should not be possible to distinguish between affordable and private homes from their external appearance' (Paragraph 3.3.7).

'All developments blocks should seek to provide the tenure mix which is appropriate for the proposals site in which the block is located, as set out in policy BH3, unless it can be

demonstrated that this is not possible through an open-book financial appraisal'
(Paragraph 3.3.8).

4.2 This accords with Policy P13, Paragraph 1.4 of the New Southwark Plan which requires development to be '*tenure blind*' and the London Plan (Housing SPG) which requires that '*schemes should be designed to maximise tenure integration*' (Paragraph 1.3.18).

4.3 However, the tenure diagram (**LL6**) and accommodation schedule (**JF28**) for the proposed FDS planning consent shows that at least ten of the new blocks proposed on the order land will be entirely single tenure (see para 84 of Mr Lee's evidence for details).

4.4 Further, the two tallest blocks overlooking Burgess park (blocks 4A and 5A) are entirely private tenure, while the 'affordable' units are predominantly located in the low-rise blocks in the shadow of the tall blocks.

4.5 The Design Addendum for the S73 application (**LL6**) also shows that the previous consented planning application proposed a third tall block (block 6A) overlooking the park, which was to be social rented tenure. However, the proposed S73 amendments to the planning application will see this tenure swapped for entirely private and shared ownership flats. There will now be no social rented units in any of the three tower blocks overlooking the park.

5. Phase 1a tenure distribution

5.1 The same failure to comply with the AAP's tenure distribution appears to have occurred in the adjacent completed phase 1a scheme.

5.2 This is block D3 of the redeveloped phase 1a of the scheme. The schedule of accommodation delivered on this phase (**RN20**) shows that it comprises a total of 29 flats, all of which are private – there is not one single affordable unit of any kind:



5.3 It comes as little surprise that the 2017 benchmarking survey (**LL4**) found that residents in this phase had experienced an: *‘increased polarisation around class’* and that *“in the new L&Q homes, different tenures are generally grouped together within blocks. This is different to the rest of the estate, where leaseholder flats are distributed randomly as a consequence of individual tenants’ decisions to exercise their right to buy. L&Q residents reported less mixing across tenures.”*

5.4 I understand from Anna Minton’s evidence (paras 4.6 & 4.7) that a similar failure to comply with tenure distribution requirements has occurred on the other completed phase of the scheme, site 7, where there is not one single block where residents of different tenures share an entrance or lobby.

5.5 I was criticised in the previous CPO inspector’s report for trying to ‘drive a coach and horses’ through established mixed communities policy:

'The NPPF, the London Plan and the AAP seek to secure the creation of mixed communities. On behalf of the objectors, Professor Lees acknowledged that the mixed communities policy has long underpinned the regeneration of the Aylesbury Estate. Her position, namely that such policies produce gentrification and the displacement of public housing tenants, is one of fundamental opposition to national and regional and local planning policy.

To reject a CPO on the basis of the social policy position taken by Professor Lees, one of self-avowed opposition to that planning framework, would be to drive a coach and horses through the established approach to planning CPOs' (Paragraphs 71-72).

5.6 But this completely misses the point; of course social mixity/mixed communities are a good thing for society, but my whole point is that the scheme underlying the order fails to comply with mixed communities policy and objectives; i.e. an already mixed community is being broken up on the premise of creating a more mixed community but that this is failing (and creating gentrification and new forms of social segregation – 'gentrification by stealth' cf. Bridge et al, 2012) because the scheme underlying the order fails to comply with policy requirements on tenure distribution.

5.7 In summary, evidence has shown that the scheme as implemented is failing to comply with one of the AAP's core objectives, that of creating a more mixed community. It is having a negative social impact, not only on those being displaced but also on those in housing need on the Acquiring Authority's housing waiting list. The well-being test clearly remains unsatisfied and therefore the order should not be confirmed.