



Ministry of Housing,
Communities &
Local Government

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Dear [REDACTED],

Request for Determination Pursuant to Regulation 13 of the Housing (Right to Transfer from a Local Authority Landlord) (England) Regulations 2013 (the “RTT Regulations”)

Background

I am writing with regard to the application submitted to the Secretary of State by the London Borough of Lambeth (LBL) for the Cressingham Gardens Estate. I am taking the decision on behalf of the Secretary of State.

This application was made to the Secretary of State following the transfer proposal notice dated 25 April 2016 (**Notice**) which Cressingham Gardens Community (CGC) submitted to LBL to consider the transfer of property and land in the Cressingham Gardens Estate to a Private Registered Provider.

LBL acknowledged receipt of CGC’s notice on 26 May 2016 and indicated their intention to lodge a request for a determination to the Secretary of State, which they did on 12 September 2016 pursuant to Regulation 13 of the RTT Regulations, (**Regulation 13 request**). They asked the Secretary of State to determine whether the proposed transfer of houses would “*have a significant detrimental effect on the regeneration of the area*”.

Process

Following the process set out in Regulation 25 of the RTT Regulations, in the autumn of 2016 LBL and CGC provided the Secretary of State with submissions and evidence to support their case in the Regulation 13 determination request.

MHCLG officials subsequently commissioned a socio-economic evaluation by independent consultants to assist in relation to the Regulation 13 determination request. I have now received a copy of the socio-economic evaluation, which is enclosed, and I have completed my deliberation of the Regulation 13 determination request.

LBL Determination in Accordance with Regulation 13, RTT Regulations

LBL, in its application, asked the Secretary of State to determine whether the proposed transfer of houses would “have a significant detrimental effect on the regeneration of the area”. However, under Regulation 13 the Secretary of State is required to determine whether the proposed transfer of houses to a PRP “*set out in the proposal notice will have a significant detrimental effect on the provision of housing services . . . or the regeneration of the area*”. Therefore my assessment covers both areas set out in the Regulation 13, and I now respond to LBL’s request as follows:

- a) Regarding the impact of the proposed transfer on the **provision of housing services in the local area**, the report concludes that there is insufficient ground to conclude that CGC’s proposed stock transfer will have a significant detrimental impact on the Council’s ability to provide housing services for its remaining housing stock, and specifically:
- Based on the available evidence and having regard to the size of the estate relative to LBL’s housing stock (1%), it is highly unlikely that the proposed estate transfer would have a significant detrimental effect on LBL’s ability to provide housing services to its remaining stock; and
 - There has been no evidence submitted by either LBL or estate residents to suggest that the estate stock transfer will have a detrimental impact on LBL’s Housing Revenue Account revenue stream, i.e. the loss of income from rent and service charges currently collected from the estate is unlikely to be sufficient to cause significant detriment to the provision of housing services to its remaining stock.
- b) Regarding impact of the proposed transfer on the **regeneration of the area**, the reports concludes that there is insufficient ground to conclude that CGC’s proposed stock transfer will have a significant detrimental effect on the regeneration of the area, and specifically:
- With the exception of continuous engagement with the estate residents, LBL has made no evidenced concrete progress on its regeneration proposal for the Cressingham Gardens Estate. Based on the level of detail submitted in the evidence, therefore LBL’s redevelopment proposal is a long term aspiration;
 - Under both regeneration proposals i.e. that of LBL and that of the Cressingham Gardens residents known as The People’s Plan, there is likely to be a positive impact on the area covered by the estate. The scale of potential impacts on the housing supply and local economy is likely to be greater under LBL’s redevelopment proposal, as it is proposing to deliver 120 more additional homes compared to the People’s Plan. However, there is not enough evidence to suggest that the difference would have a significant detrimental effect on the local area;
 - Neither of the estate’s regeneration proposals are likely to have a significant detrimental impact on the wider regeneration proposal for the Borough due to the limited scale of proposed development; and
 - Based on the level of detail submitted to me concerning LBL’s redevelopment proposal, there is insufficient evidence to conclude that the proposed estate transfer would have a significant detrimental effect on the regeneration of the estate area. It is highly unlikely that the proposed estate transfer would have a

significantly detrimental impact on regeneration activity across the London Borough of Lambeth.

Conclusion

On balance, the report finds that the proposed transfer will not have a significant detrimental effect on the provision of housing services or the regeneration of the area and that LBL redevelopment is a long term aspiration.

Finding

I agree with the conclusions reached in the report and therefore reject LBL's determination on the basis that the CGC proposed transfer will not have a significant detrimental effect on the provision of housing services, or the regeneration of the area. The outcome of my determination in relation to Regulation 13 request is that the stock transfer process in relation to the CGC should continue.

This letter has been copied to CGC.

KIT MALHOUSE MP