

7 December 2022		ITEM: 14
Cabinet		
Blackshots Estate – Proposals for the Way Forward		
Wards and communities affected: All	Key Decision: N/A	
Report of: Councillor Luke Spillman – Cabinet Member for Housing		
Accountable Assistant Director: N/A		
Accountable Director: Ewelina Sorbjan - Interim Director of Housing		
This report is Public		

Executive Summary

This report seeks approval for the development of proposals for the Blackshots estate for consultation with residents.

1. Recommendation(s)

Cabinet are asked to comment and agree on:

- 1.1 The proposed approach to developing proposals for the future of the Blackshots estate.**
- 1.2 The requirement to carry out essential remedial works to the Blackshots tower blocks.**
- 1.3 The principal of redeveloping the estate to deal with the issues affecting the existing blocks, to provide good quality housing and to enhance the available stock of housing in Thurrock.**
- 1.4 Note that a consultancy budget of £200,000 has been identified from within the existing Housing Revenue Account feasibility reserve to develop proposals for the future of the estate including appointing Independent Tenant Advisers.**
- 1.5 The proposal to commence detailed design and planning for a proposed scheme to consult on with residents and the proposed approach to consultation.**

2. Introduction and Background

- 2.1 This report considers the future of the Blackshots estate in light of the fact that the tower blocks at Blackshots are in need of significant repair.
- 2.2 Initial consultation has been carried out with residents resulting in a significant majority in favour of the redevelopment of the blocks.
- 2.3 Early work has been carried out by Council officers from a range of disciplines across the Council to consider potential redevelopment options. This included examination of the relationship with other facilities in the area, including the Leisure centre and to examine constraints and challenges on redevelopment.
- 2.4 This report examines the work to date and sets out a proposed way forward.

3. Issues, Options and Analysis of Options

Why are Blackshots Tower Blocks a Housing priority?

- 3.1 Blackshots tower blocks have considerable problems with damp and mould. Complaints about damp and mould across all three blocks are the highest of all tower blocks. As well as resident's understandable complaints, this is an area of political concern, has been the subject of comment at Housing Overview and Scrutiny Committee, and has received focus in the media.
- 3.2 The Housing department has been clear on the requirement to undertake external refurbishment of the blocks and has procured a contract to undertake these works in the coming months. The current proposals for the Blackshots tower blocks will address some immediate issues at the three blocks in respect of the existing external cladding system, the ventilation of the communal areas and weatherproofing of the structure. It will not however address the overall design and layout of these properties which does not meet the requirements of today's modern living. For example, the kitchens cannot accommodate all modern-day appliances and there is no separate clothes drying space within the blocks.
- 3.3 The tower blocks last underwent major external refurbishment in the late 1990's with the application of a new thermally insulated cladding system and UPVC double glazed windows being installed. Additional fixings were installed in the panels around 2012 with a five-year projected lifespan. Major works are now required to remedy this permanently.
- 3.4 Additionally it has been identified that the existing external wall system that has been in place for around 20 years does not conform to current building regulations. The current smoke ventilation system to the individual landings also requires improvements. Other building elements including the roof covering and windows are reaching the end of their technical life expectancy. This situation combined with the latest regulatory framework that has recently been enacted through the parliamentary process forms the fundamental driver for the current tower block refurbishment project.

