

Tenant-led regeneration: alternatives to demolition

If your estate is facing demolition, it's understandable that you might feel hopeless or that demolition is a 'done deal'. It isn't. Here are some tools and rights that you can draw on:

1. A Community Plan: Developing a Community Plan is an effective way to bring tenants and residents together to draw up your own estate regeneration plans, along with neighbours and local stakeholders, if desired. [1] These plans have no legal status but, if based on thorough consultation, they can put tenants and residents a more equal footing with their landlord and local planning authority, when negotiating with them. They can also form the basis for developing a Neighbourhood Plan.

2. The Right to Manage: This right allows council tenants and residents to set up a Tenant Management Organisation (TMO) to take over responsibility for managing and maintaining homes on their estate, with the management of the budget for repairs and improvements. While the local authority retains the ownership of the estate, a TMO can gain a lot of information about the quality of homes on their estate and use this in drawing up alternative plans for their estate. More can be found about TMOs on the National Federation of TMO's website. [2]

3. The Right to Transfer: This gives council tenants the right to request that the ownership of their estate, not just the management, be transferred to their community via a Community Housing Association. The association is created and run by a tenant- and resident-majority board, elected by their neighbours on the estate. It is a very ambitious undertaking, but it has been done and is arguably the most effective way of ensuring that tenants and residents have long-term control when it comes to decisions about their homes. There is government guidance on the Right to Transfer [3].

4. A Neighbourhood Plan: Neighbourhood planning [4] gives power to local communities to determine their future through setting their own planning policy for their neighbourhood. [5] The downside is that it involves a lot of hard work in carrying out formal consultations with tenants, residents, neighbours and local stakeholders, working with the local planning authority and understanding how to draw up local planning policy and how it fits with borough, regional and national planning policy.

5. Legal challenges: At times, it may be possible to seek a Judicial Review through the courts, for example, on a decision to demolish homes in a planning application. Leaseholders might make a legal challenge when issued a 'Compulsory Purchase Order'. Although the chances of staving off plans through a legal route are very slim, it can be helpful as a delaying tactic, especially if you need time to work up alternative plans.

[1] West Ken and Gibbs Green 'Peoples Plan' - <https://westkengibbsgreen.wordpress.com/the-peoples-plan/>

[2]http://www.nftmo.co.uk/content/content_toolbox_detail07c5.html?i=15

[3]<https://www.gov.uk/government/publications/the-housing-right-to-transfer-from-a-local-authority-landlord-england-regulations-2013>

[4]<https://neighbourhoodplanning.org/>

[5] Carpenters NP – submission version - <https://greater-carpenters.co.uk/our-work/greater-carpenters-neighbourhood-plan/>