- 3.5 The contract for remedial works for the nine Grays Council tower blocks is now in progress. Over the past few months, the Council have been undertaking intrusive investigation of the Blackshots towers to allow for detailed designs of the new system to take place, alongside this the Council commissioned an independent review of the blocks by a consultant to inform the required intermediate approach in view of regeneration taking place.
- 3.6 The intrusive investigations, and review, have identified that only certain types of new external wall systems can be utilised on the blocks due to the structural design of the blocks and reinforcement strapping that is present under the current cladding system on all three blocks. Whilst the solutions remain entirely possible from a technical aspect, costs associated with a project for new systems on high rise residential buildings are prohibitively expensive to be undertaken as a short- term measure ahead of protentional regeneration, as a result of demand and challenges on that part of the construction sector.
- 3.7 Therefore, the council are now in a position whereby to undertake intermediate works ahead of pending regeneration to the three blocks, would still mean spending in excess of circa £10m across the three blocks, whilst not upgrading essential items such as windows, and roof coverings. This is clearly not recommended and is not value for money.
- 3.8 The department is not able to continue to leave the blocks as they currently stand for any protracted amount of time because of the inherent defects. Additionally, it is not possible to remove the existing system and leave the blocks exposed because we are clear this would make the blocks untenable, and conditions unliveable, in a very short period of time.
- 3.9 Based on the above, the Council needs to establish clarity on the future of the blocks; the need and rationale to undertake the works is very clear. However, these works should only be undertaken as a full building retrofit that will enhance the buildings and their performance and provide better accommodation for our residents for a minimum period of 25 years. This aspect cannot be achieved without significant investment.
- 3.10 If the clear decision is taken to allow the regeneration approach to proceed, the Council will look at all service led management options at its disposal to ensure these buildings remain safe and secure for the residents in the next few years until the blocks are replaced under the regeneration scheme. This approach would seek to avoid major investment into the tower blocks and works would be limited. Whilst money would need to be spent it would be significantly less than the costs associated with the external wall replacement works. However, this approach can only be considered if we have a set defined period in which we can justify our approach to our residents and the Social Housing and National regulatory bodies.
- 3.11 Whilst the Council continues to maintain the buildings to safeguard the residents in respect of building and fire safety the new building safety

regulations coming into force from early 2023, will potentially place the Council in a position of self-referral with the new regulatory framework because the existing system on the building does have inherent defects because of the age and condition of the external wall system. Failure to undertake these works or have a demolition and rebuilt option in the near future, will lead to adverse scrutiny and the potential to have interim measures dictated by the regulator.

Establishing the principle of demolition and redevelopment is therefore critical at this time, with a need to progress the development of a solution.

Initial Resident Consultation

- 3.12 Because of the condition and the standards of these blocks, it is clear that even with a full refurbishment giving a 25-year life span these blocks will no longer meet residents' aspirations.
- 3.13 Accordingly, an initial survey of residents' wishes was carried out. The results are attached as Appendix 1.
- 3.14 72 responses were received of which 51 or 71% expressed a preference for demolition, re-planning and redevelopment of the estate.

In light of this, and the condition issues referred to above it is now critical that the principal of redevelopment is established, and that detailed design and development of proposals is commenced in order that residents can be further consulted on the future of their homes and the wider estate.

Redevelopment of the Tower Blocks

- 3.15 The three existing tower blocks provide 168 homes, 155 council rent and 13 leaseholders in total. Any redevelopment should ensure we replace at least a similar number of rented properties with an affordable product.
- 3.16 A number of indicative options have been examined by the Council's advisers and concept schemes considered. All the options provide circa 240 units, with apartments and a varying proportion of houses. The schemes would have a maximum height of six storeys. The indicative plans demonstrate the options would create walkable, liveable blocks with attractive amenity spaces with good pedestrian/cycle links.

There may be some aspiration on the part of residents or members to achieve lower storey heights on the replacement buildings. It is important to remember that the existing blocks are 11 storey and quite high density. To achieve the requisite replacement numbers at lower heights and densities will require the use of more additional land, than the footprint of the existing blocks. This challenge is discussed below.

Planning challenges

- 3.17 Clearly the redevelopment of the tower blocks, the facilitation of swift and comfortable moves for residents and the provision of additional housing are key priorities. However, a number of issues will need to be considered during the design and development process. The proposals will need to be worked through in conjunction with the planning department.

Green belt

- 3.18 Depending on the final footprint of the proposed scheme, it is possible that it will require the use of an area currently designated as Green Belt, and subject to the progress and outcome of the green belt review associated with the local plan, this would require the demonstration of the Very Special Circumstances required to permit development in the Green Belt. Given members previous concerns about this, work will be done to obviate or minimise this need. However, the lower the storey heights and density sought the greater the pressure on the green belt.
- 3.19 However, the urgent imperative of dealing with the challenges- faced by residents and the requirements of the Building Safety Act will support the case for Very Special Circumstances in so far as this is necessary.
- 3.20 The design will also need to deal with the impact of the proposed development on neighbouring housing, particularly with regard to height and massing. There may be a need to strike a balance between the use of land currently designated as Green Belt and the impact on adjacent property. It is important that this is worked up with the planners during the design development process.

Fields in Trust - King Georges Field Blackshots

- 3.21 Use of the Green Belt and playing field land at Blackshots may change and increase the footprint of the existing buildings. The whole of Blackshots site is dedicated to Fields in Trust and protected through that dedication. Any changes to the use of Blackshots need to be approved and consented by Fields in Trust.
- 3.22 Fields in Trust usually require replacement land for any land it releases from its current protection. In initial discussions with Fields in Trust, it has been confirmed that in this case replacement land would be required.
- 3.23 Three parcels of land have been identified as potential options for replacement of land required for the Blackshots redevelopment as follows:
- Chapel Farm
 - Land south of Stanford Road
 - Horndon Recreation Ground

Alternative suggestions from members or from the public can of course be considered.

Considerations

- 3.24 Both plots of land close to Blackshots are currently unavailable as they are both implicated in the Lower Thames Crossing and Highways England projects which currently have no fixed deadline. These sites have been initially discussed with Fields in Trust who have indicated that they would consider either as replacement land. Fields in Trust also confirmed that they may be willing to accept a deed of grant that when one or either of these parcels becomes available that they will be granted to Fields in Trust to enable the release of land at Blackshots.
- 3.25 Fields in Trust will require that any replacement land be sustainable in terms of size and access to be of use in its own right. Essentially any new grant of land would need to be substantial enough to be of use in its own right as amenity space. Any additional land granted to Fields in Trust will likely be substantially larger than land being released at Blackshots.
- 3.26 While Fields in Trust has indicated they may consider the protection of Horndon Recreation Ground they have a requirement that any replacement land needs to be of use to the local Community who are losing amenity land. While Horndon Recreation Ground is geographically close it serves a distinct community and the Council would need to consider how it would demonstrate that its dedication would benefit the same community which currently uses Blackshots.
- 3.27 Fields in Trust have indicated that they would consider all three of the above options but would preferably like the opportunity to consider them all together on their merits. On that basis Fields in Trust have requested that any application from the Council presents all three options.

4. Financial Commitments

- 4.1 At this stage the sole financial commitment is the £200,000 for the design and development of the scheme and the appointment of an Independent Tenant Adviser for the residents.
- 4.2 Key issues to address during the design and development process will be the level of build costs, financing costs and rent levels. It is fair to say that the very indicative schemes produced so far present viability challenges, which will need to be addressed, but the key issue is to agree a principle of redevelopment and progress towards a viable scheme.

5. Options Considered

- 5.1 A range of development scenarios have been tested with prime objectives being the redevelopment of the tower block sites, reducing risk of

development within the Green Belt where possible and maximising new housing provision.

- 5.2 Appendix 2 shows the location of the tower blocks. Keir Hardie House is located in the northern end of Blackshots and the appendix currently shows a red line drawn around the existing residential tower together with the adjoining area for play and garage blocks. An electric sub-station is also at this location.
- 5.3 Bevan House and Morrison House are located together at the southern end of the estate with the red line drawing shown at the Appendix currently capturing the footpaths entering the access road, the electric substation, and a number of adjoining garage blocks. The nearby dwellings on Laird Avenue are fully excluded from this area.
- 5.4 The drawings at Appendix 2 are intended to show the location of the existing towers and their immediate vicinity as potential development sites but are not put forward in this report as a boundary line to be agreed. The testing and definition of the development boundary would be considered under the further work described at paragraph 1.4 and form part of future reports.
- 5.5 Under the scenarios already considered Option 1 showed no Green Belt incursion and options 2 and 3 had minor incursions just south of Morrison House and Bevan House tower blocks. Option 3 showed greater density in the northern site than Option 2. The fourth option tested greater Green Belt incursion at this location in order to reduce densities and provide a broader mix of housing and new homes.
- 5.6 The approach to parking provision has been to ensure policy compliance typically with 1.5 to 1.7 spaces per dwelling on average with option 4 eliminating the need for undercroft parking, and limited undercroft parking for options 1 to 3.
- 5.7 Each option has a maximum height of 6 storeys and as noted above aim to improve active surveillance of the adjacent King George's field and create walkable, liveable blocks with attractive amenity spaces.
- 5.8 Detailed work to arrive at a viable and planning acceptable option is now required. Achieving this optimum solution is now a critical task and will necessitate careful consideration, potentially some difficult choices and compromise. However, as noted elsewhere the principle of development and progressing a scheme is now of the utmost importance.

6. Next steps for resident engagement

- 6.1 As indicated above, an initial survey and engagement on residents' views on the future of the blocks has taken place. It would now be necessary to appoint an Independent Tenant Adviser to advise tenants as the scheme develops. An indicative timetable is shown below.

6.2 Proposed Milestones are:

- Decision on extent of Towers cladding – Autumn/Winter 2022
- Feedback to tenants - Autumn/ Winter 2022
- Procurement of Resident engagement consultancy – Autumn/Winter 22
- Development of scheme and engagement with residents – Winter 2022
- Cabinet Decision on proposed scheme – Q1 of 2023

7. Public Health Implications

7.1 The demolition and redevelopment of the blocks and the development of new housing will provide a significantly healthier environment for residents and will be in accordance with the recommendations of the Council's emerging public health and wellbeing strategy.

7.2 Public health specialists will be consulted on the design of the redevelopment to ensure the provision of healthy housing and associated space.

8. Reasons for Recommendation

8.1 The report provides an update on proposals for the Blackshots Estate and seeks agreement to carry out essential remedial works and further design and planning work for the proposed scheme.

9. Consultation (including Overview and Scrutiny, if applicable)

9.1 A report on this matter was prepared for Housing Overview and Scrutiny Committee on 21 November 2022. Due to the timing of publication a verbal update of that Committee's comments will be made at Cabinet.

10. Impact on corporate policies, priorities, performance and community impact

10.1 The development of housing aligns closely with the Council's Vision and Priorities adopted in 2018. In particular it resonates with the "Place" theme which focuses on houses, places and environments in which residents can take pride.

11. Implications

11.1 Financial

Implications verified by: **Mike Jones**
Strategic Lead – Corporate Finance

The direct financial implications of the report are in relation to the required £0.200m expenditure for consultancy service. This expenditure will be contained within the Housing Revenue Account, and the funds have been ear-

marked as part of the existing feasibility reserve. The reserve forms part of the overall HRA funding position and contained an opening 2022/23 balance of £1.274m on the Councils balance sheet.

The output and finding of the consultancy work detailed with the body of the report will, for all options, require significant capital expenditure in future years. This will be considered as part of the HRA business plan and budget setting process. Given the nature of the scheme, a do nothing option will not be viable. The investment required in the assets will be contained and financed within the HRA and will need to be considered as part of the borrowing strategy.

Pending the review of the options, it is not possible at this stage to quantify the required level of investment needed to achieve the preferred option, however, this will be developed as part of the project.

11.2 Legal

Implications verified by: **Deidre Collins**
Principal Housing, Litigation and Prosecutions
Barrister

The Council has a responsibility under the Landlord and Tenant Act 1985 as amended by the Housing (Fitness for Human Habitation) Act to ensure that their properties are maintained in repair and are fit for human habitation at the beginning of the tenancy and for the duration of the tenancy; and where a landlord fails to do so, the tenant has the right to take action in the courts for against the Council breach of contract on the grounds that the property is unfit for human habitation.

To address this duty the council needs to have a planned maintenance programme with periodic inspections and an effective responsive repairs service.

As this report is an information item there are no direct legal implications.

11.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager – Community Development and
Equalities

An extensive consultation and engagement exercise has been completed with residents of Blackshots Estate with the results outlined in Appendix 1. An initial analysis of feedback received highlights the redevelopment of the estate is expected to have a positive impact for the health and wellbeing of residents. A full Community Equality Impact Assessment will be completed to

account for the proposed redevelopment and will be the subject of an ongoing cycle of monitoring, review and refreshing by the project team.

Any contractor or consultant appointed by the council to fulfil works associated with the proposals will be directed to the council's CEIA and will be required to fulfil legislative requirements arising from the Equality Act 2010 and Public Sector Equality Duty as standard. Contracts for services and works will include social value measures to be delivered by the provider/contractor and will be directed in line with the council's social value framework and supporting priorities for communities

- 11.4 **Other implications** (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

None

12. **Background papers used in preparing the report**

Blackshots Estate – Proposals for the Way Forward; Housing Overview and Scrutiny Committee; 21 November 2022

13. **List of Appendices**

Appendix 1 – Initial Resident Consultation Summary
Appendix 2 – Plans of proposed redevelopment area.

Report Author

Ewelina Sorbjan

Interim Director of Housing